



BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

Regular Meeting
Tuesday, February 27, 2024
7:00 PM

"Please be advised that any proposed documents attached hereto are in draft form and vary from the final versions which are adopted at the meeting as set forth herein."

1. CALL TO ORDER
2. ROLL CALL
3. PRESIDENT'S OPENING COMMENTS
4. PUBLIC COMMENTS
5. CONSENT AGENDA

All items on the Consent Agenda are considered to be routine in nature and will be enacted in one motion. There will be no separate discussion of these items unless a Board member so requests, in which event, the item will be removed from the Consent Agenda and considered as the first item after approval of the Consent Agenda.

A. Accounts Payable for Period Ending: February 21, 2024 - \$1,001,811.32 Herman/Martin

1. LEGAL SERVICES:

- a) Lamp Law, LLC - Legal Services - November 2023 - \$3,333.33
(FY23 YTD - \$39,999.96)
- b) Schain Banks - Legal Services - January 2024 - \$466.80 (FY24 -
YTD - \$466.80)
- c) Lamp Law, LLC - Legal Services - January 2024 - \$3,333.33
(FY24 YTD - \$3,333.33)
- d) Clark, Baird, Smith, LLP - Legal Services - January 2024 -
\$3,337.50 (FY24 YTD - \$3,337.50)
- e) Ottosen DiNolfo Hasenbalg & Castaldo LTD - Legal Services -
January 2024 - \$20,119.86 (FY24 YTD - \$20,119.86)

TOTAL LEGAL BUDGET FOR 2023 IS \$616,500.00
TOTAL LEGAL BILLS PAID FOR 2023 - YTD - \$300,899.87
TOTAL LEGAL BUDGET FOR 2024 IS \$342,284.00
TOTAL LEGAL BILLS PAID FOR 2024 - YTD - \$27,257.49

2. John Neri Construction Co., Inc. - Harger Road Water Main

Replacement - Payout No. 4 + Final - \$203,793.55

3. BCBS - Health Care Services - March 2024 - \$234,582.65
4. PACE Systems Inc - Golf Security Camera Expansion - \$33,815.00
5. DuPage Water Commission - January 2024 - \$331,269.40
6. Deere & Company - Golf Maintenance Equipment - Progorator - \$33,706.00

B. Approval of Payroll Paydate: February 08, 2024 - \$853,210.68

Herman/Martin

6. ITEMS REMOVED FROM CONSENT AGENDA

7. ACTIVE BUSINESS

A. Ordinances & Resolutions

1. RESOLUTION R-2188, A Resolution Approving and Authorizing the Execution of a Confidentiality, Security, and Access Agreement as it Relates to Security and License Plate Recognition Cameras for the Oak Brook Center in the Village of Oak Brook Manzo/Reddy
2. RESOLUTION R-2185, A Resolution Approving the 2024 Village of Oak Brook Official Zoning Map Tiesenga/Manzo
3. RESOLUTION R-2187, A Resolution Approving and Authorizing the Execution of a Professional Services Agreement for 2024 Aerial Orthophotography Services with Ayres Associates, Inc. Jain/Martin
4. RESOLUTION R-2189, A Resolution Approving and Authorizing the Execution of an Agreement By and Between The Village of Oak Brook and Hinsdale Magazine, Inc. Manzo/Tiesenga
5. RESOLUTION R-2190, A Resolution Approving the Waiver of Competitive Bidding and Authorizing the Purchase of Golf Merchandise for the Oak Brook Golf Club Manzo/Martin
6. ORDINANCE G-1252, An Ordinance Creating Title 3 (Public Safety), to Add and Create Chapter 3 (Emergency Services and Disaster Agency) of the Village of Oak Brook Code of Ordinances Nagle/Jain
7. ORDINANCE S-1693, An Ordinance Amending the 2024 Classification, Salary Plan, and Salary Administration Policy Creating the Position of Marketing Manager Herman/Martin

B. Development Services Referrals

1. Zoning Amendment Referral - Discussion Tiesenga/Manzo

8. BOARD UPDATES

9. ADJOURN TO CLOSED SESSION

For the Purpose of Discussing (1) Minutes of Meetings Lawfully Closed Under This Act, (2) to consider litigation probable or imminent or pending against, affecting, or on behalf of the Village,

Pursuant to 2(C)(21), 2(C)(11) Of the Illinois Open Meetings Act Respectively

10. ADJOURNMENT

In accord with the provisions of the American with Disabilities Act, any individual who is in need of a reasonable accommodation in order to participate in or benefit from attendance at this public meeting should contact the Butler Government Center (Village Hall), at 630-368-5010 as soon as possible before the meeting date.

Approval for Payroll Paydate: 02/08/24

Total Gross Payroll	\$	582,241.75
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Employee Deductions:

Illinois Municipal Retirement Fund	\$	14,080.63
Police Pension Fund	\$	17,688.24
Fire Pension Fund	\$	12,379.68
Federal Tax Withholding	\$	61,473.26
State Tax Withholding	\$	24,399.35
Social Security and Medicare	\$	21,848.70
ICMA/NACO/457	\$	23,714.41
Court Orders	\$	2,345.46
Insurance Contributions	\$	21,734.64
Aflac Contributions	\$	1,142.57
Mo Voi Life	\$	284.60
Police Union Dues	\$	1,479.00
Fire Union Dues	\$	1,305.22
Public Works Union Dues	\$	1,128.51
125-Medical/Dependent Care	\$	2,950.96

Total Employee Deductions		207,955.23
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Net Payroll	\$	374,286.52
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Village Expenses:

Police Pension	\$	73,983.72
Fire Pension	\$	72,602.48
IMRF Pension	\$	18,174.65
Insurance Contributions	\$	84,359.38
Social Security and Medicare	\$	21,848.70

Total Village Expenses		270,968.93
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Total Payroll (Gross Payroll plus Village Expenses)	\$	853,210.68
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Payroll Date: 02/08/24

Employee Deductions		Pension	Salary by Pension	Percent of
		Deduction	Plan	Pensionable Salary**
	Police	\$ 17,688.24	\$ 178,489.10	9.910%
	Fire	12,379.68	130,933.20	9.455%
	IMRF	9,433.22	209,627.19	4.500%
	Non-Pensionable	-		0.000%
			<u>\$ 519,049.49</u>	

Village Payment into Pensions		Village	Percent of Payroll*	Percent "Match" of what Employee Contributes
		Contribution		
	Police	\$ 73,983.72	41.45%	418.3%
	Fire	72,602.48	55.45%	586.5%
	IMRF	18,174.65	8.16%	181.3%
		<u>\$ 164,760.85</u>		

*Police and Fire Village contribution rates reflect the State minimum funding requirements. The rates to match 100% funding by 2040 are 51.5% for Police and 67.3% for Fire.

**IMRF employee contribution percentage is statutorily set at 4.5% of pensionable salary; Tier II enrollees are capped at \$123,489.18 for 2023. A drop in percentage of pensionable salary below 4.5% for employee contribution reflects Tier II enrollees having met the pensionable wage cap for a given year.



ITEM 7.A.1.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: LPR Memorandum of Understanding Between Oak Brook and Brookfield Properties

FROM: Brian Strockis, Chief of Police

BUDGET SOURCE/BUDGET IMPACT: N/A

RECOMMENDED MOTION: I move to approve Resolution R-2188, a Resolution approving and authorizing the execution of a confidentiality, security and access agreement as it relates to security and license plate recognition cameras for the Oakbrook Center in the Village of Oak Brook.

Background/History:

At the May 23, 2023 Village Board meeting, Resolution R-2096 was approved authorizing the purchase of twenty-one License Plate Recognition (LPR) cameras and eighteen over watch cameras from Minuteman, and further authorizing the Village Manager to sign the maintenance and database access agreements. LPR's at all entrances/exits of the Oakbrook Center (OBC) were identified as a need for funding in the amount of \$200,000 which was awarded for this project. The police department researched funding for this project and received a grant through the Illinois Attorney General's Organized Retail Theft Grant. Having LPR's and over watch cameras at every entrance/exit to OBC will significantly assist the Police Department in our proactive policing strategies in our retail areas. Brookfield Properties is solely responsible for all future maintenance, replacement and service fees associated with this project outside the scope of what was funded by the grant.

The next phase of this process was to integrate Brookfield Properties camera feeds onto the police department's FUSUS platform. On August 29, 2023, Brookfield agreed to purchase FUSUS cores from the Village of Oak Brook to ingest their feeds at an initial cost of \$25,000 with recurring streaming fees of \$11,500 yearly. These fees assist with the funding of our FUSUS platform.

This resolution marks the phase of the process of the agreement with Brookfield Properties

regarding the Memorandum of Understanding regarding confidentiality, security and access regarding how the integrated camera feeds and LPR's will be utilized by the police department.

The final phase of the process will conclude with Brookfield Properties having finalized agreements in place with FUSUS and Minuteman Technologies, which is currently in process. Once these two agreements are in place, we will then go live with full integration.

Recommendation:

Staff requests that the Village Board approve the attached resolution authorizing the execution of a confidentiality, security and access agreement as it relates to security and license plate recognition cameras for the Oakbrook Center.

Attachments:

1. Res No. 2024-PD-AG-LPR-MALL-R-2188
2. Oakbrook Brookfield Access and Confidentiality Agreement - (FINAL)
3. OBC FUSUS Core purchase

THE VILLAGE OF OAK BROOK
COOK AND DUPAGE COUNTIES, ILLINOIS

RESOLUTION

NUMBER 2024-PD-AG-LPR-MALL-R-2188

A RESOLUTION
APPROVING AND AUTHORIZING THE EXECUTION OF A
CONFIDENTIALITY, SECURITY AND ACCESS AGREEMENT
AS IT RELATES TO SECURITY AND LICENSE PLATE
RECOGNITION CAMERAS FOR THE OAK BROOK CENTER IN
THE VILLAGE OF OAK BROOK

LAURENCE E. HERMAN, Village President
NETASHA SCARPINITI, Village Clerk

NAVEEN JAIN
MICHAEL MANZO
MELISSA MARTIN
JAMES NAGLE
A. SURESH REDDY
EDWARD TIESENGA

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Oak Brook
on this the 27th day of February 2024

RESOLUTION NO. 2024-PD-AG-LPR-MALL-R-2188

A RESOLUTION
APPROVING AND AUTHORIZING THE EXECUTION OF A CONFIDENTIALITY, SECURITY
AND ACCESS AGREEMENT AS IT RELATES TO SECURITY AND LICENSE PLATE
RECOGNITION CAMERAS FOR THE OAK BROOK CENTER IN THE VILLAGE OF OAK
BROOK

WHEREAS, the Village of Oak Brook is a municipal corporation with authority provided for and granted pursuant to the Illinois Municipal Code to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village of Oak Brook (hereinafter referred to as "Village") upon approval of the Village President and Board of Trustees (collectively, the "Corporate Authorities") may enter into an Agreement with another party pursuant to Illinois Statute;

WHEREAS, the Village and most of the west suburban region has experienced an increase in catalytic converter thefts, vehicle thefts and burglaries resulting in Village Staff being directed to explore what measures can be taken to ensure the safety and quality of life of Village residents, visitors and businesses;

WHEREAS, the research conducted by Village Staff indicates that utilizing technology including license plate recognition cameras to assist the Village with prevention as well as the apprehension of criminals would be an efficient use of resources;

WHEREAS, on June 13, 2023 the Village approved Resolution No. R-2096 approving and authorizing the execution of an agreement to purchase License Plate Recognition ("LPR") cameras for the Oak Brook Center in the Village of Oak Brook;

WHEREAS, in addition to the LPR Cameras to be installed at the Oak Brook Center, the owner and operator thereof, namely, Oakbrook Shopping Center, LLC; Oakbrook Anchor Acquisition, LLC; Oakbrook Anchor Acquisition II, LLC; and Oakbrook Center East, LLC (hereinafter referred to collectively as the "Mall") has indicated that the integration of all security cameras existing on the Mall property, commonly known as 100 Oakbrook Center, Oak Brook, IL 60523 (the "Mall Property"), with the FUSUS and Minuteman Technologies unity software platform the Village uses for all LPR cameras would be in the best interests of the health, safety, and welfare of all Mall patrons and residents of the Village;

WHEREAS, the Village and the Mall has jointly negotiated the terms of that certain Confidentiality, Security And Access Agreement (the "Agreement"), a copy of which is attached hereto and incorporated herein as Exhibit A, to memorialize the understanding and data access rights and privileges as it relates to the applicable security and LPR cameras;

WHEREAS, Staff recommends approval from the Corporate Authorities to authorize the execution of the Agreement for the reasons provided for herein;

WHEREAS, the Village of Oak Brook Corporate Authorities are of the opinion that it is in the best interests of the Village of Oak Brook to approve and execute the attached Agreement for the purposes referenced herein.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Oak Brook, DuPage and Cook Counties, Illinois as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Resolution are full, true, and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

Section Two – Approval

The Corporate Authorities hereby approves the Agreement, substantially in the form attached hereto and made a part hereof as Exhibit A.

Section Three – Authorization and Direction

The Village Manager is hereby authorized to execute the Agreement, substantially in the form attached hereto as Exhibit A, with such changes therein as shall be approved by the Village attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Agreement.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five - Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of anyl costs related to the execution of the Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the attached Agreement.

Section Six - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Seven – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Eight - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Nine – Conflict Clause

All resolutions, parts of resolutions or board actions in conflict herewith are hereby repealed to the extent of such conflict.

Section Ten – Saving Clause

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, which are hereby declared to be separable.

Section Eleven – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Oak Brook.

PASSED THIS 27th day of February 2024.

Ayes: _____

Nays: _____

Absent: _____

APPROVED THIS 27th day of February 2024.

LAURENCE E. HERMAN,
Village President

ATTEST:

NETASHA SCARPINITI,
Village Clerk

EXHIBIT A

[Agreement]

CONFIDENTIALITY, SECURITY AND ACCESS AGREEMENT

THIS CONFIDENTIALITY, SECURITY AND ACCESS AGREEMENT (hereinafter referred to as "Agreement") is made and entered into this 7th day of January, 2024 (the "Effective Date"), by and between the Village of Oak Brook (hereinafter referred to as the "Village") whose principal address is 1200 Oak Brook Road, Oak Brook, Illinois 60523, and Oakbrook Shopping Center, LLC; Oakbrook Anchor Acquisition, LLC; Oakbrook Anchor Acquisition II, LLC; and Oakbrook Center East, LLC (hereinafter referred to collectively as the "Mall") whose principal address is 100 Oakbrook Center, Oak Brook, IL 60523 (the Village and the Mall hereinafter collectively referred to as "Parties").

Recitals

WHEREAS, the Village by virtue of its powers set forth in the Illinois Municipal Code, 65 ILCS 5/1-1-1 has the ability to enter into this Agreement with various public partners in order to service the public interest;

WHEREAS, except as explicitly stated herein, the Mall owns the property located at 100 Oakbrook Center, Oak Brook, IL 60523 (the "Mall Property") on which its security cameras are located;

WHEREAS, the Village and the Mall wish to cooperate to promote public safety and believe that the use of security cameras solely for the purposes of (i) assisting Mall and/or the Village of Oak Brook Police Department (the "Police Department") in investigating conduct that Mall, Police Department, or any other party reasonably and in good faith believes may violate federal, state, or local law and (ii) allowing the Police Department to take immediate steps during Security Incidents as defined below (collectively, the "Permitted Purpose") can play a role in achieving this collective goal;

WHEREAS, the parties recognize the value of a shared understanding of the use of security cameras to provide information sharing solely for the Permitted Purpose while respecting the legal rights and responsibilities of each party and the privacy and reputational expectations of each party and the public;

WHEREAS, the Police Department continues to further develop its network of camera systems appearing on one collective platform providing the capability for authorized Police Department personnel to remotely view real time and recorded footage from security camera systems owned and operated by other public and private entities who voluntarily wish to provide the Police Department with access to such footage (each such entity, a "Project Partner") to promote public safety and to aid first responders during calls for service at their facilities located in the Village;

WHEREAS, the Police Department has contractually engaged FUSUS, Inc. (hereinafter referred to as "FUSUS"), a real-time intelligence ecosystem, to make footage from certain security camera systems owned and operated by Project Partners available in one accessible location via the cloud, with access thereto limited to the Police Department (the "Project");

WHEREAS, the Police Department received a grant ("Grant") part of which it will use to purchase license plate reader ("LPR") cameras from Minuteman Security Technologies, Inc. (hereinafter referred to as "Minuteman") which designs, installs and supports automatic license plate recognition systems, some of which the Village will gift to the Mall in furtherance of the Permitted Purpose;

WHEREAS, in furtherance of the Permitted Purpose, the Mall intends to work in good faith to negotiate and execute agreements with Minuteman and FUSUS so that the Mall can participate in the Project subject further to the terms and conditions of this Agreement;

WHEREAS, the Village deems this project to be vital to the future of the Village and in the best interest of the health, welfare and safety of its residents; and

WHEREAS, the Village and the Mall desire to enter into this Agreement to set forth the terms, conditions and guidelines pertaining to the gifting of the Gifted Cameras (as defined below) to the Mall, the access granted to the Mall by the Village to maintain and service one Gifted Camera which will be on the Village Property (as defined below), and the remote access to certain of the Mall's security cameras solely in connection with the Permitted Purposes and solely in strict accordance with the terms set forth herein.

Article 1 CONDITIONS PRECEDENT; GIFTING OF CAMERAS

1. Notwithstanding any provision of this Agreement to the contrary, all provisions of this Agreement except for this Article 1, Clause 1, shall not become effective unless and until Mall enters into one or more agreements with both Minuteman and FUSUS pertaining to the Permitted Purpose (the "Conditions Precedent").

2. The Village hereby gifts to the Mall nineteen (19) 2MP bullet camera pole mounts and 256 GB memory cards (the "Gifted Cameras"). The Village shall arrange for and pay all costs associated with the installation of the Gifted Cameras at the locations depicted in EXHIBIT C ("Installation Services"). The Village represents and warrants that it has all right, title and authority necessary to gift the Gifted Cameras and the Installation Services to the Mall. The Village neither requires nor expects any payment or consideration of any kind for the Gifted Cameras or the Installation Services in the form of either cash or services. The Gifted Cameras are granted to the Mall free and clear of all liens or other encumbrances and the Village will not file any lien against or otherwise encumber the Gifted Cameras. Upon the Effective Date, all title to the Gifted Cameras will vest with the Mall. The Village agrees to perform all acts which may be necessary to assure the complete transfer of title of the Gifted Cameras to the Mall. Should the Conditions Precedent contained in Section 1 of Article 1 of this Agreement fail to materialize, Mall agrees to work with the Village in a diligent and reasonable manner to remedy any issues, if any, relating to the failure to meet the requirements and/or eligibility criteria provided by the Grant in connection with the then-unused Gifted Cameras.

3. After the completion of the Installation Services to Mall's reasonable satisfaction, as between the Village and the Mall, the Mall shall be responsible for the maintenance of the Gifted Cameras except to the extent that any issues arise due to the negligence of the Village or any entity under its direct or indirect control.

Article 2 RIGHT OF ENTRY AND ACCESS GRANT TO THE MALL

1. The Mall is the record owner of the property commonly known as Oakbrook Shopping Center or Oakbrook Mall having a street address of 100 Oakbrook Center, Oak Brook, IL 60523 (the "Mall Property") and the Village is the record owner of the property depicted in Exhibit C (the "Village Property"). The Parties agree that one of the Gifted Cameras will be located on the Village Property in order to provide the best view of certain parts of the Mall Property.

2. The Village hereby grants to the Mall a right of entry to the Village Property in order for the Mall to maintain and service the Gifted Camera located on the Village Property including any wires, poles, power supply units, battery backup units, copper cables and wires, coaxial cables and wires, jacks, interconnection devices, interface modules, optical network equipment cabinets, and associated equipment and facilities, hereinafter collectively referred to as the "Equipment") upon the terms and conditions contained in this Article 2 (the "Access Purpose").

3. The Village shall give the Mall and its employees, agents, and contractors (each a "Mall Party") reasonable and necessary access to the Village Property for the Access Purpose for the duration of this Agreement.

4. All right, title and interest in and to the Equipment and any related wiring, equipment or devices installed by or gifted to the Mall shall belong to the Mall and, unless otherwise provided in this Agreement, upon termination or expiration of this Agreement, shall not be considered a fixture to the real estate or the Village Property. In the event that this Article 2 is terminated, the Mall shall have a reasonable amount of time to remove the Equipment from the Village Property.

5. The Mall shall be solely responsible for the maintenance, repair and/or replacement of all of the Equipment on the Village Property and for maintaining and keeping same in good operating condition.

Article 3 ACCESS TO SECURITY CAMERA FOOTAGE

1. The Village represents and warrants that it has the authority to bind the Police Department to the terms and conditions hereof. The Village also agrees that only the Police Department and no other Village entity or affiliate or third party will have access to the Security Data, as defined herein, unless explicitly contemplated in this Agreement or unless preapproved in a separate writing by the Mall.

2. During the term hereof, Mall hereby grants to Police Department, subject to its termination rights herein, and solely for the Permitted Purpose, the right to access images and video footage captured by the Gifted Cameras ("Mall Vehicle Data") through the FUSUS Unified Intelligence Platform. The Mall understands, acknowledges and agrees that it is not intended or expected that the Gifted Cameras will be monitored by the Village of Oak Brook or its employees. The Village makes no representation of continuous monitoring or system service and the Village will only monitor the Non-Gifted Cameras during Security Incidents.

3. Neither Village, Minuteman nor FUSUS will disseminate to third parties in any way, real time footage or recording from the Gifted Cameras ("Broadcast") without the express written permission of both the Chief of Police and Mall. Notwithstanding the forgoing, and notwithstanding the provisions of Article 3, Section 8, in the event the Chief of Police determines in his/her reasonable professional discretion that exigent circumstances exist and a Broadcast is in the best interests of the public safety of the community, the written permission for such Broadcast from the Mall will not be required. Notwithstanding the foregoing, the Police Department will use best efforts to notify Mall in writing as far in advance as possible prior to any such Broadcast.

4. In the event the Police Department requests access to recordings containing Mall Vehicle Data, not captured by the Gifted Cameras, the Mall may deny access to such Mall Vehicle Data in Mall's discretion.

5. From time to time, in the Mall's sole discretion, the Mall and/or its management company may elect to provide the Police Department access to certain footage from Mall's security Cameras other than the Gifted Cameras ("Non-Gifted Cameras") ("Incident Data") solely for the Permitted Purpose.

6. A "Security Incident" is an Emergency occurring at the Mall Property where law enforcement is called either by the Mall (including through its security vendor) or by a call to 911 reporting a threat, damage or harm to persons or property. For purposes of this Agreement, an "Emergency" is any circumstance that is reasonably believed to produce, or involves an imminent threat to life, limb, or safety of individuals or property on Mall Property, where the Mall or the Police Department reasonably determines that Processing (as hereafter defined) Mall Vehicle Data is necessary to protect an interest that is essential for the life or physical safety of individuals on Mall Property. Examples of "Emergencies" Include: Calls of Active Shooters, Bomb Threats, Physical Altercations, Burglary, Fires, and Hazardous Material Spills, or any other circumstance that produce an imminent threat to life or safety of the building occupants. Without limitation, "Emergencies" do not include situations or activities where Processing Mall Vehicle Data is not

necessary to protect property or an interest that is essential for the life or physical safety of individuals on Mall Property ("Non-Emergency Situations"). Non-Emergency Situations include, without limitation, false fire alarms, break in alarms, fire and/or evacuation drills, and training conducted in conjunction with first responders, or training of Village employees in accessing Village systems and/or Village system maintenance.

7. The Village agrees that Incident Data will not be stored, retained, viewed, monitored, disclosed, or otherwise Processed by or on behalf of the Village or the Police Department except as specifically set forth herein solely in connection with Security Incidents.

8. Incident Data and Mall Vehicle Data together with any other data captured from or otherwise relating to the Gifted Cameras, the Non-Gifted Cameras, or the Mall's security program and processes, including information such as the up-time of the cameras, shall be hereafter referred to as "Security Data." Security Data is considered Mall Privacy Data as hereinafter defined. The Village agrees that neither the Police Department nor any other Village personnel shall access, use, retain, store, collect, disclose, aggregate, or otherwise process (collectively, "Process") Security Data for any purpose other than the Permitted Purpose. The Police Department agrees to keep the Security Data confidential and shall not disclose the Security Data to any person outside the Police Department except as expressly permitted by this Agreement; provided that Security Data may be provided to another government agency solely in furtherance of the Permitted Purpose and solely if subject to a confidentiality agreement that is at least as protective of the Security Data as this Agreement. Police Department shall implement and maintain reasonable safeguards sufficient to protect Security Data against any unauthorized or unlawful access, acquisition, loss, deletion, or any other Processing including, but not limited to, the use of dual factor authentication to access any Security Data. Police Department agrees to securely delete Security Data when it is no longer needed for the Permitted Purpose or upon Mall's reasonable request, whichever is earlier.

9. For the avoidance of doubt, Police Department specifically agrees to not produce any copies of Security Data or any part thereof to any member of the press, media or any other person or entity except as required by law and in compliance with this Agreement. To the extent Police Department is required by law or intends to produce Security Data or any part thereof to any court, governmental agency, person, or member of the press or media, Police Department shall give the Mall reasonable advance notice of such intended disclosure to allow the Mall to take such action as it deems appropriate to limit such disclosure and protect the confidentiality of the Security Data. Police Department will cooperate with Mall to limit any such disclosure and shall only disclose the minimum amount of Security Data necessary in connection with such disclosure. Unless otherwise required by Applicable Law, any Security Data accessed or otherwise Processed by the Police Department will be retained for ten (10) or less calendar days at Mall's sole discretion.

Article 4 SECURITY AND PRIVACY REQUIREMENTS

1. Use of Privacy Data. All Mall Privacy Data (as hereafter defined) will be Processed by the Village only as necessary for the Permitted Purpose. Village is prohibited from using, retaining, disclosing, or otherwise Processing Mall Privacy Data for any other purpose. Village shall promptly inform Mall of any requirement under Applicable Law (as hereafter defined) that would require Processing Mall Privacy Data in any way other than per this Agreement. For the avoidance of doubt, Village may not sell, share, resell, lease, assign, rent, sublicense, distribute, transfer, disclose, time-share or otherwise exchange Mall Privacy Data for monetary or other consideration. In the event that Village has reason to believe it can no longer comply with Applicable Law or this Agreement, it must notify Mall as expeditiously as practicable, but in any event within forty-eight (48) hours. Village is prohibited from combining, updating, comingling or merging Mall Privacy Data with any other Personal Data except as strictly necessary for the Permitted Purpose. No right, title, or interest in Mall Privacy Data is transferred to Village or any affiliated entity. As used herein, "Personal Data" shall mean any information that identifies, relates to, describes, is capable of being associated with or identifying, or could reasonably be linked, directly or indirectly, with a particular individual, consumer, household, or device, including,

without limitation, any inferences drawn about individuals, consumers, households, or devices, or derivatives thereof, and/or any other information that is regulated as “personal data,” “personally identifiable information,” or “personal information,” or similar term as otherwise defined under any Applicable Law. As used herein, “Mall Privacy Data” shall mean all Mall trade secrets, confidential information, Security Data, and proprietary information; any information that identifies, relates to, describes, is capable of being associated with or identifying, or could reasonably be linked, directly or indirectly, with Mall or its affiliates; and any Personal Data obtained by or on behalf of Village, Processed by or on behalf of Village, or made available to Village or any third party on behalf of Village in connection with, or in relation to, the Agreement, including, without limitation, any Personal Data that relates to or could be associated with Mall, its employees, customers, and/or prospects, and/or other end-users of Mall’s products, services, websites, advertisements, or content. Mall Privacy Data includes any aggregated, de-identified or other derivative of other Mall Privacy Data.

2. Access Limitations. Village shall not disclose, transfer, or otherwise make available Mall Privacy Data to any third party, including, without limitation, any agent, contractor, or subcontractor, without the prior written consent and authorization of Mall. For the avoidance of doubt, Village shall not disclose, transfer, or otherwise make available Mall Privacy Data to FUSUS and/or Minuteman outside the scope of any existing agreement to which the Mall is a party without Mall’s separate prior written consent. Without limiting the foregoing, any third party to which Village discloses Mall Privacy Data shall be required by Village to enter into written contractual obligations that are no less stringent than the obligations imposed upon Village by this Agreement before any such party is provided with access to any Mall Privacy Data. Promptly following Mall’s request, Village shall provide copies of such agreements (which may be redacted to exclude commercial terms) executed by all third parties with access to Mall Privacy Data, for Mall’s inspection. The acts or omissions of Village’s employees, agents, representatives, contractors, subcontractors or affiliates (and such affiliates’ employees, agents, representatives, contractors, or subcontractors) (which includes the Police Department) will also be deemed the acts or omissions of Village and Village shall be fully responsible for all such acts or omissions. Without limiting the foregoing, Village will restrict access to Mall Privacy Data only to those individuals who have a need to know or otherwise access the Mall Privacy Data to enable Village to perform the Permitted Purpose, and as otherwise permitted by the Agreement provided that: (a) subject to applicable law, a background check has first been conducted of those individuals and no adverse, material background information has been uncovered, (b) those individuals have first executed a written agreement that is at least as protective of the Mall Privacy Data as the terms of this Agreement, and (c) Village and its subcontractors have a written policy governing the grant and control of access privileges and revocation of access privileges immediately upon employment termination. Village will at all times cause its employees and others who have been granted access to Mall Privacy Data to strictly abide by Village’s obligations under this Agreement. Village further agrees that it will maintain a disciplinary process to address any unauthorized access, use or disclosure of Mall Privacy Data by any of Village’s officers, partners, principals, employees, agents or contractors.
3. Assistance. Should Mall receive a request from an individual exercising rights under Applicable Law, Village shall promptly (and in any event, within five (5) days) and at no charge to Mall, provide all assistance required by Mall in the fulfillment of, and response to, such request. Village shall, upon Mall’s request, cooperate in good faith with Mall to enter into additional or modified contract terms to address any modifications, amendments, or updates to Applicable Law.
4. Security. Village warrants that it has adopted, documented, and implemented, and will maintain and enforce for as long as the Agreement is in effect or as long as Village stores or Processes Mall Privacy Data (whichever is later), an information security program that includes administrative, organizational, technical, physical, and other safeguards sufficient to protect Personal Data and all Mall Privacy Data against accidental, unauthorized or unlawful Processing, destruction, loss, alteration, communication, acquisition, use, disclosure, and access, and against all other unlawful activities, and that complies with all Applicable Laws. Without limiting the foregoing, Village warrants that it shall at all times maintain and comply with all of the security standards, requirements, and procedures set forth in Exhibit A to this Article and with the Center for Internet Security CIS Controls 8.0 for Implementation Group 3 (or successor version). Without limiting the foregoing, Village further warrants that it shall have in place

safeguards that provide for and ensure: (a) protection of business facilities, paper files, servers, computing equipment, including without limitation all mobile devices and other equipment with information storage capability, and backup systems containing Personal Data and Mall Privacy Data; (b) network, application (including databases) and platform security, including secure network and software design; (c) business systems designed to optimize security and proper and secure disposal of Mall Privacy Data according to the terms of this Agreement; (d) secure transmission and storage of Personal Data and Mall Privacy Data, including encryption of data in transmission and at rest; (e) authentication and access control mechanisms over Mall Privacy Data, media, applications, operating systems and equipment, ensuring that user IDs are unique among users and not shared, and utilizing industry standard password selection and aging procedures and multi-factor authentication; (f) personnel security and integrity, including background checks where consistent with applicable law; (g) annual training to Village's employees on how to comply with the Village's physical, technical, and administrative information security safeguards and confidentiality obligations under Applicable Law and the Agreement, (h) up-to-date versions of security agent software for systems that house Mall Privacy Data, which include malware protection, and up to date implementation of patches and virus definitions; (i) storage limitations such that Mall Privacy Data resides only on servers in data centers that comply with industry standard data center security controls, and restrictions to ensure that Mall Privacy Data files are not placed on any notebook hard drive or removable media, such as compact disc or flash drives, unless necessary and encrypted; (j) identification of reasonably foreseeable internal and external risks on a regular basis, and assessments of the sufficiency of existing safeguards in relation to such risks; (k) regular monitoring and testing of the effectiveness of key controls, systems, and procedures and prompt remediation of ineffective controls, systems, and procedures; (l) prompt implementation of any adjustments to the information security program and Village's safeguards in light of business changes or new threats, technologies, and circumstances; (m) role-based access control lists maintained and enforced with access to assets and information limited to individuals on a need-to-know basis; (n) standardized logging and monitoring of all cybersecurity events and activities; (o) multilayered boundary defenses (e.g. firewalls, web proxies, DMZ perimeter networks, and other network based tools); and (p) regular testing of backup and incident response recovery processes. Village shall ensure strong authentication and authorization controls are in place to gain access to any Mall Privacy Data. For all systems that store or transmit Mall Privacy Data, Village shall run internal and external network vulnerability scans at least quarterly and after any material change in the network configuration; Village shall immediately remediate vulnerabilities identified in such scans. Mall Privacy Data shall not be Processed or stored in a cloud or outsourced environment unless preapproved by Mall in writing and there is transport encryption for communications with and among cloud or outsourced elements.

5. Mall Systems. In the event Village accesses any Mall (or Mall affiliate or Mall licensor) system, infrastructure, software, hardware, property, computer, device, information network, or equipment (collectively, "Mall Systems"), Village shall: i) connect only in the manner and through the means authorized by Mall and in accordance with any policies, guidelines, or restrictions provided by or on behalf of Mall; ii) not connect, access, or use (nor attempt to connect, access, or use) any Mall System without the prior authorization of Mall; iii) not use personal or shared accounts; iv) not attempt to gain unauthorized access to any Mall System or other user's account; v) not, nor attempt to, use any Mall System in any way that is illegal; is abusive; is harmful to or interferes with Mall's other networks or systems or the networks or systems of any other entity; infringes, misappropriates, or otherwise violates the privacy, proprietary, or other rights of any party; or creates a security risk or vulnerability; vi) be responsible for all Mall equipment issued or in Village's possession or control; and vii) return any of Mall equipment when no longer required to fulfill the Permitted Purpose, if the Agreement is terminated, or immediately upon Mall's request. Notwithstanding anything to the contrary contained herein, Village shall be deemed to be in material breach of this Agreement in the event that the acts or omissions of Village or any of Village's employees, agents, representatives, contractors, subcontractors or affiliates (and such parties' employees, agents, representatives, contractors, or subcontractors, including the Police Department) cause, result in, or contribute to any damage to, unauthorized or accidental access to, unauthorized Processing of, loss of, unauthorized disclosure, acquisition, use, reproduction, destruction, or deletion of, vulnerability to, or misuse of any Mall System, database, data, or materials. For purposes of clarity and the avoidance of doubt, Village shall not be deemed to be in material breach

of this Agreement as it relates to access of any Mall Systems authorized by Mall in accordance with the terms of this Agreement or any other agreement directly between Mall and Minuteman and/or FUSUS.

6. Data Retention. All Mall Privacy Data shall be securely deleted or destroyed (in a manner as specified by Mall) once such information is no longer required for the Permitted Purpose. Except as may otherwise be directed by Mall in a separate writing, Village shall immediately delete or securely return, at Mall's discretion, all copies of Mall Privacy Data upon expiration or termination of the Agreement, or upon Mall's request. Any Mall Privacy Data retained by Village shall be safeguarded in accordance with the terms of this Agreement for so long as such Mall Privacy Data is retained.
7. Encryption. Village shall ensure that (a) any Mall Privacy Data transmitted over a network, whether via email, file transfer protocol, or other means of electronic exchange, and (b) any Mall Privacy Data stored on a portable device, including but not limited to a laptop computer, USB drive, floppy disk, or CD, shall be encrypted using a cryptographic algorithm employing a key length of at least 256 bits.
8. Data Incidents. In the event of any actual or reasonably suspected unauthorized or accidental access to, loss of, loss of control over, unavailability of, unauthorized Processing of, and/or unauthorized disclosure, communication, acquisition, use, destruction, or deletion of Personal Data or Mall Privacy Data ("Data Incident"), Village shall inform Mall's designated representative via email of the same within twenty-four (24) hours of Village becoming aware of such Data Incident. Unless required by Applicable Law, Village shall not notify any third party of a Data Incident involving Mall Privacy Data without Mall's prior, written authorization. Village shall reimburse and indemnify Mall for all costs incurred in responding to and/or mitigating damages caused by a Data Incident involving Mall Privacy Data, including, without limitation, costs of forensic investigation, regulatory fines, notification costs, credit monitoring, and/or reasonable attorneys' fees.
9. No Export. Village will not transmit, directly or indirectly, any Mall Privacy Data to any country outside of the United States of America without the prior written consent of Mall. Any such international transfers must be in compliance with all Applicable Laws.
10. Written Program. Village represents and warrants that it has in place all appropriate written policies containing reasonable and appropriate administrative, physical, and technical safeguards that, at a minimum, meet the applicable requirements in this Agreement, including: (a) a written program instructing its employees, contractors, agents, and suppliers how to protect Personal Data, and (b) a written security incident response plan detailing the procedures for managing Data Incidents and assigning personnel roles and responsibilities related to same. Village further represents and warrants that it shall use all necessary steps to protect Personal Data and Mall Privacy Data, including conducting on a regular basis assessments of foreseeable internal and external risks to the security, confidentiality and integrity of electronic, paper and other records containing Personal Data and/or Mall Privacy Data, and as necessary improving the effectiveness of its safeguards to limiting such risks, including employee training, ensuring ongoing employee compliance with its written program, and the development of measures for detecting and preventing security system failures. Village has identified a specific representative to be in charge of its program, and shall ensure that this individual (or a designated alternate) is available to Mall to respond to any questions and to work with Mall in the event of any incident or suspected incident involving Mall Privacy Data and/or impacting the security, integrity, availability, or confidentiality of Mall Privacy Data.
11. Cooperation, Audit and Inspection. Village shall provide reasonable assistance, information, and cooperation to Mall to ensure compliance with the Mall's obligations pursuant to Applicable Law, including, without limitation, with respect to conducting privacy and data protection impact assessments, taking into account the nature of Processing and the information available to Village. Village further grants Mall the right to take reasonable and appropriate steps to ensure that Village Processes Mall Privacy Data in a manner consistent with Mall's and Village's obligations under Applicable Law and to stop and remediate any unauthorized Processing of Mall Privacy Data. Village shall make available to Mall all information necessary to demonstrate compliance with Applicable Law. On an annual basis, Village will conduct a SSAE18 SOC II Type II audit, or other audit acceptable to Mall in its sole discretion, of Village's internal controls and will promptly provide the results of such audit

to Mall, upon Mall 's request. Village will promptly, at its sole expense, remediate any material deficiencies identified in any audit and provide documentation of its remediation of such deficiencies to Mall. In the event Village makes any material changes to the security safeguards applicable to the locations, servers, systems, or databases where Mall Privacy Data is stored or otherwise Processed, Village shall certify in writing that the changes will not in any way diminish or weaken the security or integrity of the Mall Privacy Data stored therein.

- 12. Representations and Warranties.** Village represents and warrants that it has the authorization necessary to enter into this Agreement, and no consent, approval, or other action is necessary in connection with the execution or performance of it. Village further represents, warrants, and certifies that it understands and will perform all of its duties and obligations under this Agreement, and will comply with all applicable laws, rules, regulations, ordinances, regulatory guidance and interpretations, and industry guidelines, and all applicable privacy, security, and data protection laws and regulations and all related amendments and implementing regulations, all as may be amended, restated or replaced from time to time (collectively, "Applicable Law") in Processing any Personal Data and/or Mall Privacy Data. Village represents and warrants that it has created written guidelines to ensure its compliance with its obligations under this Agreement, and shall provide those written guidelines to Mall upon request. Notwithstanding anything to the contrary that may be contained herein, Village expressly represents, warrants, and covenants that neither Village nor any third party it utilizes or engages in connection with the Agreement shall collect, receive, analyze, capture, store or otherwise Process Biometric Data (defined below) and/or use any Facial Recognition Technology (defined below) at any time in connection with Village's performance under the Agreement. "Biometric Data" shall include: (a) any information, data, content, or material that constitutes a biometric identifier, biometric information, or biometric data under any Applicable Law, including, without limitation, the Illinois Biometric Information Privacy Act, and any other information that is regulated as "biometric data," "biometric identifier," "biometric identifier information," "biometric information," or other similar term as otherwise defined under any Applicable Law; (b) any retina or iris scan, fingerprint, faceprint, palm print, voiceprint, record or scan of hand or face geometry; and (c) any information, data, content, or material generated from measurements or analysis of the human body, biological or physiological characteristics or patterns that is used, or could be used, alone or in combination with other identifying data, to identify an individual, including, without information, information based on the characteristics of an individual's gait, speech pattern, keystroke patterns or rhythms, sleep, health, or exercise data, or any immutable characteristic of an individual. "Facial Recognition Technology" means any technology, device or process that assists in identifying, verifying, detecting, authenticating, matching, organizing, measuring or characterizing facial features of an individual or capturing or rendering information about an individual based on an individual's face or facial features.

13. Village Security Representative.

Name:	Brian Strockis
Title:	Chief of Police
Phone:	630-368-8710
Email:	bstockis@oak-brook.org

- 14. Survival.** The obligations in this Article 4 shall survive expiration or termination of the Agreement to the extent that Village has any Mall Privacy Data (as defined herein) in its possession or control.

Article 5 INSURANCE

During the Term, and for three (3) years after its termination, the Village shall procure and maintain insurance policies as follows:

- General Liability insurance in the minimum amount of One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate.

- Automobile Liability insurance, including all owned, non-owned and hired vehicles with a One Million Dollars (\$1,000,000) combined single limit.
- Workers Compensation (“WC”) and Employer’s Liability Insurance as follows:
 - Statutory WC including occupational disease in accordance with applicable law; and
 - Employers Liability Insurance with minimum limits of One Million Dollars (\$1,000,000).
- Cyber/Security insurance amounts as provided in the attached Intergovernmental Risk Management Agency Cyber Suite Coverage Declarations, attached hereto and incorporated herein as Exhibit B (to this Article 5).

All insurance shall be on an occurrence basis or on a claim made basis with appropriate tail coverage not less than thirty-six (36) months to cover any gaps.

All insurance provided by Village and Subcontractors shall be primary and non-contributing and contain a waiver of subrogation endorsement.

Mall, Brookfield Properties Retail Inc. and its Affiliates, partners, and subsidiaries shall be named as additional insured with respect to the Commercial General Liability and Umbrella Liability coverages specified above.

Certificates of insurance evidencing Village’s compliance with these provisions shall be made available to Mall before commencement of work and shall provide that the insurer will endeavor to provide thirty (30) days’ prior notice of cancellations, non-renewal or material change.

Article 6 INDEMNIFICATION

TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, VILLAGE AGREES TO INDEMNIFY, HOLD HARMLESS, AND DEFEND, ON DEMAND, MALL AND ITS PARENT, SUBSIDIARIES, AND AFFILIATES AND EACH OF THEIR RESPECTIVE OFFICERS, SHAREHOLDERS, DIRECTORS AND EMPLOYEES, SECURITY CONTRACTORS AND AGENTS FROM AND AGAINST ANY LOSSES, DAMAGES, OR EXPENSES (INCLUDING REASONABLE ATTORNEY’S FEES) (COLLECTIVELY, “LOSSES”) ARISING OUT OF OR IN RELATION TO VILLAGE’S, OR ANY PARTY ACTING UNDER ITS CONTROL, INCLUDING, WITHOUT LIMITATION, ANY EMPLOYEE, AGENT, REPRESENTATIVE, CONTRACTOR, SUBCONTRACTOR OR AFFILIATE THEREOF, (I) MATERIAL BREACH OF THE TERMS OF THIS AGREEMENT OR (II) GROSS NEGLIGENCE OR WILLFUL MISCONDUCT. NOTWITHSTANDING ANY OTHER RIGHTS OR REMEDIES UNDER THIS AGREEMENT OR AT LAW, MALL SHALL HAVE THE RIGHT TO IMMEDIATELY TERMINATE THE AGREEMENT UPON WRITTEN NOTICE TO THE VILLAGE IN THE EVENT OF ANY MATERIAL BREACH BY VILLAGE UNDER THIS AGREEMENT.

TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, MALL AGREES TO INDEMNIFY, HOLD HARMLESS, AND DEFEND, ON DEMAND, VILLAGE (INCLUDING ITS ELECTED OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES) FROM AND AGAINST ANY LOSSES ARISING OUT OF MALL’S (INCLUDING, WITHOUT LIMITATION, ITS PARENT, SUBSIDIARIES, AND AFFILIATES AND EACH OF THEIR RESPECTIVE OFFICERS, SHAREHOLDERS, DIRECTORS AND EMPLOYEES): (I); MATERIAL BREACH OF THE TERMS OF THIS AGREEMENT; OR (II) OR (II) GROSS NEGLIGENCE OR WILLFUL MISCONDUCT. NOTWITHSTANDING ANY OTHER RIGHTS OR REMEDIES UNDER THIS AGREEMENT OR AT LAW, VILLAGE SHALL HAVE THE RIGHT TO IMMEDIATELY TERMINATE THE AGREEMENT UPON WRITTEN NOTICE TO THE MALL IN THE EVENT OF ANY BREACH BY MALL OF ITS OBLIGATIONS UNDER THIS AGREEMENT.

Article 7 AUDIT & REPORTING

The Village shall maintain a record of all personnel who are authorized to remotely access the Security Data. The Village will provide Mall with monthly reports stating when it accessed the Security Data including information on who accessed it and when. The Village shall allow Mall all reasonable access to any information regarding its Processing of the Mall Privacy Data promptly upon Mall's request.

Article 8 TERM

This Agreement shall continue until terminated by either party for any reason at any time upon the sole discretion of the terminating party by giving 15 days written notice to the other party unless either Party invokes their rights for immediate termination pursuant to Article 6. Furthermore, the Mall may terminate this Agreement at any time upon notice to Village, with no penalty or liability, in the event that it does not execute an agreement with Minuteman and/or FUSUS so that it can participate in the Project.

Article 9 VILLAGE REPRESENTATIONS AND WARRANTIES

THE SOLE PURPOSE OF THE DATA ACCESS RIGHTS AND PRIVILEGES GRANTED BY THIS AGREEMENT IS TO PROMOTE PUBLIC SAFETY AND TO AID FIRST RESPONDERS DURING SECURITY INCIDENTS OR CALLS FOR SERVICE AT THE MALLPROPERTY. VILLAGE MAKES NO REPRESENTATION OR WARRANTY REGARDING THE EFFECTIVENESS OF THE PROJECT.

1. Village represents and warrants that it has the authorization necessary to enter into this Agreement, that any consent, approval, or other action necessary in connection with the execution or performance of this Agreement has been properly and timely obtained, and that Village complies, and shall continue to comply, with all applicable local, state and federal laws, statutes, codes, ordinances, rules, regulations and governmental orders.

2. Mall hereby advises Village that it has established a reporting hotline so that all employees, vendors, partners and various other stakeholders in Mall may anonymously report any concerns or raise any issues, free of discrimination, retaliation or harassment, pertaining to: (a) accounting, auditing and any other financial reporting irregularities, (b) unethical business conduct (including, without limitation, safety, environment, conflicts of interest, theft and fraud), or (c) violations of law. The reporting hotline may be accessed either: (y) by telephone, by calling toll free from anywhere in North America to **(800) 665-0831**, or (z) via the internet by submitting an anonymous report online at **www.reportlineweb.com/Brookfield**. Reports to the reporting hotline shall be reviewed by Mall and Mall shall commence appropriate investigations in compliance with law or as Mall otherwise deems necessary. Village will report to Mall or to Mall's Reporting Hotline (1-800-665-0831) as soon as practicable any request or demand for any improper payments or other improper advantage of any kind received by Village from Mall or any other person in connection with the performance of this Agreement.

3. Village further represents and warrants that it has not received or been promised, offered, promised, given or agreed to receive any bribe on behalf of Mall and that it will not engage in any activity or practice which would constitute an offense under any applicable anti-bribery and/or anti-corruption laws, including but not limited to the United States *Foreign Corrupt Practices Act of 1977*, the United Kingdom's Bribery Act 2010, and Canada's Corruption of Public Officials Act, and that it shall not cause Mall to be in breach of any of the applicable anti-bribery and corruption laws.

4. Village represents and certifies that neither Village, nor any of its employees, (i) is listed on any Government Lists (defined below), (ii) is a person who has been determined by competent authority to be subject to the prohibitions contained in Presidential Executive Orders No. 13224 (Sept. 23, 2001) or any other similar prohibitions contained in the rules and regulations of OFAC (defined below) or in any enabling legislation or other Presidential Executive Order in respect thereof, (iii) has been previously indicted for or

convicted of any felony involving a crime or crimes of moral turpitude or for any Patriot Act Offense (defined below) or of the criminal laws of the U.S.A. or any of the several states relating to terrorism of the laundering of monetary instruments, including the Bank Secrecy Act and the Money Laundering Control Act of 1986, or (iv) is currently under investigation by any governmental authority for alleged criminal activity. For the purposes hereof, "Government Lists" means (a) the Specially Designated Nationals and Blocked Persons Lists maintained by Office of Foreign Asset Control ("OFAC"), (b) any other list of terrorists, terrorist organizations or narcotics traffickers maintained pursuant to any of the Rules and Regulations of OFAC, or (c) similar lists maintained by the U.S. Department of State, the U.S. Department of Commerce or any other governmental agency or authority. For the purposes hereof, "Patriot Act Offense" means any violation of the Patriot Act or of the criminal laws of the U.S.A. or any of the several states relating to terrorism of the laundering of monetary instruments, including the Bank Secrecy Act and the Money Laundering Control Act of 1986.

Should any element of the foregoing certifications in this Article 9, section 4 become untrue during the Term, then Village will immediately notify Customer and Customer may unilaterally suspend performance of or terminate the Agreement with immediate effect by the service of written notice on Village and immediately suspend or cancel any further payments.

Article 10 MISCELLANEOUS

1. Neither Party may assign or transfer all or any portion of this Agreement without the prior written consent of the other party.
2. If any term or provision of this Agreement will to any extent be held invalid or unenforceable, the remaining terms and provisions of this Agreement will not be affected thereby, but each term and provision of this Agreement will be valid and enforced to the fullest extent permitted by law.
3. The marginal or topical headings of the several articles and sections are for convenience only and do not define, limit, or construe the contents of such articles and sections.
4. This Agreement can only be modified or amended by an agreement in writing signed by the parties hereto.
5. This Agreement is governed by, and must be interpreted under, the internal laws of the State of Illinois.
6. The Parties represent that the individuals executing this Agreement have full authorization to enter into this Agreement on behalf of the respective Parties.

No covenant or term contained in this Agreement shall be deemed to be the agreement of any official, officer, member, manager, director, agent, employee, consultant, or attorney of the Village or the Mall in his or her individual capacity and no official, officer, member, manager, director, agent, employee, consultant, or attorney of the Village or the Mall shall be personally liable under this Agreement or be subject to any personal liability or accountability by reason for or in connection with or arising out of the execution, delivery, and performance of this Agreement, or any failure in connection therewith.

7. No waiver of any term or condition of this Agreement shall be valid or of any force or effect unless made in writing, signed by the parties hereto or their duly authorized representatives, and specifying with particularity the nature and extent of such waiver. The failure of a party at any time to exercise any of its rights or options under this Agreement shall not be construed to be a waiver of such rights or options or prevent such party from subsequently asserting or exercising such rights or options, nor shall it be construed, deemed or interpreted as a waiver of, or acquiescence in, any such breach or default or of any similar breach or default occurring later.

8. All notices, requests and approvals required under this Agreement must be in writing and addressed to the other party's designated contact(s) for notices as set forth below, or to such other address as such party designates in writing. All such notices, requests and approvals will be deemed to have been delivered either when personally delivered, or upon delivery by either registered or certified mail, postage prepaid with return receipt requested, or by a recognized commercial courier service providing proof of delivery on the date of mailing. The provisions of this Article 10, Section 8 shall survive termination of this Agreement. The parties' initial addresses for notices, requests and approvals as described herein are as follows:

To Customer: Oakbrook Shopping Center
100 Oakbrook Center
Oak Brook, IL 60523
Attention: General Manager

With a copy to: Brookfield Properties Retail Inc.
350 N. Orleans St., Suite 300
Chicago, IL 60654
Attention: Legal Department – Contracts

Brookfield Properties Retail Inc.
350 N. Orleans St., Suite 300
Chicago, IL 60654
Attention: Security Department

To Village: Village of Oak Brook Police Department
1200 Oak Brook Rd., Oak Brook, IL 60523 Attn: Chief of Police

IN WITNESS WHEREOF, each of the Parties have executed or caused this Confidentiality, Security and Access Agreement to be executed as of the date set forth above by their duly authorized representatives.

VILLAGE OF OAK BROOK:

Oakbrook Shopping Center, LLC,
a Delaware limited liability company
By: Oakbrook Center Mezz LLC,
a Delaware limited liability company, its sole
member

Village of Oak Brook Police Department

Authorized Signatory

Oakbrook Anchor Acquisition, LLC,
a Delaware limited liability company
By: Oakbrook Center Mezz LLC,
a Delaware limited liability company, its sole member

Authorized Signatory

Oakbrook Anchor Acquisition II, LLC,
a Delaware limited liability company
By: Oakbrook Center Mezz LLC,
a Delaware limited liability company, its sole member

Authorized Signatory

Oakbrook Center East, LLC,
a Delaware limited liability company
By: Oakbrook Center Mezz LLC,
a Delaware limited liability company, its sole member

Authorized Signatory

Exhibit A to Article 4

Security Requirements

Reference	Description	Minimum Requirements
1. Inventory of Authorized and Unauthorized Devices	Reduce the ability of attackers to find and exploit unauthorized and unprotected systems:	Use active monitoring and configuration management to maintain an up-to-date inventory of devices connected to the enterprise network, including servers, workstations, laptops, and remote devices.
2. Inventory of Authorized and Unauthorized Software	Identify vulnerable or malicious software to mitigate or root out attacks:	Devise a list of authorized software for each type of system, and deploy tools to track software installed (including type, version, and patches) and monitor for unauthorized or unnecessary software.
3. Secure Configurations for Hardware & Software on Laptops, Workstations, and Servers	Prevent attackers from exploiting services and settings that allow easy access through networks and browsers:	Build a secure image that is used for all new systems deployed to the enterprise, host these standard images on secure storage servers, regularly validate and update these configurations, and track system images in a configuration management system.
4. Continuous Vulnerability Assessment and Remediation	Proactively identify and repair software vulnerabilities reported by security researchers or vendors:	Regularly run automated vulnerability scanning tools against all systems and quickly remediate any vulnerabilities, with critical problems fixed within 48 hours.
5. Malware Defenses	Block malicious code from tampering with system settings or contents, capturing sensitive data, or spreading:	Use automated anti-virus and anti-spyware software to continuously monitor and protect workstations, servers, and mobile devices. Automatically update such anti-malware tools on all machines on a daily basis. Prevent network devices from using auto-run programs to access removable media.
6. Wireless Device Control	Protect the security perimeter against unauthorized wireless access:	Allow wireless devices to connect to the network only if they match an authorized configuration and security profile and have a documented owner and defined business need. Ensure that all wireless access points are manageable using enterprise management tools. Configure scanning tools to detect wireless access points.
7. Data Recovery Capability	Minimize the damage from an attack:	Implement a trustworthy plan for removing all traces of an attack. Automatically back up all information required to fully restore each system, including the operating system, application software, and data. Back up all systems at least weekly; back up sensitive systems more often. Regularly test the restoration process.
8. Security Skills Assessment and Appropriate Training to Fill Gaps	Find knowledge gaps, and fill them with exercises and training:	Develop a security skills assessment program, map training against the skills required for each job, and use the results to allocate resources effectively to improve security practices.

Reference	Description	Minimum Requirements
9. Secure Configurations for Network Devices such as Firewalls, Routers, and Switches	Preclude electronic holes from forming at connection points with the Internet, other organizations, and internal network segments:	Compare firewall, router, and switch configurations against standards for each type of network device. Ensure that any deviations from the standard configurations are documented and approved and that any temporary deviations are undone when the business need abates.
10. Limitation and Control of Network Ports, Protocols, and Services	Allow remote access only to legitimate users and services:	Apply host-based firewalls and port-filtering and scanning tools to block traffic that is not explicitly allowed. Properly configure web servers, mail servers, file and print services, and domain name system (DNS) servers to limit remote access. Disable automatic installation of unnecessary software components. Move servers inside the firewall unless remote access is required for business purposes.
11. Controlled Use of Administrative Privileges	Protect and validate administrative accounts on desktops, laptops, and servers to prevent attack:	Use robust passwords that follow Federal Desktop Core Configuration (FDCC) standards.
12. Boundary Defense	Control the flow of traffic through network borders, and police content by looking for attacks and evidence of compromised machines:	Establish multilayered boundary defenses by relying on firewalls, proxies, demilitarized zone (DMZ) perimeter networks, and other network-based tools. Filter inbound and outbound traffic, including through business partner networks ("extranets").
13. Maintenance, Monitoring, and Analysis of Security Audit Logs	Use detailed logs to identify and uncover the details of an attack, including the location, malicious software deployed, and activity on victim machines:	Generate standardized logs for each hardware device and the software installed on it, including date, time stamp, source addresses, destination addresses, and other information about each packet and/or transaction. Store logs on dedicated servers, and run biweekly reports to identify and document anomalies.
14. Controlled Access Based on the Need to Know	Prevent attackers from gaining access to highly sensitive data:	Carefully identify and separate critical data from information that is readily available to internal network users. Establish a multilevel data classification scheme based on the impact of any data exposure, and ensure that only authenticated users have access to nonpublic data and files
15. Account Monitoring and Control	Keep attackers from impersonating legitimate users:	Review all system accounts and disable those that are not associated with a business process and owner. Immediately remove system access for terminated employees or contractors. Disable dormant accounts and encrypt and isolate any files associated with such accounts. Use robust passwords that conform to FDCC standards.
16. Data Loss Prevention	Stop unauthorized transfer of sensitive data through network attacks and physical theft:	Scrutinize the movement of data across network boundaries, both electronically and physically, to minimize the exposure to attackers. Monitor people, processes, and systems, using a centralized management framework.
17. Incident Response Management	Protect the organization's reputation, as well as its information:	Develop an incident response plan with clearly delineated roles and responsibilities for quickly discovering an attack and then effectively containing the damage, eradicating

Reference	Description	Minimum Requirements
		the attacker's presence, and restoring the integrity of the network and systems.
18. Secure Network Engineering	Keep poor network design from enabling attackers:	Use a robust, secure network engineering process to prevent security controls from being circumvented. Deploy a network architecture with at least three tiers: DMZ, middleware, private network. Allow rapid deployment of new access controls to quickly deflect attacks.
19. Penetration Test and Red Team Exercises	Use simulated attacks to improve organizational readiness:	Conduct regular internal and external penetration tests that mimic an attack to identify vulnerabilities and gauge the potential damage. Use periodic red team exercises to test existing defense and response capabilities.

Exhibit B to Article 5

**CYBER SUITE COVERAGE
DECLARATIONS**

November 1, 2023 to November 1, 2024

Annual Aggregate Limit per Member:	\$1,000,000
Deductible Per Occurrence:	\$ 10,000
DATA COMPROMISE RESPONSE EXPENSES	Included
Sublimits Per Occurrence	
Forensic IT Review:	\$500,000
Legal Review:	\$500,000
Public Relations:	\$5,000
Regulatory Fines and Penalties:	\$500,000
PCI Fines and Penalties:	\$500,000
COMPUTER ATTACK	Included
Sublimits Per Occurrence	
Loss of Business:	\$500,000
Public Relations:	\$5,000
CYBER EXTORTION	Included
Sublimit Per Occurrence:	\$25,000
MISDIRECTED PAYMENT FRAUD	Included
Sublimit Per Occurrence:	\$25,000
COMPUTER FRAUD	Included
Sublimit Per Occurrence:	\$25,000
DATA COMPROMISE LIABILITY	Included
NETWORK SECURITY LIABILITY	Included
ELECTRONIC MEDIA LIABILITY	Included

Exhibit C

SCHEMATIC

(Please see attached)



Village of Oak Brook

1200 Oak Brook Road
Oak Brook, IL 60523-2255
Website
www.oak-brook.org

Administration
630.368.5000
FAX 630.368.5045

Development Services
630.368.5101
FAX 630.368.5128

Fire Department
630.368.5200
FAX 630.368.5251

Police Department
630.368.8700
FAX 630.368.8739

**Public Works
Department**
630.368.5270
FAX 630.368.5295

Oak Brook Public Library

600 Oak Brook Road
Oak Brook, IL 60523-2200
630.368.7700
FAX 630.368.7704

Oak Brook Sports Core

Bath & Tennis Club
700 Oak Brook Road
Oak Brook, IL 60523-4600
630.368.6420
FAX 630.368.6439

Golf Club
2606 York Road
Oak Brook, IL 60523-4602
630.368.6400
FAX 630.368.6419

Mr. Tim Geiges, Senior General Manager
Brookfield Properties-Oakbrook Center
100 Oakbrook Center Oak Brook, IL 60523

August 29, 2023

Subject: Service Agreement Proposal

Dear Mr. Geiges,

The Village of Oak Brook is honored that Brookfield Properties-Oakbrook Center is partnering with the police department for a public safety initiative utilizing FUSUS. FUSUS will support the safety and security initiatives by providing our Security Operations Center in the Cloud (SOC2) platform, a unified security, monitoring and communications hub. FUSUS SOC2 is a video and data collaboration platform that provides immediate access to enhanced physical security management and real time communications by fusing your existing technologies into a single pane of glass. This Service Agreement Proposal and related software subscription will become effective upon signing and continue for thirty-six (36) months.

1. Initial Scope of work: The following FUSUS hardware will be delivered and installed as part of this agreement.
 - a. Five FUSUS Core Elite AI at \$5000 per core. Annual streaming subscription is \$2300 per core per year one of the agreement and commencing at the anniversary of each subsequent year of this agreement. Each core is AI capable for up to 50 cameras/streams.

2. Payment and Subscription Terms:

a. Payment 1: Due Upon Contract Signing	\$25,000
b. Payment 2: Due Upon 1 st Anniversary	\$11,500
c. Payment 3: Due Upon 2 nd Anniversary	\$11,500

- **Brookfield Properties may pay yearly subscription fees in advance**

We are privileged to work together to keep the Oak Brook Center Mall safe! Please feel free to call me at 630-368-8710 or email me at bstrockis@oak-brook.org.

Respectfully submitted,

Brian Strockis
Chief of Police



OAK BROOK
Illinois

ITEM 7.A.2.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: Annual Adoption of the Official Zoning Map

FROM: Rebecca Von Drasek, Development Services Director

BUDGET SOURCE/BUDGET IMPACT: N/A

RECOMMENDED MOTION: I move to approve Resolution R-2185, a Resolution approving the 2024 Village of Oak Brook Official Zoning Map

Background/History:

The Village of Oak Brook's GIS Consultant has prepared the 2024 Official Zoning Map for review and recommendation by the Planning & Zoning Commission (P&Z), who in turn recommends its adoption by the Corporate Authorities. The Illinois Municipal Code 65 ILCS 5/11-13-19 requires that a municipality adopt and publish a new zoning map on an annual basis, by March 31st of each year. The published zoning map should include and acknowledge existing zoning, boundary changes (i.e. annexations), zoning map amendments, and subdivisions that have been approved in the preceding year.

Changes incorporated into the official zoning map have already received Commission recommendations and have previously been adopted by the Corporate Authorities. The only revisions to the map for 2024 are a Final Plat of Consolidation at 3409 & 3421 Spring Road (R-2101) and a Major Amendment to a Planned Development at 1717 22nd Street (S-1672) for a Stand-Alone ATM.

Recommendation:

Staff recommends that the Village Board approve Resolution R-2185, a Resolution approving the 2024 Village of Oak Brook Official Zoning Map

Attachments:

1. R-2185 - OZM

THE VILLAGE OF OAK BROOK
COOK AND DUPAGE COUNTIES, ILLINOIS

RESOLUTION
2024-ZO-OZM-EX-R-2185

A RESOLUTION APPROVING THE 2024 VILLAGE OF
OAK BROOK OFFICIAL ZONING MAP

LAURENCE E. HERMAN, Village President
NETASHA SCARPINITI, Village Clerk

NAVEEN JAIN
MICHAEL MANZO
MELISSA MARTIN
JAMES NAGLE
A. SURESH REDDY
EDWARD TIESENGA

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Oak Brook
on this the 27th day of February, 2024

RESOLUTION 2024-ZO-OZM-EX-R-2185

**A RESOLUTION APPROVING THE
2024 VILLAGE OF OAK BROOK OFFICIAL ZONING MAP**

WHEREAS, the Illinois Municipal Code 65 (ILCS 5/11-13-19) generally requires that a municipality adopt and publish an official zoning map on an annual basis; and

WHEREAS, the Planning & Zoning Commission reviewed the 2024 Village of Oak Brook Official Zoning Map and recommended its approval at their meeting on February 7, 2024 by a vote of 8 to 0; and

WHEREAS, the Village President and Board of Trustees has reviewed the 2024 Village of Oak Brook Official Zoning Map and finds it appropriate to adopt the 2024 Village of Oak Brook Official Zoning Map as presented;

NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK BROOK, DU PAGE AND COOK COUNTIES, ILLINOIS as follows:

Section 1. The foregoing recitals are incorporated as though fully set forth in this Section 1.

Section 2. That the 2024 Village of Oak Brook Official Zoning Map, attached to and, by this reference, made part of this Resolution as Exhibit A, shall be, and is hereby, adopted as the 2024 Village of Oak Brook Official Zoning Map.

Section 3. Copies of the Oak Brook Official Zoning Map shall be published and made available to the public in accordance with 65 ILCS 5/11-13-19.

Section 4. In the event a conflict exists between the terms of this Resolution and any other Village Resolution, the terms of this Resolution shall govern.

Section 5. This Resolution shall be in full force and effect from after its passage, in accordance with law.

BE IT FURTHER RESOLVED that this resolution shall be entered upon the journals of the Village Board of the Village of Oak Brook.

[SIGNATURE PAGE FOLLOWS]

PASSED THIS 27th day of February, 2024.

Ayes: _____

Nays: _____

Absent: _____

APPROVED THIS 27th day of February, 2024

LAURENCE E. HERMAN
Village President

ATTEST:

NETASHA SCARPINITI
Village Clerk

Exhibit A

2024 VILLAGE OF OAK BROOK OFFICIAL ZONING MAP



Village of Oak Brook

2024 Zoning Map

Zoning

- R-1 Single-Family Detached Residence District
- R-2 Single-Family Detached Residence District
- R-3 Single-Family Detached Residence District
- R-4 Single-Family Detached Residence District
- R-5 Residence District
- B-1 Local Shopping Center District
- B-2 Regional Shopping Center District
- B-3 General Business District
- B-4 Hotel-Office District
- INST Institutional District
- O-3 Office District
- O-4 Office District
- ORA-1 Office-Research-Assembly District
- ORA-2 Office-Research-Assembly District
- ORA-3 Office-Research-Assembly District
- CR Conservation/Recreation Area

Map Legend

- Oak Brook Corporate Limit
- Planned Development Overlay District
- Historic Graue Mill Gateway Area
- *

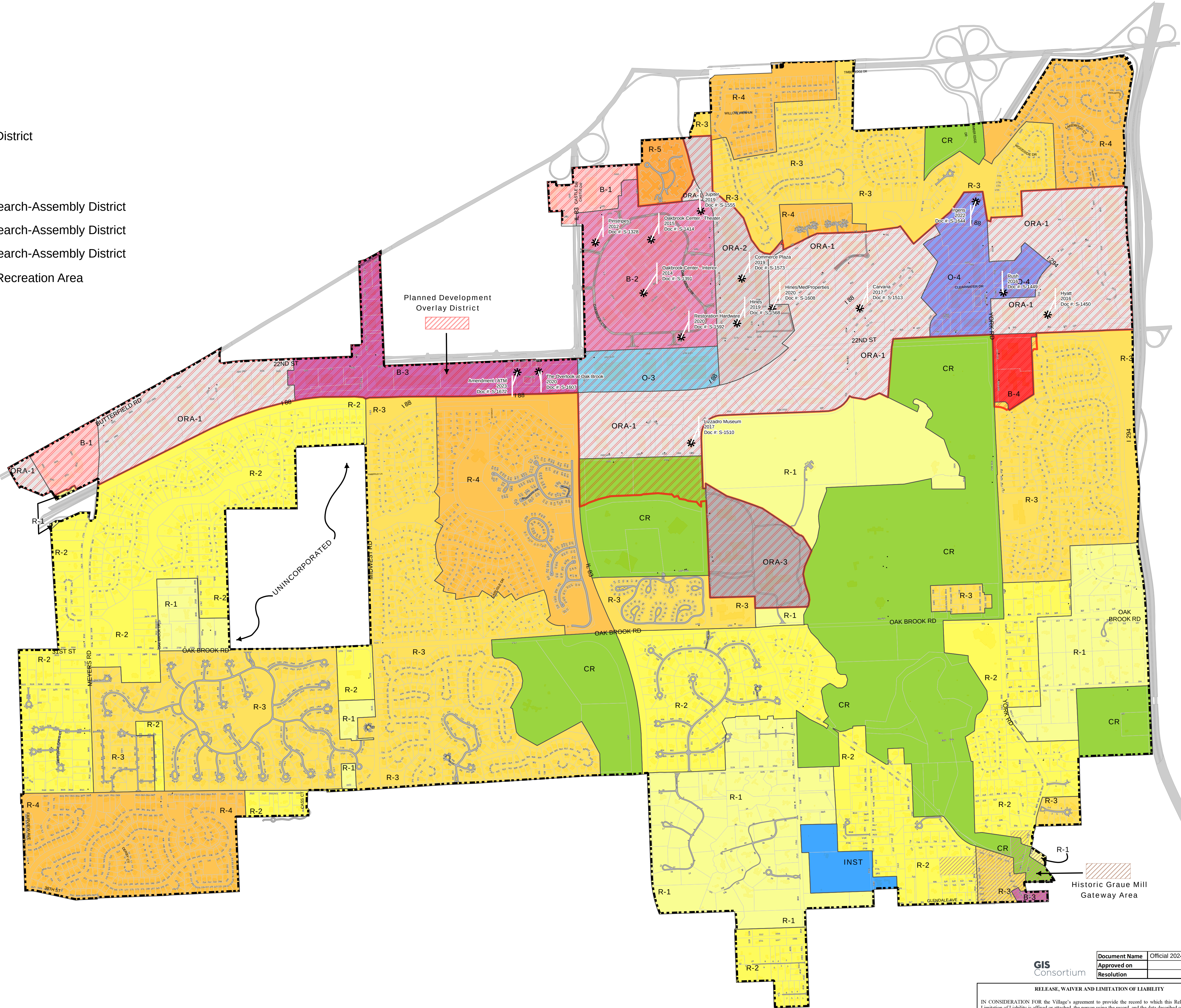
Planned Development

General Requirements Village of Oak Brook

District	Maximum Height		Minimum Lot Width	Minimum Lot Area Within Buildable Area	Maximum F.A.R.	
	Stories	Feet				
Residential						
R-1	None	50 f (R) * 45 f (N)	220 f	2 acres	0.4 (N) *	
R-2 (Lots > 1 acre)		45 f (R) 45 f (N) & (I)	150 f	1 acre		
R-2 (Lots < 1 acre)		40 f (R) * 45 f (N) & (I)	None	None		
R-3		40 f (R) * 45 f (N) & (I)	100 f	25,000 sq f		
R-4		35 f (R) * 45 f (N) & (I)	75 f	18,000 sq f		
R-5 (Lots > 4 acres)		Duplexes 35 f - fat roofs 30 f **	NA	**		0.5 (N) *
Business						
B-1	2 stories	50 f	None	None	0.5	
B-2	None	None			0.5	
B-3	3 stories	35 f			1.2	
B-4	5 stories	None			0.6	
Institutional						
INST, INST (R)		45 f 90 f (towers, spires, steeples)	None	None	0.4	
Office Research Assembly						
ORA-1	5 stories	76 f	None	None	0.48	
ORA-2	12 stories	174 f		None	See code 13-10B-3A	
ORA-3	3 stories	35 f		24 acres	0.44	
Office						
O-3	None	None	None	None	0.8	
O-4	8 stories	118 f			0.8	
O-4 (mixed use)	16 stories	180 f			1	
Conservation/Recreation						
CR	None	30 f	220 f	5 acres	0.15	

* See Exceptions
** See Zoning Regulations, Residence District - Article E

R = Residential N = Non Residential F.A.R. = Floor Area Ratio I = Institutional



0 0.13 0.25 0.5 0.75 1 Miles

GIS Consortium

Document Name	Official 2024 Zoning Map
Approved on	
Resolution	

RELEASE, WAIVER AND LIMITATION OF LIABILITY

IN CONSIDERATION FOR the Village's agreement to provide the record to which this Release, Waiver and Limitation of Liability is affixed or attached, the person using the record, and the data described or depicted therein, expressly and voluntarily agrees to the following: (a) all data described or depicted in the record is only an estimate and does not represent a legally binding representation of the ownership or boundaries of any parcel or improvement so described or depicted; (b) reference to the original, recorded documents is required to develop a legal opinion of the ownership or boundaries of any parcel or improvement so described or depicted; (c) the data is presented as-is, where-is, with all faults, and the Village expressly disclaims all warranties, express or implied, including any warranty of accuracy, title or fitness for a particular purpose; (d) the user, for itself and its successors, assigns, contractors and employees, releases the Village from and waives any and all claims arising from the use of the data described or depicted in the record or any inaccuracy thereof; and (e) the user agrees to indemnify, defend and hold harmless the Village, its officers, employees and agents of any liability arising from the use of the data described or depicted in the record or the inaccuracy thereof.



ITEM 7.A.3.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: GIS Orthophotography

FROM: Thomas Gilbert, Information Technology Director

BUDGET SOURCE/BUDGET IMPACT: GIS: Program 152-76950 (Infrastructure Fund) - \$20,819 (2024 Budget)

RECOMMENDED MOTION: I move that the Village Board approve Resolution R-2187, A Resolution Approving and Authorizing the Execution of a Professional Services Agreement For 2024 Aerial Orthophotography Services With Ayres Associates, Inc. of Madison, Wisconsin, in the amount of \$20,819.

Background/History:

The Village Board began participating in the GIS Consortium (GISC) in 2009, including the periodic collection of aerial imagery for the Village GIS System. Various aerial mapping projects have been completed since then, providing valuable data for infrastructure planning and decision-making.

The proposed project involves digital orthophotography services covering the Village's corporate boundaries only, with a total cost of \$20,819. This proposal was included in the Village's 2024 GIS budget, and the current proposal matches the budgeted figure.

The attached Agreement with Ayres Associates includes pricing and terms negotiated by the GIS Consortium and MGP (consultant and staffing source for Consortium members) for aerial mapping services.

Our Village Attorney and Village Staff have reviewed the proposed Agreement. The data that will be generated out of these aerial fly-bys will allow for accurate placement of signs, roads, bridges, etc. With accurate data, staff and the Village Board will be able to make informed recommendations and decisions.

Recommendation:

Staff recommends that the Village Board approve Resolution R-2187, A Resolution Approving and Authorizing the Execution of a Professional Services Agreement For 2024 Aerial Orthophotography Services With Ayres Associates, Inc. of Madison, Wisconsin, in the amount of \$20,819.

Attachments:

1. Res No. 2024-IT-GIS-AG-IMG-R-2187
2. OakBrook Contract - Orthoimagery 2024_Ayres_022624
3. Oak Brook 2024 Ortho Budget

THE VILLAGE OF OAK BROOK
COOK AND DUPAGE COUNTIES, ILLINOIS

RESOLUTION
NUMBER 2024-IT-GIS-AG-IMG-R-2187

A RESOLUTION
APPROVING AND AUTHORIZING THE EXECUTION OF THE
PROFESSIONAL SERVICES AGREEMENT FOR 2024 AERIAL
ORTHOPHOTOGRAPHY SERVICES WITH AYRES
ASSOCIATES

LAURENCE E. HERMAN, Village President
NETASHA SCARPINITI, Village Clerk

NAVEEN JAIN
MICHAEL MANZO
MELISSA MARTIN
JAMES NAGLE
A. SURESH REDDY
EDWARD TIESENGA

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Oak Brook
on this the 27th day of February 2024

RESOLUTION NO. 2024-IT-GIS-AG-IMG-R-2187

A RESOLUTION
APPROVING AND AUTHORIZING THE EXECUTION OF THE PROFESSIONAL SERVICES
AGREEMENT FOR 2024 AERIAL ORTHOPHOTOGRAPHY SERVICES WITH AYRES
ASSOCIATES

WHEREAS, the Village of Oak Brook is a municipal corporation with authority provided for and granted pursuant to the Illinois Municipal Code to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village of Oak Brook (hereinafter referred to as "Village") upon approval of the Village President and Board of Trustees (collectively, the "Corporate Authorities") may enter into an Agreement with another party pursuant to Illinois Statute;

WHEREAS, in January 2009, the Village entered the Geographic Information System Consortium (GISC) agreement for related geographic information system services in the areas of Public Safety, Planning, Engineering, Administration and Infrastructure;

WHEREAS, Staff recommends the Corporate Authorities authorize the waiver of competitive bidding and approve the Professional Services Agreement (the "Agreement"), attached hereto and incorporated herein as Exhibit A, with Ayres Associates for digital orthophotography services in the amount not-to-exceed \$20, 819;

WHEREAS, the Village of Oak Brook Corporate Authorities are of the opinion that it is in the best interests of the Village of Oak Brook to authorize and approve the foregoing actions.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Oak Brook, DuPage and Cook Counties, Illinois as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Resolution are full, true, and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

Section Two – Approval

The Corporate Authorities hereby approves the Agreement, substantially in the form attached hereto and made a part hereof as Exhibit A.

Section Three – Authorization and Direction

The Village Manager is hereby authorized to execute, and the Village Clerk is hereby authorized to attest the Agreement, substantially in the form attached hereto as Exhibit A, with such changes therein as shall be approved by the Village attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Agreement.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five - Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the attached Agreement.

Section Six – Waiver of Bidding Process

To the extent that any requirement of bidding would be applicable to the transactions contemplated hereunder, the same is hereby waived.

Section Seven - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Eight – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Nine - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Ten – Conflict Clause

All resolutions, parts of resolutions or board actions in conflict herewith are hereby repealed to the extent of such conflict.

Section Eleven – Saving Clause

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, which are hereby declared to be separable.

Section Twelve – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Oak Brook.

PASSED THIS 27th day of February 2024.

Ayes: _____

Nays: _____

Absent: _____

APPROVED THIS 27th day of February 2024.

LAURENCE E. HERMAN,
Village President

ATTEST:

NETASHA SCARPINITI,
Village Clerk

EXHIBIT A

AGREEMENT FOR PROFESSIONAL SERVICES

FOR

GEOSPATIAL SERVICES

THIS IS AN AGREEMENT made between the Village of Oak Brook, Illinois (OWNER) and Ayres Associates Inc., 5201 E. Terrace Drive, Suite 200, Madison, WI 53718 (CONSULTANT).

OWNER intends to retain the CONSULTANT to perform geospatial services.

OWNER and CONSULTANT agree to performance of professional services by CONSULTANT and payment for those services by OWNER as set forth below.

ARTICLE 1 – SCOPE OF SERVICES

1.1 General

1.1.1 CONSULTANT shall provide professional services for OWNER as hereinafter provided.

1.2 Geospatial Services

After written authorization to proceed, CONSULTANT shall:

1.2.1 Produce digital orthophotography for the Village of Oak Brook, Illinois, for the project area as shown on Exhibit A, from aerial imagery acquired by the CONSULTANT using a photogrammetric digital camera in the spring of 2024.

1.2.1.1 Aerial imagery will be georeferenced using an existing digital elevation model.

1.2.1.2 Orthoimagery will be prepared at 3-inch resolution and tiled according to PLSS quarter sections. Orthoimagery tiles will be delivered as GeoTIFF and MrSID format (with world files). Orthoimagery tiles will be prepared in a fashion which minimizes “white space” or “void areas” around the exterior of the municipality.

1.2.1.3 A digital orthoimagery mosaic will be prepared for the entire project area and delivered as MrSID compressed format.

1.2.1.4 Digital orthoimagery will conform to horizontal accuracy consistent with National Map Accuracy Standards for 1” = 50’ map scale.

1.2.2 Deliver the following products:

- Digital orthoimagery tiles in uncompressed TIFF format (with world files)
- Digital orthoimagery tiles in compressed MrSID format (with world files)
- Project-wide orthoimagery mosaic in MrSID format
- FGDC compliant metadata
- Tile schematic in ESRI shapefile format

ARTICLE 2 – CHANGES IN THE SCOPE OF SERVICES

2.1 Services Requiring Authorization in Advance

If authorized in writing by OWNER, CONSULTANT shall furnish or obtain from others Additional Services as hereinafter provided. These services are not included as part of Basic Services and will be paid for by OWNER as indicated in Article 5.

- 2.1.1 Services to investigate existing conditions or facilities or to verify the accuracy of information furnished by OWNER.
- 2.1.2 Services resulting from significant changes in the general scope, extent or character of the Project.
- 2.1.3 Furnishing services of independent professional associates and consultants for other than Basic Services.
- 2.1.4 Preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration or other legal or administrative proceeding involving the Project.
- 2.1.5 Additional services in connection with the Project, including services which are to be furnished by OWNER, and services not otherwise provided for in this Agreement.

ARTICLE 3 – OWNER'S RESPONSIBILITIES

OWNER shall do the following in a timely manner so as not to delay the services of CONSULTANT:

- 3.1 Designate in writing a person to act as OWNER's representative.
- 3.2 Provide all criteria and full information as to OWNER's requirements.
- 3.3 Place at CONSULTANT's disposal all available pertinent information.
- 3.4 Other special data or consultations not covered under BASIC SERVICES and ADDITIONAL SERVICES.
- 3.5 To the extent allowed by law, arrange for access to and make all provisions for CONSULTANT to enter upon public and private property as required for CONSULTANT to perform services under this Agreement.
- 3.6 Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- 3.7 Give prompt written notice to CONSULTANT whenever OWNER observes or otherwise

becomes aware of any development that affects the scope or timing of CONSULTANT's services.

- 3.8 Furnish, or direct CONSULTANT to provide, Additional Services as stipulated in Paragraph 2.1 of this Agreement or other services as required.
- 3.9 OWNER has designated the following representative to serve as the Quality Assurance/Quality Control for the project: Thomas Thomey; MGP, Inc.; 701 Lee Street; Suite 1020; Des Plaines, IL 60016; Phone: (847) 656-5698. CONSULTANT will deliver Preliminary Product to the above designee.
- 3.10 OWNER will provide CONSULTANT with accurate boundaries for the mapping to be performed. The boundary will be provided to CONSULTANT in ESRI shapefile or geodatabase format.
- 3.11 Prior to commencement of mapping, OWNER will provide CONSULTANT with the GIS Consortium's most current ESRI Geodatabase which includes the existing Planimetric and Digital Terrain Model (DTM). The Geodatabase shall reflect the most current feature geometry and attribution.

ARTICLE 4 - PERIODS OF SERVICE

The provisions of this Article 4 and the compensation for CONSULTANT's services have been agreed to in anticipation of the orderly and continuous progress of the Project.

- 4.1 The services called for in Article 1 - Scope of Services will be completed according to the following schedule:
 - a) Acquire Aerial Imagery: Spring, 2024
 - b) Deliver final products: September 9, 2024
- 4.2 CONSULTANT's services under this Agreement shall be considered complete at the earlier of (1) the date when the submissions have been accepted by OWNER or (2) thirty days after the date when such submissions are delivered to OWNER.
 - 4.2.1 All products will be delivered on an external hard drive to the OWNER.
 - 4.2.1 OWNER has designated the following representative at the Village of Oak Brook to serve as the Point of Contact for product delivery: Tom Gilbert, Information Technology Director, Village of Oak Brook; 1200 Oak Brook Rd; Oak Brook, IL; 60523; Phone: (630) 368-5174.
- 4.3 If OWNER has requested significant modifications or changes in the general scope, extent or character of the Project, the time of performance of CONSULTANT's services shall be adjusted equitably.
- 4.4 If CONSULTANT's services for the Project are delayed or suspended in whole or in part by OWNER for more than three months for reasons beyond CONSULTANT's control,

CONSULTANT shall on written demand to OWNER (but without termination of this Agreement) be paid as provided in paragraph 5.3.2.

ARTICLE 5 – COMPENSATION AND PAYMENTS

5.1 Compensation for Services

5.1.1 Basic Services. OWNER shall pay CONSULTANT a lump sum fee not to exceed \$20,819.00 for services rendered.

5.2 Times of Payments

5.2.1 CONSULTANT shall submit monthly invoices for Photogrammetric and Additional Services rendered. OWNER shall make payments in accordance with the State of Illinois Prompt Payment Act in response to CONSULTANT's invoices.

5.3 Other Provisions Concerning Payments

5.3.1 The OWNER shall make payments in accordance with the Local Government Prompt Payment Act (50 ILCS 505/1).

5.3.2 In the event of termination by OWNER, CONSULTANT will be reimbursed for all charges and services rendered as authorized by the OWNER for services rendered up to the time of cancellation.

5.3.3 Records pertinent to CONSULTANT's compensation will be kept in accordance with generally accepted accounting practices.

ARTICLE 6 - GENERAL CONSIDERATIONS

6.1 Reuse of Documents

Any reuse of the services and documents provided under this agreement for purposes not intended, will be at the Owners sole risk.

6.2 Controlling Law

This Agreement shall be governed under the laws of the State of Illinois.

6.3 Indemnification

The CONSULTANT hereby indemnifies and holds the OWNER harmless for any and all costs, expenses, claims, lawsuits or liabilities incurred by OWNER that arise out of, or in connection with, the Contractor's negligent acts, errors or omissions that causes harm or damage to any person or property as a result of the professional geospatial services required to complete this project.

6.4 Termination

The obligation to provide further services under this Agreement may be terminated by either party upon seven calendar days' written notice in the event of substantial failure by either party to perform in accordance with the terms hereof through no fault of the terminating party.

6.5 Copyright Assignment

The CONSULTANT assigns copyright to the OWNER for all deliverable products produced under this contract. All deliverable products prepared by the CONSULTANT under this contract are the property of the OWNER. The CONSULTANT agrees that the products shall not be made available to nor used to prepare additional products for any individual or organization at any time without prior written approval by the OWNER.

6.6 Force Majeure

Neither party will be responsible to the other for damage, loss, injury, or interruption of work if the damage, loss, injury, or interruption of work is caused solely by conditions that are beyond the reasonable control of the parties, and without the intentional misconduct or negligence, of that party (hereinafter referred to as a "force majeure event"). To the extent not within the control of either party, such force majeure events include: acts of God, acts of any governmental authorities, fire, explosions or other casualties, vandalism, and riots or war. A party claiming a force majeure event ("the claiming party") shall promptly notify the other party in writing, describing the nature and estimated duration of the claiming party's inability to perform due to the force majeure event. The cause of such inability to perform will be remedied by the claiming party with all reasonable dispatch.

ARTICLE 7 - EXHIBITS AND SCHEDULES

7.1 The following Exhibit is attached to and made a part of this Agreement.

7.1.1 Exhibit A – Extent of Aerial Imagery Coverage.

7.2 This Agreement (consisting of pages 1 to 7, inclusive), together with the Exhibits and Attachments identified above, constitute the entire agreement between OWNER and CONSULTANT and supersede all prior written or oral understandings. This Agreement and said Exhibits may only be amended, supplemented, modified or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

Village of Oak Brook, Illinois
OWNER

Ayres Associates Inc
CONSULTANT

(Signature)



(Printed Name)

Zachary J Nienow

(Title)

Manager

(Date)

2/14/2024

Exhibit A — Extent of Aerial Imagery Coverage

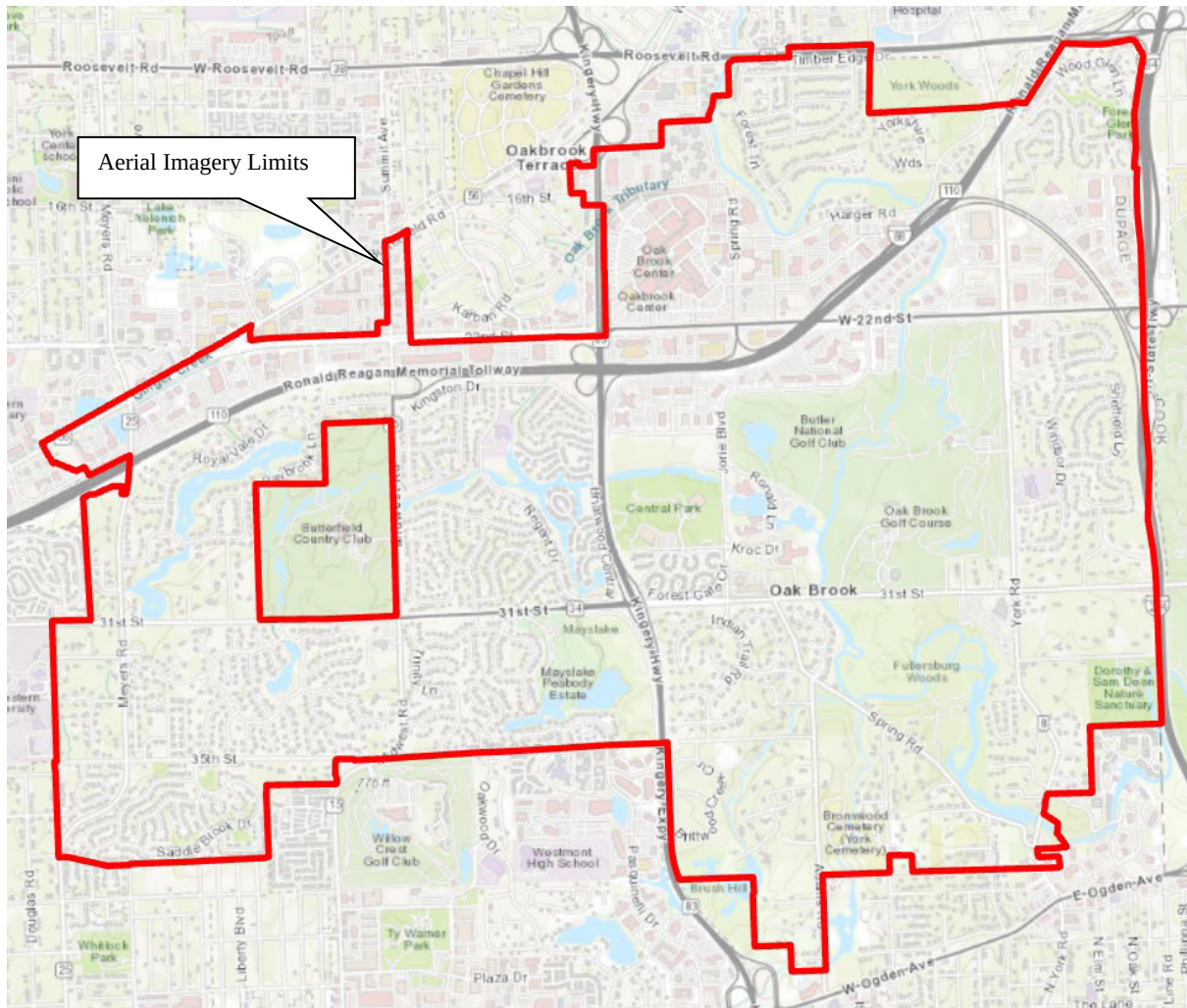


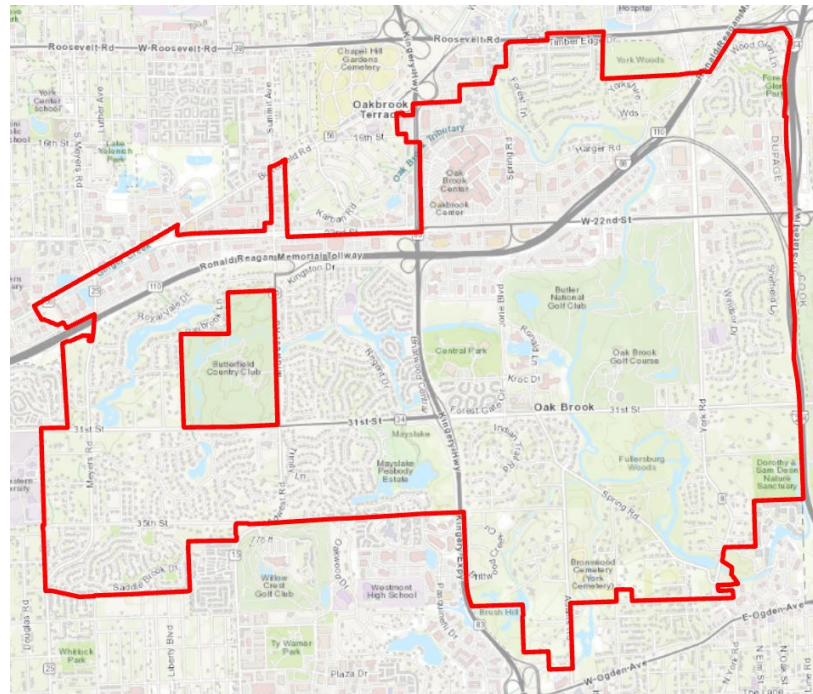
Exhibit A - Extent of Aerial Imagery Coverage

Village of Oak Brook

County: Cook

Total PLSS Quarter Section Equivalents: 33.2

Project Area



Proposed Services

Orthoimagery

Digital orthophotography for the Village will be produced from aerial imagery acquired by Ayres using a photogrammetric digital camera in the spring of 2024. Orthophotography will be performed for an area consisting of **33.2** quarter section equivalents (5,312 acres), extending to the Village limits shown above.

Price Summary

Project total lump sum: \$20,819.00

Draft budget prepared on: July 6, 2023



ITEM 7.A.4.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: Hotel Advertising in Oak Brook Magazine

FROM: Greg Summers, Village Manager

BUDGET SOURCE/BUDGET IMPACT: \$51,550 from 171-73600 "Hotel/Motel - Promotional" (\$46,000 was budgeted, with the balance coming from "Advertising Contract" savings)

RECOMMENDED MOTION: I move the Village Board adopt Resolution R-2189 "An Resolution Approving and Authorizing the Execution of an Agreement By and Between The Village of Oak Brook and Hinsdale Magazine Group, Inc." subject to final attorney review.

Background/History:

In 2022, the Village began an advertising partnership with Scott Jonlich, the founder of Hinsdale Magazine and Downers Grove Magazine, to support the development and launch of the new Oak Brook Magazine, which publication is focused on telling the "story of Oak Brook" both in print and online. Oak Brook Magazine is distributed every other month to Oak Brook homes, businesses and hotel rooms, at a rate exceeding 6,500 copies per issue. The magazine promotes not only the hotels and restaurants in the community, but also promotes Oak Brook as a community.

In 2022, this partnership consisted of advertising which included three (3) pages for hotel and tourism advertising in each of the six (6) editions across all three (3) magazines (Hinsdale, Downers Grove, and Oak Brook Magazines).

In 2023, the rate increased to \$46,000 annually (a 15% increase) based upon rapid inflation in that year. Later that year, Elmhurst Magazine was added, increasing distribution to three (3) pages for hotel and tourism advertising in each of the six (6) editions across all four (4) magazines; at a rate of \$50,000 (an 8.7% increase).

For 2024, the Hinsdale Magazine Group (Hinsdale, Downers Grove, Oak Brook, and Elmhurst Magazines) initially proposed the same approach of three (3) pages for hotel and tourism

advertising in each of the six (6) editions across all four (4) magazine titles; at a rate of \$58,272 (a 16.5% increase). Staff rejected the initial proposal and negotiated a annual rate of \$51,550 (a 3.1% inflationary increase) instead. Payments are made on a bi-monthly basis in alignment with magazine publishing dates.

The Village's approved 2024 Budget allocated \$46,000 for this advertising partnership based on the initial 2023 rate (not including the new Elmhurst Magazine addition later in 2023). The remaining \$5,550 would come from advertising contract savings to be realized through the realignment of that promotional strategy.

Recommendation:

Approve Resolution R-2189 approving an agreement for advertising with Oak Brook Magazine, in the amount of \$51,550 inclusive of three (3) pages of hotel and tourism advertising per edition for six (6) 2024 editions of Oak Brook, Hinsdale, Downers Grove, and Elmhurst Magazines.

Attachments:

1. OB Magazine Resolution
2. HMG Proposal

THE VILLAGE OF OAK BROOK
COOK AND DUPAGE COUNTIES, ILLINOIS

RESOLUTION
NUMBER 2024-MRTKG-AG-R-2189

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF AN AGREEMENT
BY AND BETWEEN
THE VILLAGE OF OAK BROOK AND
HINSDALE MAGAZINE, INC.

LAURENCE E. HERMAN, Village President
NETASHA SCARPINITI, Village Clerk

NAVEEN JAIN
MICHAEL MANZO
MELISSA MARTIN
JAMES NAGLE
A. SURESH REDDY
EDWARD TIESENGA

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Oak Brook
on this the 27th day of February, 2024

RESOLUTION NO. 2024-MRTKG-AG-R-2189

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF AN AGREEMENT
BY AND BETWEEN
THE VILLAGE OF OAK BROOK AND
HINSDALE MAGAZINE, INC.

WHEREAS, the Village of Oak Brook (hereinafter referred to as the “Village”) is an Illinois Municipal Corporation organized pursuant to the laws of the State of Illinois;

WHEREAS, the Illinois Municipal Code authorizes and grants the Village the ability to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village upon approval of the corporate authorities may enter into an Agreement with another party pursuant to Illinois Statute;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its residents including the adoption and imposition of certain taxes;

WHEREAS, the Village pursuant to 65 ILCS 5/8-3-4 has previously adopted a Hotel and Motel Tax which has been implemented for the purpose of promoting tourism and conventions or otherwise to attract nonresident overnight visitors to the Village of Oak Brook;

WHEREAS, Hinsdale Magazine Group, Inc. (hereinafter referred to as the “Company”) owns and operates a magazine with circulation targeting specific markets;

WHEREAS, the Village currently utilizes the funds derived from said tax to promote tourism and conventions as well as provide certain infrastructure improvements that will enhance those designated areas and zones in which hotels and motels are located in order to support the continued development and patronage of those areas, zones and the Village at large;

WHEREAS, the Corporate Authorities of the Village desire to allocate funds from the Hotel and Tourism Fund for the purchase of advertisement space within Company’s 2024 magazine publications to promote the attraction of nonresident visitors to further support the Village’s commercial and business districts;

WHEREAS, the Corporate Authorities of the Village of Oak Brook are of the opinion that that it is in the best interests of the safety, health and welfare of the residents to allocate the funds as referenced herein; and

WHEREAS, the Village of Oak Brook Corporate Authorities are of the opinion that it is in the best interests of the Village of Oak Brook to enter into the attached agreement with the Hinsdale Magazine, Inc. for the purposes referenced herein.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of Oak Brook, DuPage and Cook Counties, Illinois as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

Section Two – Approval of Agreement

The Village hereby approves the Agreement substantially in the form attached hereto and made a part hereof collectively as Exhibit A.

Section Three – Authorization and Direction

The Village President is hereby authorized to execute, and the Village Clerk is hereby authorized to attest the Agreement, substantially in the form of such agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Agreement.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five - Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the Agreement and of this Resolution.

Section Six – Waiver of Bidding Process

To the extent that any requirement of bidding would be applicable to the transactions contemplated hereunder, the same is hereby waived.

Section Seven - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Eight – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Nine - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Ten – Conflict Clause

All resolutions, parts of resolutions or board actions in conflict herewith are hereby repealed to the extent of such conflict.

Section Eleven – Saving Clause

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, which are hereby declared to be separable.

Section Twelve – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Oak Brook.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote follows:

APPROVED THIS 27th day of February, 2024.

Laurence E. Herman
Village President

PASSED THIS 27th day of February, 2024.

Ayes: _____

Nays: _____

Absent: _____

ATTEST:

Netasha Scarpiniti
Village Clerk

Exhibit A
Agreement

Duration: January / 2024 — December / 2024
MONTH YEAR MONTH YEAR

Advertiser/Company: The Village of Oak Brook / Hotel Group

Contact Name: Greg Summers, Village Manager

Address: 1200 Oak Brook Rd.

City/State/Zip: Oak Brook, IL 60523

Phone: 630-368-5020

Fax: 630-368-5021

Email: gsummers@oak-brook.org

PAYMENT INFORMATION AND AUTHORIZATION

☒ New Agreement ☐ Renewal

Size of Advertisement: ☒ Spread ☒ Full ☐ 2/3 ☐ 1/2 V ☐ 1/2 H ☐ 1/3 ☐ 1/4

Frequency: ☐ 3x ☒ 6x ☐ 9x ☐ 12x ☐ 18x ☐ 24x ☐ 36x

Additional Notes:

**3 Full Page Ads in 4 Magazines:
January, March, May, July, Sept, Nov.
6 Magazine Dates Total: \$51,550**

Method of payment: ☐ Visa ☐ Amex ☐ Mastercard ☐ Discover

Cardholder Name: _____ Exp. Date: _____ C.C. Code: _____

Account Number: _____

Authorization Signature: _____

Rate \$ 51,550 / Annual Campaign Total \$ 51,550

Client Name: The Village of Oak Brook

Date: 01/01/2024

Client Signature: _____

Date: _____

I hereby authorize Hinsdale Magazine, Inc. to charge my credit card for each advertisement ordered under the terms of this binding contract, in accordance with these payment terms. Advertiser will not receive an increase in rate, regardless of printing or mailing cost increases upon renewal of this advertising agreement. Advertiser agrees to provide ad copy for each advertisement during the contracted period. Ad copy and/or updated advertisements are due 15 days prior to the publication date. This agreement auto-renews on the completion of agreement without any rate increase over the previous agreement. Advertiser agrees to cancel agreement in writing 15 days prior to expiration of agreement.



OAK BROOK
Illinois

ITEM 7.A.5.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: Golf Merchandise for Resale

FROM: Art Segura, Sports Core Director

BUDGET SOURCE/BUDGET IMPACT: Golf Club General Operations (831) - \$100,000 is budgeted for purchase of merchandise for resale.

RECOMMENDED MOTION: I move that the Village Board approve Resolution R-2190 waiving the formal bidding process and authorize staff to issue purchase orders, not to exceed \$100,000, for the purchase of golf merchandise for resale.

Background/History:

Staff recommends that the Village Board authorize the issuance of Purchase Orders, as necessary throughout the year, in line with the approved Budget. The Oak Brook Golf Club has allocated \$100,000 for merchandise procurement this year, covering both stock and special orders. It's worth noting that last year's allocation was \$165,000, which we have reduced by \$65,000 to manage inventory levels effectively.

Purchases are made from approximately 20 different manufacturers or their representatives, and bidding for these items would not be practical as we already secure the best available prices. Our current plan involves purchasing items from these manufacturers, with individual annual expenditures ranging from \$500 to \$28,000. It is important to highlight that not all retail items are acquired simultaneously. Additional items will be purchased as inventory levels decrease, ensuring that we replenish stock as the season progresses. Please see attached documents of what we plan to purchase throughout the golf season.

Recommendation:

Staff recommends that the Village Board waive bidding, and authorize staff to issue purchase orders not to exceed \$100,000 for the purchase of golf merchandise for resale.

Attachments:

1. Res No. R-2190

2. Golf Retail Items

THE VILLAGE OF OAK BROOK
COOK AND DUPAGE COUNTIES, ILLINOIS

RESOLUTION
2024-SC-GOLF-PG-R-2190

A RESOLUTION
APPROVING THE WAIVER OF COMPETITIVE BIDDING AND
AUTHORIZING THE PURCHASE OF GOLF MERCHANDISE
FOR THE OAK BROOK GOLF CLUB

LAURENCE E. HERMAN, Village President
NETASHA SCARPINITI, Village Clerk

NAVEEN JAIN
MICHAEL MANZO
MELISSA MARTIN
JAMES NAGLE
A. SURESH REDDY
EDWARD TIESENGA

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Oak Brook
on this the 27th day of February 2024

RESOLUTION NO. 2024-SC-GOLF-PG-R-2190

A RESOLUTION
APPROVING THE WAIVER OF COMPETITIVE BIDDING AND AUTHORIZING THE
PURCHASE OF GOLF MERCHANDISE FOR THE OAK BROOK GOLF CLUB

WHEREAS, the Village of Oak Brook is a municipal corporation with authority provided for and granted pursuant to the Illinois Municipal Code to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village of Oak Brook (hereinafter referred to as "Village") owns and operates the Oak Brook Golf Club, a component of which involves the procurement of golf merchandise for resale within the pro shop;

WHEREAS, Staff recommends the Village President and Board of trustees (collectively the "Corporate Authorities") authorize the waiver of competitive bidding and approve the allocation of \$100,000 for the procurement of golf merchandise for resale as necessary for the 2024 Fiscal Year;

WHEREAS, the Village of Oak Brook Corporate Authorities are of the opinion that it is in the best interests of the Village of Oak Brook to authorize the foregoing actions.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Oak Brook, DuPage and Cook Counties, Illinois as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Resolution are full, true, and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

Section Two – Authorization and Direction

The Village Manager is hereby authorized to execute such documents and make such payments as are necessary to purchase golf merchandise for the Oak Brook Golf Club for a total not-to-exceed cost of \$100,000.

Section Three - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Four – Waiver of Bidding Process

To the extent that any requirement of bidding would be applicable to the transactions contemplated hereunder, the same is hereby waived.

Section Five – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Six - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Seven – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Oak Brook.

PASSED THIS 27th day of February 2024.

Ayes: _____

Nays: _____

Absent: _____

APPROVED THIS 27th day of February 2024.

LAURENCE E. HERMAN,
Village President

ATTEST:

NETASHA SCARPINITI,
Village Clerk

	Bill To: 44339 OAK BROOK GOLF CLUB VILLAGE OF OAK BROOK,IL 1200 OAK BROOK ROAD OAK BROOK, IL 60523-4633 PH: 630-990-3032 FX: 630-990-1002	Ship To: 443390001 OAK BROOK GOLF CLUB VILLAGE OF OAK BROOK,IL 2606 YORK ROAD OAK BROOK, IL 60523 PH: 630-990-3032 FX: 630-990-1002	SAP Order #: 0048241866
			Order Date: 12/4/2023
			Request Date: 3/15/2024
			Event Date N/A
PO Number PB 24 Headwear Logo	Contact: Chip	Payment Terms: Net Due 120 days	Shipping Method: UPS GROUND/NC
Outside Sales Rep: PAUL SCHLIMM	Internal Sales Rep: LINDSAY VANWETZINGA	Lines: 9	Units 54
		Order Total: \$1,231.20	

Headwear

CG TRUCKER LOGO

Line #	Description	QTY										Units	Unit Price	Ext Price
1	1. TRUCKER ADJ HGRY L 22	6										6	\$19.50	\$117.00
2	2. TRUCKER ADJ BLK L 22	6										6	\$19.50	\$117.00

Tape 1: Asset - US138199-005, Color Coordinate, FRONT PANEL HAT

3	3. TRUCKER ADJ WHT L 22	6										6	\$19.50	\$117.00
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Tape 1: Asset - US138199-005, Color Coordinate, FRONT PANEL HAT

Subtotal:	CG TRUCKER LOGO	18		\$351.00
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RUTHERFORD

Line #	Description	QTY										Units	Unit Price	Ext Price
4	2. RUTHERFORD NVY 24	6										6	\$26.70	\$160.20

Tape 1: Asset - US138199-003, Color Coordinate, LEFT SIDE PANEL HAT

5	5. RUTHERFORD GRY 24	6										6	\$26.70	\$160.20
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Tape 1: Asset - US138199-003, Color Coordinate, LEFT SIDE PANEL HAT

6	6. RUTHERFORD WHT/NVY 24	6										6	\$26.70	\$160.20
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Tape 1: Asset - US138199-003, Color Coordinate, LEFT SIDE PANEL HAT

Subtotal:	RUTHERFORD	18		\$480.60
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RUTHERFORD LOGO

Line #	Description	QTY										Units	Unit Price	Ext Price
7	2. RUTHERFORD BLK L 22	6										6	\$22.20	\$133.20

Tape 1: Asset - US138199-005, Color Coordinate, FRONT PANEL HAT

8	3. RUTHERFORD WHT L 22	6										6	\$22.20	\$133.20
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Please note: any pricing quoted in this report is approximate and subject to change. Discounts, customization fees, freight or any applicable taxes are not included.

Monday, February 12, 2024

1/2

Headwear
RUTHERFORD LOGO

Line #	Description	QTY										Units	Unit Price	Ext Price
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Tape 1: Asset - US138199-005, Color Coordinate, FRONT PANEL HAT

9	4. RUTHERFORD CHAR L 22	6										6	\$22.20	\$133.20
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Tape 1: Asset - US138199-005, Color Coordinate, FRONT PANEL HAT

Subtotal:	RUTHERFORD LOGO											18		\$399.60
Category Total:	Headwear											54		\$1,231.20

Order Total:												54		\$1,231.20
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	Bill To:	Ship To:	SAP Order #:
	44339	443390001	0048200781
	OAK BROOK GOLF CLUB	OAK BROOK GOLF CLUB	Order Date:
	VILLAGE OF OAK BROOK,IL	VILLAGE OF OAK BROOK,IL	11/27/2023
	1200 OAK BROOK ROAD	2606 YORK ROAD	Request Date:
	OAK BROOK, IL 60523-4633	OAK BROOK, IL 60523	5/27/2024
	PH: 630-990-3032 FX: 630-990-1002	PH: 630-990-3032 FX: 630-990-1002	Event Date
			N/A
PO Number	Contact:	Payment Terms:	Shipping Method:
PB 24 Ball 5-27	Chip	Net Due 120 days	UPS GROUND/NC
Outside Sales Rep:	Internal Sales Rep:	Lines:	Units
PAUL SCHLIMM	LINDSAY VANWETZINGA	19	300
			Order Total:
			\$8,748.06

Balls

CHROME SOFT 24

Line #	Description	QTY										Units	Unit Price	Ext Price
1	CHROME SOFT 24 12B PK	18										18	\$43.20	\$777.60
Subtotal:		CHROME SOFT 24										18		\$777.60

CHROME SOFT 24 TRIPLE TRACK

Line #	Description	QTY										Units	Unit Price	Ext Price
2	CHROME SOFT 24 TRPL TRK 12B PK	36										36	\$43.20	\$1,555.20
Subtotal:		CHROME SOFT 24 TRIPLE TRACK										36		\$1,555.20

CHROME SOFT 24 TRUTRAK

Line #	Description	QTY										Units	Unit Price	Ext Price
3	CHROME SOFT 24 BLU/RED TRUTRK 12B PK	6										6	\$43.20	\$259.20
4	CHROME SOFT 24 TRUTRK USA 12B PK	6										6	\$43.20	\$259.20
5	CHROME SOFT 24 YLW TRUTRK 12B PK	6										6	\$43.20	\$259.20
Subtotal:		CHROME SOFT 24 TRUTRAK										18		\$777.60

CHROME TOUR 24

Line #	Description	QTY										Units	Unit Price	Ext Price
6	CHROME TOUR 24 12B PK	12										12	\$43.20	\$518.40
Subtotal:		CHROME TOUR 24										12		\$518.40

CHROME TOUR 24 TRIPLE TRACK

Line #	Description	QTY										Units	Unit Price	Ext Price
7	CHROME TOUR 24 TRPLTRK 12B PK	24										24	\$43.20	\$1,036.80
Subtotal:		CHROME TOUR 24 TRIPLE TRACK										24		\$1,036.80

CHROME TOUR X 24

Line #	Description	QTY										Units	Unit Price	Ext Price
8	CHROME TOUR X 24 12B PK	6										6	\$43.20	\$259.20

Please note: any pricing quoted in this report is approximate and subject to change. Discounts, customization fees, freight or any applicable taxes are not included.

Monday, February 12, 2024

1/2

Balls

CHROME TOUR X 24

Line #	Description	QTY											Units	Unit Price	Ext Price
Subtotal:		CHROME TOUR X 24											6		\$259.20

CHROME TOUR X 24 TRIPLE TRACK

Line #	Description	QTY											Units	Unit Price	Ext Price
9	CHROME TOUR X 24 TRPL TRK 12B PK	12											12	\$43.20	\$518.40
Subtotal:		CHROME TOUR X 24 TRIPLE TRACK											12		\$518.40

ERC SOFT TRIPLE TRACK 23

Line #	Description	QTY											Units	Unit Price	Ext Price
10	ERC SOFT 23 TRPL TRK 12B PK	12											12	\$31.28	\$375.36
11	ERC SOFT YLW 23 TRPLTRK 12B PK	6											6	\$31.28	\$187.68
Subtotal:		ERC SOFT TRIPLE TRACK 23											18		\$563.04

SUPERSOFT 23

Line #	Description	QTY											Units	Unit Price	Ext Price
12	SUPERSOFT 23 12B PK	72											72	\$19.58	\$1,409.76
13	SUPERSOFT YLW 23 12B PK	6											6	\$19.58	\$117.48
Subtotal:		SUPERSOFT 23											78		\$1,527.24

SUPERSOFT 23 LIMITED

Line #	Description	QTY											Units	Unit Price	Ext Price
14	SUPERSOFT 23 CASINO PK 12B PK	6											6	\$19.58	\$117.48
15	SUPERSOFT 23 FATHERS DAY 12B PK	6											6	\$19.58	\$117.48
Subtotal:		SUPERSOFT 23 LIMITED											12		\$234.96

SUPERSOFT SPLATTER

Line #	Description	QTY											Units	Unit Price	Ext Price
16	SUPERSFT 23 BLU SPLATTER 12B PK	6											6	\$19.58	\$117.48
17	SUPERSFT 23 RED SPLATTER 12B PK	6											6	\$19.58	\$117.48
Subtotal:		SUPERSOFT SPLATTER											12		\$234.96

WARBIRD 23

Line #	Description	QTY											Units	Unit Price	Ext Price
18	WARBIRD 23 12B PK	48											48	\$13.79	\$661.92
19	WARBIRD YLW 23 12B PK	6											6	\$13.79	\$82.74
Subtotal:		WARBIRD 23											54		\$744.66
Category Total:		Balls											300		\$8,748.06

Order Total:													300		\$8,748.06
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	Bill To: 44339 OAK BROOK GOLF CLUB VILLAGE OF OAK BROOK,IL 1200 OAK BROOK ROAD OAK BROOK, IL 60523-4633 PH: 630-990-3032 FX: 630-990-1002	Ship To: 443390001 OAK BROOK GOLF CLUB VILLAGE OF OAK BROOK,IL 2606 YORK ROAD OAK BROOK, IL 60523 PH: 630-990-3032 FX: 630-990-1002	SAP Order #: 0048241867
			Order Date: 12/4/2023
			Request Date: 3/15/2024
			Event Date N/A
PO Number PB 24 Headwear 3-15	Contact: Chip	Payment Terms: Net Due 120 days	Shipping Method: UPS GROUND/NC
Outside Sales Rep: PAUL SCHLIMM	Internal Sales Rep: LINDSAY VANWETZINGA	Lines: 37	Units 106
		Order Total: \$2,414.70	

Headwear

2024 HARD GOODS HATS

Line #	Description	QTY										Units	Unit Price	Ext Price
1	HARD GOOD LAUNCH BLK 24	2										2	\$25.20	\$50.40
2	HARD GOOD LAUNCH NAVY 24	2										2	\$25.20	\$50.40
3	HARD GOOD LAUNCH WHT 24	2										2	\$25.20	\$50.40
Subtotal:		2024 HARD GOODS HATS										6		\$151.20

BOGEY FREE

Line #	Description	QTY										Units	Unit Price	Ext Price
4	3. BOGEY FREE WHT 24	6										6	\$22.50	\$135.00
5	4. BOGEY FREE BLK 24	6										6	\$22.50	\$135.00
6	5. BOGEY FREE NAVY 24	6										6	\$22.50	\$135.00
Subtotal:		BOGEY FREE										18		\$405.00

BUCKET HAT

Line #	Description	S/M	L/XL									Units	Unit Price	Ext Price
7	3. BUCKET WHT 21	1	2									3	\$25.20	\$75.60
Subtotal:		BUCKET HAT										3		\$75.60

CG PATRIOT

Line #	Description	QTY										Units	Unit Price	Ext Price
8	1. CG PATRIOT NAVY 24	3										3	\$22.50	\$67.50
9	2. CG PATRIOT WHT 24	3										3	\$22.50	\$67.50
10	3. CG PATRIOT RED 24	3										3	\$22.50	\$67.50
Subtotal:		CG PATRIOT										9		\$202.50

LIQUID METAL VISOR

Line #	Description	QTY										Units	Unit Price	Ext Price
11	1. LM VISOR DK NAVY/SLV 24	2										2	\$22.50	\$45.00
12	2. LM VISOR WHT/DP COBALT 24	2										2	\$22.50	\$45.00

Please note: any pricing quoted in this report is approximate and subject to change. Discounts, customization fees, freight or any applicable taxes are not included.

Monday, February 12, 2024

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Headwear

LIQUID METAL VISOR

Line #	Description	QTY										Units	Unit Price	Ext Price
13	4. LM VISOR DK GRY/BLK 24	2										2	\$22.50	\$45.00
14	6. LM VISOR WHT/BLK 22	2										2	\$22.50	\$45.00
Subtotal:		LIQUID METAL VISOR										8		\$180.00

PERFORMANCE PRO

Line #	Description	QTY										Units	Unit Price	Ext Price
15	3. PERF PRO WHT/FIRE 23	3										3	\$22.50	\$67.50
16	5. PERF PRO WHT/NVY 23	3										3	\$22.50	\$67.50
17	6. PERF PRO WHT/RYL 22	3										3	\$22.50	\$67.50
18	9. PERF PRO BLK HTR/FLO YLW 23	3										3	\$22.50	\$67.50
19	10. PERF PRO BLK HTR/BLK 23	3										3	\$22.50	\$67.50
Subtotal:		PERFORMANCE PRO										15		\$337.50

RELAXED RETRO

Line #	Description	QTY										Units	Unit Price	Ext Price
20	1. RELAXED RETRO NVY TEES 24	3										3	\$22.50	\$67.50
21	3. RELAXED RETRO WHT/BLK 24	3										3	\$22.50	\$67.50
22	4. RELAXED RETRO HTR GRY 23	3										3	\$22.50	\$67.50
23	6. RELAXED RETRO WHT TROPICAL 23	3										3	\$22.50	\$67.50
Subtotal:		RELAXED RETRO										12		\$270.00

SUN HAT

Line #	Description	QTY										Units	Unit Price	Ext Price
24	1. SUN HAT WHT 22	2										2	\$32.40	\$64.80
25	2. SUN HAT WHT/NVY 23	2										2	\$32.40	\$64.80
26	3. SUN HAT WHT/CARD 23	2										2	\$32.40	\$64.80
Subtotal:		SUN HAT										6		\$194.40

TA PERFORMANCE PRO

Line #	Description	QTY										Units	Unit Price	Ext Price
27	1. TA PERFORMANCE PRO BLK/WHT 24	2										2	\$22.50	\$45.00
28	2. TA PERFORMANCE PRO WHT/BLK 24	2										2	\$22.50	\$45.00
29	3. TA PERFORMANCE PRO HTHR GRY/WHT 24	2										2	\$22.50	\$45.00
30	4. TA PERFORMANCE PRO NVY/WHT 24	2										2	\$22.50	\$45.00
Subtotal:		TA PERFORMANCE PRO										8		\$180.00

TRAINING AID

Line #	Description	QTY										Units	Unit Price	Ext Price
31	1. TRAINING AID WHT 24	3										3	\$18.00	\$54.00

Please note: any pricing quoted in this report is approximate and subject to change. Discounts, customization fees, freight or any applicable taxes are not included.

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Headwear
TRAINING AID

Line #	Description	QTY										Units	Unit Price	Ext Price
32	2. TRAINING AID BLK 24	3										3	\$18.00	\$54.00
33	3. TRAINING AID GRY 24	3										3	\$18.00	\$54.00
34	4. TRAINING AID SLATE BLUE 24	3										3	\$18.00	\$54.00
Subtotal:		TRAINING AID										12		\$216.00

WOMENS HIGH TAIL

Line #	Description	QTY										Units	Unit Price	Ext Price
35	1. LADIES HIGH TAIL BLK MTLC MCR 23	3										3	\$22.50	\$67.50
36	4. LADIES HIGH TAIL WHT 21	4										4	\$22.50	\$90.00
37	7. LADIES HIGH TAIL VIOLET HAZE/LACE 24	2										2	\$22.50	\$45.00
Subtotal:		WOMENS HIGH TAIL										9		\$202.50
Category Total:		Headwear										106		\$2,414.70

Order Total:												106		\$2,414.70
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	Bill To: 44339 OAK BROOK GOLF CLUB VILLAGE OF OAK BROOK,IL 1200 OAK BROOK ROAD OAK BROOK, IL 60523-4633 PH: 630-990-3032 FX: 630-990-1002	Ship To: 443390001 OAK BROOK GOLF CLUB VILLAGE OF OAK BROOK,IL 2606 YORK ROAD OAK BROOK, IL 60523 PH: 630-990-3032 FX: 630-990-1002	SAP Order #: 0048200782
			Order Date: 11/27/2023
			Request Date: 3/15/2024
			Event Date N/A
PO Number PB 24 Ball 3-15	Contact: Chip	Payment Terms: Net Due 120 days	Shipping Method: UPS GROUND/NC
Outside Sales Rep: PAUL SCHLIMM	Internal Sales Rep: LINDSAY VANWETZINGA	Lines: 20	Units 306
		Order Total: \$8,865.54	

Balls

CHROME SOFT 24

Line #	Description	QTY										Units	Unit Price	Ext Price
1	CHROME SOFT 24 12B PK	18										18	\$43.20	\$777.60
Subtotal:		CHROME SOFT 24										18		\$777.60

CHROME SOFT 24 TRIPLE TRACK

Line #	Description	QTY										Units	Unit Price	Ext Price
2	CHROME SOFT 24 TRPL TRK 12B PK	36										36	\$43.20	\$1,555.20
Subtotal:		CHROME SOFT 24 TRIPLE TRACK										36		\$1,555.20

CHROME SOFT 24 TRUTRAK

Line #	Description	QTY										Units	Unit Price	Ext Price
3	CHROME SOFT 24 BLU/RED TRUTRK 12B PK	6										6	\$43.20	\$259.20
4	CHROME SOFT 24 TRUTRK USA 12B PK	6										6	\$43.20	\$259.20
5	CHROME SOFT 24 YLW TRUTRK 12B PK	6										6	\$43.20	\$259.20
Subtotal:		CHROME SOFT 24 TRUTRAK										18		\$777.60

CHROME TOUR 24

Line #	Description	QTY										Units	Unit Price	Ext Price
6	CHROME TOUR 24 12B PK	12										12	\$43.20	\$518.40
Subtotal:		CHROME TOUR 24										12		\$518.40

CHROME TOUR 24 TRIPLE TRACK

Line #	Description	QTY										Units	Unit Price	Ext Price
7	CHROME TOUR 24 TRPLTRK 12B PK	24										24	\$43.20	\$1,036.80
Subtotal:		CHROME TOUR 24 TRIPLE TRACK										24		\$1,036.80

CHROME TOUR X 24

Line #	Description	QTY										Units	Unit Price	Ext Price
8	CHROME TOUR X 24 12B PK	6										6	\$43.20	\$259.20

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Balls

CHROME TOUR X 24

Line #	Description	QTY											Units	Unit Price	Ext Price
Subtotal:		CHROME TOUR X 24											6		\$259.20

CHROME TOUR X 24 TRIPLE TRACK

Line #	Description	QTY											Units	Unit Price	Ext Price
9	CHROME TOUR X 24 TRPL TRK 12B PK	12											12	\$43.20	\$518.40
Subtotal:		CHROME TOUR X 24 TRIPLE TRACK											12		\$518.40

ERC SOFT TRIPLE TRACK 23

Line #	Description	QTY											Units	Unit Price	Ext Price
10	ERC SOFT 23 TRPL TRK 12B PK	12											12	\$31.28	\$375.36
11	ERC SOFT YLW 23 TRPLTRK 12B PK	6											6	\$31.28	\$187.68
Subtotal:		ERC SOFT TRIPLE TRACK 23											18		\$563.04

SUPERSOFT 23

Line #	Description	QTY											Units	Unit Price	Ext Price
12	SUPERSOFT 23 12B PK	72											72	\$19.58	\$1,409.76
13	SUPERSOFT YLW 23 12B PK	6											6	\$19.58	\$117.48
Subtotal:		SUPERSOFT 23											78		\$1,527.24

SUPERSOFT 23 LIMITED

Line #	Description	QTY											Units	Unit Price	Ext Price
14	SUPERSOFT 23 LUCKY 12B PK	6											6	\$19.58	\$117.48
15	SUPERSOFT 23 MOTHERS DAY 12B PK	6											6	\$19.58	\$117.48
16	SUPERSOFT 23 PNK SPLATTER 12B PK	6											6	\$19.58	\$117.48
Subtotal:		SUPERSOFT 23 LIMITED											18		\$352.44

SUPERSOFT SPLATTER

Line #	Description	QTY											Units	Unit Price	Ext Price
17	SUPERSFT 23 BLU SPLATTER 12B PK	6											6	\$19.58	\$117.48
18	SUPERSFT 23 RED SPLATTER 12B PK	6											6	\$19.58	\$117.48
Subtotal:		SUPERSOFT SPLATTER											12		\$234.96

WARBIRD 23

Line #	Description	QTY											Units	Unit Price	Ext Price
19	WARBIRD 23 12B PK	48											48	\$13.79	\$661.92
20	WARBIRD YLW 23 12B PK	6											6	\$13.79	\$82.74
Subtotal:		WARBIRD 23											54		\$744.66
Category Total:		Balls											306		\$8,865.54

Order Total:													306		\$8,865.54
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Please note: any pricing quoted in this report is approximate and subject to change. Discounts, customization fees, freight or any applicable taxes are not included.

	Bill To:	Ship To:	SAP Order #:						
	44339	443390001	0048241603						
	OAK BROOK GOLF CLUB	OAK BROOK GOLF CLUB	Order Date:						
	VILLAGE OF OAK BROOK,IL	VILLAGE OF OAK BROOK,IL	12/4/2023						
	1200 OAK BROOK ROAD	2606 YORK ROAD	Request Date:						
	OAK BROOK, IL 60523-4633	OAK BROOK, IL 60523	3/15/2024						
	PH: 630-990-3032 FX: 630-990-1002	PH: 630-990-3032 FX: 630-990-1002	Event Date						
		N/A							
PO Number		Contact:		Payment Terms:		Shipping Method:			
PB 24 Ball Logo 3-15				Net Due 120 days		UPS GROUND/NC			
Outside Sales Rep:		Internal Sales Rep:		Lines:		Units		Order Total:	
PAUL SCHLIMM		LINDSAY VANWETZINGA		1		25		\$444.70	

Balls

WARBIRD 23 JAR BALLS

Line #	Description	QTY										Units	Unit Price	Ext Price
1	WARBIRD 23 JAR BALL CFG	25										25	\$17.79	\$444.70
Subtotal:		WARBIRD 23 JAR BALLS										25		\$444.70
Category Total:		Balls										25		\$444.70
Order Total:												25		\$444.70

ACUSHNET HOLDINGS CORP.

PLAN CONFIRMATION

Bill To: 0002974 VILLAGE OF OAKBROOK
OAKBROOK GOLF CLUB
2606 YORK RD
OAK BROOK IL 60523-4633

Ship To: 00029828
Oakbrook Golf Club
VILLAGE OF OAKBROOK
2606 YORK RD
OAK BROOK IL 60523-4633

Print Date: 9/19/2023

Comments:

Sales Program

24 Gear: Silver Credit Exception

TITLEIST BALLS

		Plan Ship Date:						Total
		Ref#:						
		PO #:						
		Sales Hold:						
		2/14/2024	2/28/2024	6/14/2024	7/15/2024	8/14/2024		
	(23) Pro V1	\$41.50	48		72		60	180
	(23) Pro V1 High #'s	\$41.50	12		12		12	36
	(23) Pro V1 Yellow	\$41.50	6		6		6	18
	(23) Pro V1x	\$41.50	24		36		36	96
	(23) Pro V1x High #'s	\$41.50	6		6		12	24
(23) Pro V1x Yellow	\$41.50	6		6		6	18	
(19) Pro V1x Left Dash	\$41.50	18		24		18	60	
(24) AVX	\$37.75	24		36		24	84	
(24) AVX Yellow	\$37.75	6		6		6	18	

ACUSHNET HOLDINGS CORP.

PLAN CONFIRMATION

	2/14/2024	2/28/2024	6/14/2024	7/15/2024	8/14/2024	Total
	76151	76157	76154	76155	76156	
		PRGM QLF				
					Hold for Cus	
(24) Tour Soft	\$29.50	36	36			72
(24) Tour Soft Yellow	\$29.50	6				6
(24) Tour Soft Green	\$29.50	6				6
(24) Tour Soft Pink	\$29.50			12		12
(24) Velocity	\$22.50	48	48			96
(24) Velocity Mat Gm 3DZ Bulk	\$64.50	1	1			2
(24) Velocity Mat Org 3DZ Bulk	\$64.50	1	1			2
(24) TruFeel	\$19.00	48	48			96
(24) TruFeel Yellow	\$19.00	6	6			12
(24) TruFeel Matte Red	\$19.00	6	6			12
Quantity Sub Total:		150	158	350	180	850

Total Units: 850

PINNACLE BALLS

PLAN CONFIRMATION

Plan Ship Date:		2/14/2024	6/14/2024	8/14/2024	Total
		76151	76154	76156	
				Hold for Cus	
Sales Hold:		\$14.00	36	36	108
(23) Pinnacle Rush White 15-Ball					
		\$14.00	6	12	30
(23) Pinnacle Rush Yellow 15-Ball					

Total Units:	138
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TITLEIST BAGS

Plan Ship Date: Ref #: PO #:		3/14/2024		Total	
		76167			
Sales Hold:			\$138.00	1	1
Cart 14 Black/Black/Red					
			\$138.00	1	1
Cart 14 Black					
			\$138.00	1	1
Cart 14 Navy					
			\$164.50	1	1
Players 5 Navy					

PLAN CONFIRMATION

			Total			
			3/14/2024			
			76167			
Cart 14 Charcoal/Graphite/Black	\$138.00		1	1		
Players 4 White/Navy	\$139.50		1	1		
Players 5 Olympic/Marble/Bonfire	\$164.50		1	1		
Players 4 Marble/Vintage Blue	\$139.50		1	1		
Quantity Sub Total:			8	8		

Total Units: 8

TITLEIST HEADWEAR

PLAN CONFIRMATION

Plan Ship Date:	3/14/2024				Total
	76161				
Ref #:					
PO #:					
Sales Hold:					
Breezer Bucket Gray/White	\$22.50	6			6
Charleston Brzr White/Black	\$17.50	3			3
Merino Wool Beanie Black/White	\$25.00	3			3
Merino Wool Beanie Navy/White	\$25.00	3			3
Perf BallMarker White/Black	\$18.50	6			6
Santa Cruz White/Black	\$20.00	3			3
Tour Aussie White/Black	\$27.50	6			6
Tour Elite FlatBill White/Black	\$17.50	3			3
Tour Elite White/Black S/M	\$18.50	3			3
Tour Perf Mesh White/White/Black	\$17.50	6			6
Tour Perf White/Black	\$17.50	6			6
Tour Pom Pom Black/White	\$17.50	3			3
Tour Pom Pom Charcoal/White	\$17.50	3			3

PLAN CONFIRMATION

			3/14/2024			Total
			76161			
Tour Pom Pom Navy/White	\$17.50		3		3	
Tour Rope White/Black	\$17.50		6		6	
Breezer Bucket Hat VintageBlue/White	\$22.50		6		6	
Perf BallMarker Black/White	\$18.50		6		6	
Tour Elite FlatBill Black/White	\$17.50		3		3	
Tour Elite White/Black M/L	\$18.50		3		3	
Tour Perf Mesh Black/Black/White	\$17.50		3		3	
Tour Rope Black/White	\$17.50		6		6	
Charleston Brzr Charcoal/White	\$17.50		3		3	
Tour Aussie Navy/White	\$27.50		3		3	
Tour Elite FlatBill Navy/White	\$17.50		3		3	
Tour Elite White/Black L/XL	\$18.50		3		3	
Tour Perf Mesh Charcoal/White	\$17.50		3		3	

PLAN CONFIRMATION

	3/14/2024			Total
	76161			
Tour Perf Navy/White	\$17.50	6	6	
Charleston Brzr Marble/Olympic/Bonfire	\$17.50	3	3	
Diego FairwayGreen/Lime	\$20.00	6	6	
Perf BallMarker Navy/White	\$18.50	6	6	
Santa Cruz Marble/Olympic/Bonfire	\$20.00	3	3	
Tour Rope White/Navy	\$17.50	6	6	
Tour Aussie White/Gray	\$27.50	3	3	
Tour Perf White/Navy	\$17.50	6	6	
Tour Rope Olympic/Marble/Bonfire	\$17.50	6	6	
Quantity Sub Total :		150	150	

Total Units: 150

PLAN CONFIRMATION

Req Ship Date: 2/14/2024 PO Number: Sales Hold: Ref # 76159

TITLEIST GLOVES

	SM	MED	M/L	LG	XL	XXL	Total
6566E	12	12		12			36
6597E	12	36	36	36	12	12	144
6598E	12	24	24	18	12		90
6599E	6	6		6	6		24
Quantity Sub Total:							294

Req Ship Date: 2/14/2024 PO Number: Brand Table Sales Hold: Ref # 76170

TITLEIST MERCH

Qty	Product #	Description	Size	Price
1	TMM24TITL TBLEB	TITLEIST BRAND TABLE- EBONY		\$0.00

PLAN CONFIRMATION

Req Ship Date: 3/14/2024

PO Number:

Sales Hold:

TITLEIST	CLUBS	Qty	Product #	Description	Wedges	Ref # 76158	Size	Price
		1	852RSSSF5008	SM10 TC RH DYG S2 50.08 F			50.08F	\$140.00
		1	852RSSSF5208	SM10 TC RH DYG S2 52.08 F			52.08F	\$140.00
		1	852RSSSS5410	SM10 TC RH DYG S2 54.10 S			54.10S	\$140.00
		1	852RSSSS5610	SM10 TC RH DYG S2 56.10 S			56.10S	\$140.00
		1	852RSSSN5808	SM10 TC RH DYG S2 58.08 M			58.08M	\$140.00
		1	852RSSSN6008	SM10 TC RH DYG S2 60.08 M			60.08M	\$140.00
		1	853RSSSF5208	SM10 Ni RH DYG S2 52.08 F			52.08F	\$140.00
		1	853RSSSS5610	SM10 Ni RH DYG S2 56.10 S			56.10S	\$140.00
		1	853RSSSN6008	SM10 Ni RH DYG S2 60.08 M			60.08M	\$140.00
		1	854RSSSF5208	SM10 JB RH DYG S2 52.08 F			52.08F	\$140.00
		1	854RSSSS5610	SM10 JB RH DYG S2 56.10 S			56.10S	\$140.00
		1	854RSSSN6008	SM10 JB RH DYG S2 60.08 M			60.08M	\$140.00
		1	852RSSNM5408	SM10 TC RH DYG S2 54.08 M			54.08M	\$140.00
		1	852RSSNM5608	SM10 TC RH DYG S2 56.08 M			56.08M	\$140.00
		1	852RSSSD5812	SM10 TC RH DYG S2 58.12 D			58.12D	\$140.00
		1	852RSSSS6010	SM10 TC RH DYG S2 60.10 S			60.10S	\$140.00
		1	853RSSSF5008	SM10 Ni RH DYG S2 50.08 F			50.08F	\$140.00
		1	853RSSNM5608	SM10 Ni RH DYG S2 56.08 M			56.08M	\$140.00

Size Summary:

50.08F	52.08F	54.08M	54.10S	56.08M	56.10S	58.08M	58.12D	60.08M	60.10S	Total
2	3	1	1	2	3	1	1	3	1	18

PLAN CONFIRMATION

Req Ship Date: 6/14/2024

PO Number:

Sales Hold:

TITLEIST

GLOVES

Ref # 76160

				MED	M/L	LG	XL	Total
6597E	Perma-Soft MRL Pearl		\$11.00	24	24	24	12	84
6598E	Perma-Soft MCL Pearl		\$11.00	18	18	18	12	66
Quantity Sub Total:				42	42	42	24	150

This is a confirmation of your order. Amounts shown are wholesale prices per our confidential price list and do not reflect any applicable terms and discounts.

Total Units: 1,609



SALES ORDER ACKNOWLEDGEMENT

Order #	Account	Cust. PO #	Order Date	Source	Sales Channel	Type	Status	Shipping Instructions
8921946	OAK BROOK GOLF CLUB	CB101723 TP Balls	10/18/2023	iSFA	UNASSIGNED	TM Qualifying Order	BOOKED	TAG: Stock PROGRAM: +TP5/TP5x Ball Program (60 dz.)

Price	Freight	Tax	Order Quantity	Shipped Quantity	Open Quantity	Cancelled Quantity	Held Quantity	Returned Quantity
\$6,676.32	\$0.00	\$0.00	168	0	168	0	168	

Address Line 1	Address Line 2	Address Line 3	Address Line 4	City	State	County	Country
2606 YORK RD				Oak Brook	IL	Dupage	US

Line #	Product #	Description	Qty	Price	Status	Request Date	Delivery #	Schd. Ship Date	Schd. Arr. Date	Invoice #
1.1	N7663901	TM24 TP5 ENG dz	24	\$953.76	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
2.1	N7666701	TM24 TP5x ENG dz	24	\$953.76	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
3.1	N7671001	TM24 TP5 pix3.0 GLB dz	12	\$476.88	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
4.1	N7672701	TM24 TP5 pix3.0 USA dz	12	\$476.88	AWAITING_ SHIPPING	5/1/2024		4/30/2024	5/1/2024	
5.1	N7673901	TM24 TP5x pix3.0 GLB dz	6	\$238.44	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
6.1	N7675501	TM24 TP5x pix3.0 USA dz	6	\$238.44	AWAITING_ SHIPPING	5/1/2024		4/30/2024	5/1/2024	
7.1	N7663901	TM24 TP5 ENG dz	24	\$953.76	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	
8.1	N7666701	TM24 TP5x ENG dz	24	\$953.76	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	
9.1	N7671001	TM24 TP5 pix3.0 GLB dz	12	\$476.88	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	
10.1	N7672701	TM24 TP5 pix3.0 USA dz	12	\$476.88	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	
11.1	N7673901	TM24 TP5x pix3.0 GLB dz	6	\$238.44	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	
12.1	N7675501	TM24 TP5x pix3.0 USA dz	6	\$238.44	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	



SALES ORDER ACKNOWLEDGEMENT

Order #	Account	Cust. PO #	Order Date	Source	Sales Channel	Type	Status	Shipping Instructions
8921945	OAK BROOK GOLF CLUB	CB101723 Stripe	10/18/2023	iSFA	UNASSIGNED	TM Qualifying Order	BOOKED	PROGRAM: L2 Qualifier - 15% LID 15 %

Price	Freight	Tax	Order Quantity	Shipped Quantity	Open Quantity	Cancelled Quantity	Held Quantity	Returned Quantity
\$1,488.96	\$0.00		48	0	48	0	24	0

Address Line 1	Address Line 2	Address Line 3	Address Line 4	City	State	County	Country
2606 YORK RD				Oak Brook	IL	Dupage	US

Line #	Product #	Description	Qty	Price	Status	Request Date	Delivery #	Schd. Ship Date	Schd. Arv. Date	Invoice #
1.1	N7638601	TM22 Tour Resp Stripe GLB dz	12	\$372.24	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
2.1	N7677001	TM22 Tour Resp Stripe Multi dz	6	\$186.12	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
3.1	V9920201	TM24 TourRespStripe BLU GLB dz	6	\$186.12	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
4.1	N7638601	TM22 Tour Resp Stripe GLB dz	12	\$372.24	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	
5.1	N7677001	TM22 Tour Resp Stripe Multi dz	6	\$186.12	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	
6.1	V9920201	TM24 TourRespStripe BLU GLB dz	6	\$186.12	AWAITING_ SHIPPING	6/15/2024		6/13/2024	6/14/2024	



SALES ORDER ACKNOWLEDGEMENT

Order #	Account	Cust. PO #	Order Date	Source	Sales Channel	Type	Status	Shipping Instructions
8921944	OAK BROOK GOLF CLUB	CB101723 Equipment	10/18/2023	ISFA	UNASSIGNED	TM Qualifying Order	BOOKED	TAG: Stock PROGRAM: L2 Qualifier - 15% LID 15 %

Price	Freight	Tax	Order Quantity	Shipped Quantity	Open Quantity	Cancelled Quantity	Held Quantity	Returned Quantity
\$6,444.69	\$0.00		26	0	26	0	18	0

Address Line 1	Address Line 2	Address Line 3	Address Line 4	City	State	County	Country
2606 YORK RD				Oak Brook	IL	Dupage	US

Line #	Product #	Description	Qty	Price	Status	Request Date	Delivery #	Schd. Ship Date	Schd. Arr. Date	Invoice #
1.1	M1405709	MWD-Qi10LSTenseiBI65 9.0/Rh S	1	\$454.75	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
2.1	M1414309	MWD-Qi10TRBlue9.0/Rh S	1	\$433.50	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
3.1	M1414407	MWD-Qi10TRBlue10.5/Rh R	1	\$433.50	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
4.1	M1423509	MWD-Qi10MaxSpdrNX_TC9.0/Rh S	1	\$433.50	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
5.1	M1423607	MWD-Qi10MaxSpdrNX_TC10.5Rh R	2	\$867.00	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
6.1	M1404707	MWF-Qi10 Steel #3/Rh R	1	\$254.15	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
7.1	M1404709	MWF-Qi10 Steel #3/Rh S	1	\$254.15	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
8.1	M1404907	MWF-Qi10 Steel #5/Rh R	1	\$254.15	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
9.1	M1405007	MWF-Qi10 Steel #7/Rh R	1	\$254.15	AWAITING_ SHIPPING	3/15/2024		3/29/2024	4/1/2024	
10.1	M1403909	MWR-Qi10 3-19/Rh S	1	\$216.75	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
11.1	M1404007	MWR-Qi10 4-22/Rh R	1	\$216.75	AWAITING_ SHIPPING	3/15/2024		3/29/2024	4/1/2024	
12.1	M1404009	MWR-Qi10 4-22/Rh S	1	\$216.75	AWAITING_ SHIPPING	3/15/2024		4/2/2024	4/3/2024	
13.1	M1404107	MWR-Qi10 5-25/Rh R	1	\$216.75	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
14.1	V9830709	IRS-MG4 Chrome SB 52.09/Rh S	1	\$130.05	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
15.1	V9830809	IRS-MG4 Chrome SB 54.11/Rh S	1	\$130.05	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
16.1	V9830909	IRS-MG4 Chrome SB 56.12/Rh S	2	\$260.10	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	

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17.1	V9831009	IRS-MG4 Chrome SB 58.11/Rh S	1	\$130.05	AWAITING_	3/15/2024	3/14/2024	3/15/2024
					SHIPPING			
18.1	V9831109	IRS-MG4 Chrome SB 60.10/Rh S	1	\$130.05	AWAITING_	3/15/2024	3/14/2024	3/15/2024
					SHIPPING			
19.1	N7522226	PT-TPTahoeJuno#1 Rh 34IN	1	\$144.50	AWAITING_	3/15/2024	3/14/2024	3/15/2024
					SHIPPING			
20.1	N7523227	PT-TPTahoePalisades#3 Rh 35IN	1	\$144.50	AWAITING_	3/15/2024	3/14/2024	3/15/2024
					SHIPPING			
21.1	N7529327	PT-Spider Tour X #3 Rh 35IN	1	\$254.15	AWAITING_	3/15/2024	3/14/2024	3/15/2024
					SHIPPING			
22.1	N7531726	PT-Spider Tour #3 Rh 34IN	1	\$254.15	AWAITING_	3/15/2024	3/14/2024	3/15/2024
					SHIPPING			
23.1	N7533226	PT-Spider Red #3 Rh 34IN	1	\$180.62	AWAITING_	3/22/2024	3/21/2024	3/22/2024
					SHIPPING			
24.1	N7533427	PT-Spider Red DB Rh 35IN	1	\$180.62	AWAITING_	3/22/2024	3/21/2024	3/22/2024
					SHIPPING			

Demos only



SALES ORDER ACKNOWLEDGEMENT

Order #	Account	Cust. PO #	Order Date	Source	Sales Channel	Type	Status	Shipping Instructions
8921942	OAK BROOK GOLF CLUB	CB101723 SpeedSoft	10/18/2023	iSFA	UNASSIGNED	TM Qualifying Order	BOOKED	TAG: Stock 120 dozen = 45% Margin PROGRAM: +SpeedSoft Program (120 dz, 35% LID)

Price	Freight	Tax	Order Quantity	Shipped Quantity	Open Quantity	Cancelled Quantity	Held Quantity	Returned Quantity
\$1,325.76	\$0.00	\$0.00	96	0	96	24	30	

Address Line 1	Address Line 2	Address Line 3	Address Line 4	City	State	County	Country
2606 YORK RD				Oak Brook	IL	Dupage	US

Line #	Product #	Description	Qty	Price	Status	Request Date	Delivery #	Schd. Ship Date	Schd. Arv. Date	Invoice #
1.1	N2747001	TM24 SpeedSoft GLB dz	66	\$911.46	PICKED	3/1/2024	16772060	2/29/2024	3/1/2024	
2.1	V9910001	TM24 SpeedSoft Ink GRN GLB dz	9	\$124.29	AWAITING_ SHIPPING	3/1/2024		2/29/2024	3/1/2024	
3.1	V9914501	TM24 SpeedSoft Ink BLU GLB dz	9	\$124.29	AWAITING_ SHIPPING	3/1/2024		2/29/2024	3/1/2024	
4.1	V9924001	TM24 SpeedSoft Ink PNK GLB dz	12	\$165.72	AWAITING_ SHIPPING	3/1/2024		2/29/2024	3/1/2024	

New →



Orders cant be sent
without approval

SALES ORDER ACKNOWLEDGEMENT

Order #	Account	Cust. PO #	Order Date	Source	Sales Channel	Type	Status	Shipping Instructions
8921943	OAK BROOK GOLF CLUB	CB101723 Hats	10/18/2023	ISFA	UNASSIGNED	TM Qualifying Order	BOOKED	TAG: Stock PROGRAM: L2 Qualifier - 15% LID 15 %

Price	Freight	Tax	Order Quantity	Shipped Quantity	Open Quantity	Cancelled Quantity	Held Quantity	Returned Quantity
\$749.52	\$0.00	\$0.00	36	0	36	0	36	

Address Line 1	Address Line 2	Address Line 3	Address Line 4	City	State	County	Country
2606 YORK RD				Oak Brook	IL	Dupage	US

Line #	Product #	Description	Qty	Price	Status	Request Date	Delivery #	Schd. Ship Date	Schd. Arr. Date	Invoice #
1.1	N2679618	TM24LSHorizonHatWht REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
2.1	N2679718	TM24LSHorizonHatBlk REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
3.1	N2679818	TM24LSHorizonHatNvy REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
4.1	N2680018	TM24LSHorizonHatGry REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
5.1	N2680218	TM24LSRopeCapWht REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
6.1	N2680318	TM24LSRopeCapStlBlu REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
7.1	N2680418	TM24LSRopeCapNvy REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
8.1	N2680618	TM24MetalEylitCapWht REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
9.1	N2680718	TM24MetalEylitCapBlk REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
10.1	N2680818	TM24MetalEylitCapGry REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
11.1	N2680918	TM24MetalEylitCapNvy REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		5/13/2024	5/14/2024	
12.1	N2681118	TM24MetalEylitCapGrn REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
13.1	N2681218	TM24RetroTruckerWht REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
14.1	N2681418	TM24RetroTruckerNvy REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
15.1	N2681518	TM24RetroTruckerGryWht REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
16.1	N2681918	TM24SunsetGolfHatWht REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	
17.1	N2682218	TM24SunsetGolfHatGrn REG	2	\$41.64	AWAITING_ SHIPPING	3/15/2024		3/14/2024	3/15/2024	

Hats

18.1	N2682518	TM24SunsetGolfHatOrng REG	2	\$41.64	AWAITING_ 3/15/2024 SHIPPING	6/10/2024	6/11/2024
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Internal Reference #:

MORGANS 0076156

Acushnet order #:

3022950553

PO #:

Status:

Order Acknowledged

Sales Hold - Hold for Customer Approval

No stop - picking list can be printed

Request Date:

Aug 14, 2024

Description:

Golf Balls

Order Total:

\$7,933.50

Edit Order:

Edit Order

Item #: P4034S-15P-2
Item description: Pinnacle Rush White 15-Ball
Open QTY: 36
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: P4134S-15P-2
Item description: Pinnacle Rush Yellow 15-Ball
Open QTY: 12
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T2028S
Item description: Titleist Pro V1
Open QTY: 60
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T2028S-H
Item description: Titleist Pro V1 High #'s
Open QTY: 12
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T2048S
Item description: Titleist Pro V1x
Open QTY: 36
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T2048S-H
Item description: Titleist Pro V1x High #'s
Open QTY: 12
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T204L6S
Item description: Titleist Pro V1x Dash CFT
Open QTY: 18
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T2128S
Item description: Titleist Pro V1 Yellow
Open QTY: 6
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T2148S
Item description: Titleist Pro V1x Yellow
Open QTY: 6
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T9014S
Item description: Titleist AVX
Open QTY: 24
Tag For:
Estimated Delivery Date: Aug 14, 2024

Item #: T9114S
Item description: Titleist AVX Yellow
Open QTY: 6
Tag For:
Estimated Delivery Date: Aug 14, 2024

^ **Internal Reference #:** MORGANS 0076155
Acushnet order #: **3022950551**
PO #:
Status: Order Acknowledged
No stop - picking list can be printed
Request Date: Jul 15, 2024
Description: Golf Balls
Order Total: \$336.00
Edit Order: Edit Order

Item #: T4314S
Item description: Titleist Tour Soft Pink
Open QTY: 12
Tag For:
Estimated Delivery Date: Jul 15, 2024

^ **Internal Reference #:** MORGANS 0076160
Acushnet order #: **3022950558**
PO #:
Status: Order Acknowledged
No stop - picking list can be printed
Request Date: Jun 14, 2024
Description: Gloves
Order Total: \$1,800.00
Edit Order: Edit Order

Item #: 6597E-101-L
Item description: Perma-Soft MRL Pearl
Open QTY: 24
Tag For:
Estimated Delivery Date: Jun 17, 2024

Item #: 6597E-101-M
Item description: Perma-Soft MRL Pearl
Open QTY: 24
Tag For:
Estimated Delivery Date: Jun 17, 2024

Item #: 6597E-101-ML
Item description: Perma-Soft MRL Pearl
Open QTY: 24
Tag For:
Estimated Delivery Date: Jun 17, 2024

Item #: 6597E-101-XL
Item description: Perma-Soft MRL Pearl
Open QTY: 12
Tag For:
Estimated Delivery Date: Jun 14, 2024

Item #: 6598E-101-L
Item description: Perma-Soft MCL Pearl
Open QTY: 18
Tag For:
Estimated Delivery Date: Jun 14, 2024

Item #: 6598E-101-M
Item description: Perma-Soft MCL Pearl
Open QTY: 18
Tag For:
Estimated Delivery Date: Jun 14, 2024

Item #: 6598E-101-ML
Item description: Perma-Soft MCL Pearl
Open QTY: 18
Tag For:
Estimated Delivery Date: Jun 14, 2024

Item #: 6598E-101-XL
Item description: Perma-Soft MCL Pearl
Open QTY: 12
Tag For:
Estimated Delivery Date: Jun 17, 2024



Internal Reference #:

MORGANS 0076154

Acushnet order #:

3022950552

PO #:

Status:

Order Acknowledged

No stop - picking list can be printed

Request Date:

Jun 14, 2024

Description:

Golf Balls

Order Total:

\$12,070.50

Edit Order:

Edit Order



ORDER CONFIRMATION

PAGE: 1/1

Customer P.O.: MAY	Order Date: 18 Feb 24	Required Date: 01 May 24	Cancel Date: 31 May 24	Order No.: U4508180	Sales Rep: RICH BUTLER	Ship Via: Least Expensive/Pas Cher
Terms: NET 60	Order Type: Booking	Buyer Contact: TREY VAN DYKE	Buyer Email: tvandyke@oak-brook.org	Buyer Phone: (630)-368-6400	Buyer Fax: 630-368-6419	

Bill-To: A1459
OAK BROOK GOLF CLUB
2606 YORK ROAD
OAKBROOK IL 60523

Ship-To: A1459
OAK BROOK GOLF CLUB
2606 YORK ROAD
OAKBROOK IL 60523

Embroidery Instructions  A27402 OAK BROOK GOLF CLUB CO COLOR COORDINATE LC LEFT CHEST													
Pullovers				NEW SIZE SCALE									
STYLE #	DESCRIPTION	COLOR	DESC	XS	S	M	L	XL	XXL	3XL	QTY	PRICE	TOTAL
S77008	Men Tobey Lightweight Pullover	0202	Black/Black			1	1	1	1		4	55.00	220.00
S77008	Men Tobey Lightweight Pullover	2390M	Blue Stone Melange			1	1	1	1		4	55.00	220.00
S77008	Men Tobey Lightweight Pullover	3185M	Midnight Melange/Charcoal			1	1	1			3	55.00	165.00
S77008	Men Tobey Lightweight Pullover	58M	Real Red Melange			1	1	1			3	55.00	165.00
S77008	Men Tobey Lightweight Pullover	8502M	Charcoal Melange/Black			1	1	1			3	55.00	165.00
S77008	Men Tobey Lightweight Pullover	8633M	Magnesium Melange				1	1	1		3	55.00	165.00
NEW SIZE SCALE						5	6	6	3		20		1,100.00
SUB TOTAL											20		1,100.00
Embroidery @ 5.50											20		110.00
ORDER TOTAL USD											20		1,210.00

NOTE: THIS ORDER IS SUBJECT TO THE TERMS & CONDITIONS OF SUNICE AND IS NON-CANCELABLE WITHOUT THE WRITTEN APPROVAL OF SUNICE



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ORDER CONFIRMATION

PAGE: 1/1

Customer P.O.: APRIL	Order Date: 18 Feb 24	Required Date: 01 Apr 24	Cancel Date: 01 May 24	Order No.: U4508170	Sales Rep: RICH BUTLER	Ship Via: Least Expensive/Pas Cher
Terms: NET 60	Order Type: Booking	Buyer Contact: TREY VAN DYKE	Buyer Email: tvandyke@oak-brook.org	Buyer Phone: (630)-368-6400	Buyer Fax: 630-368-6419	

Bill-To: A1459
OAK BROOK GOLF CLUB
2606 YORK ROAD
OAKBROOK IL 60523

Ship-To: A1459
OAK BROOK GOLF CLUB
2606 YORK ROAD
OAKBROOK IL 60523

Embroidery Instructions



A27402 OAK BROOK GOLF CLUB
CO COLOR COORDINATE
LC LEFT CHEST

Pullovers				NEW SIZE SCALE									
STYLE #	DESCRIPTION	COLOR	DESC	XS	S	M	L	XL	XXL	3XL	QTY	PRICE	TOTAL
S77015	Men Adam Soft Touch Hoodie	02M	Black Melange			1	1	1			3	55.00	165.00
S77015	Men Adam Soft Touch Hoodie	23M	Blue Stone Melange			1	1	1			3	55.00	165.00
S77015	Men Adam Soft Touch Hoodie	31M	Midnight Melange				1	1			2	55.00	110.00
S77018	Men Allendale 2.0 Water Repellant Pullover	2304	Blue Stone/Pure White			1	1	1	1		4	65.00	260.00
S77018	Men Allendale 2.0 Water Repellant Pullover	4088	Vintage Indigo/Zinnia			1	1	1	1		4	65.00	260.00
S77018	Men Allendale 2.0 Water Repellant Pullover	5885	Real Red/Charcoal			1	1	1	1		4	65.00	260.00
NEW SIZE SCALE						5	6	6	3		20		1,220.00
SUB TOTAL											20		1,220.00
Embroidery @ 5.50											20		110.00
ORDER TOTAL USD											20		1,330.00

NOTE: THIS ORDER IS SUBJECT TO THE TERMS & CONDITIONS OF SUNICE AND IS NON-CANCELABLE WITHOUT THE WRITTEN APPROVAL OF SUNICE



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ORDER CONFIRMATION

PAGE: 1/1

Customer P.O.: MARCH	Order Date: 18 Feb 24	Required Date: 25 Mar 24	Cancel Date: 24 Apr 24	Order No.: U4508160	Sales Rep: RICH BUTLER	Ship Via: Least Expensive/Pas Cher
Terms: NET 60	Order Type: Booking	Buyer Contact: TREY VAN DYKE	Buyer Email: tvandyke@oak-brook.org	Buyer Phone: (630)-368-6400	Buyer Fax: 630-368-6419	

Bill-To: A1459
OAK BROOK GOLF CLUB
2606 YORK ROAD
OAKBROOK IL 60523

Ship-To: A1459
OAK BROOK GOLF CLUB
2606 YORK ROAD
OAKBROOK IL 60523

Embroidery Instructions  A27402 OAK BROOK GOLF CLUB CO COLOR COORDINATE LC LEFT CHEST													
Pullovers				NEW SIZE SCALE									
STYLE #	DESCRIPTION	COLOR	DESC	XS	S	M	L	XL	XXL	3XL	QTY	PRICE	TOTAL
S77018	Men Allendale 2.0 Water Repellant Pullover	0282	Black / Ombre			1	1	1	1		4	65.00	260.00
S77018	Men Allendale 2.0 Water Repellant Pullover	3104	Midnight/Pure White			1	1	1			3	65.00	195.00
NEW SIZE SCALE						2	2	2	1		7		455.00
Vests				NEW SIZE SCALE									
STYLE #	DESCRIPTION	COLOR	DESC	XS	S	M	L	XL	XXL	3XL	QTY	PRICE	TOTAL
S54100	Men Elie Lightweight Wind Vest	02	Black			1	1	1	1		4	60.00	240.00
S54100	Men Elie Lightweight Wind Vest	31EM	Midnight Camo Embossed			1	1	1	1		4	60.00	240.00
S54100	Men Elie Lightweight Wind Vest	40	Vintage Indigo			1	2	1			4	60.00	240.00
NEW SIZE SCALE						3	4	3	2		12		720.00
SUB TOTAL											19		1,175.00
Embroidery @ 5.50											19		104.50
ORDER TOTAL USD											19		1,279.50

NOTE: THIS ORDER IS SUBJECT TO THE TERMS & CONDITIONS OF SUNICE AND IS NON-CANCELABLE WITHOUT THE WRITTEN APPROVAL OF SUNICE



Credit Memo

Acct. No.	Date	Credit #
36124392	12/30/2019	CM16443

Klone Lab
115A Water Street
Newburyport MA 01950

Ship To
Oak Brook Golf Club 2606 York Road Oak Brook IL 60523

Bill To
Oak Brook Golf Club 2606 York Road Oak Brook IL 60523

PO #	Memo	Total Quantity	Created From
Stock Exchange Ret...		22	Return Authorization #RA10700

Item	Quantity	Description	Options	Unit Rate	Amount	Style
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005B...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005B...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005B...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005B...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005B...
Women's Minimus WP	1	Women's Minimus WP		54.00	54.00	NBGW1005B...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007B...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007B...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007B...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007L...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007L...
Women's Minimus SL	1	Women's Minimus SL		42.50	42.50	NBGW1007L...

			Subtotal	1,050.00
			Discount (NBG GGGs Level 2 - 7%)	-73.50
			Shipping Cost (UPS® Ground)	0.00
			Total	\$976.50



Credit Memo

Acct. No.	Date	Credit #
36124392	11/6/2018	CM13896

Klone Lab
115A Water Street
Newburyport MA 01950

Ship To	Bill To
Oak Brook Golf Club 2606 York Road Oak Brook IL 60523	Oak Brook Golf Club 2606 York Road Oak Brook IL 60523

PO #	Memo	Total Quantity	Created From
Stock Exchange		16	Return Authorization #RA8842

Item	Quantity	Description	Options	Unit Rate	Amount	Style
Women's Minimus WP	1	Women's Minimus WP		52.50	52.50	NBGW1005G...
Women's Minimus WP	1	Women's Minimus WP		52.50	52.50	NBGW1005G...
Women's Minimus WP	1	Women's Minimus WP		52.50	52.50	NBGW1005G...
Women's Minimus WP	1	Women's Minimus WP		52.50	52.50	NBGW1005G...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006C...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006C...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006C...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006C...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006C...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006P...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006P...
Women's Minimus Sport	1	Women's Minimus Sport		42.50	42.50	NBGW1006P...

				Subtotal	720.00
				Discount (NB Golf Discount- 5%)	-36.00
				Shipping Cost (UPS® Ground)	0.00
				Total	\$684.00

Sales Order

Order Date	Order #
2/20/2024	SO713538388

Page 1 of 2

Klone Lab LLC

Klone Lab
115A Water Street
Newburyport MA 01950

Bill To
Oak Brook Golf Club 2606 York Road Oak Brook IL 60523

Ship To
Oak Brook Golf Club 2606 York Road Oak Brook IL 60523

PO #	Terms	Currency	Start Date	End Date	Shipping Method
MENS 2024	Net 90	US Dollar	4/1/2024	4/15/2024	UPS® Ground

Items Ordered
21

Style	Description	Qty	Unit Price	List Price	Ext Price	Closed
MG406WGY-9 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-10 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-10.5 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-11 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-12 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-10 2E	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-10.5 2E	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-11 2E	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-11.5 2E	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WGY-12 2E	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WN-10 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WN-11 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG406WN-12 D	Fresh Foam Contend v2	1	60.00	Base Price	60.00	
MG400GR-9 D	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	
MG400GR-9.5 D	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	
MG400GR-10.5 D	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	
MG400GR-11.5 D	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	
MG400GR-12 D	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	
MG400GR-10 2E	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	
MG400GR-11 2E	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	
MG400GR-12 2E	Fresh Foam ROAV Golf	1	54.00	Base Price	54.00	

Sales Order

Order Date	Order #
2/20/2024	SO713538388

Page 2 of 2

Klone Lab LLC[illegible]

Sales Order

Order Date	Order #
2/20/2024	SO713538384

Klone Lab LLC

Klone Lab
115A Water Street
Newburyport MA 01950

Bill To
Oak Brook Golf Club 2606 York Road Oak Brook IL 60523

Ship To
Oak Brook Golf Club 2606 York Road Oak Brook IL 60523

PO #	Terms	Currency	Start Date	End Date	Shipping Method
LADIES 2024	Net 90	US Dollar	4/15/2024	4/29/2024	UPS® Ground

Items Ordered
5

Style	Description	Qty	Unit Price	List Price	Ext Price	Closed
WG406WGY-7 B	Women's Fresh Foam Contend v2	1	60.00	Base Price	60.00	
WG406WGY-7.5 B	Women's Fresh Foam Contend v2	1	60.00	Base Price	60.00	
WG406WGY-8 B	Women's Fresh Foam Contend v2	1	60.00	Base Price	60.00	
WG406WGY-8.5 B	Women's Fresh Foam Contend v2	1	60.00	Base Price	60.00	
WG406WGY-9 B	Women's Fresh Foam Contend v2	1	60.00	Base Price	60.00	

	Subtotal	300.00
	Discount (NBG GBP Level 2 - 5%)	-15.00
	Shipping and Handling (Estimate) (UPS® Ground)	23.56
	Total	\$308.56



Account Number: 0001356112

Account Name: VILLAGE OF OAK BROOK

Cart ID: 1706046324141

Order Status: Not Submitted

Total Style: 13

Total Quantity: 24

Total Retail Price: 4,537 USD

Total Wholesale Price: 2,265.97 USD

Created By: Pat

Printed On: 01/23/2024



Purchase Order:

Arrival Date: 01/24/2024

Shipping Address:

2606 YORK RD

OAK BROOK IL 60523

Total Style: 13

Total Quantity: 24

Total Retail Price: 4,537 USD

Total Wholesale Price: 2,265.97 USD

Table

Thumbnail	Style Info	Price	Size Run	Quantity	Total
	RADAR EV PATH POLISHED BLACK w/ PRIZM GOLF INJECTED MAN SUNGLASS 0009208 920844	110.43 USD/ 221 USD	38 1	1	110.43 USD/221 USD
	RADAR EV PATH POLISHED WHITE w/ PRIZM JADE INJECTED MAN SUNGLASS 0009208 920871	110.43 USD/ 221 USD	38 1	1	110.43 USD/221 USD
	FLAK 2.0 XL POLISHED BLACK w/ PRIZM GOLF INJECTED MAN SUNGLASS 0009188 918805	96.86 USD/ 194 USD	59 1	1	96.86 USD/194 USD
	FLAK 2.0 XL STEEL w/ PRIZM DARK GOLF INJECTED MAN SUNGLASS 0009188 9188B2	96.86 USD/ 194 USD	59 1	1	96.86 USD/194 USD
	FLAK 2.0 XL POLISHED WHITE w/ PRIZM JADE INJECTED MAN SUNGLASS 0009188 918892	96.86 USD/ 194 USD	59 1	1	96.86 USD/194 USD
	FLAK 2.0 XL POLISHED WHITE w/ PRIZM SAPPHIRE INJECTED MAN SUNGLASS 0009188 918894	96.86 USD/ 194 USD	59 1	1	96.86 USD/194 USD
	FLAK 2.0 XL MATTE BLACK w/ PRIZM BLACK INJECTED MAN SUNGLASS 0009188 918873	96.86 USD/ 194 USD	59 1	1	96.86 USD/194 USD
	CORRIDOR MATTE BLACK INK w/ PRIZM GOLF INJECTED MAN SUNGLASS 0009248 924809	96.86 USD/ 194 USD	42 1	1	96.86 USD/194 USD

Table

Thumbnail	Style Info	Price	Size Run	Quantity	Total
	CORRIDOR MATTE BLACK w/ PRIZM BLACK INJECTED MAN SUNGLASS 0009248 924801	96.86 USD/ 194 USD	42 1	1	96.86 USD/194 USD
	SUTRO LITE SWEEP MATTE BLACK w/ PRIZM GOLF INJECTED MAN SUNGLASS 0009465 946523	96.86 USD/ 194 USD	39 1	1	96.86 USD/194 USD
	HOLBROOK MATTE BLACK w/ PRIZM RUBY INJECTED MAN SUNGLASS 0009102 9102E2	83.28 USD/ 167 USD	55 59 1 0	1	83.28 USD/167 USD
	HOLBROOK POLISHED BLACK w/ PRIZM GREY W/ BLACK IRIDIUM INJECTED MAN SUNGLASS 0009102 9102E1	83.28 USD/ 167 USD	55 59 1 0	1	83.28 USD/167 USD
	HOLBROOK DARK INK FADE w/ PRIZM BLACK POLARIZED INJECTED MAN SUNGLASS 0009102 9102O2	108.28 USD/ 217 USD	55 1	1	108.28 USD/217 USD
	HOLBROOK XL CRYSTAL BLACK w/ PRIZM JADE INJECTED MAN SUNGLASS 0009417 941714	83.28 USD/ 167 USD	59 1	1	83.28 USD/167 USD
	HOLBROOK XL MATTE BLACK w/ PRIZM SAPPHIRE POLARIZED INJECTED MAN SUNGLASS 0009417 941721	108.28 USD/ 217 USD	59 1	1	108.28 USD/217 USD
	HOLBROOK MIX WOODGRAIN w/ PRIZM BLACK INJECTED MAN SUNGLASS 0009384 938404	105 USD/ 210 USD	57 1	1	105 USD/210 USD

Table

Thumbnail	Style Info	Price	Size Run	Quantity	Total
	SYLAS POLISHED CLEAR w/ PRIZM SAPPHIRE XC3_6B 0009448 944804	72.42 USD/ 145 USD	60 57 0 1	1	72.42 USD/145 USD
	SYLAS MATTE BLACK INK w/ PRIZM GOLF XC3_6B 0009448 944841	72.42 USD/ 145 USD	57 60 1 0	1	72.42 USD/145 USD
	FROGSKINS MATTE TORTOISE w/ PRIZM TUNGSTEN INJECTED MAN SUNGLASS 0009013 9013C5	72.42 USD/ 145 USD	55 53 1 0	1	72.42 USD/145 USD
	FROGSKINS LITE MATTE BLACK w/ PRIZM SAPPHIRE INJECTED MAN SUNGLASS 0009374 937402	77.86 USD/ 156 USD	63 1	1	77.86 USD/156 USD
	THURSO MATTE BLACK INK w/ PRIZM BLACK INJECTED MAN SUNGLASS 0009286 928601	105 USD/ 210 USD	54 1	1	105 USD/210 USD
	THURSO MATTE GREY SMOKE w/ PRIZM DARK GOLF INJECTED MAN SUNGLASS 0009286 928604	105 USD/ 210 USD	54 1	1	105 USD/210 USD
	PITCHMAN R POLISHED CLEAR w/ PRIZM SAPPHIRE INJECTED MAN SUNGLASS 0009439 943904	105 USD/ 210 USD	50 1	1	105 USD/210 USD
	PORTAL X POLISHED BLACK w/ PRIZM DARK GOLF INJECTED MAN SUNGLASS 0009460 946002	88.71 USD/ 177 USD	59 1	1	88.71 USD/177 USD

Summary

Gender	Business Vertical	Units %	Price %
Mens		24 100.0 %	2,265.97 USD / 4,537 USD 100.0 %
Mens	Total	24 100.0 %	2,265.97 USD / 4,537 USD 100.0 %
Grand Total		24 100.0 %	2,265.97 USD / 4,537 USD 100.0 %



OAK BROOK
Illinois

ITEM 7.A.6.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: Creation of an Emergency Services and Disaster Agency (ESDA)

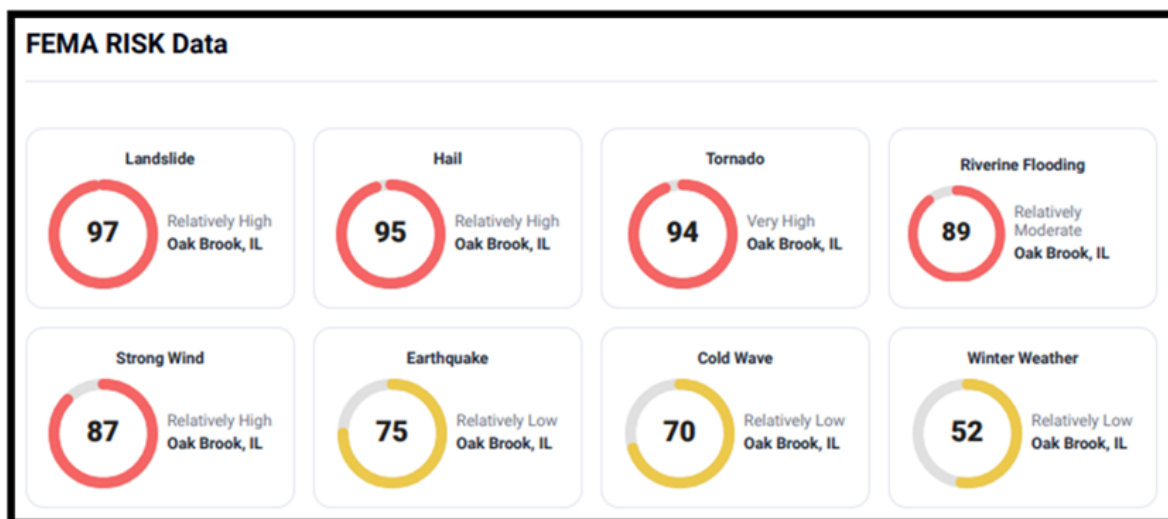
FROM: Joseph Mitchell, Assistant Village Manager

BUDGET SOURCE/BUDGET IMPACT: Account 134-52300, Risk Management, Budget of \$500.00.

RECOMMENDED MOTION: I move that the Village Board approve Ordinance 2024-DEM-SVCS-G-1252, An Ordinance Creating Title 3, Chapter 3 Entitled “Emergency Services and Disaster Agency” of the Village Code of the Village of Oak Brook.

Background/History:

The Village of Oak Brook is at a relatively high risk for various emergencies and disasters, ranging from natural disasters like floods and severe storms to man-made incidents such as accidents and hazardous material spills.



Data Provided by Trustee Tiesenga

In times of crisis, the efficient coordination of emergency services is paramount to ensuring the safety and well-being of our residents and visitors. Our goal is the expedient return to normalcy should an emergency or disaster occur.

Staff recommends the creation of an Emergency Services Disaster Agency (ESDA) comprised of pre-trained volunteers who will assist and support our professional emergency services personnel during times of emergency. This agency will be dedicated to preparedness, response, and recovery efforts in collaboration with existing emergency management structures and will also be able to assist with Village-sponsored special events.

The establishment of an Emergency Services Disaster Agency comprised of volunteers represents a proactive and innovative approach to enhancing emergency preparedness and response capabilities within the Village of Oak Brook. By harnessing the collective strength and resilience of our community, we can better protect and serve our residents in times of extreme need.

- **Enhanced Community Resilience:** By involving volunteers from within our community, we can enhance our overall resilience to emergencies and disasters. These volunteers will bring highly sought diverse and unique skill sets, knowledge, and resources to the table, thereby augmenting our response capabilities.
- **Increased Capacity:** The addition of a volunteer-based ESDA will significantly increase our capacity to respond to emergencies efficiently and effectively. Volunteers can assist with tasks such as traffic control, communication support, shelter management, weather spotting, crowd management, first aid, and community outreach, allowing our first responder personnel to focus on mission-critical operations.
- **Cost-Effective Solution:** Utilizing volunteers for emergency response and Village-sponsored special events can be a cost-effective solution. By leveraging existing community resources, we can minimize the financial burden associated with emergency preparedness, response efforts, and basic support for community events.
- **Community Engagement:** Engaging residents as volunteers in emergency preparedness and response fosters a sense of community ownership and empowerment. It promotes active participation in safeguarding the well-being of our community and strengthens bonds between residents and the Village.
- **Proven Effectiveness:** The effectiveness of volunteer-based emergency services agencies has been demonstrated in numerous communities across the region and the state. By following best practices and implementing proper training and coordination mechanisms, the Village can ensure the success of the ESDA in Oak Brook.

Next Steps if approved, include:

- Establish a working group to develop a comprehensive plan for the creation and operation of the ESDA.
- Conduct outreach and recruitment efforts to attract volunteers from within the community.
- Provide staff-led quarterly training and other resources to volunteers to equip them for

their roles within ESDA.

- Collaborate with neighboring jurisdictions and relevant stakeholders to ensure seamless coordination and integration of the ESDA into existing emergency management structures.

Recommendation:

Staff recommends the Board approve Ordinance 2024-DEM-SVCS-G-1252, An Ordinance Creating Title 3, Chapter 3 Entitled “Emergency Services and Disaster Agency” of the Village Code of the Village of Oak Brook.

Attachments:

1. OrdAmendTitle3CreateCh3 ESDA

THE VILLAGE OF OAK BROOK
COOK AND DUPAGE COUNTIES, ILLINOIS

ORDINANCE
NUMBER 2024-DEM-SVCS-G-1252

AN ORDINANCE
AMENDING TITLE 3 (PUBLIC SAFETY) TO ADD AND CREATE
CHAPTER 3 (EMERGENCY SERVICES AND DISASTER
AGENCY) OF THE VILLAGE OF OAK BROOK CODE OF
ORDINANCES

LAURENCE E. HERMAN, Village President
NETASHA SCARPINITI, Village Clerk

NAVEEN JAIN
MICHAEL MANZO
MELISSA MARTIN
JAMES NAGLE
A. SURESH REDDY
EDWARD TIESENGA

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Oak Brook
on this the 27th day of February 2024

ORDINANCE NO.2024-DEM-SVCS-G-1252

AN ORDINANCE
AMENDING TITLE 3 (PUBLIC SAFETY) TO ADD AND CREATE CHAPTER 3 (EMERGENCY
SERVICES AND DISASTER AGENCY) OF THE VILLAGE OF OAK BROOK CODE OF
ORDINANCES

WHEREAS, the Village of Oak Brook is a municipal corporation with authority provided for and granted pursuant to the Illinois Municipal Code to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Village Code of Ordinances of the Village of Oak Brook, as amended;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety, and welfare of its residents including the adoption and imposition of certain taxes;

WHEREAS, Title 3 of the Village Code provides for certain provisions thereof relating to Public Safety within the Village;

WHEREAS, Staff recommends the creation of a new chapter under Title 3 creating an Emergency Services Disaster Agency (ESDA), to be comprised of volunteers who will assist and support our professional emergency services personnel during times of emergency;

WHEREAS, the Corporate Authorities of the Village of Oak Brook are of the opinion that that it is in the best interests of the safety, health, and welfare of residents to amend Title 3 (Public Safety) to add and create Chapter 3 (Emergency Services and Disaster Agency) in the Village Code, as set forth herein.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Oak Brook, DuPage and Cook Counties, Illinois as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true, and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Amendment to Title 3

Title 3 (Public Safety) shall be amended to add and create Chapter 3 (Emergency Services and Disaster Agency) as follows:

CHAPTER 3
EMERGENCY SERVICES AND DISASTER AGENCY

3-3-1: Establishment; Purposes; Membership; Statutory Authority

3-3-2: Limitations

3-3-3: Definitions
3-3-4: ESDA Coordinator; Office
3-3-5: Functions
3-3-6: Orders, Rules, and Regulations
3-3-7: Utilization for Existing Agency, Facilities, and Personnel
3-3-8: Service as Mobile Support Team
3-3-9: Agreements with Other Political Subdivisions
3-3-10: Emergency Action
3-3-11: Compensation
3-3-12: Reimbursement by State
3-3-13: Purchases and Expenditures
3-3-14: Oath
3-3-15: Local Disaster Emergencies
3-3-16: Testing of Disaster Warning Devices
3-3-17: Immunity
3-3-18: Authority to Accept Services, Gifts, Grants or Loans
3-3-19: Prohibition of Political Activity

3-3-1: ESTABLISHMENT; PURPOSES; MEMBERSHIP; STATUTORY AUTHORITY:

A. There is hereby created within the Village governmental organization an entity to be known as the Emergency Services and Disaster Agency, hereinafter referred to as the Oak Brook ESDA. This entity shall assist in the coordination of all emergency management programs within its jurisdiction and with private organizations, other political subdivisions, the State and Federal government in accordance with the provisions of "The Illinois Emergency Management Agency Act", 20 ILCS 3305/1, et seq., hereinafter "The Act."

B. The purpose of the Oak Brook ESDA shall be the coordination of emergency services functions, which may be necessary for or proper to prevent, minimize, repair, and alleviate injury, and damage resulting from any natural, manmade or technological causes.

C. The Oak Brook ESDA shall consist of the Coordinator and such additional members as may be selected by the Coordinator and approved by the Village Manager or designee.

D. All emergency services functions of the Oak Brook ESDA shall always be in accordance with the provisions of the Act and all rules and regulations promulgated thereunder.

3-3-2: LIMITATIONS:

Nothing in this Ordinance shall be construed to:

A. Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this Ordinance or other laws may be taken when necessary to mitigate imminent or existing danger to public health or safety;

B. Interfere with dissemination of news or comment of public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire services, and newspapers) may be requested to transmit or print public service messages furnishing information or instructions in connection with a disaster;

C. Affect the jurisdiction or responsibilities of police forces, fire fighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but State and political subdivision Emergency Operations Plan shall place reliance upon the forces available for performance of functions related to emergency management;

D. Limit, modify, or abridge the authority of the Village President or designee to proclaim martial law or exercise any other powers vested in him/her under the constitution, statutes, or Codes or Ordinances of this Village, independent of or in conjunction with any provisions of this ESDA Ordinance; limit the Village's non-home rule authority; or prohibit any contract or association pursuant to Article VII, Section 10 of the Illinois Constitution.

3-3-3: DEFINITIONS:

- A. "Act" means the Illinois Emergency Management Agency Act, or IEMA.
- B. "Administrative Code 301" means Title 29, Chapter I, Subchapter C, Part 301, which establishes requirements for emergency operations plans; exercises of emergency operations plans; accreditation and certification of ESDAs; workers' compensation coverage and workers' occupational diseases coverage for volunteers; and the emergency management assistance grant program. The provisions of this Part apply to all emergency services and disaster agencies established pursuant to the Act.
- C. "Coordinator" means the staff assistant to the Village Manager with the duty of coordinating the emergency management programs of the Village.
- D. "Disaster" means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or technological cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, or hostile military or paramilitary action.
- E. "Emergency Management" means the efforts of the federal, state, and local governments to develop, plan, analyze, conduct, implement and maintain programs for disaster mitigation, preparedness, response, and recovery.
- F. "Emergency Services and Disaster Agency" means the agency established by the Village Code within the Village of Oak Brook to coordinate the Emergency Management Program within its jurisdiction and with private organizations, other political subdivisions, the state and federal governments.
- G. "Emergency Operations Plan" means the written plan of the Village and its departments and other stakeholders describing the organization, mission, and functions of the village government and supporting services for responding to and recovering from disasters.
- H. "Emergency Services" means the coordination of such functions by the Village and other political subdivision, other than functions for which military forces are primarily responsible, as may be necessary or proper to prevent, minimize, repair, and alleviate injury and damage resulting from any natural or technological causes. These functions include, without limitation, direction and control, communications, warning/emergency information, public information, disaster intelligence/damage assessment, evacuation, mass care, health and medical, mortuary services, resource management and other functions related to civilian protection, together with all other activities necessary or incidental to protecting life or property.
- I. "Illinois Emergency Management Agency" or "IEMA" means the agency established by the Act within the executive branch of State Government responsible for coordination of the overall emergency management program of the State and with private organizations, political subdivisions, and the federal government.
- J. "Mobile Support Team" means the utilization of personnel to be dispatched by the Governor, or, if he/she so authorizes the IEMA Director, to supplement local political subdivisions for emergency management programs in response to a disaster.
- K. "Municipality" means any city, village, or incorporated town.
- L. "National Incident Management System (NIMS)" means emergency management in the United States is done at the local and state level. The Department of Homeland Security has standardized equipment, organizational structures, and terminology to create better response and preparedness to large- and small-scale disasters across the country. The NIMS is a collection of principles and methods that is utilized by local, state, federal emergency managers as well as the private sector and NGOs. NIMS aims to improve the nation's response to emergencies. Its goal is a better system that can more efficiently allocate

resources in the event of a disaster and facilitate cooperation among diverse entities and agencies.

M. "Political Subdivision" means any county, city, village, incorporated town, or township if the township is in a county having a population of more than 2,000,000.

N. "Principal Executive Officer" means chairman of the county board, supervisor of a township if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established pursuant to Section 7 of the Emergency Interim Executive Succession Act.

3-3-4: ESDA COORDINATOR; OFFICE:

A. The Coordinator of the Village ESDA shall be appointed by the Village Manager and shall serve until removed by same.

B. The ESDA Coordinator shall have direct responsibility for the organization, administration, training, and operation of the ESDA, subject to the direction and control of that Village President and/or the Village Manager.

C. The ESDA shall have an office and the Village Manager is authorized to designate space in a Village building, or elsewhere, as may be provided for ESDA.

D. In the event of the absence, resignation, death, or inability to serve as the Coordinator, the Fire Chief and/or designee shall be and act as Temporary Coordinator until a new appointment is made as provided herein.

3-3-5: FUNCTIONS:

A. The Village of Oak Brook shall be within the jurisdiction of and served by the IEMA and by an Emergency Services and Disaster Agency responsible for emergency management programs.

B. The Village Manager, or interim emergency successor, shall notify the IEMA Region 4 Coordinator and the DuPage County Office of Homeland Security and Emergency Management (OHSEM) of the manner in which the Village is providing or securing emergency management, identify the executive head of the ESDA and furnish additional information relating thereto as the IEMA requires.

C. The ESDA Coordinator or designee shall prepare and keep current an Emergency Operations Plan for the ESDA geographic boundaries. It shall be submitted to the IEMA and the OHSEM for review and approval, in accordance with paragraph of Section 10 of the Act and the Administrative Code 301.

D. The ESDA Coordinator or designee shall prepare and distribute to all appropriate officials in written form a clear and complete statement of the emergency management responsibilities of all Village departments and officials and of the disaster chain of command.

E. The ESDA Coordinator or designee shall coordinate emergency management functions, as directed by the Village Manager or designee within the Village limits as are prescribed in and by the Oak Brook Emergency Operations Plan under the NIMS, and programs, orders, rules and regulations as may be promulgated by the IEMA and in addition, shall conduct such functions outside of those territorial limits as may be required pursuant to such mutual aid agreements and compacts as are entered into under subparagraph 5 of paragraph c of Section 6 of the Act.

F. The Village of Oak Brook upon advice from the ESDA Coordinator and/or the Village Manager may enter into contracts and incur obligations necessary to place it in a position effectively to combat such disasters in order to protect the health and safety of persons and to protect property, and to provide emergency assistance to victims of those disasters. If such a disaster occurs, the Village may exercise the powers vested under this Section in the light of the exigencies of the disaster and, excepting mandatory constitutional requirements,

without regard to the procedures and formalities normally prescribed by law pertaining to the performance of public work, entering into contacts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation, expenditure and disposition of public funds and property.

3-3-6: ORDERS, RULES, AND REGULATIONS:

A. The Village Board shall have the authority to promulgate orders, rules, and regulations upon the advice of the ESDA Coordinator and/or the Village Manager for the purpose of emergency management and in times of disaster.

B. The ESDA shall execute and enforce such orders, rules and regulations as may be made by the Village Manager or his interim emergency successor under the authority of the IEMA Act. The ESDA shall have available for inspection at its office all orders, rules and regulations made by the Village Manager or his interim emergency successor, or under the Village Manager authority and which have been provided by the Illinois Emergency Management Agency.

3-3-7: UTILIZATION OF EXISTING AGENCY, FACILITIES, AND PERSONNEL:

The ESDA acting through the Village Manager, or interim emergency successor may utilize the services, equipment, supplies and facilities of existing departments, offices, and agencies within its jurisdiction the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed, upon request, to cooperate with and extend such services and facilities as may be needed.

3-3-8: SERVICE AS MOBILE SUPPORT TEAM:

A. All or any members of the Village ESDA organization may be designated as members of a mobile support team created by the Director of IEMA as provided by law.

B. The leader of such mobile support team shall be designated by the Director of IEMA

C. Any member of a mobile support team, who is a Village employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while serving, shall be entitled to at least one dollar per year compensation from the State of Illinois.

3-3-9: AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS:

The ESDA Coordinator may, in collaboration with other public agencies within his/her immediate vicinity, and with the approval of the Village Manager or designee develop or cause to be developed mutual aid arrangements with other political subdivisions or municipalities within this State for reciprocal disaster response and recovery assistance in case a disaster is too great to be dealt with unassisted. Such mutual aid shall not, however, be effective unless and until approved by each of such political subdivisions. Such arrangements shall be consistent with the Oak Brook Emergency Operations Plan and the Village Emergency Management Program, and in the event of such a disaster as described in Section 4 of the Act; it shall be the duty of the ESDA to render assistance in accordance with the provisions of such mutual aid arrangements.

3-3-10: EMERGENCY ACTION:

If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disaster, it shall be the duty of the Village ESDA to cooperate fully with the State of Illinois ESDA and with the Governor in the exercise of emergency powers as provided by law.

3-3-11: COMPENSATION:

Members of the Village ESDA who are paid employees or officers of the Village, if called for training by the State Director of the IEMA shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not Village employees or officers shall receive for such training time or deployment time for such compensation as may be established by the Village Manager.

3-3-12: REIMBURSEMENT BY STATE:

The Village Finance Director may receive and allocate to the appropriate fund, any reimbursement by the State of Illinois to the Village for expenses incident to training members of the Village ESDA as prescribed by the State Director of ESDA, compensation for services and expenses of members of a mobile support team while serving outside the Village in response to a call by the Governor or State Director of ESDA, as provided by law, and any other reimbursement made by the State incident to ESDA activities as provided by law.

3-3-13: PURCHASES AND EXPENDITURES:

The Board of Trustees may on recommendation of the Village Coordinator of ESDA and the Village Manager, authorize any purchase or contracts necessary to place the Village in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from man-made or natural disaster.

In the event of enemy caused or other disaster, the Village Coordinator of ESDA is authorized, on behalf of the Village and only after consultation with the Village Manager, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the emergency without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by "The Illinois Emergency Services and Disaster Agency Act of 1975", as amended; provided, that if the Village President is available at such time, the Coordinator shall act subject to the direction and restrictions imposed by said Village President.

3-3-14: OATH:

Every person appointed to serve in any capacity in the Village ESDA organization, whether compensated or not shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the Coordinator:

"I, _____, (state your name and title) do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I, nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Village ESDA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

3-3-15: LOCAL DISASTER EMERGENCIES:

A. A local disaster may be declared only by the Village President, or interim emergency successor, as provided in Section 7 of the Emergency Interim Executive Succession Act (5

ILCS 275/7 et seq.). It shall not be continued or renewed for a period of more than seven (7) days except by or with the consent of the Village Board of Trustees. Any order or proclamation declaring, continuing, or terminating a local disaster shall be given prompt and general publicity and shall be filed promptly with the Village Clerk.

B. The effect of a Declaration of Disaster is to activate the Emergency Operations Plan of the Village of Oak Brook and to authorize the furnishing of aid and assistance thereunder.

3-3-16: TESTING OF DISASTER WARNING DEVICES:

A. The ESDA may also test disaster-warning devices including outdoor warning sirens during disaster training exercises that are specifically and expressly approved in advance by the Illinois Emergency Management Agency.

3-3-17: IMMUNITY:

Neither the Village, any political subdivision of the Village, nor, except in cases of negligence or willful misconduct, the Village President or interim emergency successor, the ESDA Coordinator, the Police Chief, Fire Chief or any department head of the Village, or the agents, employees, volunteer or representatives of any of them, engaged in any emergency management response or recovery activities, while complying with or attempting to comply with the IEMA Act or any rule or regulations promulgated pursuant to the IEMA Act is liable for the death of or any injury to persons, or damage to property, as a result of such activity. This Section does not, however, affect the right of any person to receive benefits to which he/she would otherwise be entitled under this IEMA Act under the Workers' Compensation Act or the Workers' Occupational Diseases Act, or under any pension law, and this Section does not affect the right of any such person to receive any benefits or compensation under any Act of Congress.

3-3-18: AUTHORITY TO ACCEPT SERVICES, GIFTS, GRANTS OR LOANS:

A. Whenever the federal government or any agency or officer thereof or whenever any person, firm or corporation shall offer to the Village, services, equipment, supplies, materials, or funds by the way of gift or grant, for purposes of emergency management, the Village, acting through the Village President or interim emergency successor, may accept such offer and upon such acceptance, may authorize an officer of the Village to receive such services, equipment, supplies, materials or funds on behalf of the Village.

B. The Village, acting through the Village President or interim emergency successor, shall have the authority to establish a special fund if needed to accept such gifts, grants, or loans. The establishment of such a special fund shall be in accordance with all Village ordinances relating to this subject matter and the laws of the State of Illinois. All services, gifts, grants, or loans accepted pursuant to the Section shall be subject to Village auditing procedures (20 ILCS 3305/17).

3-3-19: PROHIBITION OF POLITICAL ACTIVITY:

The ESDA established by this Ordinance shall not be employed directly or indirectly by any person for political purposes.

Section Three – Effective Date

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Four - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Five – Recording

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Oak Brook.

Remainder of page intentionally left blank; roll call to follow

PASSED THIS 27th day of February 2024.

Ayes: _____

Nays: _____

Absent: _____

APPROVED THIS 27th day of February 2024.

LAURENCE E. HERMAN,
Village President

ATTEST:

NETASHA SCARPINITI,
Village Clerk



ITEM 7.A.7.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: Creating the Position of Marketing Manager

FROM: Joseph Mitchell, Assistant Village Manager

BUDGET SOURCE/BUDGET IMPACT: Personnel Salaries, \$694,595 is available in the FY2024 Budget under Advertising Services, 171-73600 (Hotel/Motel Tax – Advertising/Promotion), of which 85% of the salary and benefits of the Marketing Manager would be derived from and 15% from General Management, Salaries, 131-50000.

RECOMMENDED MOTION: I move to Approve Ordinance S-1693, An Ordinance Approving the Amendment to S-1684, “2024 – Classification, Salary and Salary Administration Policy, for Employees of the Village of Oak Brook, Illinois”, creating the position of Marketing Manager at Pay Grade 32, \$102,725.91 to \$138,981.93.

Background/History:

The Village of Oak Brook is home to seven (7) distinguished hotels that play a vital role in our local economy and tourism industry. However, to maximize their potential impact and attract more visitors to our community, it is imperative that we establish a coordinated marketing strategy and enhance collaboration between the Village and these hotels.

Staff recommends the elimination of the current consultant driven marketing arrangement, replacing it with the creation of a Marketing Manager position, funded in part by the Hotel/Motel Tax revenue (85%), to work collaboratively with the seven (7) hotels of Oak Brook. This position will be responsible for developing and implementing a comprehensive marketing strategy aimed at promoting Oak Brook as a premier destination for businesses, business travelers, tourists, and event planners.

The rationale surrounding the proposal includes:

- **Economic Growth:** Effective marketing and promotion of Oak Brook's hotels and attractions will drive increased tourism and visitor spending, leading to economic growth and job creation within the community.

- **Brand Awareness:** A coordinated marketing effort will enhance brand awareness for Oak Brook as a destination, both regionally and nationally. This will help attract more visitors, conferences, and events to our hotels and businesses.
- **Leveraging Hotel/Motel Tax Revenue:** Utilizing Hotel/Motel Tax revenue in part to fund the Marketing Manager position aligns with the intended purpose of these funds, which is to support initiatives that promote tourism for the Village and enhance the local hospitality industry.
- **Collaborative Approach:** By working closely with the hotels, the Marketing Manager can leverage their expertise and resources to develop targeted marketing campaigns and promotional activities that meet the needs of both the hotels and the Village of Oak Brook.
- **Competitive Advantage:** In today's competitive tourism market, it is essential for destinations to have a strategic marketing plan in place to remain competitive. By investing in a dedicated Marketing Manager, Oak Brook can position itself as a leading destination for businesses, travelers, and events.

This proposal was presented at the February 8, 2024, Hotel Committee meeting and unanimously approved by all attending members as a recommendation to the Board.

Next Steps if approved:

- Reallocate funding, in part, from the Hotel/Motel Tax revenue to support the creation and operation of the Marketing Manager position.
- Initiate the recruitment process to fill the Marketing Manager position, ensuring that candidates possess the necessary skills and experience to effectively promote the Village and the Hotels of Oak Brook.
- Establish regular communication and collaboration channels between the Marketing Manager, Village staff, and representatives from the seven (7) hotels to ensure alignment and synergy in marketing efforts.
- Develop an annual budget derived from Hotel/Motel Tax funding to create an extensive marketing strategy that highlights the Village and the abundance of amenities offered by the Hotels of Oak Brook.

In conclusion, the creation of a Marketing Manager position represents a strategic investment in the future growth and success of Oak Brook's hospitality industry. By working collaboratively with the seven (7) hotels, the Marketing Manager can elevate Oak Brook's profile as a premier destination and drive economic prosperity for years to come.

A subcommittee to determine the annual marketing budget has been established. A budget amendment will be provided for approval at an upcoming Board meeting.

Recommendation:

Staff recommends the Board approve Ordinance S-1693, An Ordinance Approving the

Amendment to Ordinance S-1684, “2024 – Classification, Salary and Salary Administration Policy, for Employees of the Village of Oak Brook, Illinois”, creating the position of Marketing Manager at Pay Grade 32, \$102,725.91 to \$138,981.93.

Attachments:

1. S-1693 OrdAmend2024Policy-FINAL
2. Salary Plan- Marketing Manager
3. Marketing Manager Job Description

THE VILLAGE OF OAK BROOK
COOK AND DUPAGE COUNTIES, ILLINOIS

ORDINANCE

NUMBER 2024-PSTN-COMP-SAP-EX-S-1693

AN ORDINANCE
AMENDING THE 2024 CLASSIFICATION, SALARY PLAN, AND
SALARY ADMINISTRATION POLICY CREATING THE
POSITION OF MARKETING MANAGER

LAURENCE E. HERMAN, Village President
NETASHA SCARPINITI, Village Clerk

NAVEEN JAIN
MICHAEL MANZO
MELISSA MARTIN
JAMES NAGLE
A. SURESH REDDY
EDWARD TIESENGA

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Oak Brook
on this the 27th day of February 2024

ORDINANCE NO. 2024-PSTN-COMP-SAP-EX-S-1693

AN ORDINANCE
AMENDING THE 2024 CLASSIFICATION, SALARY PLAN, AND SALARY ADMINISTRATION
POLICY CREATING THE POSITION OF MARKETING MANAGER

WHEREAS, the Village of Oak Brook is a municipal corporation with authority provided for and granted pursuant to the Illinois Municipal Code to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Village Code of Ordinances of the Village of Oak Brook, as amended;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety, and welfare of its residents;

WHEREAS, on December 12, 2023, the Village approved Ordinance 2023-PSTN-COMP-SAP-EX-S-1684 entitled "2024 – Classification, Salary and Salary Administration Policy, for Employees of the Village of Oak Brook, Illinois", which set forth certain positions and related salaries for positions of employment in the Village;

WHEREAS, Staff recommends amending the policy adopted by Ordinance 2023-PSTN-COMP-SAP-EX-S-1684 to eliminate of the current consultant driven marketing arrangement and the creation of a Marketing Manager position, as further detailed in the revised policy attached hereto and incorporated herein as Exhibit A;

WHEREAS, the Corporate Authorities of the Village of Oak Brook are of the opinion that that it is in the best interests of the safety, health, and welfare of residents to approve the forging actions, as set forth herein.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Oak Brook, DuPage and Cook Counties, Illinois as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true, and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Amendment to Title 3

The Corporate Authorities hereby amend Ordinance 2023-PSTN-COMP-SAP-EX-S-1684 entitled "2024 – Classification, Salary and Salary Administration Policy, for Employees of the Village of Oak Brook, Illinois", which sets forth certain positions and related salaries for positions of employment in the Village, to reflect the elimination of the current consultant driven marketing arrangement replacing it with the creation of a Marketing Manager position as further detailed in the revised policy, attached hereto and incorporated herein as Exhibit A.

Section Three – Effective Date

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Four - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Five - Conflict Clause

That all ordinances or parts of ordinances in conflict with the terms of this Ordinance shall be repealed to the extent of said conflict.

Section Six – Saving Clause

If any section, paragraph, clause or provision of this Ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of the remaining provisions of the Village's Municipal Code, which are hereby declared to be separable.

Section Seven – Recording

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Oak Brook.

Remainder of page intentionally left blank; roll call to follow

PASSED THIS 27th day of February 2024.

Ayes: _____

Nays: _____

Absent: _____

APPROVED THIS 27th day of February 2024.

LAURENCE E. HERMAN,
Village President

ATTEST:

NETASHA SCARPINITI,
Village Clerk

EXHIBIT A

Position Title	Grade	Minimum	Midpoint	Maximum
Village Manager	42	167,328.84	196,857.71	226,386.57
Assistant Village Manager	39	144,544.99	170,053.11	195,561.24
Finance Director	37	131,106.44	154,243.31	177,379.12
Information Technology Director	37	131,106.44	154,243.31	177,379.12
Community Development Director	37	131,106.44	154,243.31	177,379.12
Police Chief	37	131,106.44	154,243.31	177,379.12
Fire Chief	37	131,106.44	154,243.31	177,379.12
Director of Public Works / Engineering	37	131,106.44	154,243.31	177,379.12
Sports Core Director	35	118,917.09	139,903.33	160,888.51
Assistant Information Technology Director	34	113,255.27	133,241.31	153,227.35
Deputy Police Chief	34	113,255.27	133,241.31	153,227.35
Deputy Fire Chief	34	113,255.27	133,241.31	153,227.35
Public Works Superintendent	34	113,255.27	133,241.31	153,227.35
Battalion Chief	33	107,861.37	126,896.59	145,930.76
Assistant Finance Director	32	102,725.91	120,853.39	138,981.93
Chief Building Official	32	102,725.91	120,853.39	138,981.93
Head Librarian	32	102,725.91	120,853.39	138,981.93
Golf Course Superintendent	32	102,725.91	120,853.39	138,981.93
Marketing Manager	32	102,725.91	102,853.39	138,981.93
Police Sergeant	31	102,725.91	124,197.53	138,981.14
Information Systems Administrator	29	88,737.89	104,397.45	120,057.02
Financial Services Coordinator	29	88,737.89	104,397.45	120,057.02
Village Planner	28	84,512.28	99,425.90	114,340.57
Regulatory Engineer	28	84,512.28	99,425.90	114,340.57
Senior Accountant	27	80,488.38	94,691.78	108,895.18
HR Generalist/Benefits Administrator	27	80,488.38	94,691.78	108,895.18
Golf Course Professional	27	80,488.38	94,691.78	108,895.18
Bath and Tennis Manager	27	80,488.38	94,691.78	108,895.18
Street Maintenance Supervisor	27	80,488.38	94,691.78	108,895.18
Water Maintenance Supervisor	27	80,488.38	94,691.78	108,895.18
Fleet & Facilities Supervisor	27	80,488.38	94,691.78	108,895.18
Accountant	25	73,004.78	85,888.59	98,771.36
Management Analyst	25	73,004.78	85,888.59	98,771.36
Building Inspector	25	73,004.78	85,888.59	98,771.36
Head of Reference Services	25	73,004.78	85,888.59	98,771.36
Planning Technician	24	69,528.26	81,798.51	94,067.71

The Village of Oak Brook Position Description

Position Title:	Marketing Manager	Department:	Administration
Pay Grade:	32 \$102,725.91 – \$138,981.93	FLSA:	Exempt
Reports To:	Assistant Village Manager	Supervises:	None
Created:	Human Resources	Revised:	02/06/2024

JOB SUMMARY

This position is responsible for a diverse range of marketing and advertising activities, including promoting the seven (7) hotels in the Village, developing branding strategies, managing media relations, and creating other communications. The role also involves providing information, assistance, and communication to the public regarding programs and services.

ESSENTIAL FUNCTIONS INCLUDE, BUT ARE NOT LIMITED TO:

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Demonstrate a clear understanding of the hotel industry, particularly in upscale suburban areas, and knowledge of the hotel market's related economic impacts.
- Serve as liaison to the Village Hotel Committee
- Maintain weekly communication with all seven (7) hotels to assess marketing promotions, needs, and successes.
- Develop and implement an effective marketing campaign that concentrates on the benefits of staying in Oak Brook without breaching the proprietary interests of any specific hotel chain.
- Demonstrate a plan to evaluate marketing campaign effectiveness and cost-effectiveness in pricing.
- Develop and implement a Village-wide marketing and branding strategy that reinforces the Village's position as the premier suburban community for shopping, businesses, and living.
- Independently gather, organize, and analyze data to support Village of Oak Brook marketing initiatives—track and report data analytics.
- Prepare professional-level reports pertaining to assigned projects; conduct research and comprehensive data collection efforts to support analysis.
- Create and edit visual content including complex video, motion graphics, photographic audio, and other content and demonstrate creativity in design and or coordinate with sub-contractors.
- Manage/update existing website content and implement new content to support marketing campaign.
- Develop, design, and publish a Village newsletter on a quarterly basis, highlighting community events, programs, actions, and other activities that make Oak Brook unique.
- Maintain an up-to-date consolidated calendar of all hotel and community events.
- Assist in developing goals, objectives, budget figures, policies, procedures, and work standards for public information and related projects.

- Ability to explain how to allocate funds across various channels like digital, television, social media, billboards, and magazines.
- Manage a variety of consultants and conduct surveys of other municipalities with hotels/motels regarding practices, procedures, policies, and trends.
- Demonstrated ability to speak and write effectively.
- Perform other duties as required or assigned.

Supervision Received:

Works under the general supervision of the Assistant Village Manager.

Supervision Exercised:

None.

Minimum Education, Training, and Experience Required to Perform Essential Job Functions

Graduation with a bachelor's degree from an accredited college or university with major coursework in Marketing, Public Relations, Advertising, or a related field plus two (2) years of experience in developing and implementing programs of public information.

Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Ability to analyze and categorize data and information in order to determine the relationship of the data with reference to established criteria/standards. Ability to compare, count, differentiate, measure, assemble, copy and record and transcribe data and information. Ability to classify, compute and tabulate data.
- Ability to utilize a variety of advisory data and information such as invoices, billing statements, advertisements, time/material reports, salary schedules, personnel policies, budget, computer software operating manuals, village code, statutes, procedures, guidelines, and non-routine correspondence.
- Ability to communicate orally and in writing with department personnel, the general public, consultants, contractors, vendor representatives, and other village employees.
- Ability to work independently in day-to-day operations.
- Ability to work in a team atmosphere.
- Ability to utilize computers with proficiencies in Microsoft Windows 10, Microsoft Office 365, InDesign, Illustrator, Photoshop, and Adobe Acrobat Pro.
- Ability to work effectively in a climate of political assertiveness and interaction, requiring timely administrative responsiveness and flexibility.
- Must be able to function effectively in a fast-paced environment.
- Must be able to deal with people under stressful and demanding situations.
- Ability to maintain positive and effective working relationships with department heads, supervisors and other staff members Ability to be able to communicate effectively orally and in writing.
- Possess strong analytical and problem-solving skills.
- Make sound decisions and works with minimal oversight.
- Ability to add and subtract, multiply and divide, and calculate percentages, fractions, and decimals.

Judgment and Situational Reasoning Ability

- Ability to maintain positive and effective working relationships with hotel managers and marketing staff.
- Ability to use functional reasoning and apply rational judgment in performing diversified work activities.
- Ability to exercise the judgment, decisiveness, and creativity required in situations involving the evaluation of information against measurable criteria based on principles of research methods and statistical analysis.

Physical Requirements

- Ability to operate a variety of office equipment including a computer, telephone, and multi-function device (copier, printer, scanner, fax).
- Ability to coordinate eyes, hands, feet, and limbs in performing movements requiring skill and training, such as data entry.
- Ability to exert light physical effort in sedentary to light work, but which may involve some kneeling, stooping, crouching, lifting, carrying, pushing, and pulling.
- Ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks. Ability to sustain prolonged visual concentration.
- General work area is indoors, in a smoke-free environment, with controlled temperature and fluorescent lighting.
- Perform tasks that require walking, bending, stooping, standing, kneeling, climbing, reaching and sitting.
- Drive motorized vehicle to travel to different locations.
- Perform lifting tasks up to twenty-five (25) pounds.

Environmental Adaptability

Ability to work under often safe and comfortable conditions where exposure to environmental factors such as repetitive computer keyboard use and irate individuals poses a very limited risk of injury.

Selection Guidelines:

Formal application, rating of education and experience; oral interview and reference check; job-related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The Village of Oak Brook is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Village will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Marketing Manager

Date

Village Manager

Date



OAK BROOK
Illinois

ITEM 7.B.1.

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Board of Trustees Regular Meeting
of
February 27, 2024

SUBJECT: Zoning Amendment Referral - Discussion

FROM: Rebecca Von Drasek, Development Services Director

BUDGET SOURCE/BUDGET IMPACT: NA

RECOMMENDED MOTION: I move to refer the draft Text Amendments to the Planning and Zoning Commission for an introductory discussion.

Background/History:

Village staff would like to present draft Text Amendments to the Planning and Zoning Commission at the March meeting in preparation for a future Public Hearing on the Text Amendments. The presentation will include highlighting all the proposed amendments and allow the Commission adequate time to review the materials. The Text Amendments will update outdated references and address items that are currently not in the Code.

After the Planning and Zoning Commission's initial review, staff will finalize the application and ask the Board for referral to the Public Hearing. Following the Public Hearing, the Village Board will consider the Planning and Zoning Commission's recommendation. Attached is a list highlighting the proposed amendments and a draft copy of the text. The proposed text is shown in red and underlined in the attached drafts.

Recommendation:

Staff recommends the Board provide additional direction regarding the amendments and refer the draft Text Amendments to the Planning and Zoning Commission for an introductory discussion.

Attachments:

1. Zoning Ordinance Updates BOT 2.27.24
2. PROPOSED COMPLETE ZONING REGULATIONS - FINAL 2024

Zoning Ordinance Updates

Updated Chapters	Revisions
All Chapters	Title Director of Development Services throughout, Development Plan replaced with Planned Development
Chapter 2 - Definitions	Multiple Additions and Deletions
Chapter 3 - General Zoning	6 - Solar Panels, 9 - Remove Microcells, 18 - Prohibited Uses,
Chapter 6 - Residential Districts	Lot AreaCoverage Images inserted, 6 - Area, Bulk, Density, façade materials, 7- Short-Term Rental Prohibition
Chapter 7 - Business Districts	2 - Establishment of Commercial Districts, ATM, 4 - Location or Retail Sales on Premises, 5 - Outdoor Sales and Uses, Mobile Food Vendors
Chapter 10 - ORA Districts	Special Uses - ATM added, C-6 - Deleted Development Plan replaced with Planned Development
Chapter 12 - Offstreet Parking and Loading	3.N - Shared Parking Reductions, 4.H.3- Parking Structures-Setbacks, 5 - Accessible Parking
Chapter 14 - Administrative and Enforcement	Commissions Combined, 7 - Amendments Updated
Chapter 15 - Planned Developments	Commissions Combined, 8 - Amendments Updated
Chapter 18 - Landscaping	Entire New Chapter

TITLE 13
ZONING REGULATIONS

CHAPTER 1
TITLE, PURPOSE AND INTENT

SECTION:

13-1-1: Title

13-1-2: Purpose And Intent

13-1-3: Interpretation Of Provisions

13-1-4: Separability

13-1-1: TITLE:

This Title shall be known, cited and referred to as the ZONING ORDINANCE OF THE VILLAGE OF OAK BROOK, ILLINOIS OF 1966. (Ord. G-60, 3-22-1966)

13-1-2: PURPOSE AND INTENT:

A. Purpose: This Title is adopted to the end that:

1. Adequate natural light, pure air and safety from fire and other dangers may be secured.
2. Value of land and structures throughout the Village may be conserved.
3. Congestion in the public streets may be lessened or avoided.
4. Hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters may be lessened or avoided.
5. Aesthetic values throughout the Village may be preserved and enhanced.
6. Public health, safety, comfort, morals, convenience and general welfare may otherwise be promoted.

B. Intent: To achieve these ends, this Title sets forth regulations and standards to:

1. Regulate and limit the height and bulk of structures hereafter erected.
2. Establish, regulate and limit setback lines along streets.
3. Regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of open spaces within the surrounding structures.

4. Classify, regulate and restrict the location of trades and industries and the location of structures designed for industrial, business, residential and other specified uses.

5. Divide the entire Village into districts of such number, shape, area and of such different classes as may be suitable.

6. Prohibit structures or uses incompatible with the character of such districts.

7. Fix standards to which structures therein shall conform.

8. Prevent additions to, and alteration or remodeling of, existing structures in such a way as to avoid the restrictions and limitations lawfully imposed under this Title.

9. Provide for the gradual elimination of structures and uses which are incompatible with the character of the districts in which they are located.

10. Define and limit the powers and duties of the administrative officers and bodies as provided in this Title.

11. Prescribe penalties for the violation of the provisions of this Title, or of any amendment thereto. (Ord. G-60, 3-22-1966)

13-1-3: INTERPRETATION OF PROVISIONS:

In their interpretation and application, the provisions of this Title shall be held to be the minimum requirements for the promotion and protection of the public health, safety, comfort, morals, convenience and general welfare. In addition:

A. Where the conditions imposed by any provision of this Title upon the: 1) use of land or structures; 2) height and bulk of structures; 3) floor area requirements; 4) lot area and width requirements; and 5) yard and other open space requirements are more restrictive or less restrictive than comparable standards imposed by any other provision of this Title or of any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive, or which impose higher standards or requirements, shall govern.

B. This Title is not intended to abrogate any easement, covenant or other private agreement.

C. No use or structure not lawfully existing at the time of the adoption of this Title shall become or be made lawful solely by reason of the adoption of this Title; and to the extent that, and in any manner that, said unlawful structures or use are in conflict with the requirements of this Title, said structure or use remains unlawful under the provisions of this Title. (Ord. G-60, 3-22-1966)

13-1-4: SEPARABILITY:

It is hereby declared to be the intention of the Village President and Board of Trustees that the several provisions of this Title are separable, in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provisions of this Title to be invalid, such judgment shall not affect any other provision of this Title not specifically included in said judgment.

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Title to a particular property or structure, such judgment shall not affect the application of said provision to any other property or structure not specifically included in said judgment. (Ord. G-60, 3-22-1966)

CHAPTER 2 DEFINITIONS

SECTION:

13-2-1: Rules Of Word Construction

13-2-2: Definitions

13-2-1: RULES OF WORD CONSTRUCTION:

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

In addition:

A. The present tense includes the future and the future the present; the singular number includes the plural and the plural the singular; the word "shall" is mandatory, and the word "may" is permissive.

B. The material under each caption or heading in this Title shall be construed and limited in a manner consistent with the applicable captions or headings and subheadings. (Ord. G-60, 3-22-1966)

13-2-2: DEFINITIONS:

The following words and terms, when used in this Title, shall have the meaning set forth after each:

ABUTTING: To have a common property line or district line.

ACCESSORY: A use, structure, or part of a structure, which:

- A. Is subordinate to and serves the principal use or structure.
- B. Is subordinate in area, extent or purpose to the principal use or structure.
- C. Contributes to the comfort, convenience or necessity of occupants of the principal use or structure.
- D. Is located on the same lot as the principal use or structure served, with the exception of accessory off-street parking facilities as are permitted elsewhere than on the same lot with the use or structure.

ACCESSORY LIVING UNIT: A detached accessory building that provides living space (as defined by International Residential Code, Chapter 2, Definitions) in a location other than the principal residence. A detached accessory living unit may be located in a pool house, detached garage, or other similar accessory building or structure.

ADJACENT: Touching, as distinguished from lying near.

ADJOINING: Touching or contiguous, as distinguished from lying near.

AGRICULTURE: Farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and accessory uses customarily incidental to normal agricultural activities.

~~AIRPORT: A lot which is used, or intended, for the landing and takeoff of aircraft, together with all structures located thereon.~~

ALLEY: A public or private right of way, other than a street, less than thirty feet (30') in width, which right of way normally affords secondary means of access to abutting properties.

APARTMENT: A room or suite of rooms in a multiple-family structure, which is arranged, designed, used or intended to be used as a single housekeeping unit. A private bathroom and basic kitchen facilities, i.e., sink, stove, and refrigerator permanently installed must always be included for each apartment.

ARBOR: A landscape structure or shelter support by at least 4 columns or poles, consisting of latticework to support climbing shrubs or vines. For the purposes of this Title, an arbor is not a fence and is an accessory structure.



Arbor

ASSISTED LIVING FACILITY: A facility providing housing and services for a group of persons, typically elderly, which may include provision of meals, housekeeping, and personal care assistance.

ALTERATION: A change in size, shape, character or use of a structure.

~~AUTOMOBILE LAUNDRY: A building or portion thereof containing facilities for washing more than two (2) motor vehicles, using production line method.~~

AUTOMOBILE CHARGING FACILITY, RESIDENTIAL: An electrical charging device for licensed electric or hybrid motor vehicles, provided that the charging device and vehicle being charged are completely enclosed within a single-family residence or accessory structure.

AUTOMOBILE CHARGING FACILITY, COMMERCIAL: An electrical charging device or group of devices for licensed electric or hybrid motor vehicles, other than those defined as "AUTOMOBILE CHARGING FACILITY, RESIDENTIAL".

AUTOMOBILE MINI-MARKET: An automobile service station which includes the retail sale of merchandise or services not related to the maintenance, service or repair of motor vehicles in addition to the sale of fuel, oil and accessories for motor vehicles. Such use shall

be located entirely within the buildable area and the building floor area, including all storage for such use, which may not exceed ~~one~~ two thousand (2,000) square feet.

AUTOMOBILE SERVICE STATION FACILITY: A building or portion thereof or lot used for offering for sale at retail to the public, fuels, oils and accessories for motor vehicles; where repair service is incidental, where no storage or parking space is offered for rent and where no motor vehicles or boats are offered for sale or rent. When such dispensing, sale or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

AWNING: A roof like projection, rigid or retractable in operation, which projects from the wall of a building.

BASEMENT. A story that is not a story above grade plane

~~(see "Story above grade plane")BASEMENT: A story having part but not more than one-half (1/2) of its floor to clear ceiling height below grade. When a basement is used for storage, or garages for use of occupants of the building, or other facilities common for the operation and maintenance of the entire building, it shall not be counted as a story.~~

BI-LEVEL: A dwelling having one story at approximate grade level and a second story one-half (1/2) story higher over a habitable basement approximately one-half (1/2) of which basement is above grade level.

BLOCK: A tract of land bounded by streets, or by a combination of street, railroad rights of way, public parks, permanent open space and other lines of demarcation. A block may be located in part beyond the corporate limits of the village.

BOARD OF TRUSTEES: The president and board of trustees of the village of Oak Brook, Illinois.

BUILDABLE AREA: That portion of a lot which meets at least the minimum width requirements and setback lines of the district within which it is located (see definition of Lot Width, and illustrations in Chapters 6 and 7).

BUILDING: A structure having a roof designed or built for the enclosure, shelter or protection of persons, animals, chattels or movable property of any kind and which is permanently affixed to the land.

BUILDING, ACCESSORY: A subordinate building or portion of a principal building, the use of which is incidental to that of the principal building and customary in connection with that use.

BUILDING, COMPLETELY ENCLOSED: A building with a permanent roof separated on all sides from the adjoining open space or from other structures, by exterior walls or party walls, pierced only by windows and normal entrance and exit doors.

BUILDING COVERAGE: The horizontal area measured within the outside of the exterior walls of the ground floor of all principle and accessory buildings on a lot.

BUILDING, DETACHED: A building surrounded by open space on the same lot.

BUILDING, PRINCIPAL: A ~~nonaccessory~~ building in which the primary use of the lot on which it is located is conducted.

~~BUILDING, TEMPORARY: A building not designed or intended to be permanently located at the place where it is, or where it is intended to be, placed or affixed.~~

BULK: The term used to indicate the size, location and number of structures, including: a) size and height of structures; b) location of exterior walls; c) floor area ratio; d) open space allocated to structures; and e) lot area and lot width.

BURIAL STRUCTURES: Aboveground structures within cemeteries, other than community burial structures, used, or intended to be used, for the entombment of human remains, including, without limitation, mausoleums, columbaria, and other similar structures.

BUSINESS: An occupation, employment or enterprise which occupies time, attention, labor and materials; or wherein merchandise is exhibited or sold or services are offered.

~~CANDLEPOWER: The luminous intensity, as evaluated in effectiveness of stimulating visual sensation, of any radiation in a given direction. The international candle was adopted in 1940 as one-sixtieth (1/60) of the brightness of freezing platinum.~~

CAR WASH: A building or portion thereof containing facilities for washing more than two (2) motor vehicles, using production line method.

CARPORT: A roofed automobile shelter, with two (2) or more open sides.

~~CELLAR: A story having more than one-half (1/2) of its floor-to-clear ceiling height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.~~

CEMETERY: Any land or structure dedicated to and used, or intended to be used, for the burial, interment, or entombment of human remains, and related accessory uses.

CEMETERY ACCESSORY STRUCTURES: Structures used in support of and accessory to a cemetery use, including, without limitation, caretaker or similarly used residences, greenhouses, sales offices, storage buildings, administrative offices, and other similar structures accessory to a cemetery.

~~CLINIC, MEDICAL OR DENTAL: A building or portion thereof, the principal use of which is for offices of physicians or dentists, or both, for the examination and treatment of persons on an outpatient basis.~~

~~CLOSED CUP FLASHPOINT: The lowest temperature at which a combustible liquid under the most favorable condition will give off a flammable vapor which will burn immediately.~~

CLUB OR LODGE, PRIVATE: A structure or part thereof used by a not for profit association of persons who are bona fide members and where facilities are restricted to members and

their guests. Food and alcoholic beverages may be served on its premises provided they are secondary and incidental to the principal use.

COCKTAIL LOUNGE: An establishment where refreshments having alcoholic contents, as stipulated by law, are sold to be consumed on the premises, but not including restaurants where the principal business is the serving of food, except restaurants where accessory cocktail lounges are permitted by district regulations of this title.

COMMERCIAL THOROUGHFARE: A "roadway", as defined in this section, depicted or described as a principal arterial street or a collector route in the official comprehensive plan and official map of the village, and those local roadways that have substantial footage abutting and adjoining properties zoned ORA or business.

COMMUNITY BURIAL STRUCTURES: Aboveground structures over twenty feet (20') in height used, or intended to be used, for the entombment of human remains, located in or near the center of a cemetery in accordance with their specific applicable regulations in this title, including, without limitation, mausoleums, columbaria, and other similar structures.

CONDOMINIUM: A multiple dwelling or development containing individually owned dwelling units and jointly owned and shared common areas and facilities. These dwelling units may be attached horizontally or vertically.

CONFORMING STRUCTURE: Any structure which: a) complies with all the regulations of this title governing the district in which said structure is located; or b) is designed or intended for a permitted use or special use, as allowed in this title in the district in which it is located.

CORNER: The meeting place of two (2) converging surfaces.

COURT: An open unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.

Data Center: A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

DAYCARE CENTER: A facility in which are received three (3) or more children, not of common parentage, apart from their parents or guardians, for part or all of the day, but not later than nine o'clock (9:00) P.M. The term "daycare center" includes, but is not limited to, nursery schools, childcare centers, day nurseries and playgroups, but does not include kindergartens or nursery schools operated by public or private elementary or secondary school systems.

~~DEVELOPMENT PLAN: A proposal for the development of a parcel of land zoned or to be zoned ORA3 containing a statement setting forth the information specified in subsection 13-10C-6C1 of this title, and a plat setting forth graphically the information specified in subsection 13-10C-6C2 of this title.~~

DIRECTOR OF ~~COMMUNITY~~ DEVELOPMENT ~~SERVICES~~: The official of the village, duly appointed and designated as its director of ~~community~~ development ~~services~~.

DISABILITY: Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment.

DOCTOR'S OFFICE: A doctor's office is a medical facility which is not a medical clinic, and consists of up to four treatment rooms, either general practitioners or specialists, which receive and treat patients. Patients at a doctor's office are typically visiting for regular check-ups and do not require any intense form of hospitalization. A doctor's office shall not exceed one (1) doctor.

DOG RUNS/KENNELS: Enclosures constructed for the purpose of containing dog(s) outside of the principal structure on a property.

DRIVE-IN ESTABLISHMENT: A structure or part thereof in which are provided facilities primarily for serving patrons parked in automobiles on the premises.

DUPLEX: A structure containing two (2) dwelling units, each of which has separate and direct access to the outside.

DWELLING: A building or portion thereof designed or used exclusively for residential uses, including single-family and multiple-family dwellings, but not including mobile homes or other trailers, or lodging rooms in hotels, motels or lodging houses.

DWELLING, ATTACHED (TOWNHOUSE, GROUP, ROW OR GARDEN APARTMENT): A multiple-family dwelling originally designed and constructed to accommodate three (3) or more dwelling units, with the dwelling units joined together by party wall or walls. Each unit shall have its own ground floor entrance and living space.

DWELLING, DETACHED: A dwelling which is surrounded on all sides by open spaces on the same lot.

DWELLING, MULTI-FAMILY, AGE-RESTRICTED: An age-restricted or age-targeted development containing two (2) or more dwelling units and which may include independent living, assisted living, or senior congregate living.

DWELLING, MULTIPLE-FAMILY: A dwelling containing two (2) or more dwelling units.

DWELLING, SEMIDETACHED (TOWNHOUSE, GROUP, ROW OR GARDEN APARTMENT): A dwelling joined to one other dwelling by a party wall, or vertical cavity wall, and aboveground physically unifying horizontal structural elements.

DWELLING, SINGLE-FAMILY: A dwelling containing one dwelling unit only.

DWELLING UNIT: One or more rooms which are arranged, designed or used as living quarters for one family only. Individual bathrooms and complete single kitchen facilities, permanently installed to serve the entire family, shall always be included within each dwelling unit.

EFFICIENCY UNIT: A dwelling unit consisting of one principal room, exclusive of bathroom, kitchen, hallway, closets and may contain dining alcove directly off the principal room provided that such dining alcove does not exceed one hundred twenty five (125) square feet in area.

ELECTRIC DISTRIBUTION CENTER: A terminal at which electric energy is received from the transmission system and is delivered to the distribution system only.

ELECTRIC SUBSTATION: A terminal at which electric energy is received from the transmission system and is delivered to other elements of the transmission system and, generally to the local distribution system.

ENCLOSED PARKING: Parking which is housed in a parking structure, or in a portion of the principal building on a lot, which is completely under a permanent roof and with sidewalk enclosures so designed as to screen the parked cars from view from the exterior of the structure. Completely open wall sections shall be permitted only for entrance and exit driveways. Access to all parking spaces shall be from aisles within the structure.

ERECT: To construct or reconstruct or excavate, fill, drain or conduct physical operation of any kind in preparation for or in pursuance of construction or reconstruction or to move a structure upon a lot.

ESTABLISHMENT, BUSINESS: A structure or lot used in whole or in part as a place of business, the ownership or management of which is separate and distinct from the ownership or management of any other place of business located on the same or other lot.

EXISTING CEMETERIES AND STRUCTURES: Any cemetery, and the cemetery structures existing therein, existing as of January 22, 2013.

FALLOUT SHELTER: An accessory structure and use which incorporates the fundamentals for fallout protection - shielding mass, ventilation, and space to live, and which is constructed of such materials, in such a manner, as to afford to the occupants substantial protection from radioactive fallout. It shall not be used for storage purposes, other than for food, clothing, medical supplies and materials required for temporary shelter.

FAMILY: One person or two (2) or more persons each related to the other by blood, marriage or legal adoption, or a group of not more than three (3) persons not all so related, together with ~~his or~~ their domestic servants, maintaining a common household in a dwelling unit. ~~A family may include, in addition thereto, not more than two (2) roomers, boarders or permanent guests—whether or not gratuitous.~~

FENCE: A structure used to delineate a boundary, or as a barrier, or as a means of confinement or for confinement.

FENCE, OPEN: A fence, including gates, which has, over its entirety, fifty percent (50%) of the surface area in open space as viewed from an angle of ninety degrees (90°) from the fence line, except that the required open space in louver-type fences may be viewed from any angle, ~~and excluding metal fences with more than seventy five percent (75%) of its surface area open space.~~

FENCE, SOLID: A fence, including gates, which conceals from view from adjoining properties, streets or alleys, activities conducted behind it.

FENCE TYPE STRUCTURE: Any fence, or part thereof, located in the buildable area of a property and not located in any required yard. "Fence type structures" include solid privacy screens and open patio enclosures. A "fence type structure" shall not include any part of a fence located outside of the buildable area of a property.

FLOOR AREA FOR DETERMINING FLOOR AREA RATIO: The sum of the gross horizontal area of the several stories including the basement of a building, measured from the exterior faces of the exterior walls, or from the center lines of walls separating two (2) buildings. The floor area shall also include the horizontal areas on each story devoted to: a) elevator shafts and stairwells; b) mechanical equipment, except that located on roofs whether open or enclosed, i.e., bulkheads, water tanks, and cooling towers; c) habitable attic space as permitted by the building code of the Village; d) interior balconies and mezzanines; e) enclosed porches; and f) accessory uses. The horizontal area in every story of a building devoted to enclosed off-street parking and off-street loading facilities shall not be included in the floor area.

FLOOR AREA FOR DETERMINING OFF-STREET PARKING AND LOADING REQUIREMENTS: Floor area when prescribed as the basis of determining off-street parking and off-street loading requirements shall be the sum of the gross horizontal area of the several stories of a structure taken from glass line to glass line and including the structure's primary and permanent working area, but excluding the basement.

FLOOR AREA RATIO: The numerical value obtained by dividing the floor area within a building or buildings on a lot by the area of such lot. (The floor area ratio as designated for each district, when multiplied by the lot area in square feet, shall determine the maximum permissible floor area for the building or buildings on the lot).

FOOT-CANDLE: A unit of illumination, equivalent to the illumination at all points which are one foot (1') distance from a uniform point source of one candlepower.

FOOT-LAMBERT: A unit of brightness, usually of a reflecting surface. A diffusion surface of uniform brightness reflecting or emitting the equivalent of the light from one candle at one foot (1') distant over one square foot has a brightness of one foot-lambert.

~~FREE BURNING: The rate of combustion of a material which burns actively and easily supports combustion.~~

FREQUENCY: Signifies the number of oscillations per second in a sound wave and is an index of the pitch of the resulting sound.

~~GARAGE, PUBLIC: A building or portion thereof, other than a storage garage, designed or used for equipping, servicing, repairing motor vehicles. Hiring, selling and storing of motor vehicles may be included.~~

GARAGE, STORAGE: A building or portion thereof designed or used exclusively for storage of motor vehicles and in which fuels and oils are not sold, except as regulated in this Title, and in which no motor vehicles are equipped, repaired, hired and sold.

GATE: A structure that may be swung, drawn or lowered to block an entrance or passageway. A gate may be part of a fence or may exist separately.

GROSS DENSITY: Ratio between total number of dwelling units on a lot and total lot area in acres. The area to include local streets.

~~GROUND FLOOR AREA: The lot area covered by a principal building measured at grade from the exterior faces of the exterior walls, but excluding open porches or terraces, garages or carports.~~

~~GROUP HOME: A dwelling unit shared by no more than eight (8) persons not related by blood, marriage, adoption, or guardianship, plus their resident staff, who live together as a single housekeeping unit and in a long term family like environment in which staff persons assist in providing care, education and participation in community activities for the residents with the primary goal of enabling residents to live as self-sufficiently as possible in order to function at their maximum potential. A group home may be shared by groups such as, but not limited to, the disabled or persons fifty-five (55) years of age or older, but shall not include halfway houses, hospices, or living quarters which serve persons as an alternative to incarceration for a criminal offense.~~

~~GUEST, PERMANENT: A person who occupies or has the right to occupy a lodging house, hotel, apartment hotel or motel accommodation as his place of permanent residence.~~

HABITABLE VEHICLE: A vehicle designed, constructed or modified to permit its use as temporary or permanent living or working quarters, recreational vehicles and campers.

HEALTH CLUB: The meeting place of a group of persons organized for the purpose of improving the general condition of their health through exercise.

~~HELICOPTER: Any rotary wing aircraft which depends principally for its support and motion in the air upon the lift generated by one or more power driven rotors rotating on a substantially vertical axis.~~

HELIPORT (NOT FOR FREIGHT): Any area of land, water or structural surface which is designed, used or intended to be used for the landing and takeoff of helicopters and any pertinent areas which are designed, used or intended to be used for a heliport building or other facilities which have received a certificate of approval from the Division of

Aeronautics, State of Illinois, Department of Transportation and a special use permit from the Village to operate said heliport.

HOME OCCUPATION: A gainful occupation or profession conducted entirely within a dwelling unit. (as further described in Chapter 6).

HOTEL: A building or buildings, sometimes designated as a motel, motor inn or highway hotel, containing not less than ~~fifty (50)~~ eighty (80) lodging rooms, where lodgings are provided for compensation, but excluding apartment hotels as defined in this Section. A hotel may include dining and meeting rooms, and business uses commonly incidental to a hotel operation.

HOTEL, APARTMENT: A hotel in which more than fifty percent (50%) of the accommodations are in dwelling units occupied or intended for occupancy by permanent guests.

INSTITUTION: A building occupied by a religious, educational, scientific or charitable not-for-profit corporation or organization, wholly for public or semi-public use.

JUNKYARD: A lot, with or without accessory structures, used for the abandonment, storage, keeping, collecting, buying, selling, exchanging, baling, packing, disassembling or handling scrap or discarded materials, including vehicles, machinery and equipment not in operable condition, or parts thereof, and other metals, paper, rags, rubber tires and bottles.

KENNEL Commercial: A place or premises where dogs, cats or other household domestic animals are maintained, boarded, bred or cared for, in return for remuneration, or are kept for the purpose of sale.

LAMBERT: 1/929 of a foot-lambert, usually used to designate intrinsic brightness of light sources.

LAUNDERETTE: A business that provides coin-operated self- service washing, drying, dry-cleaning or ironing facilities, provided no pickup or delivery service is maintained.

LOADING BERTH: A space within the principal building or on the same lot as the principal building providing for the standing, loading or unloading of trucks and with access to a street or alley.

~~LODGING HOUSE: A building originally designed for and used as a single or two-family dwelling, all or a portion of which contains lodging rooms which accommodate persons who are not members of the keeper's family and where lodging or meals, or both, are provided for compensation for three (3) or more persons.~~

~~LODGING ROOM: A room or suite of rooms rented as sleeping and living quarters, but without cooking facilities. In a suite of rooms, each room which provides sleeping accommodations shall be counted as one lodging room for the purpose of this Title.~~

LOT: A parcel of land consisting of adjoining parts which, at the time of filing for a building permit, is designated by its owner or developer as a parcel to be used, developed, or built

upon as a unit, under single ownership or control. Therefore, a "lot" may or may not coincide with a lot of record.

LOT AREA: The area of a horizontal plane bounded by lot lines. For the purposes of meeting minimum lot area requirements, the land area of a lot used for providing private access rights of way shall not be included.

LOT, CORNER: A lot of which at least two (2) adjacent sides abut for their full lengths upon streets; provided, that the interior angle of the intersection of such two (2) sides ~~is less than one hundred thirty five degrees (135°).~~

LOT COVERAGE: The percentage of a zoning lot's area covered by all roofed structures on the lot (i.e. principal and attached accessory structures), and NOT detached accessory structure.

LOT, INTERIOR: A lot that is not a corner lot.

LOT LINE ADJOINING A STREET: A front lot line, the side lot line of a corner lot which abuts a street, or a rear lot line of a through lot.

LOT LINE, FRONT: The boundary of a lot abutting a street. On a corner lot, either lot line may be construed to be the front lot line by the owner.

LOT LINE, INTERIOR: A lot line which does not abut a street.

LOT LINE, REAR: An interior lot line which is most distant from and is or is ~~almost within 45 degrees of~~ parallel to the front lot line, and in the case of an irregular- or triangular-shaped lot, ~~a line ten feet (10') in length within the lot, which is parallel to and the corner point which is~~ at a maximum distance from the front lot line.

LOT LINE, SIDE: An interior lot line which is not a front lot line or a rear lot line.

LOT LINES: The property lines bounding a lot.

LOT OF RECORD: A single lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of DuPage County, Illinois, which has a minimum lot area equal to or greater than ten thousand (10,000) square feet and a minimum lot width equal to or greater than sixty feet (60'); or any lot legally created prior to November 9, 1971, which: a) has a minimum lot area equal to or greater than ten thousand (10,000) square feet and a minimum width equal to or greater than sixty feet (60'); b) for which an assessment plat has been filed with the recorder of deeds of DuPage County, Illinois, pursuant to the provisions of 35 Illinois Compiled Statutes 205/35.

LOT, REVERSED CORNER: A corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

LOT, THROUGH: A lot having frontage on two (2) streets, but excluding corner or reversed corner lots.

LOT WIDTH: The length of a line parallel to the street measured at the front lot line, except on a curvilinear street where it shall be a line parallel to the street measured at the setback line.

MANUFACTURING ESTABLISHMENT: A lot and structure, the principal use of which is manufacturing, fabricating, processing, assembling, repairing, storing, cleaning, servicing or testing of materials, goods or products.

MARQUEE: A rooflike structure of a permanent nature which projects from the wall of a building.

MEDICAL CLINIC: A healthcare facility that is not a doctor's office but is primarily devoted to the care of outpatients who are treated without staying at the facility overnight. Either publicly or privately owned, medical clinics typically cover the primary healthcare needs of the population within the community. A medical clinic requires more than one (1) doctor.

MEMORIAL STRUCTURES: Aboveground structures within cemeteries: a) installed for the purpose of marking, commemorating, or honoring a deceased person and b) not used for the aboveground entombment of human remains, including, without limitation, grave stones, family estate markers, ornamental benches, vases and other decorative structures, and similar aboveground structures.

MICROBREWERY OR BREW PUB: A restaurant-brewery that brews beer primarily for sale in a restaurant and is dispensed directly from the brewery's storage tanks. Total production capacity shall not exceed 15,000 barrels per calendar year (465,000 gallons). One (1) U.S. barrel is equivalent to thirty-one (31) gallons.

MICRODISTILLERY: A small-scale artisan manufacturing business that blends, ferments, processes, packages, distributes, and serves alcoholic spirits on and off the premises and produces no more than 15,000 gallons per calendar year on-site. The micro distillery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Offsite distribution of alcoholic beverages shall be consistent with state law.

MICROWINERY: Combination retail, wholesale and small-scale artisan manufacturing business that blends, ferments, processes, packages, distributes and serves wine for sale on or off-site, and produces no more than 100,000 gallons per year. The micro winery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Offsite distribution of the vinous beverages shall be consistent with state law.

MICRON: A unit of length, equal to one-thousandth part of one millimeter (0.001 mm).

MOBILE FOOD VENDING (Food Trucks). A licensed, motorized vehicle or mobile food unit which is readily movable, motorized-wheeled vehicle or a towed vehicle where food items are sold to the general public, but which does not include mobile vending carts. A mobile food vehicle must be owned and operated by the owner, or agent of a

licensed food establishment in the Village and must be affiliated with that establishment.

MOBILE HOME: A trailer designed and constructed or used for dwelling purposes which contains cooking, sanitary and electrical facilities, and has a gross floor area of four hundred twenty (420) square feet or more.

MOTOR VEHICLE: A passenger vehicle, habitable vehicle, truck, truck trailer, trailer or semitrailer propelled or drawn by mechanical power.

NAMEPLATE: A sign indicating the name and address of a building, or the name of an occupant thereof, and the practice of a permitted occupation therein.

NATURAL GROUND LEVEL: The existing elevation, prior to any movement of organic or nonorganic matter which would require the issuance of a permit under the ordinances of the village, or the proposed elevation as depicted on a subdivision grading plan approved by the village, or as otherwise reasonably determined by the village engineer.

NO ACCESS STRIP: A strip of land within and along a rear lot line of a through lot adjoining a street which is designated on a recorded subdivision plat or property deed as land over which motor vehicular travel shall not be permitted.

NONCONFORMING STRUCTURE: A structure lawfully established which: a) does not comply with all the regulations of this title governing the bulk of the district in which such structure is located; or b) is designed or intended for a nonconforming use.

NONCONFORMING USE: A structure and the use thereof or the use of land that does not conform with the regulations of this title governing use in the district in which it is located but which conformed with all of the codes, ordinances and other legal requirements applicable at the time such structure was erected, enlarged or altered, and the use thereof or the use of land was established.

~~NURSERY SCHOOL: A building containing facilities for the part time care of five (5) or more children of preelementary school age in addition to the dwelling unit of the family residing therein.~~

NURSING HOME: A building containing facilities for the care of and occupancy by aged, chronically ill, infirm or incurable persons, or a place of rest for those persons suffering bodily disorders, in which three (3) or more persons not members of the family residing on the premises are received, and provided with food, shelter and care, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases or mental illness.

OCTAVE BAND: A method of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

ODOR: The minimum concentration of odorous matter in the air that can be detected as an odor.

~~ODOR THRESHOLD: The minimum concentration of odorous matter in the air that can be detected as an odor. Odor thresholds for many materials and compounds can be found in table III, chapter 5, of "Air Pollution Abatement Manual", copyrighted 1951 by the Manufacturing Chemists Association, Inc., Washington, D.C.~~

OFF STREET PARKING FACILITY: A lot which is improved and used or a structure which is designed and used exclusively for the storage of passenger motor vehicles, either for accessory off street parking spaces or commercial off street parking spaces.

~~T~~ When the parking structure is an accessory building, it shall be compatible in appearance with the principal building. An off-street parking facility shall not be a principal use.

OPEN LAND: A single parcel of land in its natural state or used for agriculture, or outdoor recreational uses upon which there are located only structures incidental to the operation of such uses and upon which building coverage does not exceed two percent (2%) of the area.

OPEN SALES LOT (Automobile Sales): A lot occupied or used for the purpose of buying, selling, or renting merchandise stored or displayed out of doors prior to sale. Such merchandise includes automobiles, trucks, motor scooters, motorcycles, boats or similar commodities.

PARKING SPACE: A space, enclosed in a building or unenclosed, used for the parking of one automobile and which is accessible to and from a street or alley.

PARTICULATE MATTER: Finely divided solid or liquid matter, other than water, which is released into the atmosphere.

PARTY WALL: An interior wall of adjoining buildings extending from its footing to the underside of the roof, and which separates and is in common use by such adjoining buildings.

PERFORMANCE STANDARD: Criteria established to control smoke and particulate matter, noise, odor, toxic matter, vibration, fire and explosion hazards, glare and heat and radiation hazards generated by or inherent in uses of land or structures.

PERGOLA: An arbor formed of horizontal trelliswork supported on columns or posts, over which vines or other plants may be trained. (Also see definition of Arbor). For the purposes of this Title, a pergola is not a fence and is an accessory structure.

PERSONAL SERVICE: Personal services include those establishments which provide advice, designs, information, commercial education, consultation, job placement, advertising, finance, insurance and real estate services, generally from an office with no on-site storage of goods. This includes all types of business offices and service-type businesses where service is basically on an individual-to-individual or firm-to-firm basis, as opposed to services which are performed on objects or personal property.

~~PLAN COMMISSION: The plan commission of the village of Oak Brook, Illinois 2.~~

~~PLANNING & ZONING COMMISSION: The Planning and Zoning Commission of the village of Oak Brook is responsible for items of Section 13-14-4 and Section 13-14-7~~

~~PRESERVATION PLAN: A proposal for residential development of existing building or buildings of historical, architectural or cultural significance containing the information required in subsection 13-6-4D2 of this title.~~

~~PRESERVATION RESTRICTION: A right, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking, appropriate to the preservation of areas, places, buildings or structures to forbid or limit acts of demolition, alteration, use or other acts detrimental to the preservation of the areas, places, buildings or structures of historical, architectural or cultural significance.~~

~~PRESERVATION VISTA: A required open area on a lot measured from the principal structure to the lot lines or right of way, whichever is closer, within which no building or structure is permitted, except as specifically authorized pursuant to an approved preservation plan.~~

PRINCIPAL CORNERS: Not more than five (5) corners of a structure, two (2) of which are the corners having the lowest and next lowest elevations of all corners in the structure at the point where they intersect natural ground level.

~~PYROPHORIC DUST: A dust in a finely divided state in such concentration as to be combustible or explosive in air.~~

~~RADIATION HAZARDS: The deleterious and harmful effects of all ionizing radiation which shall include all radiation capable of producing ions in its passage through other matter. Such radiations shall include, but not be limited to, electromagnetic radiations such as X-rays and gamma rays and particulate radiations such as electrons or beta particles, protons, neutrons and alpha particles.~~

~~RESEARCH~~ LABORATORY: A building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

~~RESERVOIR PARKING SPACES: Those off street parking spaces allocated for temporary standing of automobiles awaiting entrance to a particular establishment.~~

~~RINGELMANN CHART: The chart described in the U.S. bureau of mines information circular 6888, on which are illustrated graduated shades of gray for use in estimating the light obscuring capacity of smoke and smoke density.~~

RINGELMANN NUMBER: The number of the area on the Ringelmann chart that coincides most nearly with the visual density of emission or the light obscuring capacity of smoke.

ROADWAY: That portion of a street which is used or intended to be used for the movement of vehicles.

~~SENIOR CONGREGATE LIVING: Age-restricted or age-targeted housing for ages fifty-five (55) years or older, where limited or no assistance with daily living activities is needed by the residents and a state license is not required. "Senior congregate living" is a level of senior housing between age-restricted independent living facilities and assisted living facilities. The main difference between senior congregate living and assisted living is that senior congregate living facilities do not offer assistance with daily living activities.~~

SENIOR HOUSING: A multiple-family structure containing dwelling units controlled by a public body, nonprofit corporation for persons fifty five (55) years or older. Types of projects that fall under this definition include: independent living; assisted living; senior congregate living, and residential care facilities.

SETBACK: The minimum horizontal distance between a ~~street line/~~property line, ~~required side yard or required rear yard~~ and any part of a structure or any edge of the area of operation of a principal use when no structure is involved. For single-family homes, the setback is measured between the ~~street property~~ line, ~~side yard or rear yard~~ and the outside edge ~~of any attached structural protrusion~~ of the structure and/or eave (excluding gutters ~~and light fixtures~~).

SHORT-TERM RESIDENTIAL RENTAL: A Residential Structure, as defined herein, offered for rent for a period which does not exceed thirty (30) consecutive days. The term "Short-Term Residential Rental" shall not include hotels.

SHORT-TERM RESIDENTIAL RENTAL PROPERTY OWNER: The individual or entity which has title to the property which is the subject of a Short-Term Residential Rental.

SHOWROOM – FINAL DEFINITION TO BE DETERMINED

Showroom – Any location that: (1) displays or otherwise promotes (physically or electronically) merchandise available for sale; and (2) where more than 10% of annual gross sales (measured by dollar volume) of merchandise so displayed to patrons at such location are not subject to local Retailers Occupation Tax (as set forth in Section _____) at such location.

OR

Showroom: means any physical business establishment or facility operated by a retailer engaged in the sale of tangible personal property, whether for or not for profit, that maintains limited to no available stock or supply of the tangible property being offered by the retailer on-premises, with the purpose of facilitating or engaging in any variation of on-premises selling activities--ranging from the preparation for, and the obtaining of, orders of such to the final consummation of the sales transaction --with the target consumer through means such as, but not limited to the display, showcasing, marketing, or testing of the type of tangible property being offered and of its related counterparts.

SIGN, POLITICAL: A sign or poster concerning candidates for office, public issues or similar matters. Such signs shall not exceed six (6) square feet in size, shall not be illuminated in any manner, shall not be affixed to any public utility, pole, tree or natural object, nor be located within a public right of way, nor create a safety or sight distance problem.

SMOKE: The visible discharge from a chimney, stack vent, exhaust or combustion process which is made up of particulate matter.

~~**SMOKE UNIT:** The number obtained when the smoke density in the Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation: a) a Ringelmann density reading shall be made at least once a minute during the period of observation; b) each reading is then multiplied by the time in minutes during which it is observed; and c) the various products are then added together to give the total number of smoke units observed during the entire observation period.~~

SOUND LEVEL: The intensity of sound of an operation or use as measured in decibels.

SOUND LEVEL METER: An instrument standardized by the American Standards Association for the measurement of the intensity of sound.

SPECIALTY RETAIL PROGRAM: One or more of the following uses and structures, when located within designated, interior areas of a shopping center, in districts where permitted as a special use, and where authorized as a special use: a) permanent pavilions and kiosks for the preparation, sale and consumption of food and beverages, including adjacent outdoor seating; b) seasonal, portable carts (also referred to as "mobile units" or "RMUs") for the sale of prepackaged food and beverages, including adjacent outdoor seating; c) seasonal merchandising zones containing a defined number of portable carts selling primarily nonfood merchandise and packaged food gift items not intended for immediate consumption; d) defined zones for product introduction or promotional activities, such as demonstrations and fashion shows; and e) entertainment and performance zones, including tables and chairs. "Seasonal" shall mean that weather permits the operation of the portable carts.

STABLE, PRIVATE: A private stable is any building which is located on a lot on which a dwelling is located, and which is designed, arranged, used or intended to be used for housing horses for the private use of occupants of the dwelling.

STABLE, PUBLIC: A building where horses are kept for remuneration, hire or sale.

STORY: That portion of a building, other than a cellar, included between the top surface of the next floor or roof above, except that a space used exclusively for the housing of mechanical services of the building shall not be construed to be a story if access to such space may be had only for maintenance of such services. The floor of a story may have split levels provided that there are not more than four feet (4') difference in elevation between the different levels of the floor. A basement shall be counted as a story and a mezzanine floor shall be counted as a story when it covers over one-third (1/3) of the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is twenty four feet (24') or more.

STORY ABOVE GRADE PLANE. Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is:

1. More than 6 feet (1829 mm) above grade plane; or
2. More than 12 feet (3658 mm) above the finished ground level at any point.

STORY, HALF: A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three feet (3') above the floor of such story.

STREET: A permanent public or private right of way which affords a primary means of access to abutting property.

STREET FRONTAGE: All of the property fronting on one side of a street between two (2) intersecting streets, or in the case of a dead end street, all of the property along one side of the street between an intersecting street and the end of such dead end street.

STREET, INTERNAL: A street not located along the exterior boundaries of a planned development.

STREET LINE: The street right of way line.

STRUCTURAL ALTERATION: Any change in the supporting members of a structure, such as bearing walls, columns, beams or girders; or any substantial change in the roof or in the exterior walls, excepting such repair or replacement as may be required for the safety of the building.

STRUCTURE: Anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground, including, but not limited to, buildings, signs and pavements.

STRUCTURE HEIGHT: ~~The height of a structure as measured from a base elevation determined by averaging the elevations of the principal corners in the perimeter wall of the structure at natural ground level to the highest point of the structure.~~ See section 13-3-8 of this title.

~~THREE COMPONENT MEASURING SYSTEM: Instruments which measure simultaneously earthborne vibrations in horizontal and vertical planes.~~

~~TOWNHOME: A one-family dwelling unit, with a private entrance, which is part of a structure which contains three (3) or more dwelling units which are attached horizontally.~~

~~TOWNHOUSE, GROUP, ROW OR GARDEN APARTMENT: A. A dwelling joined to two (2) other dwellings by party walls, vertical cavity walls, or aboveground physically unifying horizontal structural elements;~~

~~—B. A dwelling joined to one other dwelling by a party wall, and aboveground physically unifying horizontal structural elements.~~

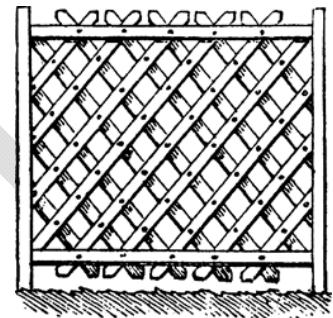
TOWNHOME OR TOWNHOUSE (Attached Dwelling): A multiple family dwelling designed and constructed to accommodate three (3) or more dwelling units, with

those units joined together by party walls or walls. Each unit shall have its own ground floor entrance and living space.

~~TOXIC MATTER: Those materials which are capable of causing injury to living organisms by chemical means.~~

TRAILER: A vehicle or portable structure which may be used as a conveyance on streets and highways by attachment to a motor vehicle.

TRELLIS: A framework of light wooden or metal bars, chiefly used as a landscape structure to support for fruit trees or climbing plants. For the purposes of this Title, a trellis is an accessory structure and is not a fence. Freestanding trellis' shall not exceed six feet (6') in height and ten feet (10') in length.



Trellis

USE: The purpose of activity for which the land and structures thereon is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of performance of such activity with respect to the performance standards of this title.

USE, LAWFUL: The use of any structure or land that conforms with all of the regulations of this title or any amendment hereto and which conforms with all of the codes, ordinances, and other legal requirements, as existing at the time of the enactment of this title or any amendment thereto, for the structure or land that is being examined.

USE, PERMITTED: A use which is or may be lawfully established in a particular district provided it conforms with all requirements, regulations, and when applicable, performance standards of this title for the district in which such use is located.

USE, PRINCIPAL: The dominant use of land or structures as distinguished from a subordinate or accessory use.

USE, SPECIAL: A use that has unusual operational, physical or other characteristics that may be different from those of the predominant permitted uses in a district, but which is a use that complements and is otherwise, or can be made, compatible with the intended overall development within a district. Compliance with special standards not necessarily applicable to other permitted uses or special uses in the district shall be required for a special use, as regulated in this title.

VEHICLE: Every device, in, upon or by which any person or property is or may be transported or drawn upon a highway except for devices moved by human power or used exclusively upon stationary rails or tracks.

VIBRATION: The periodic displacement, measured in inches, of earth at designated frequency cycles per second.

VILLAGE: The village of Oak Brook, Illinois.

VILLAGE CLERK: The village clerk of the village of Oak Brook, Illinois.

VILLAGE ENGINEER: The official of the village, duly appointed and designated as the village engineer.

VILLAGE PRESIDENT: The village president of the village of Oak Brook, Illinois.

WET DRAINAGEWAY: Any stream, creek, brook, branch, natural or artificial depression, slough, gulch, reservoir, lake, pond or natural or manmade drainageway in, or into which, stormwater runoff or floodwaters flow regularly.

YARD: A required open area on a lot which is unobstructed from its lowest level to the sky, except as otherwise provided in this title.

YARD ADJOINING A STREET, SIDE: A yard which is bounded by the front yard line, side yard adjoining a street line, rear yard line and side lot line adjoining a street.

YARD, FRONT: A yard which is bounded by the side lot lines, front lot line and the front yard line.

YARD, INTERIOR SIDE: A side yard which adjoins another lot or an alley separating such side yard from another lot.

YARD LINE, FRONT: A line in a lot that is parallel to the front lot line and which is not nearer to the front lot line at any point than the required front yard depth.

YARD LINE, REAR: A line in a lot that is parallel to the rear lot line and which is not nearer to the rear lot line at any point than the required rear yard depth. However, in the case of irregular or triangle shaped lots, the rear yard line location shall be formed by an arc originating at the corner point as defined in this section.

YARD LINE, SIDE: A line in a lot that is parallel to the side lot line and which is not nearer to the side lot line at any point than the required side yard depth.

YARD, REAR: A yard which is bounded by side lot lines, rear lot line and the rear yard line. In the case of irregular or triangle shaped lots, the rear yard dimension shall be determined by an arc originating at the corner point as defined in this section.

YARD, SIDE: A yard which is bounded by the rear yard line, front yard line, side yard line and side lot line.

~~ZONING BOARD OF APPEALS: The zoning board of appeals of the village of Oak Brook, Illinois, as created in this code 3.~~

~~ZONING COMMISSION: The zoning commission of the village of Oak Brook, Illinois.~~

ZONING DISTRICT MAP: The zoning district map of the village of Oak Brook, Illinois.

ZONING DISTRICTS: The districts into which the village of Oak Brook, Illinois, has been divided as set forth on the zoning district map, for the purpose of zoning regulations and requirements. (Ord. G-60, 3-22-1966; Ord. G-135, 6-22-1971; Ord. G-142, 1-25-1972; Ord. G-178, 12-9-1975; Ord. G-180, 4-13-1976; Ord. G-203, 12-14-1976; Ord. G-215, 4-26-1977; Ord. G-233, 5-31-1978; Ord. G-305, 9-8-1981; Ord. G-328, 8-24-1982; Ord. G-420, 12-13-1988; Ord. G-448, 7-10-1990; Ord. G-449, 8-14-1990; Ord. G-510, 6-8-1993; Ord. G-518, 8-10-1993; Ord. G-695, 3-26-2002; Ord. G-721, 6-10-2003; Ord. G-733, 11-11-2003; Ord. G-903, 11-10-2009; Ord. G-916, 1-12-2010; Ord. G-934, 9-28-2010; Ord. G-989, 1-22-2013; Ord. S-1559, 2-12-2019; Ord. G-1227, 1-24-2023)

Notes

- 1 ~~1. See Title 14 of this Code.~~
- 2 ~~1. See title 2, chapter 1 of this code.~~
- 3 ~~1. See title 2, chapter 8 of this code.~~

CHAPTER 3
GENERAL ZONING PROVISIONS

SECTION:

13-3-1: Control Over Use

13-3-2: Control Over Bulk

13-3-3: Lot Requirements

13-3-4: Yards

13-3-5: Setbacks Along Streets

13-3-6: Accessory Uses And Structures

13-3-7: Trailers, Boats And Habitable Vehicles

13-3-8: Structure Height

13-3-9: Public Utilities

13-3-10: Performance Standards

13-3-11: Mechanical Equipment To Be Screened

13-3-12: Access

13-3-13: Property Abutting Or Adjoining Conservation/Recreation District

13-3-14: Driveway Gates

13-3-15: Permanent Entryway Canopies

13-3-16: Portable Storage Units

13-3-17: Fence Regulations

13-3-18: Prohibited Uses

13-3-18: Cannabis Business Establishments Prohibited

13-3-1: CONTROL OVER USE:

A. The use of land and the erection, alteration and use of structures shall be limited to:

1. Uses lawfully established on the effective date of this title, subject to the regulations set forth in chapter 14 of this title.

2. Permitted uses or special uses permitted in the zoning district in which the land or structure is located.

Subject to the above limitations, no building or land shall be used, and no building shall be erected or altered for any purposes other than permitted in the zoning district in which the land or structure is located.

B. Where a use which is classified as a special use by this title exists as of the date of the first zoning ordinance for the village, it shall be considered to be a lawful special use.

C. Where a building permit for a structure has been issued in accordance with law prior to the effective date of this title and where construction has begun not more than six (6) months after such effective date and is being prosecuted to completion, said structure may be completed in accordance with such building permit and may be occupied upon completion under a certificate of occupancy for the use originally designated, subject to the provisions of chapter 13 of this title. (Ord. G-678, 6-26-2001)

13-3-2: CONTROL OVER BULK:

A. New and existing structures shall not be enlarged, constructed, reconstructed, structurally altered, converted or relocated in such a manner as to conflict with the bulk regulations for the district in which such structures are located except as provided for in this section or provided by relief granted pursuant to the provisions of chapter 14 of this title.

B. The provisions of this section shall apply to vacant lots and lots with existing dwellings in residential zoning districts.

C. Existing residential zoning district lots of record at the effective date of the first zoning ordinance of the village (ordinance G-60 adopted on March 22, 1966), or upon annexation shall have side yards of ten percent (10%) of the lot width or the side yard requirements of the underlying zoning district, whichever is less.

Required side yards shall be not less than ten feet (10') in depth; except a side yard may be not less than eight feet (8'), provided the adjoining lot contains a dwelling with an attached garage or carport adjacent to such side yard.

Where, due to existing building eaves, such lots have a legally established side yard(s) less than ten percent (10%) of lot width, second floor additions, in-line additions to the front or rear, and repair of the structures, continuing such eave setbacks are permitted.

D. A lot in a residence district at the effective date of the first zoning ordinance of the village (ordinance G-60 adopted March 22, 1966), which is not a lot of record but which is able to meet the requirements of this title as to lot area and width may be used for a single-family detached dwelling; provided, it shall meet all the other requirements of this title with the following additional requirements:

1. A plat of subdivision or an assessment plat will be recorded prior to the issuance of a building permit. The subdivision regulations [1](#) set forth the requirements pertaining to such plats.

E. A lot in a residence district at the effective date of the first zoning ordinance of the village (ordinance G-60 adopted March 22, 1966), which is not a lot of record and which is unable to meet the requirements of this title as to lot area or width may be used for a single-family detached dwelling; provided, it shall meet all the other requirements of this title with the following additional requirements:

1. The applicant shall furnish, with the application for a building permit, a survey by a duly licensed land surveyor, showing the lot upon which the applicant proposes to erect a single-family detached dwelling and also showing all lots adjacent to said lot with all improvements thereon and widths of the adjoining yards and any projections of structures therein duly plotted on said survey.

2. The applicant shall furnish an affidavit on the following form signed by the owner of record of the lot described in the application for a building permit:

STATE OF ILLINOIS:

COUNTY OF:

LOT OWNERSHIP AFFIDAVIT

Dated:

At:

*TO: Director of ~~Community~~ Development Services
Village of Oak Brook*

depose(s), and state(s) as follows:

1. That the title holder of record of the premises commonly known as Oak Brook, Illinois, and legally described as follows: (Insert Legal Description)

(Name of Title Holder) having acquired title on _____ and have held title continuously since said date.

2. (To be answered only if title holder of record is a corporation or a trust.) (Strike out portions that are not applicable.)

Corporation:

That your affiant is the (president, vice-president, secretary, treasurer) of the title holder of record and has full knowledge of the facts set forth in this affidavit and is authorized to make this affidavit.

Trust:

That your affiant holds a beneficial interest in and to the aforesaid trust, has full knowledge of the facts herein set forth and has full authority to make this affidavit.

3. That an application has been or will be filed for a building permit to erect a building or structure upon the land above legally described.

4. That neither the applicant nor any of his/her predecessors in title have owned any right, title or interest, directly or indirectly, or by any person, firm, corporation or trust, or by any officer, shareholder, director, partner, beneficiary, agent or immediate relative thereof who also holds any right, title or interest directly or indirectly, in or to any of the contiguous lot(s) within a period of ten years prior to the date of the application for a building permit or certificate for buildable site as to zoning, except:

5. That the following are the facts existing as to the lots adjoining and contiguous on all sides of the land as described in paragraph 1:

a. That none of the adjoining and contiguous lots are vacant and unimproved, except:

b. That none of the adjoining and contiguous lots have land in addition to its required side yards and required lot area under the Oak Brook Zoning Ordinance that could be added to the aforescribed lot, thereby adding to the amount of land available for the subject lot, except:

and said additional land could not be acquired because:

6. That this affidavit is given to induce the Village of Oak Brook to issue a (building permit or certificate of buildable site as to zoning) for the above described premises.

7. Further your affiant sayeth not, except:

SUBSCRIBED AND SWORN

*to before me this
day of _____ .*

Notary Public

3. The ~~d~~Director of ~~community d~~development ~~Services~~ shall issue a permit for erecting a single-family detached dwelling on the subject lot upon compliance with all of the foregoing provisions and all other applicable provisions of this title, with each required interior side yard reduced to not less than ten percent (10%) of the width of the lot, or the side yard requirement of the underlying zoning district, whichever is less, if all of the below enumerated requirements are met:

a. The subject lot:

(1) Is not adjoining and contiguous to a vacant lot on any side held under common ownership at any time after the year 1966; or

(2) Is not contiguous to an improved lot of record which has one foot (1') or more of an adjoining side yard in excess of the minimum required side yard for the district in which the building or structure is located, which additional side yard land could physically be added to the applicant's lot to increase its width or area or that the owners of the adjoining lots refuse to sell any portion of land that could be added to the applicant's lot to increase the width thereof without reducing the required side yards of the adjoining lots and which additional land the applicant would be willing to purchase; and

(3) Is not owned and has not been owned directly or indirectly or by a nominee of any person, or by an officer, shareholder, director, partner, beneficiary, agent or person related by blood or marriage or by any predecessors in title who also held or hold any right, title or interest in or to either one or both of the contiguous lots after the year 1966 to the date of application for a building permit.

b. Interior side yards shall not be less than ten feet (10') in depth except a side yard may be not less than eight feet (8') provided, the adjoining lot contains a dwelling with an attached garage or carport adjacent to such side yard.

c. The contiguous lots are not owned and have not been owned directly or indirectly or by a nominee of any person or by any officer, shareholder, director, partner, beneficiary, agent or person related by blood or marriage or by person related by blood or marriage or by any predecessors in title, who also held or hold any right, title or interest, directly or indirectly, in the applicant's lot after the year 1966 to the date of the application for a building permit.

d. The subject lot was not used as part of a single or common homesite by or with the consent of the same interests which owned or controlled an adjoining lot after the year 1966 to the date of application for a building permit.

e. In the event that a subdivision plat or an assessment plat has not been recorded, one will be required prior to the issuance of the building permit.

4. In the event that the owner is unable to meet all of the aforesaid additional requirements for a building permit, or for a lot which cannot meet the minimum lot width and lot area of a lot of record, or in the event that the owner either desires to sell or to buy from the owners of a contiguous lot or lots who also desire to either sell or buy, but the parties are unable to agree on a price, then the zoning board of appeals may recommend, and the village president and board of trustees may grant such relief in accordance with the procedures as set forth in this title for variations as deemed appropriate.

5. In no case, shall a contiguous lot from which property is being acquired be made nonconforming or more nonconforming without the necessary approvals in accordance with the procedures as set forth in this title. Plats of resubdivision or revised assessment plats shall be required for such properties.

~~F6~~. Notwithstanding anything contained in this title to the contrary, in the event at any time subsequent to January 1, 1995, private property is dedicated or conveyed to a governmental entity or condemned by a governmental entity (including, without limitation, the Illinois state toll highway authority) for the purpose of widening the public right of way or providing public roadway infrastructure (including, without limitation, right of way for roadway entry or exit ramps), the calculation of floor area ratio shall at all times include within the measurement of the area of the lot in question the area so dedicated, conveyed or condemned, provided that not more than twenty percent (20%) of the lot has been so dedicated, conveyed or condemned, and provided further that a site plan generally accommodating such a dedication, conveyance or condemnation has been reviewed and approved by the village. (Ord. G-678, 6-26-2001)

Notes

- ~~1. See title 14 of this code.~~

13-3-3: LOT REQUIREMENTS:

A. Buildings On A Lot:

1. On single-family detached residence district lots with permitted uses, there shall be not more than one principal building.

2. In the event that more than one lot of record is necessary to satisfy the requirements of this title, a notice of encumbrance shall be recorded with the office of the county recorder of deeds against all affected lots of record prior to the issuance of any building permit.

B. Lot Divisions: No lot containing a use or structure shall hereafter be divided in order to secure one or more additional lots unless each lot resulting from such division, and including also the lot containing the use or structure, shall have the minimum lot area and lot width as required in this title for the district in which the lot is located and complies with the subdivision regulations of the village ~~1~~. (Ord. G-678, 6-26-2001)

Notes

- ~~1. See title 14 of this code.~~

13-3-4: YARDS:

A. Yards and other open spaces as required by this title shall be located on the same lot as the principal use or structure, and shall have not less than the minimum depth or area as required in this title for the district in which such use or structure is located, except as otherwise provided for setbacks.

B. On vacant through lots, the front lot line shall be along the street line designated by the ~~d~~Director of ~~community d~~Development ~~Services~~, except that when a front lot line has been established on one or more lots in the same block and all have front lot lines established along the same street line, the street line designated as the front lot line for such lot or lots shall be the front lot line on all vacant through lots in such block. On through lots, only those uses and structures permitted by this title in front yards shall be located in that part of a rear yard adjoining a street that is equivalent in depth to a required front yard.

C. No legally required yards, open space, or lot area for any use or structure shall be used to satisfy yard, open space or lot area requirements for any other structure or use.

D. No yards allocated to a use or structure existing on the effective date of this title shall be subsequently reduced or further reduced below the yard requirements of this title, except a yard adjoining a street may be reduced in depth in the event and to the extent the right of way width of such street adjoining such yard is subsequently increased. In the event that the width of the right-of-way is increased, the original required yard and setback requirements, - at the time of construction- are not modified for the life of any legally existing structure or portion thereof.

E. Front yards of corner lots may be designated by the owner, provided such yard abuts a street. (Ord. G-678, 6-26-2001)

13-3-5: SETBACKS ALONG STREETS:

Minimum setbacks on lots abutting a street shall be as required for yards in the district in which they are located and shall be measured from the street line, or from the proposed street line if one has been designated on the official map. Notwithstanding anything contained in this title to the contrary, in the event at any time subsequent to January 1, 1995, private property is dedicated or conveyed to a governmental entity or condemned by a governmental entity (including, without limitation, the Illinois state toll highway authority) for the purpose of widening the public right of way or providing public roadway infrastructure (including, without limitation, right of way for roadway entry or exit ramps), the calculation of minimum setbacks and minimum required yards shall at all times be measured from the street line which existed prior to such dedication, conveyance or condemnation, ~~provided that not more than twenty percent (20%) of the lot has been so dedicated, conveyed or condemned, and~~ provided that any newly constructed buildings establish minimum setbacks and minimum required yards on the affected lot (as measured from the new lot line created as a result of said dedication, conveyance, or condemnation) which, at a minimum, equal at least fifty percent (50%) of the minimum setback and minimum required yard which would be required in the absence of this condemnation mitigation provision, and provided further that a site plan generally accommodating such a dedication, conveyance or condemnation has been reviewed and approved by the village board of trustees. (Ord. G-977, 8-14-2012)

13-3-6: ACCESSORY USES AND STRUCTURES:

A. Authorization Of Accessory Uses And Structures:

1. Is subordinate in extent and purpose to, and serves, a principal structure or use;
2. Is customarily found as incidental to such principal structure or use;
3. Contributes to the comfort, convenience, or necessity of those occupying or being served by the principal use;
4. Except as otherwise expressly authorized by the provisions of this code, is located on the same zoning lot as such principal structure or use; and
5. Is under the same ownership and control as such principal structure or use.

B. General Regulations:

1. Accessory uses and structures shall be compatible with the principal use and shall not be established prior to the establishment of the principal use. No accessory building or structure shall be constructed on any lot prior to the construction of the principal building to which it is accessory.

2. Accessory uses shall not include the keeping, propagation or culture of pigeons, poultry, rabbits, bees, livestock or other non-household animals for profit, except on such lots where the pursuit of agriculture is a permitted principal or accessory use.

3. Except as otherwise regulated for specific principal uses, an accessory structure hereafter erected, altered, enlarged or moved in a lot shall conform with the following:

a. A detached accessory building shall not be nearer than ten feet (10') from the nearest wall of the principal structure.

b. An accessory structure shall not be located in any required yard abutting a street, except in rear yards where they adjoin a thoroughfare and are screened by opaque landscaping expected to reach the height of the applicable structure at full maturity.

c. Accessory uses and structures shall not be located, erected, or altered in required yards, except as provided in subsections B3d, B3g, and D of this section.

d. Detached accessory structures in a required rear yard in a residential district shall:

(1) Be not more than fifteen feet (15') in height except for detached garages that are not constructed with a continuous flat roof (see subsection B3g of this section for detached garage heights).

(2) Cover not more than thirty percent (30%) of the required rear yard (this includes, patios, pools, sheds, garages, accessory living units, pool houses, sports courts, etc.).

(3) Detached accessory structures equal to or less than one hundred twenty (120) square feet in total area shall be located at least five feet (5') from the side or rear lot line.

Detached accessory structures greater than one hundred twenty (120) square feet in total area shall be located at least ten feet (10') from a side and rear lot line.

(4) Floor Area: The aggregate floor area of all accessory buildings shall not exceed thirty percent (30%) of the first floor area of the principal building (as measured by GLA ANSI or equivalent).

e. Detached accessory buildings and structures shall not be constructed between the front lot line and the front of the principal building on the lot (except as provided for in subsection B3f).

f. Accessory structures which otherwise are only permitted in required rear yards shall not be constructed within the buildable area between the principal structure and adjacent streets along the front or side lot lines unless a setback equal to double the required front or side yard setback is maintained from the front or side yard lot line to such accessory structure.

g. Detached garages, that are not constructed with a continuous flat roof, constructed in the "buildable" area of a lot will be permitted to be built to the same height as the principal structure. However, detached garages constructed in a required rear yard of a single-family home shall be limited to the following heights:

R1 district: Twenty five feet (25').

R2 district (lots 1 acre or larger): Twenty two and one-half feet (22.5').

R2 district (lots less than 1 acre) and R3 district: Twenty feet (20').

R4 district: Seventeen and one-half feet (17.5').

Any detached garage located in a required rear yard, that is over fifteen feet (15') in height, shall be required to increase the setback one foot (1') for every one foot (1') of increased height over fifteen feet (15'). Detached garages constructed with a continuous flat roof will be limited to a maximum height of fifteen feet (15').

C. Accessory Living Unit:

1. An accessory living unit is a detached accessory building that provides living space in a location other than the principal residence. An accessory living unit may be located in a pool house, detached garage, or other similar accessory building or structure.

2. Accessory living units are not permitted in the Business or Office Districts, or the R-2, R-3, R-4, or R-5 Districts.

3. Only one (1) accessory living unit is permitted per zoning lot in the R-1 District.

4. An accessory living unit originally constructed before January 24, 2023 is permitted. An expansion to an accessory living unit constructed prior to January 24, 2023 shall require a permit and shall comply with these standards. An expansion is considered additional floor area, modifications to room sizes, removal of walls and significant electrical or plumbing work that otherwise modifies the intended use of the dwelling unit.

5. No accessory living unit shall be modified to increase the number of dwelling units.
6. The construction of a new accessory living unit shall require the installation of fire sprinklers in accordance with applicable residential building code regulations.
7. An accessory building containing an accessory living unit shall be similar in architectural style and building materials to the principal use structure.

D. Permitted In Required Yards: Accessory uses and structures are permitted in required yards as follows with the following designations (and subject to the other provisions of this Code):

F = Yards adjoining streets

S = Interior side yards

R = Rear yards

	F	S	R
Arbors or trellises, where trellises are <u>or pergolas not</u> attached to the principal structure	X	X	X
Accessory living unit			X
<u>Commercial awnings or canopies, projecting not more than 15 feet into the required yards</u>	<u>X</u>	<u>X</u>	<u>X</u>
Fallout shelters, detached			X
Fire escapes, open and enclosed or fire towers, not encroaching more than 5 feet, except 3.5 feet into a required interior side yard	X	X	X
<u>Firewood storage 5 feet from property line</u>			<u>X</u>
Garages or carports, detached			X
Gates, driveway <u>(as regulated in Title 13)</u>	X	X	
Growing of garden crops in the open		X	X
HVAC equipment including air condition units, not less than 12 feet from designated lot lines, <u>subject to screening requirements of Title 13</u>		X	X
Lawn furniture, such garden structures as benches, sundials, birdbaths, <u>and fountains and water features</u>	X	X	X
Open off street loading spaces			X
Open off street parking spaces, may be permitted in a required yard adjoining a street, as regulated in this title		X	X

Ornamental light standards	X	X	X
Terraces, patios , outdoor kitchens, and outdoor fireplaces			X
Playground and laundry drying equipment			X
Pool heaters, not less than 12 feet from designated lot lines, subject to screening requirements of Title 13.		X	X
Pool House (Accessory building)			X
Residential Awnings or canopies, projecting not more than 3 feet into the required yards	X	X	X
Sheds and storage structures for garden equipment and household items			X
Signs and nameplates	X	X	X
Solar panels (photovoltaic or thermal collectors) not less than 12 feet from designated lot lines.			X
Steps and/ or required egress ramps , open	X	X	X
Swimming pools			X
Tennis courts, sports courts			X
Trees, shrubs and other plants, except: on corner lots where no such material shall be permitted to obstruct a clear path of motorists' vision of approaching vehicles within the area enclosed by any 2 intersecting curb lines or edges of pavement, as extended to their point of intersection if necessary, whichever is applicable, and a straight line connecting those 2 lines at points 60 feet from their point of intersection	X	X	X
1) Where such plants obstruct Intersection Sight Distance as required by Bureau of Local Roads and Streets Manual, Chapter 28 And/or 2) As required by 425 ILCS 20 No object shall be constructed, maintained or installed within 48 inches of a fire hydrant. It shall be unlawful to install, maintain, construct or enlarge any barriers, trees, bushes, walls, or other obstacles which may hide or impede the use of a fire hydrant.			
Trellises-Only allowed within the buildable area of the lot			
Wind energy systems- ground mounted in business and office districts only		X	X

(Ord. G-678, 6-26-2001; Ord. G-712, 1-14-2003; Ord. G-728, 8-12-2003; Ord. G-740, 2-10-2004; Ord. G-1021, 3-11-2014; Ord. G-1227, 1-24-2023)

13-3-7: TRAILERS, BOATS AND HABITABLE VEHICLES:

A. Trailers and vehicles shall not be permitted in any district as principal or accessory structures on a lot.

B. Outdoor storage in residential districts of hHabitable vehicles, utility trailers, horse trailers, boats on boat trailers or blocks, and other trailers shall ~~not be parked or stored in any required yard or in the open on any lot, except when permitted in this title, or in the operations of a lawfully established trailer or, habitable vehicle sales or manufacturing establishment~~ comply with the regulations in Chapter 6, Section 13-6-3, Regulations Applicable to All Residence Districts; provided no major repair, disassembly, or rebuilding operations are conducted thereon; and provided that no habitable vehicle so stored may be occupied.

C. Outdoor storage in commercial districts of ~~One~~ habitable vehicles, ~~and one~~ utility trailers, horse trailers, ~~or one~~ boats on a boat trailer or blocks, or one other trailers, ~~owned by the occupant of the dwelling, may be stored or parked only to the rear of said dwelling and not within any required side yard or rear yard of a lot containing a single-family detached dwelling; provided no major repair, disassembly, or rebuilding operations are conducted thereon; and provided that no habitable vehicle so stored may be occupied~~ shall not be parked or stored in any required yard or in the open on any lot, except when permitted in this title, or in the operations of a lawfully established trailer or, habitable vehicle sales or manufacturing establishment.

~~—D. A habitable vehicle may be parked or stored in the driveway on property within the zoning jurisdiction of the village for a period of three (3) consecutive days without permit, and may be occupied during such period. Thereafter such a vehicle may be parked only after issuance of a permit by the director of community development permitting such parking. Such a permit may be issued by the director for the following purposes if the proposed use is consistent with the purposes of this title:~~

D. 1. For pParking of habitable vehicles for use as temporary office or storage space incidental to and only for the period of time of construction of a building or series of buildings, provided such habitable vehicles are located on the same lot or contiguous lots to the building or series of buildings.

E. 2. For pParking and occupancy of a vehicle on a lot containing a dwelling for a period not to exceed ten (10) days in any consecutive thirty (30) day period shall be permitted, ~~and~~ only if the location of said habitable vehicle on such lot does not violate the provisions of this title in relation to the placement of structures on such lot; ~~except that s~~Such temporary parking shall be permitted on existing driveways notwithstanding that said driveway may be in a side yard. (Ord. G-678, 6-26-2001)

13-3-8: STRUCTURE HEIGHT:

A. No structure shall be erected, converted, expanded, reconstructed or structurally altered to exceed the height limit measured above the natural ground level, as determined by the village engineer, for the district in which the structure is located. However, this height limit for skylights, steeples, flagpoles, chimneys, radio and television aerials, wireless masts, or electric and telephone service poles anywhere in the village; and mechanical rooms, penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment, towers, water tanks, or elevators or other appurtenances anywhere in the village except residential districts, shall be thirty feet (30') above the height limits of the district in which they are located and shall be for ornamental purposes only and shall in no event be occupied. Structure height may be measured from a base elevation other than natural ground level only with the express approval of the village. However, an elevator housing enclosure for the purpose of providing a single elevator access to the penthouse level not to exceed three hundred twenty five (325) square feet in area may be erected to heights which do not exceed by more than twenty two feet (22') the height limits of the district in which it is located.

B. The height of single-family homes will be measured to the peak of the roof using one of the following methods:

1. In engineered subdivisions, as determined by the village engineer, the height will be measured using the recommended top of foundation elevation that is part of the approved grading plan;

2. In all other situations, the village engineer shall determine an elevation, from which the height will be measured, based on the existing grades and grades of adjacent properties;

3. For lots improved with an existing single-family home, the existing top of foundation elevation can be maintained and will be used as the base to measure the height of the structure.

C. The height limit, as it pertains to all other structures, shall not exceed the height limit above natural ground level established for the district in which the structure is located. (Ord. G-678, 6-26-2001; Ord. G-730, 9-23-2003; Ord. G-733, 11-11-2003; Ord. G-778, 4-26-2005)

13-3-9: PUBLIC UTILITIES:

The following public utility uses are permitted in any district: wires, cables, conduit, vaults, laterals, pipes, mains and valves, public warning devices, microcells or other similar transmission and distributing equipment (not including cellular telephone towers and ancillary equipment), provided that the installation and location thereof shall conform with the rules and regulations of applicable administrative authorities and ordinances of the

village (See Title 6). ~~Microcells shall include a wireless communication facility consisting of an antenna that is either: a) four feet (4') in height and with an area of not more than five hundred eighty (580) square inches, or b) if a tubular antenna, no more than four inches (4") in diameter and no more than six feet (6') in length in the associated equipment cabinet that is six feet (6') or less in height and no more than forty eight (48) square feet in floor area. (Ord. G-678, 6-26-2001)~~

13-3-10: PERFORMANCE STANDARDS:

~~Any use established in any zoning district shall be operated so as to comply with the performance standard regulations prescribed in subsection A of this section.~~

The performance standards set forth in this Section are designed to protect the health, safety, and welfare of the residents of the Village of Oak Brook and to protect, maintain, and enhance the quality of the man-made and natural environments of the Village. All new and existing uses established within the Village shall comply with the performance standards set forth in this Article, unless any federal, state, county or local ordinance law or regulations established are more restrictive, in which event the more restrictive standard shall apply. Uses already established on the effective date of this ordinance shall be allowed to be altered, enlarged, expanded, or modified, provided that any such additions or changes comply with the performance standards set forth in this Section.

A. Noise:

1. Sound Levels: Sounds levels shall be measured with a sound level meter manufactured according to standards prescribed by the American National Standards Institute (ANSI). Measurements shall be made using a digital decibel meter. Impulse type noises shall be subject to the performance standards prescribed in this subsection A, provided that such noises shall be capable of being accurately measured. Noises incapable of being so measured, such as those of an irregular and intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses. At any point on or beyond the boundary line of the district designated below, the sound pressure level of any operation or plant (other than background noises produced by sources not under control of this subsection A, such as the operation of motor vehicles or other transportation facilities) shall not exceed the decibel limits in the table below:

SOUND/NOISE LEVEL TABLE

<u>Time Of Day</u>	<u>Maximum Permitted Decibel (dBA) Levels</u>		
	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Between 7:00 A.M. and 7:00 P.M.	65 dBA	70 dBA	70 dBA
Between 7:00 P.M. and 7:00 A.M.	55 dBA	60 dBA	65 dBA

2. General Requirements:

a. **Sound Measurement Setback Requirement:** All sound measurement readings must be set up not less than twenty five feet (25') (7.6 meters) from the property line noise source. The twenty five foot (25') (7.6 meter) setback requirement is from the noise source and not the property line unless the noise source is contiguous to the property line.

b. **Exempt Activities:** Activities exempt from these provisions include the operation of motor vehicles or other transportation facilities; snow removal equipment; church bells/chimes; residential air conditioning units (installed and operating in accordance to manufacturer's specifications).

c. **Unnecessary Noise Standards:** The following activities are declared to be loud, disturbing and unnecessary noises in violation of this subsection A:

(1) **Horns And Signaling Devices:** The sounding of any horn or signaling device on any automobile or other motor vehicle on any street or public place of the village except as a danger warning.

(2) **Animals Or Birds:** The keeping of any animal or bird which, by causing frequent or continued noise, shall disturb the comfort or repose of any persons in the vicinity.

(3) **Exhausts:** The discharge into the open air of the exhaust of any engine, stationary combustion machine, generator, motorboat or motor vehicle except through a muffler or other device, which will effectively prevent loud noises therefrom. The use of emergency generators and other backup power sources would not apply to reasonable use during an emergency situation or during testing.

(4) **Loading:** The creation of loud and excessive noise in connection with the loading or unloading of any vehicles.

d. **Additional Requirements; Lawn Mowing/Maintenance:** It shall be unlawful to cause or make loud noise through the operation of lawn maintenance equipment including, but not limited to, lawn mowers, lawn blowers and tractors before seven o'clock (7:00) A.M.

and after dusk on any day during the week. This restriction shall not apply to golf course, park district or forest preserve maintenance operations.

B. Other Performance Standards: Any use established in the various residence and business districts shall be operated so as to comply with the performance standard regulations set forth in section 13-10-3 of this title. (Ord. G-678, 6-26-2001; Ord. G-863, 7-22-2008)

13-3-11: MECHANICAL EQUIPMENT TO BE SCREENED:

~~All heating, air conditioning, ventilating, or other mechanical equipment located on the roof of any nonresidential structure in any residential, business or office-research-assembly district shall be screened on all sides or enclosed in such a manner consistent with the design and materials found on the principal building as to mask such equipment. (Ord. G-678, 6-26-2001)~~

All exterior equipment (i.e. HVAC, generators, pool equipment or other mechanical equipment) in all districts is required to be visually screened. (See 2801.2)

13-3-12: ACCESS:

All publicly dedicated rights of way for roadway or highway purposes or any land used, by easement or other means, for vehicular access which may be developed in any zoning district in the village, shall meet all requirements of the subdivision regulations of the village ¹. Where such access may be developed as part of a larger, continuous, regional street system, or where it may serve a subdivision located in part outside the corporate limits of the village, the design of said system shall be reviewed in accordance with the applicable provisions of all governing ordinances and shall be subject to all required public hearings and meetings before the plan commission, zoning board of appeals and village president and board of trustees prior to development. (Ord. G-678, 6-26-2001)

Notes

- ¹ ~~1. See title 14 of this code.~~

13-3-13: PROPERTY ABUTTING OR ADJOINING CONSERVATION/RECREATION DISTRICT:

All provisions in this title, as amended, which pertain to property abutting or adjoining a residence district shall be equally applicable to property abutting or adjoining any property zoned CR conservation/recreation district. (Ord. G-678, 6-26-2001)

13-3-14: DRIVEWAY GATES:

Driveway gates are permitted as accessory structures in required front yards, or side yards adjoining a street; provided that they conform with the following criteria:

A. Required Acreage: No driveway gate may be installed on a lot of less than two (2) acres, unless the front yard of said lot abuts a thoroughfare ¹. Any driveway gate previously approved and constructed in accordance with applicable law at that time shall be treated as a permitted and legally conforming use.

B. Direction Of Swing: Driveway gates shall not swing outward from the property.

C. Width: The minimum width for a gate structure shall be twelve feet (12') for opening the gate. All driveway gates shall be greater than fifty percent (50%) open in design when viewed from a ninety degree (90°) angle, except that this required open space in louver type gates may be viewed from any angle, and excluding metal gates with more than seventy five percent (75%) of its surface area open space.

D. Location Of Gates: Gates shall be located a minimum distance of twenty feet (20') from the nearest edge of pavement on local residential streets and thirty feet (30') from the nearest edge of pavement on all other streets including all thoroughfares and collectors (reference the Oak Brook transportation plan phase II report dated January 1971), to allow adequate room for vehicular access to the property. (Ord. G-678, 6-26-2001; Ord. G-741, 2-10-2004)

Notes

¹ ~~2. See section 14-2-2 of this code.~~

13-3-15: PERMANENT ENTRYWAY CANOPIES:

Permanent entryway canopies to provide weather protection for persons being dropped off or picked up may be erected in required front and corner lot side yards for churches and hotel, restaurant and office use buildings permitted by this title, subject to the following conditions:

A. The required yard must be one hundred feet (100') or more in depth;

B. The area of the encroachment is limited to a maximum of six hundred (600) square feet;

C. The maximum depth of the encroachment into the required yard is thirty feet (30');

D. The minimum clearance for a canopy above a driveway or parking area shall be not less than fourteen and one-half feet (14.5'); and

E. The maximum height of the canopy is eighteen feet (18'). (Ord. G-678, 6-26-2001)

13-3-16: PORTABLE STORAGE UNITS:

A. For purposes of this section, a "portable storage unit" is defined as an enclosed container that is delivered to a private property and is normally used for the short term storage of items and materials associated with a move into or from the principal use of the property.

B. The following regulations shall apply to portable storage units:

1. No more than two (2) portable storage units shall be permitted on a property.
2. Stacking of portable storage units is prohibited.
3. Any property where a portable storage unit is located must be occupied by a principal use or dwelling.
4. No portable storage unit may remain on a property for more than fifteen (15) consecutive days. An additional fifteen (15) day period may be approved by the ~~department of community d~~Development Services department for cause. Special circumstances allowing for longer periods of time may be determined by the ~~d~~Director of ~~community d~~Development Services.
5. A portable storage unit on residential property shall not exceed sixteen feet (16') in length. A portable storage unit on nonresidential property shall not exceed forty feet (40') in length.
6. Portable storage units shall be placed on the driveway or other paved surface on the property.
7. The portable storage unit shall not be located closer than ten feet (10') from the principal structure on the property.
8. The portable storage unit shall not be used to store hazardous materials or flammable liquids.
9. Portable storage units shall not be placed on public property or permitted to obstruct traffic visibility.
10. A permit and fee (an amount, if any, to be determined by the village board from time to time) shall be required prior to the placement of a portable storage unit.
11. Portable storage units shall be maintained in good repair, free from rust, peeling paint, graffiti and other forms of deterioration.
12. Signage on portable storage units is limited to the name and address of the storage unit rental company.
13. Portable storage units shall be locked when not being loaded or unloaded. (Ord. G-861, 6-10-2008)

13-3-17: FENCE REGULATIONS:

A. For purposes of this section, the following terms shall have the following meanings:

DOG RUNS/KENNELS: Enclosures constructed for the purpose of containing dog(s) outside of the principal structure on a property.

FENCE: A structure used to delineate a boundary, or as a barrier, or as a means of confinement or for confinement.

FENCE HEIGHT: Measured from the top of the fence to pre-existing grade, irrespective of whether the fence has decorative caps and posts, as long as the caps and posts are no higher than four (4") inches. Fences built on retaining walls shall be measured from the existing elevation (as approved by the Village Engineer), prior to construction of a retaining wall, to the top of the fence.

FENCE TYPE STRUCTURE: Any fence, or part thereof, located in the buildable area of a property and not located in any required yard. "Fence type structures" include solid privacy screens and open patio enclosures. A "fence type structure" shall not include any part of a fence located outside of the buildable area of a property.

B. The following regulations shall apply to all fences other than fence type structures:

1. Fences shall have a minimum of fifty percent (50%) of the fence's surface area in open space as viewed from an angle of ninety degrees (90°) from the fence line. A fence's surface area shall include the surface area of any gates attached to the fence, but shall not include the surface area attributable to any supporting piers or pillars.

2. Solid fences shall be a maximum height of twenty four inches (24") and be constructed of wood, stone, brick or other masonry material. All nonsolid fences shall be a maximum height of forty two inches (42") and shall be constructed of wood, stone, brick, wrought iron, aluminum or synthetic materials that are molded and give the appearance of wood, stone, brick or wrought iron.

3. If a fence only has one finished side, the fence's finished side must face to the outside of the property. The finished side is the side that does not include the structural supports.

4. Fences shall be constructed at the pre-existing grade or at a grade approved of by the village engineer. Fences shall not block or obstruct natural drainage or water flow. A fence that is installed in the floodplain shall be elevated a minimum of three inches (3") above the Village engineer approved grade and also be a minimum of fifty percent (50%) open.

5. Fences shall not be permitted in a front yard or alternate front yard setback (see diagrams), except when constructed with driveway gates as permitted in Section 13-3-14 of this Code.

6. All fences shall be located completely within the property that the fence is serving. No fence shall be constructed in a manner that encroaches upon another property or a village owned right of way without the prior approval of the village.

7. All fences shall be constructed and maintained in a manner that preserves the fence's structural integrity and original appearance.

8. Electrified fences, barbed wire, razor wire, spears and other sharp or hazardous materials are not permitted in the village, with the exception of those materials approved by the Development Services department for horse stables and other animal enclosures.

9. No fence shall be constructed or erected in a manner or in a location that interferes or obstructs the line of sight of vehicles using an intersection of an alley and street, or an intersection of two (2) streets.

10. All fences shall comply with all applicable village code requirements.

C. The following regulations shall apply to all fence type structures:

1. Fence type structures may screen hot tubs, patios, decks, sitting areas, or other similar types of uses.

2. Fence type structures may not exceed six feet (6') in height.

3. Fence type structures may not privatize the buildable area.

4. Fence type structures are not permitted in any required yard.

5. All fence type structures shall comply with all applicable village code requirements.

6. All fence type structures are subject to the review and approval of the Development Services department prior to their construction or erection to ensure that the requirements of this section are met.

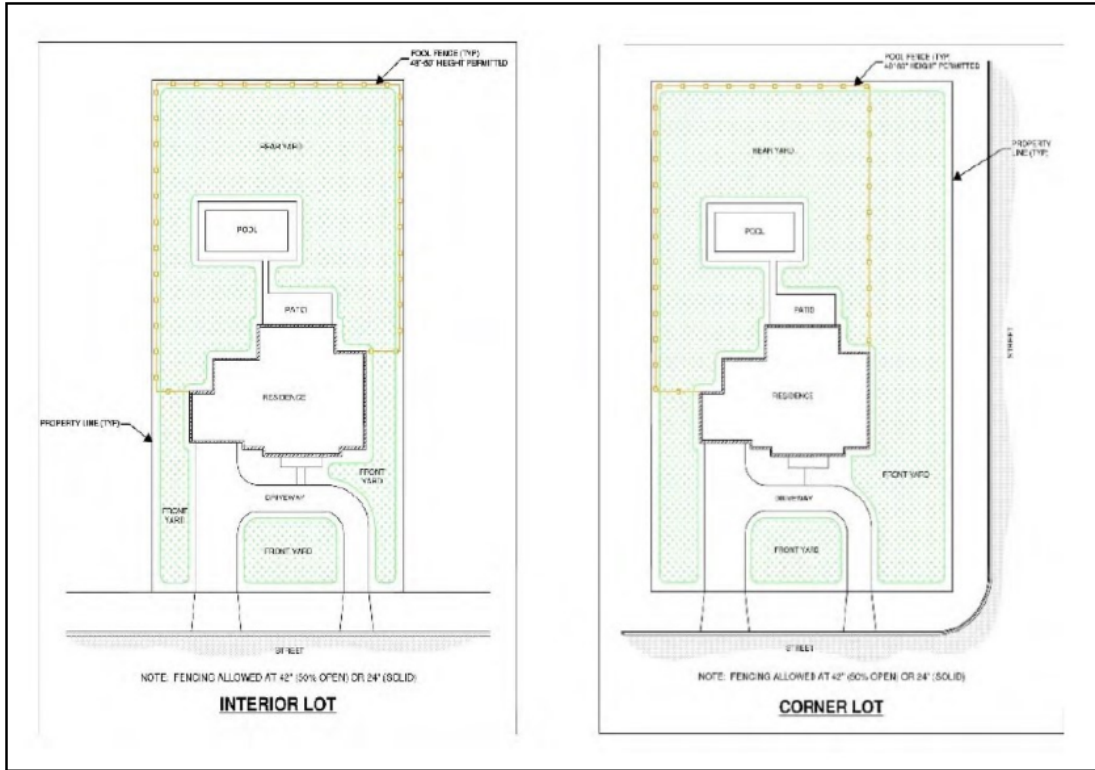
D. Swimming Pool Fencing. Notwithstanding anything to the contrary contained in this section, the regulations applicable to fences surrounding any swimming pool or any other water feature that requires fencing pursuant to this code or state law shall be as follows:

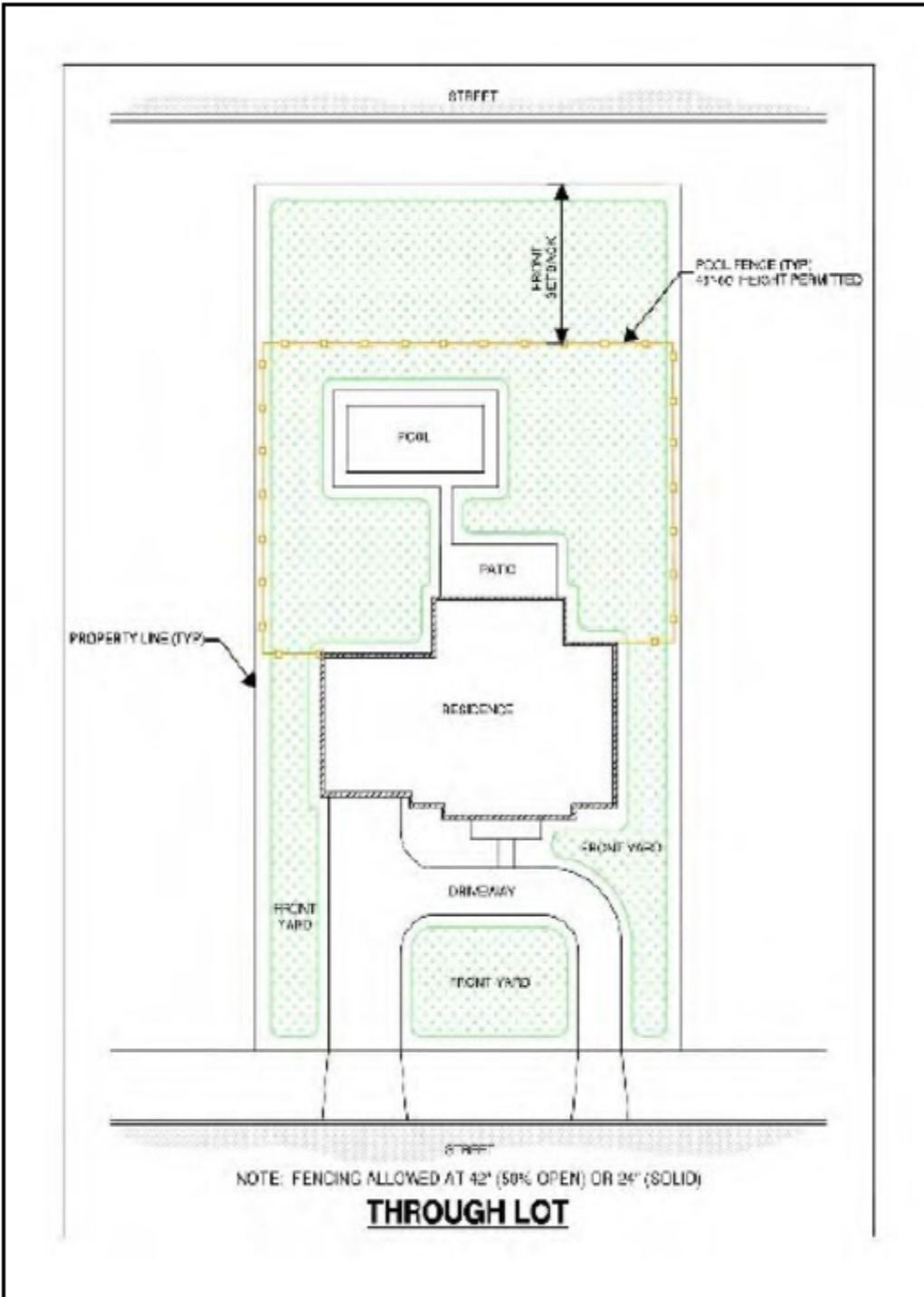
1. Be a minimum of forty eight inches (48") in height;

2. Not exceed sixty inches (60") in height;

3. The location of a forty eight inch (48") to sixty inch (60") fence that surrounds a swimming pool shall only be in the rear yard or required rear yard setback of the lot. The fence shall also be located in the rear yard behind the principal use structure.

4. Comply with all other applicable requirements of this code. In addition, no fence surrounding a swimming pool may be made of chainlink or wire materials.





E. The following requirements shall apply to chainlink or wire fencing:

1. Chainlink or wire fencing shall be:

a. Made of at least 9-gauge wire and not of a thinner gauge wire;

- b. Constructed with a top member or brace with a knuckle design;
 - c. Installed with the wire material (finished side) facing the neighboring property;
 - d. Painted or coated in a dark color (e.g., black, brown or dark green); and
 - e. Landscaped with year round plantings, bushes/vegetation or trees on both sides of the fence, except for dog runs/kennels, which shall be so landscaped on the outside of the fence; all required vegetation will be reasonably maintained or replaced as needed.
2. No chainlink or wire fencing shall include slats.
3. No chainlink or wire fencing shall be used for a dog run/kennel in any required yard. Chainlink or wire fencing may be used for dog runs/kennels that are constructed or erected in the buildable area of a property only behind the principal use structure.
4. Chainlink or wire fencing shall not be permitted:
- a. In buildable areas. This restriction shall not apply to dog runs/kennels.
 - b. In any front or side yard.
 - c. In any rear yard unless the rear yard abuts the village's boundary. Notwithstanding anything to the contrary contained in this section, any such chainlink or wire fencing in a rear yard abutting the village's boundary shall not exceed a height of six feet (6').
 - d. Surrounding subdivisions unless: 1) landscape screening is installed and maintained in a manner that provides year round vegetation on both sides of the fence; and 2) the fence is approved by the village.
 - e. Around swimming pools.
 - f. Around sports courts/fields. This restriction shall not apply to fencing around sports courts for tennis, basketball, hockey and fields for baseball provided that: 1) the fence does not exceed ten feet (10') in height; 2) the court/field shall not be located in any required front or side yard; and 3) the fence must be constructed to the applicable ASTM standard.
5. Chainlink and wire fencing is permitted around construction sites only as a temporary use. The required height of construction fencing shall be established as part of the building permit approval process.
6. Chainlink and wire fencing shall be permitted along state and federal roadways.
7. In the event that a yard is enclosed with a chainlink fence that was installed prior to August 12, 2003, and one side of the fence enclosure is on a neighbor's property and the neighbor removes the chainlink fence, the owner may continue to enclose his/her yard with a chainlink fence by constructing a new fence on his/her property to replace the fence removed by the neighbor.

F. Fences and barriers along major arterials: If a formal barrier or sound wall system is not in place, a solid fence/wall structure may only be erected as follows:

1. The solid fence/wall structure is located along one of the following: Roosevelt Road, 22nd Street, Illinois Route 83/Kingery Highway, Interstate Highway I-88, or Interstate Highway I-294; and

2. The solid fence/wall structure is a single unified system that is approved by all affected property owners, the subdivision homeowners' association (if applicable) and the village of Oak Brook.

3. A solid fence/wall structure shall be considered a six foot (6') high board on board wood fence consisting of a natural wood finish unless otherwise determined by the subdivision homeowners' association.

G. Residential Subdivision Fences: Residential subdivisions are unique and vary in lot sizes, geography and adopted private codes, covenants and restrictions (CCR's). For these reasons, the following homeowners associations have fence code overlays that apply specifically to their subdivision.

1. Timber Trails - Merry Lane Subdivision.

- a. The maximum fence height shall not exceed five feet (5') in the rear yard and required rear yard setback. Five foot (5') high fences shall be located behind the rear facade of the single-family residence.

- b. A five foot (5') high fence shall not be permitted in an alternate front yard or alternate front yard setback.

- c. A five foot (5') high fence shall be nonsolid and at least 50% open. Nonsolid fences shall be constructed of wood, stone, brick, wrought iron, aluminum or another synthetic material that is molded and gives the appearance of wood, stone, brick or wrought iron.

H. Commercial Fencing:

1. Trash receptacles, dumpsters and service areas shall be screened by a six foot (6') high wall to match the color and material of the principal use building and include metal gates, oriented whenever possible, to not be visible from nearby streets, sidewalks and customer views.

2. Mechanical equipment and generators shall be screened through the use of building design features such as wing walls or approved landscaping, minimizing the need for opaque fencing. If fencing is approved, it shall match the color and material of the principal use building.

I. Governmental Service Facilities and Public Utilities Fencing (excluding properties in the CR District):

1. Security fencing shall not exceed eight foot (8') in height.

2. Barbed wire and similar material are prohibited, except where deemed necessary and appropriate for Homeland Security purposes by the Chief of Police and the Development Services Director. (Ord. G-1021, 3-11-2014; Ord. G-1214, 6-14-2022)

13-3-18: Prohibited Uses: The following list of uses are specifically prohibited in the Village of Oak Brook. Any use determined by the Development Services department to be similar to the uses below shall also be prohibited.

A. Heavy Industrial Uses:

1. Junk yards
2. Metal salvage and recycling facilities
3. Solid waste transfer stations
4. Propane storage and distribution facilities
5. Storage and Repair Facilities – semi-tractor trailer vehicles and
6. Truck depot/truck stop

- B. Astrology services, palm and tarot card readers, psychics, feng shui advisors, phrenology services
- C. Pawn shops
- D. Day-labor employment agencies
- E. Commercial shooting range
- F. Tattoo and body piercing parlor, not including ear piercing as part of a retail store or permanent makeup as part of a salon/ day spa.
- G. Mobile Food Vending

13-3-19: CANNABIS BUSINESS ESTABLISHMENTS PROHIBITED:

A. For purposes of this section, the following terms shall have the following meanings:

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT:	A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.
ADULT-USE CANNABIS CRAFT GROWER:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.
ADULT-USE CANNABIS CULTIVATION CENTER:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.
ADULT-USE CANNABIS DISPENSING ORGANIZATION:	A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling and dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.
ADULT-USE CANNABIS EVENT:	Any public or private event operated by an organization or business where attendees can consume cannabis or cannabis products as part of any special event.
ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS
LOUNGE:

A facility operated by an organization or business where customers can consume cannabis in a social setting.

ADULT-USE CANNABIS
PROCESSING
ORGANIZATION OR
PROCESSOR:

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

ADULT-USE CANNABIS
TRANSPORTING
ORGANIZATION OR
TRANSPORTER:

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

PERSON:

Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

B. Cannabis Business Establishments Prohibited: The following adult-use cannabis business establishments are prohibited in the Village of Oak Brook. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the Village of Oak Brook of any of the following:

Adult-Use Cannabis Craft Grower;

Adult-Use Cannabis Cultivation Center;

Adult-Use Cannabis Dispensing Organization;

Adult-Use Cannabis Event;

Adult-Use Cannabis Infuser Organization or Infuser;

Adult-Use Cannabis Lounge;

Adult-Use Cannabis Processing Organization or Processor; or

Adult-Use Cannabis Transportation Organization or Transporter.

C. Public Nuisance Declared: Operation of any prohibited cannabis business establishment within the Village of Oak Brook in violation of the provisions of this chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

D. Violations: Violations of this chapter may be enforced in accordance with the provisions of Chapter 14 of this code. (Ord. G-1154, 11-12-2019)

CHAPTER 5 CR CONSERVATION/RECREATION DISTRICT

SECTION:

13-5-1: Purpose

13-5-2: Permitted Uses

13-5-3: Special Uses

13-5-4: Lot Area Requirements

13-5-5: Additional Regulations

13-5-1: PURPOSE:

The CR Conservation/Recreation District is designed to encourage the development of land for open space recreational activities and/or preserve natural resources. This District is characterized by open uses of land, for example, golf courses and agricultural uses. The only structures and improvements permitted are those which supplement and are incidental to the principal open use. This District is not intended to encourage commercial or residential operations. (Ord. G-60, 3-22-1966)

13-5-2: PERMITTED USES:

Agricultural, including incidental agricultural structures.

Forest preserves, wildlife reservations, ecological sanctuaries and arboretums.

Golf courses, and similar open field recreational activities.

Parks and playgrounds.

Accessory uses and structures, incidental to and on the same zoning lot as a principal uses. (Ord. G-60, 3-22-1966; Ord. G-483, 3-10-1992)

13-5-3: SPECIAL USES:

Cultural facilities, including libraries, museums, and similar cultural institutions.

Educational facilities.

Gardens, botanical and zoological.

Governmental service facilities, including municipal civic centers, police and fire stations, village owned communication towers, and similar uses.

Historic facilities available to the public and used primarily for educational, cultural and/or historic purposes and activities in furtherance of the maintenance and support of the historic facilities as set forth in the applicable special use ordinance.

Public warning devices.

Tennis and swimming clubs.

Winter sports: ice skating rinks, ice hockey, curling, skiing or tobogganing, not less than twenty five (25) acres.

Accessory uses and buildings incidental to and on the same lot as the principal use. (Ord. G-60, 3-22-1966; Ord. G-483, 3-10-1992; Ord. G-566, 2-13-1996; Ord. G-608, 3-10-1998)

13-5-4: LOT AREA REQUIREMENTS:

- A. Lot Area: Not less than five (5) acres.
- B. Lot Width: Not less than two hundred twenty feet (220') within the buildable area.
- C. Floor Area Ratio: Not to exceed 0.15.
- D. Structure Height: Not more than thirty feet (30'). Special uses may not exceed forty feet (40').
- E. Yards: Yards shall be provided as follows:
 - 1. All yards shall be established according to the following requirements. No structure shall be erected or maintained:
 - a. Within one hundred feet (100') from the center thread of any waterway or watercourse;
 - b. Within one hundred feet (100') from the right-of-way line of any street; or
 - c. Within one hundred feet (100') from any adjacent residence district.
 - 2. Notwithstanding the above, public utilities such as wires, cables, conduits, vaults, laterals, pipes, mains and valves and other similar transmission distributing equipment, bridges, fountains, sidewalks, gateways, flagpoles, roadways, and other similar structures

intended to be accessory and incidental to the primary use of a principal building on the lot shall be permitted without regard to the setbacks established herein. (Ord. G-60, 3-22-1966; Ord. G-341, 1-24-1984)

13-5-5: ADDITIONAL REGULATIONS:

A. Off-Street Parking And Loading: Off-street parking and off-street loading shall be as set forth in Chapter 12 of this Title.

B. Performance Standards: Any use established in a conservation/recreation district shall be operated in compliance with the performance standards set forth in Section 13-10-3 of this Title.

C. Signs And Awnings: Awnings, marquees and signs may be erected in conformance with the provisions of Section 13-10A-4 of this Title. (Ord. G-60, 3-22-1966; Ord. G-341, 1-24-1984)

CHAPTER 6 RESIDENCE DISTRICTS

SECTION:

13-6-1: Purpose

13-6-2: Home Occupations

13-6-3: Outdoor Storage -Vehicles

13-6-~~34~~: Nameplates And Signs

~~13-6-4: Buildings Of Historical, Architectural Or Cultural Significance~~

13-6-~~5~~: Cluster Type Single-Family Detached Dwellings

13-6-6: Area, Bulk, Density And Setback Requirements

13-6-7: Short-Term Residential Rental

13-6-1: PURPOSE:

The residence districts provide for the development of various types of dwelling units within a framework of standards designed to:

A. Preserve and further promote low density single-family detached dwelling neighborhoods consistent with the predominant character of the village (R1-R2).

B. Encourage the development of medium density single-family detached dwelling neighborhoods where it is possible to provide public streets and utilities (R3-R4). ~~employ~~

~~modern, efficient land planning techniques with smaller networks of utilities and pavements.~~

C. Provide housing options including attached residential units through the application of various lot sizes, dwelling types, and density (R5).

D. Provide flexibility in the design of residential development to include a mixture of residential uses, or the clustering of residential dwellings on smaller lots to allow for the preservation of open space, natural resources, and creation of recreational areas.

E. Provide for the economically sound and aesthetically pleasing use of areas characterized by their proximity to heavy traffic, the regional shopping center and light industry, including the use of town houses and garden type low density multiple-family dwellings. (Ord. G-60, 3-22-1966)

Regulations Applicable to all Residence Districts

13-6-2: HOME OCCUPATIONS:

In all residence districts, unless otherwise provided in the regulations of this title, any customary home occupation shall be permitted provided:

A. It is conducted entirely within the dwelling and only by members of the family, and when such home occupation is incidental and secondary to the use of the dwelling for dwelling purposes.

B. It is not conducted from a detached or attached accessory structure, requires no internal or external alterations and involves no construction features or use of equipment not customary in a dwelling, ~~and~~ the entrance to the space devoted to such occupation shall be from within the dwelling.

C. ~~and Not~~ not more than one-fourth (1/4) of the permitted building coverage of the principal structure or basement shall be ~~the floor area of a story, including also a cellar of the dwelling, is~~ devoted to such home occupation.

D ~~E~~. There is no exterior display or activity that will indicate ~~from the exterior of that~~ the dwelling ~~that it~~ is being used for any use other than a dwelling.

~~E~~ D. Stock in trade, including that which is produced on the premises, shall not require receipt or delivery of merchandise, goods or equipment other than by United States letter carrier mail, similar parcel delivery service or by private passenger automobile. ~~(Ord. G-60, 3-22-1966)~~

F. The operator or operators of the home occupation shall be his or her legal and primary place of residence:

1. No one may participate in or assist with the conduct or operation of a home occupation except:

- a. Individuals who meet the same residence requirements, set forth in Section A. above;
- b. A nonresident assistant, subject to the following requirements and limitations:
 - i. Participation by the nonresident assistant shall be in a subordinate capacity only, incidental to the conduct of the home occupation as for example, the services of a nurse, receptionist or clerical assistant in the home occupation of a physician;
 - ii. The nonresident assistant shall not participate, totally or partially, in the capacity as an additional operator of the home occupation, as an additional practitioner of the professional, craft or occupational service of the operator, or as a partner or professional associate thereof.
- G. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation.

- H. Alterations shall not be made to the interior of the dwelling which would render it undesirable for residential use.
- I. No vehicular traffic substantially greater than normal in the adjacent residential area is permitted.
- J. Any activity, use, type of materials, or quantity of materials that is illegal or would be classified by the adopted International Building Code as High-Hazard Group H., creates visible or audible interference in radio and television receivers, or causes fluctuations in line voltage outside the dwelling units is prohibited.
- K. No permitted home occupation(s) shall interfere with the reasonable use and enjoyment of adjacent residential properties.

13-6-3: OUTDOOR STORAGE- VEHICLES

For all Residence Districts, the following regulations apply to outdoor storage:

- A. The overnight storage of commercial vehicles outside in any building area or required yard is prohibited.
- B. The storage of recreational vehicles is permitted as long as the following requirements are met:
 - 1. Storage of a recreational vehicle may only be located on lots 1 acre or more in size;
 - 2. The storage area for a recreational vehicle must not be located within the front yard and must not be in front of the façade of the principal building on the lot; and
 - 3. Screening of the vehicle must be provided. The screening must be a permanent year round screening with either evergreen plantings or a combination of evergreen plantings and permanent fencing or masonry materials as permitted by the Village Code.

13-6-~~3~~4: NAMEPLATES AND SIGNS:

See chapter 11 of this title. (Ord. G-60, 3-22-1966; Ord. G-203, 12-14-1976; Ord. G-510, 6-9-1993; Ord. G-549, 1-24-1995; Ord. G-586, 4-8-1997; Ord. G-695, 3-26-2002)

~~13-6-4: BUILDINGS OF HISTORICAL, ARCHITECTURAL OR CULTURAL SIGNIFICANCE:~~

~~—A. Purpose: The purpose of this special use category is to provide a method of preserving institutional buildings in existence prior to the incorporation of the village which are of historical, architectural or cultural significance for use as residential dwellings.~~

~~—B. Criteria: In addition to the standards set forth in subsection 13-14-9E of this title, no special use may be granted hereunder unless:~~

~~—1. The existing building has historical, architectural or cultural significance according to one or more of the following criteria:~~

~~—a. Its character, interest or value as part of the development, heritage, or cultural characteristics;~~

~~—b. Its identification with a person or persons who significantly contributed to the development of the community, county, state or country;~~

~~—c. Its exemplification of the cultural, religious, economic, social, political or historic heritage of the community;~~

~~—d. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction or use of indigenous materials;~~

~~—e. Its identification as the work of a master builder, designer or architect whose individual work has influenced the development of the community, County, State or country;~~

~~—f. Its embodiment of elements of architectural design, detail, materials or draftsmanship which represent a significant architectural innovation;~~

~~—g. Its unique location or singular physical characteristics representing an established or familiar visual feature of a neighborhood or the community; and~~

~~—2. The building is suitable for preservation and continued use or conversion as residential dwellings.~~

~~—C. Findings: In addition to the findings required under subsection 13-14-9E of this Title, no special use may be granted hereunder unless findings are made that:~~

~~—1. The building in question has historical, architectural or cultural significance according to one or more of the criteria set forth in this Section;~~

~~—2. The proposed preservation plan does in fact preserve the existing building as a historical, architectural or culturally significant structure;~~

~~—3. The building is suitable for preservation and continued use or conversion as residential dwellings.~~

~~—D. Procedure:~~

~~—1. The applicant shall file concurrently:~~

- ~~— a. An application for a special use as herein provided; and~~
- ~~— b. An application for approval of a proposed preservation plan, which applications shall be processed in the manner prescribed in subsection 13-14-9D of this Title.~~
- ~~— 2. The proposed preservation plan shall include:~~
 - ~~— a. Information addressing the criteria set forth in subsection B of this Section;~~
 - ~~— b. Floor plans showing, in detail, existing and proposed uses of all areas of the building;~~
 - ~~— c. A plat of survey of the property involved showing the location of all existing structures and a site plan showing the location of all proposed structures and existing structures to be retained;~~
 - ~~— d. A statement detailing the nature of any alteration to existing interior or exterior architectural features specifically identifying those features to be preserved and/or restored;~~
 - ~~— e. A topographical analysis of the site with contour intervals of not more than two feet (2');~~
 - ~~— f. Information on existing and proposed water mains, sanitary sewers, storm sewers, storm water retention and runoff, stream channels, floodplains and floodways, lakes, ponds or other public improvements;~~
 - ~~— g. A study of traffic engineers providing information on the impact of the development on public streets and intersections;~~
 - ~~— h. A plat or map showing the land uses, physical features, and zoning of all adjacent lands within four hundred (400) yards of the property involved;~~
 - ~~— i. A proposed fire protection plan detailing the description and location of proposed fire protection equipment and automatic sprinkler systems;~~
 - ~~— j. A set of plans detailing existing and proposed exterior elevations, a list of any items being removed from the exterior of the building, and typical details for existing and proposed windows, doors, bays and balconies.~~
- ~~— 3. No special use as provided herein may be issued until a preservation plan has been approved as provided herein, provided that such a special use may be approved upon the condition that the final preservation plan, detailing the information required in subsection D2 of this Section and accompanying documents required in subsection D4 of this Section be submitted to and approved by the corporate authorities within a reasonable time as specified in the ordinance approving the special use.~~
- ~~— 4. The final preservation plan shall be accompanied by:~~

~~—a. Final plans and specifications for all public improvements reasonably required for implementation of the preservation plan. Such plans and specifications shall comply with all applicable standards of the Village for said public improvements;~~

~~—b. A draft of all necessary or advisable covenants, easements, preservation restrictions and condominium declarations acceptable in form and substance to the Village.~~

~~—E. Bulk Standards: The bulk standards established in this Section shall apply except as follows:~~

~~—1. Structure Height: Structure height of existing buildings shall be established as necessary to preserve and restore such buildings, provided that no existing structure may exceed its existing structure height or elevation.~~

~~—2. Ground Floor Area Per Dwelling: Not less than nine hundred (900) square feet.~~

~~—3. Floor Area Per Dwelling: Not less than two thousand four hundred (2,400) square feet.~~

~~—4. Parking:~~

~~—a. Two (2) parking spaces for each dwelling unit and reserved for each said dwelling unit; and~~

~~—b. One parking space for each dwelling unit for visitor and guest parking.~~

~~—5. Density: No more than three (3.0) dwelling units per acre.~~

~~—6. Preservation Vista: Not less than one hundred fifty feet (150').~~

~~—7. Lot Area: Not less than twelve (12) acres. (Ord. G-328, 8-24-1982)~~

13-6-~~5~~: CLUSTER-TYPE SINGLE-FAMILY DETACHED DWELLINGS:

Residential development of cluster-type single-family detached dwellings shall meet the following criteria:

A. Bulk Standards: The bulk standards of this Section shall apply except as follows:

1. Structure Height: Not more than thirty feet (30') above the highest point of the foundation.

2. Density: Not more than two and three-tenths (2.3) dwelling units per acre, provided the total lot area does not exceed twenty two percent (22%) of gross land area.

3. Lot Area: Not less than three thousand seven hundred (3,700) square feet.

B. Lot Width: Not less than fifty three feet (53') as determined at the rear lot line.

C. Yards: Distances between buildings, public or private rights of way and subdivision boundaries, which shall apply in lieu of the zoning yard requirements for the R3 District, shall be not less than:

1. Sixteen feet (16') from the side wall eaves to the side wall eaves;
2. Seventy feet (70') from the rear wall eaves to the rear wall eaves;
3. Twenty feet (20') from the front wall eaves to the right of way or access easement line;
4. Fifteen feet (15') from the side wall eaves to the right of way or access easement line;
5. Fifteen feet (15') from the rear wall eaves to the right of way or access easement line; and
6. Thirty five feet (35') from the rear wall eaves to the subdivision boundary.

Patios, decks, roof overhangs, chimneys and bay windows shall be permitted within an exclusive easement adjoining the front, rear and side lot lines. This easement may also provide utility access, provided that any structures in the easement do not conflict with the needs of any utility.

D. Subdivision Controls: All common areas shall be titled to and maintained by a homeowners' association as open space for joint use by the residents of the subdivision. At least eighty percent (80%) of occupied dwellings within the subdivision shall be occupied by at least one person who is fifty five (55) years of age or older, and all occupants must be eighteen (18) years of age and older, and this restriction shall be included within the covenants, conditions and restrictions recorded with the plat of subdivision. (Ord. G-618, 9-22-1998)

13-6-6: AREA, BULK, DENSITY AND SETBACK REQUIREMENTS

A. Building Coverage

1. For the purposed of calculating the primary building lot coverage for single-family dwellings, the access easements or 'handle' for lots-in-depth shall not be included in determining total lot square footage. The Lot Coverage is the percentage of a zoning lot's area covered by all roofed structure on the lot (i.e. principal and attached accessory structures), and NOT detached accessory structure (See Chapter 3 of this Title).
2. Rear Yard Lot Coverage (Section 13-3-6. B. d. (2)) includes all rear yard improvements (1.e. patios, pools, sheds, garages, accessory living units, pool houses and sports).

SECTION 13-6-7: SHORT-TERM RESIDENTIAL RENTAL

SHORT-TERM RESIDENTIAL RENTAL: A Residential Structure, as defined herein, offered for rent for a period which does not exceed thirty (30) consecutive days. The term "Short-Term Residential Rental" shall not include hotels.

SHORT-TERM RESIDENTIAL RENTAL PROPERTY OWNER: The individual or entity which has title to the property which is the subject of a Short-Term Residential Rental.

13-6-7A: PURPOSE AND APPLICABILITY:

It is the intent and purpose of this Section (Short-Term Residential Rental) to preserve the character and integrity of residential neighborhoods within the Village by prohibiting Residential Structures from being used for the commercial purpose of providing Short-Term Residential Rentals.

13-6-7B: SHORT-TERM RESIDENTIAL RENTALS PROHIBITED:

1. It shall be unlawful for any person or entity to operate, use, offer for rent or use, or advertise for rent or use, any property within the Village of Oak Brook as a Short-Term Residential Rental.
2. It shall not be considered a Short-Term Residential Rental when the preceding owner of a property maintains possession of a Residential Structure after closing for the sale thereof but leases the property back from the successor owner for a period of time pursuant to a written agreement.

13-6-7C: PUBLIC NUISANCE DECLARED:

Operation of any Short-Term Residential Rental within the Village of Oak Brook in violation of the provisions of this Chapter may be deemed a public nuisance and abated pursuant to all available remedies, including but not limited to injunctive relief. In addition to the penalties provided for herein, the Village of Oak Brook shall be entitled to receive from the Short-Term Residential Rental Owner reimbursement for the cost of the Village's reasonable attorney fees, costs and expenses incurred by the Village of Oak Brook to abate a Short-Term Residential Rental operating as a public nuisance.

13-6-7D: PENALTIES:

Any Short-Term Residential Rental Owner or other person or entity who violates any of the provisions set forth or referenced in this Chapter, shall be subject to the following penalties:

1. A fine of one thousand dollars (\$1,000.00) for a first offense within a 12-month period, and a fine of two thousand five hundred dollars (\$2,500.00) for a second or subsequent Offense within a 12-month period.
2. Each day that a violation of this Chapter continues shall be considered a separate and distinct offense and a fine shall be assessed for each day a provision of this Chapter is found to have been violated. Notwithstanding the forgoing, the escalation of fines as set forth above shall not occur until a prior adjudication of a violation against the same individual or entity has been entered.
3. Continued violations of this Chapter are subject to an injunction to enforce this Chapter.

NOTICE OF VIOLATION: See Section 13-14-11

ARTICLE A. R1 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

SECTION:

13-6A-1: Permitted Uses

13-6A-2: Special Uses

13-6A-3: Lot Area Requirements

13-6A-4: Additional Regulations

13-6A-1: PERMITTED USES:

Home occupations.

Nameplates and signs.

Parks and playgrounds.

Public schools, parochial school, nonboarding elementary, junior high and high, on lots not less than eight (8) acres in area for an elementary school and not less than twenty five (25) acres in area for a high school.

Single-family detached dwellings.

Accessory uses and structures, subject to the following:

A. Uses and structures customarily accessory to single-family dwellings.

B. Noncommercial pursuit of agriculture: 1) on lots not less than ten (10) acres in area, provided structures and land used for the shelter, feeding, keeping, propagating, culture of poultry and livestock shall not be less than one hundred feet (100') from the nearest lot line, and any other structure or land used in the pursuit of agriculture shall not be less than one hundred feet (100') from the nearest street line, and not less than fifty feet (50') from the nearest interior and rear lot line; and 2) on lots less than ten (10) acres in area, provided such uses involve only the growing of farm and garden crops and nursery stock and no accessory structures are used exclusively for such uses, except conservatories or greenhouses of the types customarily attached to dwellings.

C. Dwelling units for housing domestic servants or other persons employed on the premises and guest houses.

D. Horse stables, private, on lots not less than two (2) acres in area; provided that no more than two (2) horses are kept, except that one additional horse may be kept for each one acre of additional lot area over two (2), and no structure used for shelter shall be nearer than ninety feet (90') from side and rear lot lines and one hundred fifty feet (150') from front lot lines, or any streets; such stables to be subject to the following standards:

1. The stable must not be detrimental to or endanger public health or safety;

2. The stable must not be injurious to the use and enjoyment of property in its immediate vicinity nor diminish or impair property values in the neighborhood;
 3. Adequate utility service and drainage facilities must be provided and approved by the Village Engineer;
 4. The storage area for manure must meet the same setback requirements of stable building location;
 5. Manure removal must meet the requirements of the Department of Health of DuPage County and must be so scheduled in frequency so as not to be offensive or injurious to public health;
 6. A pest control program must be instituted to meet the requirements of the Department of Health of DuPage County.
- E. Storage of building materials and equipment and temporary structures for construction purposes, when on the same or adjoining lot as the principal uses and for a period of not to exceed the duration of such construction.
- F. Temporary construction and sales offices in subdivisions containing forty (40) acres or more in area, for a period not to exceed ninety (90) days following completion of such construction. (Ord. G-60, 3-22-1966)

13-6A-2: SPECIAL USES:

Agricultural: Growing of farm and garden crops and nursery stock as a principal use on a lot, provided:

- A. The lot area for commercial growing of farm crops, truck garden produce, and nursery stock shall be not less than ten (10) acres in area.
- B. The sale of such materials is not conducted from a store, stand or other structure erected or maintained for such purpose.

Cemeteries (subject to compliance with the regulations in chapter 16 of this title): Any existing cemetery and structure shall be deemed to have a special use permit as required by this section, notwithstanding whether these existing cemeteries and structures comply, as of January 22, 2013, with the provisions of chapter 16 of this title. Any expansion, change, or new construction relating to an existing cemetery and structure shall comply with chapter 16 of this title, but any such activity shall not require a new or amended special use permit, or other zoning relief, provided that the activities comply with chapter 16 of this title. Notwithstanding the foregoing, no special use permit granted pursuant to this section, whether for an existing cemetery and structure or for a new cemetery or structure, shall permit a community burial structure to be built in a residence district.

Churches, chapels, temples and synagogues: On lots not less than three hundred feet (300') in width and not less than two (2) acres in area and one additional acre for each two hundred forty (240) seats in the sanctuary over two hundred forty (240) seats. Where churches and parochial schools are on the same land, not less than eight (8) acres in area.

Cultural and recreational facilities: Outdoor and indoor cultural and recreational facilities including, but not limited to, swimming pools, tennis courts, meeting facilities and other similar facilities accessory to and owned in common by the owners of properties within a residential subdivision.

Public utility, transportation, and government facilities: Public utility, transportation, and governmental service facilities, including municipal offices and civic centers, public libraries, police and fire stations, public works facilities, village owned communication towers, conference of municipal governments and ancillary uses (including organizations which provide consultation solely to units of local government), and similar uses.

Recreational and cultural uses: The following recreational and cultural uses, public or private, provided the site meets the minimum area requirements hereinafter stipulated:

A. Golf courses and clubs, standard or par 3, when operated only during daylight hours, but not including commercially operated miniature courses or golf driving ranges, not less than twenty five (25) acres.

Accessory uses: Accessory uses, customarily incidental to the above special uses, including, but not limited to, agricultural, recreational and cultural uses, as follows:

A. Clubhouses and lodges, containing customary facilities incidental to the operation of the principal recreational use including, but not limited to, restaurants, cocktail lounges and shops primarily for the sale and service of equipment and other commodities related to participation in the recreational facilities on the premises on lots not less than two (2) acres in area, and provided further that the restriction relating to operation only during daylight hours does not apply to the accessory uses.

B. Horse stables, kennels and other similar structures, for keeping and shelter of livestock, other animals, poultry and game, and accessory structures, provided that such structures shall be located: 1) not less than one hundred fifty feet (150') from a street; 2) not less than one hundred feet (100') from a structure on the same lot intended for occupancy as a dwelling; 3) not less than one hundred feet (100') from a residence district line; 4) not less than seventy feet (70') from a nonresidence district line; and 5) on lots not less than ten (10) acres in area. (Ord. G-60, 3-22-1966; Ord. G-328, 8-24-1982; Ord. G-483, 3-10-1992; Ord. G-571, 6-11-1996; Ord. G-608, 3-10-1998; Ord. G-675, 3-27-2001; Ord. G-938, 11-9-2010; Ord. G-989, 1-22-2013)

13-6A-3: LOT AREA REQUIREMENTS:

A. Lot Area: Except as otherwise required in this title for a specific use, not less than two (2) acres.

B. Lot Width: Not less than two hundred twenty feet (220') within the buildable area.

B. Floor Area Ratio: Not to exceed 0.4 ~~for nonresidential uses~~.

C. Maximum Lot Coverage (Principal Structures): Not to exceed .20.

E. Structure Height:

1. Residential uses: Not more than fifty feet (50'), except for continuous flat roofs, which shall be not more than thirty five feet (35') to the top of any parapet wall. However, where residential building heights exceed thirty feet (30'), the highest space that can be occupied must have an emergency escape and rescue opening at a maximum elevation of thirty two feet (32') above grade.

2. Nonresidential uses: Not more than forty five feet (45') excluding village owned communication towers, which may not exceed a height of one hundred twenty feet (120').

F. Ground Floor Area Per Dwelling:

1. One story: Not less than two thousand (2,000) square feet.

2. Bilevel: Not less than one thousand eight hundred (1,800) square feet.

3. Dwellings having more than one story: Not less than one thousand five hundred (1,500) square feet.

G. Yards: Except as required in subsections 13-6A-1B and D of this article, under "accessory uses and structures", yards shall be provided as follows:

1. Front: Not less than fifty feet (50') in depth, except front yards abutting York and Cermak Roads shall have a depth of not less than one hundred feet (100').

2. Side: Not less than thirty feet (30') in depth, except: a) a side yard abutting a street shall be not less than fifty feet (50') in depth, and for nonresidential uses each interior side yard shall be increased by not less than two feet (2') for each one foot (1') of structure height over thirty feet (30').

3. Rear: Not less than one hundred feet (100') in depth. (Ord. G-60, 3-22-1966; Ord. G-616, 8-11-1998; Ord. G-730, 9-23-2003; Ord. G-938, 11-9-2010; Ord. G-977, 8-14-2012)

13-6A-4: ADDITIONAL REGULATIONS:

A. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966)



R1 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

Standard For:	Residential Use	Non-Residential Use
Minimum Lot Area	2 acres	2 acres
Minimum Lot Width	220'	220'
Maximum Structure Height ⁴	50' or 35' ¹	45'
Maximum Lot Coverage (Principal Structures)	0.20	0.20
Maximum FAR	0.4	0.4
Minimum Yard Setbacks		
Front Yard	50' or 100' ²	50' or 100' ²
Interior Side Yard	30'	30' ³
Street Side Yard	50'	50'
Rear Yard	100'	100'
Minimum Ground Floor Area per Dwelling		
Single Story	2,000 sq. ft.	-
Bilevel	1,800 sq. ft.	-
Two or more stories	1,500 sq. ft.	-

¹ For continuous flat roofs.

² For yards abutting York and Cermak Roads

³ Increased 2' for each 1' of structure height over 30'

⁴ Where residential building heights exceed thirty feet (30'), the highest space that meets the criteria of Sections R304, R305 & R311.4 for habitable space shall have an emergency escape and rescue opening in compliance with Section R310 at a maximum elevation of thirty two feet (32') above grade. This section shall be applied regardless of the usage designation on the construction documents, including "storage" or "bonus" rooms.

ARTICLE B. R2 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

SECTION:

13-6B-1: Permitted Uses

13-6B-2: Special Uses

13-6B-3: Lot Area Requirements

13-6B-4: Additional Regulations

13-6B-1: PERMITTED USES:

Permitted uses shall be those as in the R1 single-family detached residence district. (Ord. G-60, 3-22-1966)

13-6B-2: SPECIAL USES:

Special uses shall be those as in the R1 single-family detached residence district. (Ord. G-608, 3-10-1998)

13-6B-3: LOT AREA REQUIREMENTS:

A. Lot Area: No less than one acre, except as otherwise required in this title for a specific use.

B. Lot Width: Not less than one hundred fifty feet (150') within the buildable area.

C. Floor Area Ratio: Not to exceed 0.4 ~~for nonresidential use~~.

D. Maximum Lot Area Coverage (Principal Structures): Not to exceed .20.

E. Structure Height:

1. Residential Uses: Not more than forty five feet (45') for lots one acre or larger and forty feet (40') for lots less than one acre, except for continuous flat roofs, which shall be not more than thirty five feet (35') to the top of any parapet wall. However, where residential building heights exceed thirty feet (30'), the highest space that can be occupied must have an emergency escape and rescue opening at a maximum elevation of thirty two feet (32') above grade.

2. Institutional And Other Nonresidential Uses: Not more than forty five feet (45').

E. Ground Floor Area Per Dwelling:

1. One Story Without Basement: Not less than one thousand eight hundred (1,800) square feet.

2. One Story With Basement: Not less than one thousand six hundred (1,600) square feet.

3. Dwellings Having More Than One Story: Not less than one thousand two hundred fifty (1,250) square feet.

G. Yards: Except as required in subsections B and D under "accessory uses and structures" in section 13-6A-1 of this chapter, yards shall be provided as follows:

1. Front: Not less than forty feet (40') in depth.

2. Side: Not less than eighteen feet (18') in depth except:

a. A side yard abutting a street shall not be less than forty feet (40') in depth;

b. To accommodate a side load garage, the minimum side yard setback (on 1 side yard) must be at least twenty three feet (23'); the width of the pavement opposite of the garage door must be a minimum of twenty three feet (23');

c. For nonresidential uses each side yard abutting a street shall be not less than fifty feet (50') in depth and each interior side yard shall be not less than thirty feet (30') in depth and increased by not less than two feet (2') for each one foot (1') of structure height over thirty feet (30').

3. Rear: Not less than sixty feet (60') in depth. (Ord. G-60, 3-22-1966; Ord. G-328, 8-24-1982; Ord. G-616, 8-11-1998; Ord. G-730, 9-23-2003)

13-6B-4: ADDITIONAL REGULATIONS:

A. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966)



R2 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

Standard For:	Residential Use	Non-Residential Use
Minimum Lot Area	1 acre	1 acre
Minimum Lot Width	150'	150'
Maximum Structure Height ⁴	45' or 35' ¹	45'
Maximum Lot Coverage (Principal Structures)	0.20	0.20
Maximum FAR	0.4	0.4
Minimum Yard Setbacks		
Front Yard	40'	40'
Interior Side Yard	18' or 23' ²	30' ³
Street Side Yard	40'	50'
Rear Yard	60'	60'
Minimum Ground Floor Area per Dwelling		
Single Story	1,800 sq. ft.	-
Bilevel	1,600 sq. ft.	-
Two or more stories	1,250 sq. ft.	-

¹ For continuous flat roofs.

² Minimum interior yard setback to accommodate side load garage. Setback is measured from the farthest projection of the building, not the building foundation. The width of the pavement in front of the garage door must be a minimum of twenty-three feet (23').

³ Increased 2' for each 1' of structure height over 30'

⁴ Where residential building heights exceed thirty feet (30'), the highest space that meets the criteria of Sections R304, R305 & R311.4 for habitable space shall have an emergency escape and rescue opening in compliance with Section R310 at a maximum elevation of thirty two feet (32') above grade. This section shall be applied regardless of the usage designation on the construction documents, including "storage" or "bonus" rooms.

ARTICLE C. R3 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

SECTION:

13-6C-1: Permitted Uses

13-6C-2: Special Uses

13-6C-3: Lot Area Requirements

13-6C-4: Additional Regulations

13-6C-1: PERMITTED USES:

Permitted uses shall be those as in the R1 single-family detached residence district. (Ord. G-60, 3-22-1966)

13-6C-2: SPECIAL USES:

Special uses shall be those as in the R1 single-family detached residence district; and

Residential development of cluster type single-family detached dwellings intended for occupancy by persons fifty five (55) years of age or older, and all occupants at least eighteen (18) years of age or older, on parcels not less than thirty (30) acres in area [1](#).

Residential development of existing buildings of historical, architectural or cultural significance [2](#). (Ord. G-60, 3-22-1966; Ord. G-83, 4-9-1968; Ord. G-203, 12-14-1976; Ord. G-608, 3-10-1998)

Notes

[1](#) 1. See section 13-6-5 of this chapter.

[2](#) 2. See section 13-6-4 of this chapter.

13-6C-3: LOT AREA REQUIREMENTS:

A. Reduction Of Lot Area: Not less than twenty five thousand (25,000) square feet, except that in subdivisions of eighty (80) acres or more in area, the lot area may be reduced to one-half (1/2) acre provided that lands equal to ten percent (10%) of the total area be dedicated to the village, or agency approved by the village board, for park or recreational uses and no portion of which shall be less than four (4) acres. The dedicated land shall be appropriate for park or recreational uses, and shall not include wet drainageways in excess of twenty five percent (25%) of the total dedicated area.

B. Lot Width: Not less than one hundred feet (100') within the buildable area.

C. Floor Area Ratio: Not to exceed 0.4 ~~for nonresidential uses~~.

D. Maximum Lot Area Coverage (Principal Structures): Not to exceed .20.

E. Structure Height:

1. Residential Uses: Not more than forty feet (40') except for continuous flat roofs, which shall be not more than thirty feet (30') to the top of any parapet wall. However, where residential building heights exceed thirty feet (30'), the highest space that can be occupied must have an emergency escape and rescue opening at a maximum elevation of thirty two feet (32') above grade.

2. Institutional And Other Nonresidential Uses: Not more than forty five feet (45').

F. Ground Floor Area Per Dwelling:

1. One story: Not less than one thousand five hundred (1,500) square feet.

2. Bilevel: Not less than one thousand three hundred (1,300) square feet (floors at grade and above basement).

3. Dwellings having more than one story: Not less than one thousand (1,000) square feet.

G. Yards: Except as required in subsections 13-6A-1B and D of this chapter under "accessory uses and structures", yards shall be provided as follows:

1. Front: Not less than forty feet (40') in depth.

2. Side: Not less than twelve feet (12') in depth except:

a. A side yard abutting a street shall be not less than forty feet (40') in depth;

b. To accommodate a side load garage, the minimum side yard setback (on 1 side yard) must be at least twenty three feet (23'); the width of the pavement opposite of the garage door must be a minimum of twenty three feet (23');

c. For nonresidential uses each side yard abutting a street shall be not less than fifty feet (50') in depth and each interior side yard shall be not less than thirty feet (30') in depth and increased by not less than two feet (2') for each one foot (1') of structure height over thirty feet (30').

3. Rear: Not less than forty feet (40') in depth. (Ord. G-60, 3-22-1966; Ord. G-83, 4-9-1968; Ord. G-203, 12-14-1976; Ord. G-730, 9-23-2003; Ord. G-977, 8-14-2012)

13-6C-4: ADDITIONAL REGULATIONS:

A. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966)



R3 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

Standard For:	Residential Use	Non-Residential Use
Minimum Lot Area	25,000 sq. ft.	25,000 sq. ft.
Minimum Lot Width	100'	100'
Maximum Structure Height ⁴	40' or 30' ¹	45'
Maximum Lot Coverage (Principal Structures)	0.20	0.20
Maximum FAR	0.4	0.4
Minimum Yard Setbacks		
Front Yard	40'	40'
Interior Side Yard	12' or 23' ²	30' ³
Street Side Yard	40'	50'
Rear Yard	40'	40'
Minimum Ground Floor Area per Dwelling		
Single Story	1,500 sq. ft.	-
Bilevel	1,300 sq. ft.	-
Two or more stories	1,000 sq. ft.	-

¹ For continuous flat roofs.

² Minimum interior yard setback to accommodate side load garage. Setback is measured from the farthest projection of the building, not the building foundation. The width of the pavement in front of the garage door must be a minimum of twenty-three feet (23').

³ Increased 2' for each 1' of structure height over 30'

⁴ Where residential building heights exceed thirty feet (30'), the highest space that meets the criteria of Sections R304, R305 & R311.4 for habitable space shall have an emergency escape and rescue opening in compliance with Section R310 at a maximum elevation of thirty two feet (32') above grade. This section shall be applied regardless of the usage designation on the construction documents, including "storage" or "bonus" rooms.

ARTICLE D. R4 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

SECTION:

13-6D-1: Permitted Uses

13-6D-2: Special Uses

13-6D-3: Lot Area Requirements

13-6D-4: Additional Regulations

13-6D-1: PERMITTED USES:

Permitted uses are those as in the R1 single-family detached residence district. (Ord. G-60, 3-22-1966)

13-6D-2: SPECIAL USES:

Special uses are those as in the R1 single-family detached residence district; and

Single-family detached, attached and semidetached dwellings, on parcels not less than fifty (50) acres in area, provided that the gross density of each such development shall not exceed three (3) dwelling units per acre; the structure heights shall not exceed thirty feet (30'); no structure shall contain more than two and one-half (2 1/2) stories; the ground floor living area per dwelling shall not be less than one thousand three hundred (1,300) square feet for a one story dwelling and nine hundred (900) square feet for a dwelling of more than one story; the minimum distance between principal buildings, as measured between bearing walls, shall be not less than twenty feet (20'), except that this distance may be reduced by two feet (2') if one of such walls encloses an attached garage or carport and by four feet (4') if each of such walls encloses an attached garage or carport; provided further, that each principal building shall be set back at least thirty feet (30') from dedicated public streets, off street loading and off street parking requirements shall be as provided in chapter 12 of this title; and provided that a preliminary development plan indicates sufficiently clearly the proposed streets, rights of way, lot sizes and setbacks, so that the village board in granting approval of such preliminary plan may clearly define the areas of any special restrictions it may wish to impose and that approval of the final subdivision plan shall be subject to same. (Ord. G-60, 3-22-1966)

13-6D-3: LOT AREA REQUIREMENTS:

A. Lot Area:

1. Not less than eighteen thousand (18,000) square feet, except that in subdivisions forty (40) acres or more in area, the lot area may be reduced to fifteen thousand (15,000) square feet provided that lands equal to ten percent (10%) of the total area be dedicated to

the village, or agency approved by the village board, for park or recreational uses and no portion of which shall be less than four (4) acres.

2. For single-family detached dwellings, the dedicated land shall be appropriate for park or recreational uses, and shall not include wet drainageways in excess of twenty five percent (25%) of the total dedicated area.

B. Lot Width: Not less than seventy five feet (75') within the buildable area.

B. Floor Area Ratio: Not to exceed 0.4 ~~for nonresidential uses~~.

C. Maximum Lot Area Coverage (Principal Structures): Not to exceed .20.

E. Structure Height:

1. Residential Uses: Not more than thirty five feet (35') except for continuous flat roofs, which shall be not more than thirty feet (30') to the top of any parapet wall. However, where residential building heights exceed thirty feet (30'), the highest space that can be occupied must have an emergency escape and rescue opening at a maximum elevation of thirty two feet (32') above grade.

2. Institutional And Other Nonresidential Uses: Not more than forty five feet (45').

F. Ground Floor Area Per Dwelling:

1. One story: Not less than one thousand three hundred (1,300) square feet.

2. Bilevel: Not less than one thousand one hundred (1,100) square feet (floors at grade and above basement).

3. Dwellings having more than one story: Not less than nine hundred (900) square feet.

G. Yards: Except as required in subsections 13-6A-1B and D of this chapter under "accessory uses and structures", yards shall be provided as follows:

1. Front: Not less than thirty feet (30') in depth.

2. Side: Not less than ten feet (10') in depth except:

a. A side yard may be reduced to not less than eight feet (8') provided the adjoining lot contains a dwelling with an attached garage or carport adjacent to such side yard unless a side load garage is present;

b. A side yard abutting a street shall be not less than thirty feet (30') in depth;

c. To accommodate a side load garage, the minimum side yard setback (on 1 side yard) must be at least twenty three feet (23'); the width of the pavement opposite of the garage door must be a minimum of twenty three feet (23');

d. For nonresidential uses each side yard abutting a street shall be not less than thirty feet (30') in depth and each interior side yard shall be not less than thirty feet (30') in

depth and increased by not less than two feet (2') for each one foot (1') of structure height over thirty feet (30').

3. Rear: Not less than thirty feet (30') in depth. (Ord. G-60, 3-22-1966; Ord. G-66, 12-19-1966; Ord. G-83, 4-9-1968; Ord. G-203, 12-14-1976; Ord. G-608, 3-10-1998; Ord. G-730, 9-23-2003; Ord. G-977, 8-14-2012)

13-6D-4: ADDITIONAL REGULATIONS:

A. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966)



R4 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

Standard For:	Residential Use	Non-Residential Use
Minimum Lot Area	18,000 sq. ft.	18,000 sq. ft.
Minimum Lot Width	75'	75'
Maximum Structure Height ⁴	35' or 30' ¹	45'
Maximum Lot Coverage (Principal Structures)	0.20	0.20
Maximum FAR	0.4	0.4
Minimum Yard Setbacks		
Front Yard	30'	30'
Interior Side Yard	10' or 23' ²	30' ³
Street Side Yard	30'	30'
Rear Yard	30'	30'
Minimum Ground Floor Area per Dwelling		
Single Story	1,300 sq. ft.	-
Bilevel	1,100 sq. ft.	-
Two or more stories	900 sq. ft.	-

¹ For continuous flat roofs.

² Minimum interior yard setback to accommodate side load garage. Setback is measured from the farthest projection of the building, not the building foundation. The width of the pavement in front of the garage door must be a minimum of twenty-three feet (23').

³ Increased 2' for each 1' of structure height over 30'

⁴ Where residential building heights exceed thirty feet (30'), the highest space that meets the criteria of Sections R304, R305 & R311.4 for habitable space shall have an emergency escape and rescue opening in compliance with Section R310 at a maximum elevation of thirty two feet (32') above grade. This section shall be applied regardless of the usage designation on the construction documents, including "storage" or "bonus" rooms.

ARTICLE E. R5 RESIDENCE DISTRICT

SECTION:

13-6E-1: Permitted Uses

13-6E-2: Special Uses

13-6E-3: Lot Area Requirements

13-6E-4: Additional Regulations

13-6E-1: PERMITTED USES:

Accessory uses and structures including those uses and structures customarily accessory to residential dwellings.

Duplexes.

Home occupations.

Nameplates and signs.

Parks and playgrounds.

Public schools, parochial school, nonboarding elementary, junior high and high, on lots not less than eight (8) acres in area for an elementary school and not less than twenty five (25) acres in area for a high school. (Ord. G-903, 11-10-2009)

13-6E-2: SPECIAL USES:

Cemeteries (subject to compliance with the regulations in chapter 16 of this title): Any existing cemetery and structure shall be deemed to have a special use permit as required by this section, notwithstanding whether these existing cemeteries and structures comply, as of January 22, 2013, with the provisions of chapter 16 of this title. Any expansion, change, or new construction relating to an existing cemetery and structure shall comply with chapter 16 of this title, but any such activity shall not require a new or amended special use permit, or other zoning relief, provided that the activities comply with chapter 16 of this title. Notwithstanding the foregoing, no special use permit granted pursuant to this section, whether for an existing cemetery and structure or for a new cemetery or structure, shall permit a community burial structure to be built in a residence district.

Churches, chapels, temples and synagogues: On lots not less than three hundred feet (300') in width and not less than two (2) acres in area and one additional acre for each two hundred forty (240) seats in the sanctuary over two hundred forty (240) seats. Where churches and parochial schools are on the same land, not less than eight (8) acres in area.

Cultural and recreational facilities: Outdoor and indoor cultural and recreational facilities including, but not limited to, swimming pools, tennis courts, meeting facilities and other similar facilities accessory to and owned in common by the owners of properties within a residential development.

Multi-family age-restricted dwellings, provided that the following conditions, in addition to those set forth in Zoning Ordinance Section 13-14-9, are met:

A. The petitioner must provide the Village with an analysis of the proposed development's anticipated impact on emergency services, including, without limitation, the anticipated cost of providing those services. In accordance with Section 1-14-1(B), all costs incurred by the Village reviewing the petitioner's analysis, including the costs of professional consultants, shall be borne by the petitioner;

B. The petitioner must provide the Village with a plan addressing how emergency service calls will be handled, including, without limitation, how the petitioner will assist the Village in handling the provision and/or cost of emergency services that are specifically and uniquely attributable to the proposed development, so as to protect the public health, safety, and welfare; and

C. The petitioner must provide the Village with a market study addressing the demand for the proposed development. The market study must take into account the local and county demand for the proposed development.

Public utility, transportation, and government facilities: Public utility, transportation, and governmental service facilities, including municipal offices and civic centers, public libraries, police and fire stations, public works facilities, conference of municipal governments and ancillary uses (including organizations which provide consultation solely to units of local government), and similar uses.

Recreational and cultural uses.

Residential townhomes and condominiums.

Senior housing including nursing homes, independent living, assisted living and congregate care facilities. (Ord. G-903, 11-10-2009; Ord. G-989, 1-22-2013; Ord. S-1559, 2-12-2019)

13-6E-3: LOT AREA REQUIREMENTS:

A. District Area: Not less than four (4) acres.

B. Density:

1. Duplexes: Gross density shall not exceed six (6) dwelling units per acre.
2. Residential townhomes and condominiums: Gross density shall not exceed eight (8) dwelling units per acre. Additional density bonuses shall be permitted for the inclusion of the following site amenities:

- a. Underground parking (for all required parking spaces): Four (4) units per acre.
 - b. Open space in excess of thirty percent (30%) of the project area: Two (2) units per acre.
3. Senior housing including nursing homes, independent living, assisted living and congregate care facilities: Fifteen (15) units per acre.
- a. Underground parking (for all required parking spaces): Four (4) units per acre.
 - b. Open space in excess of thirty percent (30%) of the project area: Two (2) units per acre.

C. Floor Area Ratio: Not to exceed 0.5 for nonresidential uses.

D. Maximum Lot Area Coverage (Principal Structures): Not to exceed .35 for residential use.

E. Structure Height:

1. Duplexes: Not more than thirty five feet (35') except for continuous flat roofs, which shall be not more than thirty feet (30') to the top of any parapet wall. However, where residential building heights exceed thirty feet (30'), the highest space that can be occupied must have an emergency escape and rescue opening at a maximum elevation of thirty two feet (32') above grade.

2. All other uses: Fifty feet (50').

F. Yards:

1. Front: Not less than forty feet (40') in depth.
2. Side: Not less than twenty feet (20') in depth except:
 - a. A side yard abutting a street shall be not less than forty feet (40') in depth;
 - b. To accommodate a side load garage, the minimum side yard setback (on 1 side yard) must be at least twenty three feet (23'); the width of the pavement opposite of the garage door must be a minimum of twenty three feet (23');
 - c. For nonresidential uses each side yard abutting a street shall be not less than thirty feet (30') in depth and each interior side yard shall be not less than thirty feet (30') in depth and increased by not less than two feet (2') for each one foot (1') of structure height over thirty feet (30').
3. Rear: Not less than forty feet (40') in depth. (Ord. G-903, 11-10-2009; Ord. G-977, 8-14-2012)

13-6E-4: ADDITIONAL REGULATIONS:

A. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title with the following exceptions:

1. Off street parking for senior housing including nursing homes, independent living, assisted living and congregate care facilities shall be at a ratio not less than one parking space per dwelling unit. This parking ratio may be decreased upon the submittal of detailed parking study and review/approval by the village engineer. (Ord. G-903, 11-10-2009)

DRAFT



R5 RESIDENCE DISTRICT

Standard For:	Residential Use	Non-Residential Use
Minimum Lot Area	4 acres	4 acres
Maximum Structure Height ⁴	35' or 30' ¹	50'
Maximum FAR	1.0	0.5
Maximum Impervious Coverage	0.35	0.35
Maximum Lot Coverage (Principal Structures)	0.20	0.30
Minimum Yard Setbacks		
Front Yard	40'	40'
Interior Side Yard	20' or 23' ²	30' ³
Street Side Yard	40'	30'
Rear Yard	40'	40'

¹ For continuous flat roofs.

² Minimum interior yard setback to accommodate side load garage. Setback is measured from the farthest projection of the building, not the building foundation. The width of the pavement in front of the garage door must be a minimum of twenty-three feet (23').

³ Increased 2' for each 1' of structure height over 30'

⁴ Where residential building heights exceed thirty feet (30'), the highest space that meets the criteria of Sections R304, R305 & R311.4 for habitable space shall have an emergency escape and rescue opening in compliance with Section R310 at a maximum elevation of thirty two feet (32') above grade. This section shall be applied regardless of the usage designation on the construction documents, including "storage" or "bonus" rooms.

CHAPTER 7 BUSINESS DISTRICTS

SECTION:

13-7-1: Purpose

13-7-2: Establishment of Commercial Districts:

13-7-~~23~~: Two Or More Uses On A Lot

13-7-4: Location or Retail Sales On-Premise:

13-7-5: Outdoor Sales and Uses:

~~13-7-3: Scope~~

~~13-7-4: Performance Standards~~

13-7-~~56~~: Truck Parking

13-7-7: Outdoor Dining Areas

13-7-1: PURPOSE:

The business districts provide for groupings of business and other nonresidential establishments in accordance with their compatibility, functions and scope of service. The regulations of the various business districts are designed to govern developments ranging from the local shopping areas serving primarily residents of the village to those which serve the region. (Ord. G-60, 3-22-1966; Ord. G-514, 7-13-1993)

13-7-2: ESTABLISHMENT OF COMMERCIAL DISTRICTS:

B1 Local Shopping Center District – This district focuses on supplying the nearby residential uses with small to medium scale retail and service uses. This includes retail stores, personal services, and restaurants which are typically adjacent to residential neighborhoods.

B2 Regional Shopping Center District – This district focuses on providing a large range of retail sales opportunities to the regional population. This includes “big box” and specialty stores located at a central location which is accessed by automobile.

B3 General Business District – This district focuses on general retail and is typically located along major commercial corridors and not necessarily adjacent to residential uses. This district will see larger corporate stores and is more tailored to the automobile for transportation.

B4 Hotel-Office District – This district focuses on large scale hotel and office use developments as well as supportive uses. This district is intended to provide hotel guests and office users a variety of commercial uses and services nearby without the use of an automobile.

REGULATIONS APPLICABLE TO ALL BUSINESS DISTRICTS

13-7-~~23~~: TWO OR MORE USES ON A LOT:

Wherever two (2) or more permitted uses or special uses, each requiring a minimum lot area, are located in the same building or on the same lot, the required minimum lot area shall be the sum of the areas required for each use individually. When one or more uses has a required minimum lot area, the total lot area shall equal the sum of the required lot areas plus an additional area equivalent to that devoted to the use which does not have a required minimum lot area. (Ord. G-60, 3-22-1966; Ord. G- 514, 7-13-1993)

~~13-7-3~~: SCOPE:

13-7-~~34~~: LOCATION OF RETAIL SALES ON-PREMISE:

- A. All business establishments shall be retail trade or service establishments dealing directly with consumers and all goods produced on the premises shall be sold on the premises where produced, except for approved specialty retail programs in outdoor areas of a shopping center in districts where permitted as a special use.

13-7-5: OUTDOOR SALES AND USES

~~BA.~~ All business, service, storage, merchandise, display and where permitted, repair and processing shall be conducted wholly within a completely enclosed building except for:

1. Off street automobile parking, off street loading, and open sales lots and drive-in facilities in districts where they are permitted;
2. Outdoor dining areas adjacent to restaurants in districts where outdoor dining areas are a permitted use, and approved by the Development Services department;
3. Approved specialty retail programs in outdoor areas of a shopping center in districts where permitted as a special use, approved by the Development Services department;
4. Outdoor sales events on a property in any business district provided that all of the following conditions are met:
 - a. Any such use shall require the specific prior approval of the Development Services department on the basis of the adequacy of the lot size, parking provisions, and traffic access and the absence of undue adverse impact on other properties. Such event shall be of a limited duration (14 days or less per event) occurring no more than two (2) times in any calendar year; and

~~—b. Such event is held in a temporary enclosure that received all required permits from the village; and~~

~~eb.~~ Such event offers for sale only items that are normally sold inside the building in conformity with the principal use of the subject property; and

~~dc.~~ Such event conforms to all signage and setback requirements of the underlying zoning district; and

~~ed.~~ The property complies with all parking requirements of the underlying district, or, in the alternative, the petitioner reasonably demonstrates that notwithstanding any temporary noncompliance, the conduct of the event will not impose any undue traffic or parking burden on surrounding properties and streets; and

~~fe.~~ Such event is approved by the ~~village board of trustees~~ Development Services department upon petition or request from the property owner detailing prospective compliance with the conditions herein; ~~and.~~

~~5. Farmers' markets and/or French markets involving the sale of flowers, culinary accessories and edible items for consumption off the premises where the sale is made in districts where permitted as a special use.~~

~~5. Mobile Food Vendors/ Food Trucks are prohibited in the Village of Oak brook with the exception of special events as defined under, Chapter 12, Section 4-12-2.~~

~~B. Goods sold shall consist primarily of new merchandise, except for antique shops. (Ord. G-60, 3-22-1966; Ord. G-572, 6-11-1996; Ord. G-721, 6-10-2003; Ord. G-870, 9-9-2008; Ord. G-915, 1-12-2010; Ord. G-1163, 4-28-2020). The Following outdoor sales uses are prohibited:~~

~~1. Vending machines, including but not limited to the dispensing of food, rental movies or other multi-media, beverages, and other goods for retail sale.~~

~~C. Outdoor Storage~~

~~For all Commercial Districts, the following regulations apply to outdoor sales and uses:~~

~~1. No outdoor storage area shall be located between any principal structure and either its front or corner side lot line, except as specifically approved of by the Village Board during site plan review or planned development approval process after consideration by the Planning and Zoning Commission; and~~

~~2. All outdoor storage shall be enclosed by a screening fence, wall or densely planted evergreen hedge of a height sufficient to screen such containers or~~

storage areas from view from adjoining properties and public or private streets.

~~13-7-4: PERFORMANCE STANDARDS:~~

~~All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods or products, shall conform with the performance standards established for the ORA office-research-assembly districts 1. (Ord. G-60, 3-22-1966)~~

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~~Notes~~

- ~~1. See section 13-10-3 of this title.~~

13-7-~~56~~: TRUCK PARKING:

Trucks in excess of one and one-half (1 1/2) tons' capacity used in conjunction with the operations of any use permitted in business districts shall not be parked in the open within one hundred fifty feet (150') of a residence district boundary line, except during normal business hours. (Ord. G-60, 3-22-1966)

13-7-~~67~~: OUTDOOR DINING AREAS:

A. For the purposes of this section, "outdoor dining areas" are defined as the use of an adjacent, outside area by a restaurant for the same eating and drinking activities that occur within the restaurant.

B. The following regulations shall apply to outdoor dining areas:

1. The location of any outdoor dining area comply with all setback requirements in the applicable zoning district and shall not obstruct pedestrian or vehicular traffic. A minimum of five feet (5') of sidewalk clearance shall be maintained at all times for pedestrian travel;

2. Any outdoor dining area be under the direct supervision and control of the principal restaurant, and such dining area be enclosed by a fence or other protective safety barrier which shall be constructed to clearly delineate the boundaries of the area and to protect the health and safety of restaurant patrons and the general public;

3. The hours of operation of any outdoor dining area be within the normal operating hours of the principal restaurant;

4. There shall be no live entertainment in the outdoor dining area;

5. Plans shall be provided delineating the location of the outdoor dining area, and such location be approved by the Building Official as part of a building permit. The outdoor dining area shall be maintained in compliance with the approved plans;

6. The principal restaurant and outdoor dining area shall be in compliance with all the requirements of this code and all other applicable rules and regulations of any other governing agency including the DuPage County Health Department regarding restaurant and outdoor dining areas. (Ord. G-1163, 4-28-2020)

ARTICLE A. B1 LOCAL SHOPPING CENTER DISTRICT

SECTION:

13-7A-1: Permitted Uses

13-7A-2: Special Uses

13-7A-3: Lot Area Requirements

13-7A-4: Additional Regulations

13-7A-1: PERMITTED USES:

Accessory uses and structures, including, but not limited to, off street loading, off street parking and business signs.

Antique shops.

Audio and video equipment, retail sales thereof, including components and related accessories, installation and servicing of such products in motor vehicles and conducted entirely within an enclosed structure with service entry at the rear of the building with no overnight parking.

Bakeries, where not more than thirty percent (30%) of the floor area is devoted to processing.

Banks and financial institutions.

Barbershops and beauty parlors.

Book and stationery stores.

Camera and photographic supply stores and photographic studios.

Candy and ice cream stores.

Clinics, medical and dental, including accessory laboratories.

Drugstores.

Dry cleaning and laundry retail establishments; provided that processing, if done on the premises, shall utilize nonexplosive and noninflammable materials, and that such processing shall be limited to service of the principal use.

Fire stations.

Florist shops.

Food stores including grocery stores, meat markets and delicatessens.

Gift shops.

Haberdasheries.

Hardware stores.

Health clubs.

Hobby, toy and game shops provided amusement arcades are not permitted.

Home decorating stores.

Home furniture and furnishings stores.

Housewares stores.

Jewelry stores, including watch, clock and jewelry repair.

Launderettes, including automatic self-service dry cleaning equipment.

Libraries, branch.

Liquor stores with a minimum of ten thousand (10,000) square feet of retail space.

Luggage and leather goods stores.

Men's and women's accessory and specialty stores.

Music stores.

Offices: business, professional and public.

Optical goods stores.

Police stations.

Post offices.

Restaurants, including cocktail lounges and outdoor dining areas (as described in section 13-7-6 of this Code).

Schools: Commercial, business, trade, music and dance subject to the conditions that the permitted use is limited to second floor space of any building where a school is located and that the use is limited to a maximum of ten percent (10%) of the total square footage of the

shopping center in which it is located provided that adequate parking is provided to accommodate such use.

Shoe stores.

Sporting goods stores.

Temporary buildings, for construction purposes for a period not to exceed ninety (90) days following completion of the development.

Travel bureaus and transportation ticket offices.

Variety stores.

Wearing apparel shops. (Ord. G-60, 3-22-1966; Ord. G-444, 2-13-1990; Ord. G-778, 4-26-2005; Ord. G-835, 9-25-2007; Ord. G-901, 10-13-2009; Ord. G-1023, 5-13-2014; Ord. G-1163, 4-28-2020)

13-7A-2: SPECIAL USES:

Accessory uses and structures, including, but not limited to, off street parking and off street loading spaces and business signs.

Automobile service stations, on lots not less than twenty thousand (20,000) square feet.

Clubs, lodges, fraternities and community centers on lots not less than twenty thousand (20,000) square feet.

Daycare center, provided such facility complies with all licensing requirements of the state and maintains a direct alarm hookup to the police department.

Drive-in banking facilities.

Farmers' markets and/or French markets involving the sale of flowers, culinary accessories and edible items for consumption off the premises where the sale is made provided that the following conditions are met:

- A. Sale of used or preowned items is not permitted.
- B. Farmers' market and/or French market may be conducted no more than one day per week on any property zoned for business purposes.
- C. All signage and setback requirements of the underlying zoning district must be met.
- D. The property on which the farmers' market and/or French market is conducted complies with all the parking requirements of the underlying zoning district or, in the alternative, the petitioner demonstrates that notwithstanding any temporary noncompliance, the conduct of the event will not impose any undue traffic or parking burden on surrounding properties and streets; and

E. The farmers' market and/or French market is approved by the Development Services department ~~of community development~~ upon application and submittal of all required information from the property owner detailing prospective compliance with the conditions herein.

Multi-family age-restricted dwellings, provided that the following conditions, in addition to those set forth in Zoning Ordinance Section 13-14-9, are met:

A. The petitioner must provide the Village with an analysis of the proposed development's anticipated impact on emergency services, including, without limitation, the anticipated cost of providing those services. In accordance with Section 1-14-1(B), all costs incurred by the Village reviewing the petitioner's analysis, including the costs of professional consultants, shall be borne by the petitioner;

B. The petitioner must provide the Village with a plan addressing how emergency service calls will be handled, including, without limitation, how the petitioner will assist the Village in handling the provision and/or cost of emergency services that are specifically and uniquely attributable to the proposed development, so as to protect the public health, safety, and welfare; and

C. The petitioner must provide the Village with a market study addressing the demand for the proposed development. The market study must take into account the local and county demand for the proposed development.

Office supply stores.

Public utility, governmental service and transportation uses:

Bus turnarounds and passenger shelters.

Electric distribution centers and substations.

Gas regulator stations.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Sewage and stormwater lift stations.

Showrooms

Telephone exchanges and transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs.

Restaurants and accessory cocktail lounges, without facilities for dancing and live entertainment, on lots not less than two hundred feet (200') in width and not less than one and one-half (1 1/2) acres in area.

Senior housing and nursing homes on lots not less than three hundred feet (300') in width and not less than two (2) acres in area. (Ord. G-60, 3-22-1966; Ord. G-454, 10-9-1990; Ord.

G-513, 6-22-1993; Ord. G-556, 7-11-1995; Ord. G-835, 9-25-2007; Ord. G-903, 11-10-2009; Ord. G-915, 1-12-2010; Ord. S-1559, 2-12-2019; Ord. G-1163, 4-28-2020)

13-7A-3: LOT AREA REQUIREMENTS:

A. Floor Area Ratio: Not to exceed 0.5.

B. Structure Height: Not more than fifty feet (50') and not more than two (2) stories.

C. Yards:

1. No structure, other than access drives and paved parking areas, and signs as provided in subsection 13-7A-4A of this article, shall be erected or maintained within the following distances:

a. Sixty feet (60') from the right of way of any public street;

b. Thirty feet (30') from a district boundary which abuts a public right of way which does not afford a primary means of access to the district; and

c. Sixty feet (60') from any other district boundary; except when adjacent to a B2 district boundary line; provided, however, that the area between a building and the right of way of any street or other district boundary may be occupied by drives, drive-in banking facilities, vehicular parking, sidewalks, landscaping and similar facilities, except paved parking, areas shall not be located closer than ten feet (10') to any lot in a residence district or ten feet (10') to any public street;

except that building shall be set back not less than one hundred feet (100') from the rights of way of York Road, 22nd Street and 31st Street.

2. For the purpose of interpreting and enforcing the yard regulations of this section, the entire area included within a B1 district, except that portion separated by a dedicated public street, shall be considered as a single zoning lot; more than one building or structure may, however, be erected thereon; and the only front, side and rear yards that need to be observed are those provided for in subsection C1 of this section. (Ord. G-60, 3-22-1966; Ord. G-513, 6-22-1993; Ord. G-778, 4-26-2005)

13-7A-4: ADDITIONAL REGULATIONS:

A. Awnings, Marquees And Signs: See chapter 11 of this title.

B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966; Ord. G-85, 5-14-1968; Ord. G-513, 6-22-1993; Ord. G-695, 3-26-2002)

ARTICLE B. B2 REGIONAL SHOPPING CENTER DISTRICT

SECTION:

13-7B-1: Permitted Uses

13-7B-2: Special Uses

13-7B-3: Lot Area Requirements

13-7B-4: Additional Regulations

13-7B-1: PERMITTED USES:

Accessory uses and structures, including but not limited to storage and service areas within the structures, garages for delivery trucks, central heating and air conditioning plants, and storage areas, yards, shops and similar facilities that are used solely for operating, servicing or maintaining the activities and improvements within the district.

Art galleries.

Automobile service stations and automobile sales, including show rooms, electric powering stations, fulfillment centers.

Banks and other financial institutions.

Barbershops, beauty parlors, and other aesthetic and personal wellness services, including but not limited to salons and spas.

Bus depots, cab stands, and pick-up/drop-off areas for ride- sharing services.

Candy, ice cream and bakery shops, and other shops selling food products, including but not limited to grocery stores, specialty food stores, butchers, delicatessens, health food stores, with or without accessory catering services, where the commodities may be produced on the premises; but all such production shall be either sold at retail on the premises or sold in stores owned and operated by the producing company.

Drugstores, pharmacies, and stores selling medical devices and homeopathic or herbal remedies (but not including medical cannabis dispensaries).

Data Center-Electronic data storage.

Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use.

Gas regulator stations.

Hospitals, having not more than ten (10) beds and first-aid stations for the treatment of emergency cases, and outpatient medical and aesthetic service facilities and uses, including

but not limited to medical and dental offices and clinics, rehabilitative exercise and training centers, cosmetic surgery services, physical therapy, massage, and chiropractic services.

Hotels.

Hybrid uses. While commercial occupants in the B2 District may operate a single principal use with one or more accessory uses, other commercial occupants may have business operations that are or become a hybrid of multiple principal uses of significant and possibly equal importance. Hybrid use shall not include showrooms. The following are provided by way of example and not limitation:

A. Restaurants, cocktail lounges and tearooms, coffee houses, banquet facilities, micro-wineries, micro-breweries, micro-distilleries and other businesses offering the sale of food and beverage may be combined with retail, catering, event planning, musical performances and karaoke, dance floors, bowling, bocce, pool and billiards, ping pong and similar table games, arcade games, outdoor dining areas (as described in section 13-7-6) and other forms of service, entertainment and recreation.

B. Retail stores and shops, including department stores, may operate and offer related and complementary on-site uses and services (including but not limited to repair services, internet purchase fulfillment services, restaurant and food service, classes, indoor special events and entertainment) and off-site services (including but not limited to event planning, catering and interior design).

C. Gyms, health clubs and other physical wellness facilities may be paired with restaurant and retail uses and offer nutritional and health classes, personal training and counseling, aesthetic services, and chiropractic, physical therapy, massage, medical services, including blood draws.

Interior decorating shops.

Job printing shops.

Laundries, dyeing and cleaning establishments, operated as an accessory use to some other use or uses permitted by this section, provided permits for the use of combustible and flammable materials, if to be used, are obtained from the Board of Trustees.

Laundries, self-service, and shops for the collection and distribution of laundry and dry cleaning articles.

Messenger and telephone service stations.

Offices.

Pet shops, grooming services, and veterinary clinics.

Photographer, artist or similar studios.

Post offices.

Printing plants, newspaper, magazine and similar publications.

Public and private garages.

Radio and television broadcasting stations.

Restaurants, cocktail lounges and tearooms, coffee houses, banquet facilities, micro-wineries, micro-breweries, outdoor dining areas (as described in section 13-7-6), and other businesses offering the sale of food and beverage (but not including micro-distilleries). Vertical and rooftop gardens that produce fruits, flowers and vegetables for on premises consumption and use.

Retail stores and shops, including department stores.

~~Sales and display rooms.~~

Schools, studios, classrooms, facilities and activities for personal or interactive learning, physical wellness and cultural enrichment, including but not limited to colleges, universities and test preparation services, art and craft classes, yoga and Pilates studios, gyms and physical fitness facilities, after- school programs for children, day camps, venues providing interactive entertainment and educational programming for children, and activity centers for seniors and adult learning. Structures for physical wellness uses are permitted to include, by way of example and not limitation, indoor and outdoor exercise and participant sports facilities, swimming pools, playgrounds, and climbing walls.

Service, cleaning and repair shops, for personal, household or garden equipment.

Tailor or dressmaking shops, and similar repair services.

Theaters, except open air drive-in establishments. (Ord. G-1112, 9-26-2017; Ord. G-1163, 4-28-2020)

13-7B-2: SPECIAL USES:

Amusement establishments that are not expressly listed as a permitted use under section 13-7B-1 of this article, such as spectator sports facilities, and are not otherwise prohibited by Village ordinance.

Automobile test drive areas that are designated exclusively as such and involve construction of specific physical improvements (as opposed to automobile testing within multi-functional vehicular areas).

Community centers that do not qualify as a permitted use under section 13-7B-1 of this article.

Daycare center, provided such facility complies with all licensing requirements of the State and maintains a direct alarm hookup to the Police Department.

Drive-in banking facility.

Electric distribution centers and substations.

Farmers' markets and/or French markets involving the sale of flowers, culinary accessories and edible items provided that the following conditions are met:

A. Sale of used or pre-owned items is not permitted unless allowed in the special use approval ordinance.

B. Farmers' market and/or French market may be conducted no more than one day per week unless otherwise allowed in the special use approval ordinance.

C. All signage and setback requirements of the underlying zoning district must be met.

D. The property on which the farmers' market and/or French market is conducted complies with all the parking requirements of the underlying zoning district or, in the alternative, the petitioner demonstrates that notwithstanding any temporary noncompliance, the conduct of the event will not impose any undue traffic or parking burden on surrounding properties and streets; and

E. The farmers' market and/or French market is approved by the ~~Department of Community~~ Development Services department upon application and submittal of all required information from the property owner detailing prospective compliance with the conditions herein.

Micro-distilleries.

Specialty retail programs that do not qualify as a permitted use under section 13-7B-1 of this article.

Pre-schools, including nursery schools and kindergartens.

Public utility, governmental service, and transportation uses:

Bus turnarounds and passenger shelters.

Fire and police stations.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Sewage and stormwater lift stations.

Showrooms

Telephone exchanges and transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs.

Specialty retail programs in outdoor areas of a shopping center as a convenience to pedestrian shoppers, provided: a) all aspects of the operation and sales meet the applicable requirements of the DuPage County Health Department; and b) specialty retail program facilities have appropriate utilities provided, are not convenient to drive-up businesses, and do not materially interfere with access to or visibility of other establishments within the shopping center.

Wireless communication towers. (Ord. G-1112, 9-26-2017; Ord. G-1163, 4-28-2020)

13-7B-3: LOT AREA REQUIREMENTS:

A. Floor Area Ratio: Not to exceed 0.5; provided, however, that with regard to any increase of floor area over 0.3, not more than twelve and one-half percent (12 1/2%) of permissible floor area in excess of 0.3 shall be devoted to office use as permitted under section 13-7B-1 of this article.

B. Yards:

1. No structure, other than signs as provided for in subsection 13-7B-4A of this article shall be erected or maintained within the following distances:

- a. Three hundred feet (300') from the right-of-way of 22nd Street or Route 83 (Kingery Expressway);
- b. Eighty feet (80') from the right-of-way of any other street;
- c. Eighty feet (80') from any other district boundary, except when adjacent to a B1 District, and except that when adjacent to a residence district boundary line, then not within one hundred fifty feet (150') of such boundary line; provided, however, that the area between a building and the right-of-way of any street or other district boundary may be occupied by drives, drive-in banking facilities, vehicular parking, sidewalks, landscaping and similar facilities, except that paved areas shall not be located closer than forty feet (40') to any lot in a residence district.

2. For the purpose of interpreting and enforcing the yard regulations of this subsection, the entire area included within a B2 District, except that portion separated by a dedicated public street, shall be considered as a single zoning lot; more than one building or structure may, however, be erected thereon; and the only front, side and rear yards that need to be observed are those provided for in subsection B1 of this section. (Ord. G-60, 3-22-1966; Ord. G-229, 4-25-1978; Ord. G-414, 7-12-1988; Ord. G-513, 6-22-1993)

13-7B-4: ADDITIONAL REGULATIONS:

A. Signs: See chapter 11 of this title.

B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966; Ord. G-85, 5-14-1968; Ord. G-695, 3-26-2002)

ARTICLE C. B3 GENERAL BUSINESS DISTRICT

SECTION:

13-7C-1: Permitted Uses

13-7C-2: Special Uses

13-7C-3: Lot Area Requirements

13-7C-4: Additional Regulations

13-7C-1: PERMITTED USES:

Accessory uses and structures.

Animal hospitals and veterinarian offices.

Art galleries.

Auction rooms.

Automobile accessory stores.

Automobile sales establishments.

Automobile service stations.

Banks and other financial institutions.

Bicycle stores, sales, rental and repair.

Blueprinting and photocopying establishments.

Building material sales, not including outside storage.

Camera and photographic supply stores.

Carpet and rug stores.

Cartage and express facilities; provided storage of goods, motor trucks or other equipment is in a completely enclosed building.

Catering establishments.

China and glassware stores.

Clinics, medical and dental, including accessory laboratories.

Clothes pressing establishments.

Clothing stores.

Clothing and costume rental shops.

Clubs, lodges and fraternal organizations.

Cocktail lounges.

Coin and philatelic stores.

Department stores.

Drug stores.

Dry cleaning and laundry retail establishments; provided, that processing, if done on the premises, shall utilize nonexplosive, nonflammable materials, that such processing shall be limited to service of the principal use.

Electrical, gas and other household appliance stores, including radio and television sales and accessory repair and service thereof.

Electric distribution centers and substations.

Employment agencies.

~~Exhibition halls.~~

Fire stations.

Food stores, including grocery stores, meat markets and delicatessens.

Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use.

Furrier shops, including the incidental storage and conditioning of furs.

Garages, public, where body repair and painting are incidental accessory uses, but not including automobile wrecking yards.

~~Garages, storage.~~

Garden supply and seed stores.

Gas regulator stations.

Greenhouses and conservatories.

Hobby shops, for retailing of items to be assembled or used away from the premises.

Interior decorating shops, including upholstery and making of draperies, slipcovers and other similar articles when conducted as part of the retail operation and secondary to the principal use.

Jewelry stores, including watch repair.

Job printing shops, using presses having beds of not more than fourteen inches by twenty inches (14" x 20").

Kennels, with no outdoor dog runs.

Laboratories, medical, dental or optical.

Leather goods and luggage stores.

Libraries.

Liquor stores, retail sales of package goods only.

Loan offices.

Locksmith shops.

~~Mail order service stores.~~

Millinery shops.

Music stores, sheet music and phonograph record sales.

Musical instrument sales and repair.

Offices.

Office supply stores.

Opticians and optometrists.

Orthopedic and medical appliance stores, not including the assembly or manufacture of such articles.

Paint and wallpaper stores.

Parking lots, for passenger motor vehicles only.

Pet service, domestic.

Pet shops.

Photography studios, including developing and printing of photographs, when conducted on the premises as a part of the retail business.

Physical culture and health service, gymnasiums, reducing salons, massage salons and public baths.

Picture framing, when conducted on the premises for retail trade.

Plumbing, heating, air conditioning and electrical fixtures and equipment, showroom and shops, for domestic use only.

Police stations.

Radio and television service and repair shops.

Recording studios.

Recreational buildings, community centers and meeting halls.

Religious institutions, churches, chapels, temples or synagogues.

Restaurants, including musical entertainment and dancing and outdoor dining areas (as described in section 13-7-6).

Schools, commercial or trade, provided that operations do not involve danger of fire, explosion, nor objectionable standards of noise, vibration, smoke, dust, odor, glare, heat or other nuisances.

Sewing machine sales and services, household machines only.

Shoe and hat repair stores.

Shoe stores.

Sporting goods stores.

Tailor shops.

Taxidermists.

Telegraph offices.

Theaters, indoor.

Tobacco shops.

Toy shops.

Travel bureaus and transportation ticket offices.

Typewriter and adding machine sales and service establishments.

Undertaking establishments and funeral parlors. (Ord. G-60, 3-22-1966; Ord. G-520, 8-24-1993; Ord. G-1163, 4-28-2020)

13-7C-2: SPECIAL USES:

Accessory uses and structures, including, but not limited to, off street parking and off street loading spaces and business signs.

Amusement establishments, including bowling alleys, gymnasiums, swimming pools and skating rinks.

Automobile minimarket.

Daycare center, provided such facility complies with all licensing requirements of the state of Illinois and maintains a direct alarm hookup to the Oak Brook police department.

Drive-in establishments for permitted uses.

Farmers' markets and/or French markets involving the sale of flowers, culinary accessories and edible items for consumption off the premises where the sale is made provided that the following conditions are met:

- A. Sale of used or preowned items is not permitted.
- B. Farmers' market and/or French market may be conducted no more than one day per week on any property zoned for business purposes.
- C. All signage and setback requirements of the underlying zoning district must be met.
- D. The property on which the farmers' market and/or French market is conducted complies with all the parking requirements of the underlying zoning district or, in the alternative, the petitioner demonstrates that notwithstanding any temporary noncompliance, the conduct of the event will not impose any undue traffic or parking burden on surrounding properties and streets; and
- E. The farmers' market and/or French market is approved by the Development Services department ~~of community development~~ upon application and submittal of all required information from the property owner detailing prospective compliance with the conditions herein.

Horse stables and riding academies, public, on a lot not less than ten (10) acres in area, provided buildings containing stables and accessory outdoor facilities are not less than one hundred fifty feet (150') from the nearest lot line.

Nursing homes, on lots not less than three hundred feet (300') in width and not less than two (2) acres in area.

Open sales lots, when accessory to new automobile, trailer or boat sales establishments.

Public utility, governmental service and transportation uses.

Bus turnarounds and passenger shelters.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Sewage and stormwater lift stations.

Showrooms

Telephone exchanges and transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs.

Recreation, outdoor, par 3 and miniature golf courses, golf driving ranges, swimming and tennis clubs, and other outdoor recreation uses as approved by the village board of trustees.

Senior housing.

Trailer or boat sales establishments, for new trailer or boat sales. (Ord. G-60, 3-22-1966; Ord. G-305, 9-8-1981; Ord. G-449, 8-14-1990; Ord. G-454, 10-9-1990; Ord. G-819, 12-12-2006; Ord. G-903, 11-10-2009; Ord. G-915, 1-12-2010; Ord. G-1163, 4-28-2020)

13-7C-3: LOT AREA REQUIREMENTS:

- A. Floor Area Ratio: Not to exceed 1.2.
- B. Structure Height: Not more than thirty-five feet (35') and not more than three (3) stories.
- C. Yards: As in B1 local shopping center district, except: 1) for automobile service stations where islands containing fuel pumps and air and water outlets, with or without connecting shelters, shall have a front yard, or a side yard adjoining a street not less than twenty five feet (25') in depth; and 2) front and side yards abutting 22nd Street and York Road shall have a depth not less than one hundred feet (100'). (Ord. G-60, 3-22-1966)

13-7C-4: ADDITIONAL REGULATIONS:

- A. Awnings, Marquees And Signs: See chapter 11 of this title.
- B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966; Ord. G-695, 3-26-2002)

ARTICLE D. B4 HOTEL-OFFICE DISTRICT

SECTION:

13-7D-1: Permitted Uses

13-7D-2: Special Uses

13-7D-3: Lot Area Requirements

13-7D-4: Additional Regulations

13-7D-1: PERMITTED USES:

Accessory uses and structures including:

Restaurants and accessory cocktail lounges, and outdoor dining areas (as described in section 13-7-6) which is used principally for a permitted use, and when located on floors below those used for the principal use or on the top floor or roof of such a structure.

Retail sales and personal service uses, having no exterior advertising and accessible only from the lobby and interior of a building and used for a permitted principal use and when no single establishment occupies more than two thousand (2,000) square feet of floor area.

Electric distribution centers and substations.

Gas regulator stations.

Hotels and motels (minimum of ~~50~~ 80 rooms).

Offices, institutional and fraternal.

Sewage and stormwater lift stations.

Telephone exchanges and transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs. (Ord. G-60, 3-22-1966; Ord. G-1163, 4-28-2020)

13-7D-2: SPECIAL USES:

Accessory uses and structures.

Bus turnarounds and passenger shelters.

Daycare center, provided such facility complies with all licensing requirements of the state and maintains a direct alarm hookup to the Oak Brook police department.

Farmers' markets and/or French markets involving the sale of flowers, culinary accessories and edible items for consumption off the premises where the sale is made provided that the following conditions are met:

- A. Sale of used or preowned items is not permitted.
- B. Farmers' market and/or French market may be conducted no more than one day per week on any property zoned for business purposes.
- C. All signage and setback requirements of the underlying zoning district must be met.
- D. The property on which the farmers' market and/or French market is conducted complies with all the parking requirements of the underlying zoning district or, in the alternative, the petitioner demonstrates that notwithstanding any temporary noncompliance, the conduct of the event will not impose any undue traffic or parking burden on surrounding properties and streets; and
- E. The farmers' market and/or French market is approved by the Development Services department ~~of community development~~ upon application and submittal of all required information from the property owner detailing prospective compliance with the conditions herein.

Offices, business and professional, occupying less than fifty percent (50%) of the total floor area of a structure over five (5) stories in height, and when located on floors below those used for dwelling purposes.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Sewage and stormwater lift stations.

Showrooms

Water filtration plants, wells, pumping stations and reservoirs. (Ord. G-60, 3-22-1966; Ord. G-454, 10-9-1990; Ord. G-915, 1-12-2010)

13-7D-3: LOT AREA REQUIREMENTS:

- A. Floor Area Ratio: Not to exceed 0.6.
- B. Yards:
 - 1. Front: Not less than one hundred feet (100').
 - 2. Side Yards And Courts:
 - a. Two (2) side yards each not less than ten feet (10'), plus one foot (1') for each one foot (1') in height that a structure exceeds twenty seven feet (27'), in height except a side yard adjoining a street shall be not less than fifty feet (50').

b. Where a building wall more than thirty feet (30') in length faces an interior side lot line, the interior yard as required in this article shall be increased in depth by one foot (1') for each one foot (1') such wall exceeds thirty feet (30') in length, or not more than twenty seven feet (27'), whichever is less.

c. Where the walls of one or more structures face upon a court, the depth and length of the court shall be as approved by the board of trustees after receiving recommendations of the plan commission.

3. Rear: Not less than forty feet (40') in depth.

4. Yards Adjoining Residence District: Any yard adjoining a residence district and a structure within the B4 hotel-office district shall be not less than one hundred feet (100') in depth.

5. Yards Adjoining 22nd Street And York Road: Not less than one hundred feet (100') in depth.

C. Height: Not more than five (5) stories.

D. Lot Width: Not less than two hundred feet (200'). (Ord. G-60, 3-22-1966)

13-7D-4: ADDITIONAL REGULATIONS:

A. Awnings, Marquees And Signs: See chapter 11 of this title.

B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966; Ord. G-695, 3-26-2002)

CHAPTER 8 HISTORIC GRAUE MILL GATEWAY AREA

SECTION:

13-8-1: Findings

13-8-2: Graue Mill Gateway Area Established

13-8-3: Intent And Purpose

13-8-4: Definitions

13-8-5: Applicability

13-8-6: Certificate Of Appropriateness

13-8-7: Gateway Development Plan

13-8-8: Additional Requirements Of Gateway Development Plan

13-8-9: Action By Governmental Bodies

13-8-10: Implementation Of Gateway Development Plan

13-8-11: Exceptions To Plan Procedures

13-8-12: Procedure For Single-Family Detached Residences

13-8-1: FINDINGS:

A. The area around the Graue Mill is a unique area with special cultural significance and character different from similarity zoned properties in the Village and includes historic structures: the Graue Mill, the old St. John Church and the Fred Graue residence, which structures are hereby designated to be historically significant.

B. The preservation and development of this area require additional rules and regulations supplementing existing ordinances in order to specifically address the unique character of that area.

C. The Historic Graue Mill Gateway Area includes all that property within the boundaries as shown on the map and legal description labelled Exhibit "A", attached to Ordinance G-272 on file in the office of the Village Clerk. Such map and legal description are hereby incorporated herein and made a part hereof by reference.

D. A public hearing has been held pursuant to notice to property owners in the area of the Historic Graue Mill Gateway Area on February 2, 1980, before the Zoning Board of Appeals of the Village, pursuant to due and appropriate notice published in the Oak Brook Doings on January 17, 1980.

E. The creation of the Historic Graue Mill Gateway Area and rules and regulations regarding the development therein is consistent with the comprehensive plan of the Village of Oak Brook.

F. The Village of Hinsdale has passed on October 7, 1980, a similar ordinance so that the character of this area can be preserved in both Villages. This joint effort of the two (2) Villages is consistent with and in accordance with the provisions of section 10 of article VII of the Illinois Constitution relating to intergovernmental cooperation. (Ord. G-272, 11-11-1980)

13-8-2: GRAUE MILL GATEWAY AREA ESTABLISHED:

The Historic Graue Mill Gateway Area is hereby established with the boundaries as set forth in Exhibit "A", attached to Ordinance G-272, made a part of this Chapter by reference,

and on file in the office of the Village Clerk. The provisions of this Chapter shall apply to the erection, construction, alteration or repair of any building or structure in the said area and no building permits shall be issued for any such work except as provided herein. (Ord. G-272, 11-11-1980)

13-8-3: INTENT AND PURPOSE:

The provisions of this Chapter are intended to order and control growth within the area described as the Historic Graue Mill Gateway Area, hereinafter sometimes referred to as "area", and for the additional purposes:

- A. To promote the public health, safety, morals, comfort and general welfare of the citizens of said area.
- B. To enhance the values of property throughout the said area.
- C. To encourage and foster development in the area consistent with the Graue Mill, its site and the historic period it represents.
- D. To encourage and promote the attractiveness, cohesiveness and compatibility of new buildings, development, remodeling, and additions so as to maintain and improve established standards of property values within the area consistent with its historical character.
- E. To encourage and promote the preservation of historical structures, buildings and natural resources including the Graue Mill, the old St. John Church and the Fred Graue residence. (Ord. G-272, 11-11-1980)

13-8-4: DEFINITIONS:

For purposes of this Chapter the following words and terms shall have the respective meanings:

ARCHITECTURAL CHARACTER: The composite or aggregate of the characteristics of structure, form, materials, and function of a building, group of buildings, or other architectural composition.

ARCHITECTURAL CONCEPT: The basic aesthetic idea of a building, or group of buildings or structures, including the site and landscape development, which produces the architectural character.

AREA: The Historic Graue Mill Gateway Area.

CERTIFICATE OF APPROPRIATENESS: A statement issued by the President and Board of Trustees of the Village that a gateway development plan meets the intent and purpose of the Historic Graue Mill Gateway Area which permits the applicant to build in accordance with the statement.

EXTERIOR BUILDING COMPONENT: An essential and visible part of the exterior of a building.

GATEWAY DEVELOPMENT PLAN: Those documents, drawings, and plans, including the site plan and landscape plan, as referred to in Sections 13-8-7 and 13-8-8 of this Chapter.

SCREENING: Structure or plantings which conceals from view from public ways the areas behind such structure or plantings.

STREET HARDWARE: Objects other than buildings, structures and plantings located in streets and public ways and outside of buildings. Examples are: lamp posts, utility poles, traffic lights, traffic signs, benches, litter containers, planting containers, letter boxes, fire hydrants.

STREETSCAPE: The scene as may be observed along a public street or way composed of natural and manmade components including buildings, paving, plantings, street hardware, and miscellaneous structures.

VILLAGE: The Village of Oak Brook, Illinois. (Ord. G-272, 11-11-1980)

13-8-5: APPLICABILITY:

The provisions of this Chapter shall be in addition to and not in derogation of any provisions of the zoning ordinance of the Village; provided, however, that where any provision of the said zoning ordinance may conflict with a provision of this Chapter, the more restrictive provisions shall apply. (Ord. G-272, 11-11-1980)

13-8-6: CERTIFICATE OF APPROPRIATENESS:

A. Required: No building permit or other permit otherwise required under the ordinances of the Village for the erection, construction, exterior alteration or repair of any building or structure in the Historic Graue Mill Gateway Area shall be issued by the Director of ~~Community~~ Development Services except upon the issuance of a certificate of appropriateness by the President and Board of Trustees. Such certificate of appropriateness may only be issued after a public hearing has been held before the Plan Commission of the Village in accordance with the public hearing procedures set forth herein and after the President and Board of Trustees of the Village approve the gateway development plan for the property involved.

B. Application And Hearing: Upon the filing of an application for a building permit for which a certificate of appropriateness is or may be required, the applicant shall concurrently file with the Village Clerk an application for a certificate of appropriateness, which application shall include all the information and material required pursuant to Sections 13-8-7 and 13-8-8 of this Chapter. Such application shall be referred to the plan commission by the president and board of trustees upon verification of the completeness of said application. The fact that an application for a certificate of appropriateness has been

filed shall not be cause for the ~~d~~Director of ~~community d~~Development Services to delay the review of plans relating to the building and zoning aspects of the project while said application is pending. The plan commission shall thereupon fix a reasonable time, within forty five (45) days, for a hearing and give a written five (5) day notice thereof to the applicant. Upon such hearing the commission shall consider the application for a certificate of appropriateness and, if necessary, receive additional evidence (such as exterior elevation renderings) from the applicant or his agent or attorney and from the village personnel or other persons as to whether the external architectural features of the proposed building or structure comply with the provisions of this chapter. All testimony given at such hearing shall be under oath. (Ord. G-272, § 1, 11-11-1980)

13-8-7: GATEWAY DEVELOPMENT PLAN:

The gateway development plan must be appropriate to the development of the area consistent with its historic character and shall provide detailed information in regards to the following:

A. Relationship Of Proposed Buildings Or Structures To Site And Adjoining Area: The site shall be planned to accomplish a desirable transition with the streetscape, and to provide for adequate planting, pedestrian movement, and parking areas, and shall be evaluated pursuant to the following criteria:

1. The provision, where practical, of setbacks in excess of zoning restrictions to provide an interesting relationship between buildings;
2. The treatment of parking areas with decorative elements, building wall extensions, plantings, berms or other innovative means so as to screen parking from view;
3. The underground installation of newly installed utility services, and service revisions necessitated by exterior alterations.

B. Building Design: Evaluation of the appearance of a project shall be based on the following criteria:

1. The quality of the design and its relationship to the Graue Mill, its site, and the historic period it represents;
2. The compatibility of the design, arrangement, texture, and materials of the proposed buildings or structures with the intent and purpose of the area;
3. The screening and location of mechanical equipment or other utility hardware on roof, ground, or buildings from public view with materials harmonious to the building, so as not to be visible from any public ways;
4. The unobtrusiveness and harmoniousness of exterior lighting and the compatibility of fixtures, standards, and all exposed accessories with the building design.

C. Street Hardware And Signs: See chapter 11 of this title.

D. Landscaping Design Considerations: Landscape treatment shall be provided to enhance architectural features and provide shade and screening, and shall be evaluated pursuant to the following criteria:

1. The compatibility of the design and size of all landscaping effects with the building or structure and adjacent areas;
2. The preservation, protection and development of existing topographic patterns and plant materials which contribute to the beauty and utility of a development;
3. Where building sites limit plantings, the placement of trees in the parkway or paved areas. Parkway trees shall be of a minimum three inch (3") caliper. Buildings of three (3) stories or more shall have parkway and front and/or side yard trees of a minimum of five inch (5") caliper;
4. The method of screening of service yards, and other places which tend to be unsightly, by fencing, plantings, or a combination of these. Screening shall be equally effective in all seasons and may be accomplished by use of any combination of walls, fencing or plantings;
5. The enhancement of parking areas and traffic ways with landscaped spaces containing trees and tree groupings and low shrubs or ground cover;
6. The use of unobstrusive exterior lighting to enhance the landscaping;
7. The use of landscaping materials and lighting which have low demand for annual maintenance.

E. Landscape Plan: A detailed landscape plan shall show:

1. Location of existing plant materials to remain and those to be removed;
2. Designation of parkway "street trees". Existing parkway trees shall be preserved and protected during construction;
3. Scientific (genus-species) and common names of proposed landscape material and proposed quantities and sizes of same;
4. Landscape materials other than plant materials shall be designated in detail.

The landscape plan shall be prepared by a landscape architect or qualified nurseryman in accordance with the criteria set forth in subsection D of this section. The plan shall be signed and dated by the designer.

F. Site Plan: A detailed site plan shall show:

1. Exact location of the building(s) or structure(s) on the site;
2. Exact location of drives, walks, parking areas, parking layout, freestanding or retaining walls, fences, and drainage accommodations;

3. Elevations showing all sides of the proposed structure. Elevations should indicate the type of materials to be used on the structure as well as their proportions;
4. Existing grades or topographic details to be retained and proposed grading;
5. Location of utilities. (Ord. G-272, 11-11-1980; Ord. G-695, 3-26-2002)

13-8-8: ADDITIONAL REQUIREMENTS OF GATEWAY DEVELOPMENT PLAN:

In addition to the information required pursuant to subsection 13-8-7F of this chapter, the following requirements must be met prior to the issuance of a certificate of appropriateness:

A. Visual Environment: In order to ensure an adequate and pleasant natural environment, a sum of money equal to not less than five percent (5%) of the total project construction cost, as set forth on the approved building permits, shall be budgeted and used by the owners and developers to purchase and install mature sized trees, shrubbery, grass and other suitable landscaping upon the grounds, which budgeted amount shall be expended to comply with the provisions of subsections 13-8-7D and E of this chapter. The president and board of trustees may vary from or waive the requirement for such expenditure where such expenditure would cause a hardship on the applicant. Hardship, for purposes of this chapter shall include, but not be limited to, the following situations:

1. Irregular shaped lots where landscaping is not practical;
2. Lots with minimal frontage;
3. Development does not cause any visual impact; e.g., development to the rear of a lot or building; and
4. Those instances where there is an abundance of existing natural vegetation precluding the necessity for further landscaping treatment.

B. Public Utilities: All utility lines, including, but not limited to, telephone and electric, in the right of way adjacent to and in the development property shall be placed underground. Underground utility lines shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. All transformer boxes and service posts shall be located so as not to be unsightly or hazardous. (Ord. G-272, 11-11-1980)

13-8-9: ACTION BY GOVERNMENTAL BODIES:

A. Plan Commission: Prior to making its decision the commission may make recommendations to the applicant as to changes in the exterior drawings, sketches, landscaping, site plans and materials which in the judgment of the commission would tend to effect the general purposes of this chapter. The commission shall make its decision within fifteen (15) days after the hearing is closed and shall issue to the president and

board of trustees its findings and recommendation concerning the proposed gateway development plan. If the plan commission recommends denial of a gateway development plan it shall specifically point out such deficiency in its findings.

B. Corporate Authorities: The village president and board of trustees may approve or disapprove the proposed gateway development plan or refer the matter back to the plan commission for further consideration. Upon approval of any proposed gateway development plan the president and board of trustees shall issue a certificate of appropriateness as to the approved gateway development plan. (Ord. G-272, 11-11-1980)

13-8-10: IMPLEMENTATION OF GATEWAY DEVELOPMENT PLAN:

Upon granting of a certificate of appropriateness, the gateway development plan, including the exterior drawings, sketches, landscape and site plans, renderings and materials upon which said certificate was granted, shall be referred to the director of community development, whose responsibility it shall be to determine, from time to time as the project is in progress and upon its completion, that there have been no unauthorized deviations from the gateway development plan upon which the granting of the certificate of appropriateness was based. (Ord. G-272, 11-11-1980)

13-8-11: EXCEPTIONS TO PLAN PROCEDURES:

The requirements of this chapter for submission and approval of a gateway development plan and the issuance of a certificate of appropriateness shall not be applicable to:

- A. Renovation, restoration and preservation of structures designated by the president and board of trustees as historically or culturally significant;
- B. Ordinary repairs or interior renovations;
- C. Renovations or additions to existing single-family detached residential buildings or structures accessory thereto. (Ord. G-272, 11-11-1980)

13-8-12: PROCEDURE FOR SINGLE-FAMILY DETACHED RESIDENCES:

Where a certificate of appropriateness is required, pursuant to subsection 13-8-6A of this chapter, for the construction of any single-family detached residence, the requirements of subsections 13-8-7D, E and 13-8-8A of this chapter shall not be applicable. (Ord. G-272, 11-11-1980)

CHAPTER 10

OFFICE-RESEARCH-ASSEMBLY DISTRICTS

SECTION:

13-10-1: Prohibited Uses

13-10-2: Uses Enclosed

13-10-3: Performance Standards

13-10-4: Outdoor Dining Areas

13-10-1: PROHIBITED USES:

A. ~~Industrial~~: No lot shall be used, and no structure shall be erected, altered or remodeled for any of the following uses: abattoirs; arsenals; crematories; creosote treatment or manufacture; fat rendering; fertilizer manufacture; fireworks manufacture or storage; dumping or reduction of garbage, dead animals, offal, or refuse; ore reduction; petroleum processing or refining; pyroxylin manufacture; gutta percha manufacture or treatment; saltworks; sauerkraut manufacture; smelters; stockyard or slaughter of or experimentation with animals or fowl; tallow, grease, or lard manufacture or treatment; tanning, curing, or storage of rawhides or skins; tar distillation or manufacture; cement, concrete, or asphaltic concrete, mortar or plaster batch mixing plants; or junkyard or other uses having operations that are deemed by the board of trustees to be incompatible with the intended environmental character of the ORA office-research-assembly district, except clinical testing of animals of the rodent family or domesticated fowl is permitted if conducted within a separate room or rooms not to exceed two thousand (2,000) square feet of gross floor area which is part of a building used for research.

B. Explosives: No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the village. Such materials shall include, but shall not be confined to, all primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and pectic acid, propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerin; unstable organic compounds such as acetylides, tetrazoles, perchloric acids; perchlorates, chlorates, hydrogen peroxide in concentrations greater than thirty five percent (35%); and nuclear fuels, fissionable materials and products, and reactor elements such as uranium 235 and plutonium 239. (Ord. G-60, 3-22-1966; Ord. G-119, 5-12-1970)

13-10-2: USES ENCLOSED:

All business, service, research, merchandise display and manufacturing activities and operations shall be conducted wholly within completely enclosed buildings except off street parking, off street loading, outdoor dining areas adjacent to restaurants and open

sales lots and drive-in facilities in districts where they are permitted. (Ord. G-60, 3-22-1966; Ord. G-758, 8-24-2004)

13-10-3: PERFORMANCE STANDARDS:

Any use established in the ORA1, ORA2 or ORA3 office-research- assembly districts shall be operated so as to comply with the performance standard regulations prescribed in this section, and no use lawfully established on the effective date hereof shall be hereafter altered or modified so as to conflict with, or further conflict with, such performance standards.

A. Noise: See section 13-3-10 of this title for performance standards pertaining to sound levels.

B. Vibration: Any operation or activity which shall cause at any time and at any point beyond the boundaries of the lot, earthborne vibrations other than background vibrations produced by some source not under control of this chapter, such as the operation of motor vehicles or other transportation facilities in excess of the limits set forth in the following column I is prohibited. In addition, any operation or activity which shall cause at any time and at any point in a residence district earthborne vibrations in excess of the limits set forth in the following column II is prohibited. Vibration shall be expressed as displacement in inches and shall be measured with a three (3) component measuring system approved by the ~~d~~Director of ~~community d~~Development Services.

Frequency In Cycles Per Second	I Displacement In Inches	II Displacement In Inches
0 to 10	0.0008	0.0004
10 to 20	0.0005	0.0002
20 to 30	0.0002	0.0001
30 to 40	0.0002	0.0001
40 and over	0.0001	0.0001

Impact vibrations which are discrete pulses that do not exceed one hundred (100) impulses per minute shall be permitted twice the displacements shown above in columns I and II.

C. Smoke And Particulate Matter:

1. The emission of smoke or particulate matter in such manner or quantity as to be detrimental to or endanger the public health, safety, comfort, or welfare is hereby declared to be a public nuisance and shall henceforth be unlawful.

2. For the purpose of grading the density or equivalent capacity of smoke, the Ringelmann chart described in the bureau of mines information circular 6888 shall be employed. The emission of smoke or particulate matter of a density or equivalent greater than no. 1 on the Ringelmann chart is prohibited at all times except as otherwise provided hereinafter.

3. The emission of smoke or particulate matter of a density greater than Ringelmann no. 3 is permitted once in any twenty four (24) hour day for no more than three (3) minutes.

4. Wind generated dust from such sources as storage areas, yards, roads, and so forth, within lot boundaries shall be minimized by appropriate landscaping or all weather paving.

5. The emission of particulate matter from any chimney, stack, or vent shall not exceed one-fourth (1/4) pound per hour per acre of lot area.

D. Toxic Matter: No use shall discharge beyond the boundaries of the lot toxic matter in such concentrations as to be detrimental to, or endanger the public health, safety, comfort or welfare, or cause injury or damage to property or business.

E. Odors: The emission of odorous matter in excess of the odor threshold measured beyond the boundaries of the lot at ground level or at habitable elevation is prohibited.

F. Fire And Explosion Hazard:

1. The storage, utilization, or manufacture of solid materials ranging from incombustible to moderate burning is permitted.

2. The storage or utilization of solid materials ranging from free or active burning to intense burning is permitted provided the following conditions are met:

a. The materials shall be stored or utilized within completely enclosed buildings or structures having incombustible exterior walls and handled in accordance with the standards and regulations of the village and the National Fire Protection Association.

b. All such buildings shall be set back at least forty feet (40') from all lot lines or, in lieu thereof, shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations of the village and the National Fire Protection Association.

c. Said materials, if stored outdoors, shall be no closer than one hundred fifty feet (150') to the nearest lot line in conformance with the standards and regulations of the village and the National Fire Protection Association.

3. The storage or utilization of flammable liquids or materials which produce flammable or explosive vapors shall be permitted in accordance with the following

limitations, exclusive of storage in underground tanks, and storage of finished products in original sealed containers:

a. Said materials or products shall be stored or utilized within completely enclosed buildings having incombustible exterior walls, and handled in accordance with the standards and regulations of the village and the National Fire Protection Association and, in addition, all such buildings shall be set back at least forty feet (40') from all lot lines and shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations of the village and the National Fire Protection Association.

b. The aboveground storage of flammable liquids in excess of the following quantities shall not be permitted:

Closed Cup Flash Point	Quantity (Gallons)
Less than 24°F	1,000
24°F to less than 105°F	2,000
105°F to less than 187°F	5,000
187°F and higher	10,000

c. The total of all flammable liquids permitted on any lot shall not exceed ten thousand (10,000) gallons.

G. Glare And Heat: Any operation producing glare or heat shall be performed within a completely enclosed building in such manner as not to create a public nuisance or hazard beyond the boundaries of the lot.

H. Radiation Hazards:

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

2. No activity involving radiation hazards shall be permitted which causes exposure to persons at or beyond the lot lines in excess of the maximum allowable permitted the general population in applicable federal, state and local laws and regulations. (Ord. G-60, 3-22-1966; Ord. G-233, 5-31-1978; Ord. G-863, 7-22-2008)

13-10-4: OUTDOOR DINING AREAS:

A. For the purposes of this section, "outdoor dining areas" are defined as the use of an adjacent, outside area by a restaurant for the same eating and drinking activities that occur within the restaurant.

B. The following regulations shall apply to outdoor dining areas:

1. The location of any outdoor dining area comply with all setback requirements in the applicable zoning district and shall not obstruct pedestrian or vehicular traffic. A minimum of five feet (5') of sidewalk clearance shall be maintained at all times for pedestrian travel;

2. Any outdoor dining area be under the direct supervision and control of the principal restaurant, and such dining area be enclosed by a fence or other protective safety barrier which shall be constructed to clearly delineate the boundaries of the area and to protect the health and safety of restaurant patrons and the general public;

3. The hours of operation of any outdoor dining area be within the normal operating hours of the principal restaurant;

4. There shall be no live entertainment in the outdoor dining area;

5. Plans shall be provided delineating the location of the outdoor dining area, and such location be approved by the Building Official as part of a building permit. The outdoor dining area shall be maintained in compliance with the approved plans;

6. The principal restaurant and outdoor dining area shall be in compliance with all the requirements of this code and all other applicable rules and regulations of any other governing agency including the DuPage County Health Department regarding restaurant and outdoor dining areas. (Ord. g-1163, 4-24-2020)

ARTICLE A. ORA1 OFFICE-RESEARCH-ASSEMBLY DISTRICT

SECTION:

13-10A-1: Permitted Uses

13-10A-2: Special Uses

13-10A-3: Lot Area Requirements

13-10A-4: Additional Regulations

13-10A-1: PERMITTED USES:

Accessory uses and structures, including storage and service areas within the structures, garages for delivery trucks, central heating and air conditioning plants, and storage areas, yards, shops and similar facilities that are used solely for operating, servicing or maintaining the activities and improvements within the lot on which the accessory use is located. Accessory uses and structures shall also include dwellings occupied by watchmen,

janitors, maintenance and similar employees engaged upon the premises; but no dwellings shall be erected for any other purposes.

Any establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, storing, cleaning, servicing or testing of materials, goods or products, provided that operations conform with performance standards and other requirements of this title.

Churches, on lots not less than four (4) acres in area.

Data Centers

Electric distribution centers and substations.

Gas regulator stations.

Offices and financial institutions. (Ord. G-60, 3-22-1966)

13-10A-2: SPECIAL USES:

Clinics, medical and dental, including accessory laboratories.

Daycare centers, provided such facility complies with all licensing requirements of the state and maintains a direct alarm hookup to the police department or other emergency dispatch center.

Drive-in banking facilities.

Health clubs, private, membership only, in multibuilding office complexes under single ownership or control on sites not less than ten (10) acres, when such facility is designed primarily for use by tenants of the office complex. Such structure shall not front on any perimeter road, and access thereto shall be provided only from interior roadways.

Heliports (not for freight) shall meet all of the standards as contained in subsection 13-10A-4C of this article.

Hotels.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Parks and open field recreational activities.

Personal service and retail sales uses intended primarily for the use of tenants and having no exterior advertising and accessible only from the lobby or interior of the building, limited to:

Barbershops and beauty parlors.

Drugstores.

Newsstands; newspapers, magazines and other periodicals.

Tobacco shops.

Public utility, governmental service and transportation uses:

Bus turnarounds and passenger shelters.

Emergency warning system structures.

Fire and police stations.

Post office operated by the United States government.

Sewage and stormwater lift stations.

Telephone exchanges, transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs.

Radio and television stations and production studios.

Restaurants with accessory cocktail lounges and outdoor dining areas, without facilities for dancing and live entertainment, in multibuilding office complexes under single ownership or control on sites not less than ten (10) acres, when such facility is designed primarily for use by tenants of the office complex. Such structure shall not front on any perimeter road, and access thereto shall be provided only from the interior roadways.

Schools, nonresidential, post baccalaureate school; provided, that not more than twenty percent (20%) of the course offerings may be prerequisite to admission to the post baccalaureate programs. (Ord. G-60, 3-22-1966; Ord. G-131, 5-25-1971; Ord. G-210, 2-8-1977; Ord. G-275, 1-20-1981; Ord. G-305, 9-8-1981; Ord. G-424, 1-24-1989; Ord. G-448, 7-10-1990; Ord. G-471, 8-13-1991; Ord. G-483, 3-10-1992; Ord. G-487, 5-12-1992; Ord. G-536, 7-12-1994; Ord. G-553, 3-14-1995; Ord. G-669, 1-23-2001; Ord. G-724, 7-22-2003; Ord. G-785, 6-28-2005; Ord. G-1163, 4-28-2020)

13-10A-3: LOT AREA REQUIREMENTS:

A. Floor Area Ratio: Not to exceed 0.48.

B. Structure Height: Not more than five (5) stories or seventy-six feet (76'), whichever is less.

C. Yards:

1. Front: Not less than one hundred feet (100') in depth, except when adjacent to a residence district boundary line not less than one hundred fifty feet (150') in depth;

2. Side: Not less than thirty feet (30') in depth, except: a) that portion of a side yard when abutting a residence district shall not be less than one hundred fifty feet (150') in depth; b) a side yard abutting a street shall conform in depth to the front yard depth of a

contiguous lot abutting on such street; and c) side yards abutting 22nd Street and York Road shall have a depth of not less than one hundred feet (100');

3. Rear: Not less than forty feet (40') in depth, except that portion of a rear yard abutting a residence district shall be not less than one hundred fifty feet (150') in depth, and except that a rear yard abutting an alley or service drive may be reduced by twenty feet (20') in depth;

4. Conservation/Recreation Districts: Notwithstanding anything contained in this title to the contrary, including, without limitation, section 13-3-13 of this title, any yard which is one hundred feet (100') in depth and which is adjacent in its entirety to a conservation/recreation district boundary shall satisfy the applicable yard requirement;

provided, however, that when a developed zoning lot which contains two (2) or more principal buildings is subdivided the yards required along the new lot lines created by the subdivision shall be not less than thirty feet (30') in depth and the depth of all required yards for each lot shall be shown on the subdivision plat; provided, that existing parking stalls and aisles and access and service drives shall be permitted to continue within said yards and within the yards along the boundaries of the original zoning lot required by subsections C1, C2 and C3 of this section, as modified by subsection 13-12-3H of this title; and provided further that upon redevelopment of any part of a lot, other than for resurfacing or for utility replacement, which development requires removal of existing parking stalls or aisles located in whole or in part within areas where such accessory uses are not permitted by said subsections as so modified, no new stalls or aisles shall be constructed in such areas except as permitted by said subsections as so modified, and any landscaping therein required by this title shall be promptly installed and properly maintained. (Ord. G-60, 3-22-1966; Ord. G-135, 5-22-1971; Ord. G-213, 3-22-1977; Ord. G-554, 5-9-1995; Ord. G-557, 7-25-1995; Ord. G-676, 4-10-2001)

13-10A-4: ADDITIONAL REGULATIONS:

A. Awnings, Marquees And Signs: See chapter 11 of this title.

B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title.

C. Heliports [1](#) :

1. If the federal aviation administration has conducted an aeronautical study to determine the effect of the proposed heliport on the safe and efficient use of the navigable air space by aircraft and find no objection to the proposed heliport.

2. The layout and design of the heliport, including approach and departure paths, shall conform to the most current rules and regulations of the division of aeronautics, state of Illinois, department of transportation. Any approval for a heliport granted by the village shall be subject to evidence that said division of aeronautics has issued an order authorizing the applicant to proceed with construction of the heliport in accordance with

plans approved by it; provided, however, that any waiver of such rules and regulations granted by said division shall be subject to approval by the village. No permit for the construction of a heliport will be given until such an order has been issued by said division.

3. Hours of operation shall be from seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M. Monday through Saturday. The heliport may also be used on Sunday, provided the village is advised seventy-two (72) hours in advance, and said use does not exceed one such use per month.

4. Approach and departure patterns from said heliport shall be limited to avoid operation over residential areas.

5. Refueling, routine maintenance and storage of helicopter, except for emergency purposes only, shall not be permitted at the heliport.

6. There will be no receiving or shipping of freight from said heliport, and there will be no on site storage of fuel.

7. Use of the heliport shall at all times comply with any specific requirements of the federal aviation administration or Illinois department of transportation in the certificate of approval or operation issued to the user of the heliport by such agencies.

8. Special use shall only be applicable to the applicant therefor and only so long as the applicant is occupying the subject property, provided, however, that pursuant to a special use permit application identifying a specific user occupying property adjacent to the subject property, the special use also may be made applicable to such user for so long as such user occupies adjacent property.

9. The applicant shall maintain at all times appropriate and sufficient insurance coverage relative to the installation and use of the heliport insuring against any property damage or personal injury arising therefrom with policy limits of not less than twenty million dollars (\$20,000,000.00).

10. All such special uses shall be reviewed by the village every five (5) years for conformance with the conditions set forth herein, character of safety and extent of operations and any further relevant factors.

11. Helicopters utilizing a heliport shall fly at the maximum safe level prior to entering the approach pattern to the heliport.

12. Use of the heliport shall be made available to the village or its designees for emergencies.

13. A log of usage shall be submitted to the village on an annual basis, or as otherwise required by the village. (Ord. G-60, 3-22-1966; Ord. G-82, 4-9-1968; Ord. G-178, 12-9-1975; Ord. G-305, 9-8-1981; Ord. G-471, 8-13-1991; Ord. G-553, 3-14-1995; Ord. G-695, 3-26-2002)

Notes

1. See section 13-10A-2 of this article, heliports as a special use.

ARTICLE B. ORA2 OFFICE-RESEARCH-ASSEMBLY DISTRICT

SECTION:

13-10B-1: Permitted Uses

13-10B-2: Special Uses

13-10B-3: Lot Area Requirements

13-10B-4: Additional Regulations

13-10B-1: PERMITTED USES:

Accessory uses and structures, including storage and service areas within the structures, garages for delivery trucks, off street parking, central heating and air conditioning plants, and storage areas, yards, shops, and similar facilities that are used solely for operating, servicing, or maintaining the activities and improvements within the district. Accessory structures and uses shall also include dwellings occupied by watchmen, janitors, maintenance and similar employees engaged upon the premises; but no dwelling shall be erected for any other purpose.

Permitted uses as allowed in the B2 regional shopping center district.

Permitted uses as allowed in the ORA1 office-research-assembly district. (Ord. G-60, 3-22-1966; Ord. G-758, 8-24-2004)

13-10B-2: SPECIAL USES:

Daycare centers, provided such facility complies with all licensing requirements of the state and maintains a direct alarm hookup to the police department or other emergency dispatch center.

Drive-in establishments for retail banks and freestanding restaurants.

Heliports (not for freight) shall meet all of the standards as contained in subsection 13-10A-4C of this chapter.

Nonresidential, postbaccalaureate schools.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Public utility, governmental service and transportation uses:

Bus turnarounds and passenger shelters.

Fire and police stations.

Sewage and stormwater lift stations.

Telephone exchanges, transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs. (Ord. G-980, 9-25-2012; Ord. G-1163, 4-28-2020)

13-10B-3: LOT AREA REQUIREMENTS:

A. Floor Area Ratio: Not to exceed 1.2 for office uses, financial uses and accessory uses thereto; 0.8 for other uses permitted in the ORA1 district; and 0.3 for uses as permitted in the B2 regional shopping district.

B. Structure Height: Not more than twelve (12) stories or one hundred seventy four feet (174'), whichever is less.

C. Yards:

1. Front: Not less than one hundred feet (100') in depth, except when adjacent to a residence district boundary line not less than one hundred fifty feet (150') in depth, provided that required front yards may be occupied by drives, sidewalks, landscaping and similar facilities.

2. Side: Not less than thirty feet (30') in depth, except: a) that portion of a side yard abutting a residence district shall be not less than one hundred fifty feet (150') in depth; b) a side yard abutting a street shall be not less than fifty feet (50') in depth; c) each interior side yard shall be increased by not less than one foot (1') for each one foot (1') of structure height over thirty two feet (32'); and d) side yards abutting 22nd Street and York Road shall have a depth of not less than one hundred feet (100'), provided that required side yards may be occupied by drives, vehicular parking, sidewalks, landscaping, and similar facilities provided that paved parking areas shall not be located closer than forty feet (40') to any lot in a residence district.

3. Rear: Not less than twenty feet (20') in depth, except that portion of a rear yard abutting a residence district shall be not less than one hundred feet (100') in depth, provided that required rear yards may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities provided that paved parking areas shall not be located closer than forty feet (40') to any lot in a residence district. (Ord. G-60, 3-22-1966; Ord. G-213, 3-22-1977; Ord. G-557, 7-25-1995; Ord. G-758, 8-24-2004)

13-10B-4: ADDITIONAL REGULATIONS:

- A. Awnings, Marquees And Signs: See chapter 11 of this title.
- B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966; Ord. G-695, 3-26-2002)

ARTICLE C. ORA3 OFFICE-RESEARCH-ASSEMBLY DISTRICT

SECTION:

13-10C-1: Purpose

13-10C-2: Permitted Uses

13-10C-3: Special Uses

13-10C-4: Lot Area Requirements

13-10C-5: Additional Regulations

13-10C-6: Procedures

13-10C-1: PURPOSE:

The ORA3 district is designed to permit and encourage orderly and attractive site planning in accordance with an overall design which provides for the preservation of natural site qualities, a high proportion of open space, and an arrangement of land uses and physical features into a harmonious design compatible with the surrounding area. It is intended that an area may be classified as an ORA3 district only when the following conditions are met:

A. Not less than fifty percent (50%) of the property shall be permanently devoted to open space which shall consist of planted areas (including planted surfaces of parking decks), forests, lagoons, watercourses, storm water swales and retention areas, pedestrian, bicycle, and bridle paths and walkways, with the maximum practicable retention of forests and other natural vegetation.

B. All buildings and parking, and other structures to the extent practical, will be substantially screened from public view from public streets and streets privately owned and maintained in residential developments in accordance with a landscaping plan to be submitted for approval by the village.

C. All roads and bridges will be retained in private ownership and constructed to meet village standards and maintained by the owner without cost to the village.

D. All access to and from the property can be constructed and maintained so that substantially all traffic generated will use commercial thoroughfares. (Ord. G-60, 3-22-1966)

13-10C-2: PERMITTED USES:

The following are permitted uses within the ORA3 district, but only to the extent that each such use is in accordance with an approved ~~Planned~~ Development ~~plan~~:

Accessory uses and structures including the following:

Central heating and air conditioning plants.

Daycare centers, provided such facility complies with all licensing requirements of the state and maintains a direct alarm hookup to the police department or other emergency dispatch center.

Limited retail and service facilities.

Living quarters (not in separate residential buildings) solely for occupancy of watchmen, janitors, maintenance, and similar employees (and their families) employed in connection with the maintenance and security of the property and improvements thereon.

Lodging facilities (together with restaurant and accessory cocktail lounge) for the transient use of employees of the owner, its subsidiaries, affiliates, franchisees, and other business invitees.

Nonpublic meeting and conference facilities.

Private recreational use, such as tennis courts, putting greens, swimming pools, bowling alleys, racquetball courts, baseball diamonds, stables, bridle paths, and health facilities.

Public utility and transportation uses, such as:

Bus turnarounds and passenger shelters;

Electric distribution stations solely for serving the development;

Outdoor telephone booths;

Sewerage and storm water lift stations;

Wells and reservoirs.

Radio and television production studios.

Research and development facilities.

Storage, service, and maintenance buildings and areas.

Temporary buildings for construction purposes and construction equipment storage areas, for a period not to exceed thirty (30) days following completion of construction.

Hotels.

Office, business and professional; provided, however, that following completion of any phase and for five (5) years thereafter not more than thirty three percent (33%) of the

office space shall be occupied by persons other than employees or business invitees of either: a) the owner, its successors or subsidiaries or affiliated corporations thereof, or joint venturers or partners of the owner; or b) tenants who are suppliers for or consultants to the owner.

Restaurants (which may include musical entertainment and dancing, cocktail lounges and tearooms) and outdoor dining areas (as described in section 13-10-4). (Ord. G-60, 3-22-1966; Ord. G-447, 4-24-1990; Ord. G-558, 7-25-1995; Ord. G-696, 6-11-2002; Ord. G-1163, 4-28-2020)

13-10C-3: SPECIAL USES:

Heliport (not for freight), shall meet all of the standards as contained in subsection 13-10A-4C of this chapter and may be located on a roof of a building of four (4) stories or less.

Not for profit, noncommercial performing and fine arts center.

Schools of music, fine arts, dance, theater, and other arts. (Ord. G-60, 3-22-1966; Ord. G-305, 9-8-1981)

13-10C-4: LOT AREA REQUIREMENTS:

A. Lot Area: Not less than twenty four (24) acres.

B. Floor Area Ratio:

1. Not to exceed 0.44 for permitted and accessory uses;
2. Not to exceed 0.01 for special uses.

C. Open Space:

1. Not more than twenty four percent (24%) of the property shall be covered by buildings, including parking structures.

2. Not less than fifty percent (50%) of the property shall be "open space" as defined in subsection 13-10C-1A of this article.

D. Structure Height: Not to exceed thirty five feet (35') or three (3) stories, whichever is less; provided, however, that parking structures may be above that height but shall not exceed the lesser of four (4) stories or forty feet (40') unless located within an office building structure; and that up to forty five percent (45%) of the total permitted office floor area may be above that height but shall not exceed the lesser of six (6) stories or seventy five feet (75'); and up to ten percent (10%) of the total permitted lodging facilities floor area may be above that height, but shall not exceed the lesser of five (5) stories or sixty feet (60').

E. Yards: No structure other than signs as provided for in subsection 13-10C-5A of this article, shall be erected or maintained within one hundred feet (100') from any boundary of said property, except that said area may be occupied by drives, vehicular parking, sidewalk, landscaping, gatehouse entrance treatment and similar facilities, except that paved parking areas shall not be located on required yards adjacent to public streets or within forty feet (40') of all other boundary lines. (Ord. G-60, 3-22-1966; Ord. G-558, 7-25-1995)

13-10C-5: ADDITIONAL REGULATIONS:

A. Signs: See chapter 11 of this title.

B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title, except that if the approved ~~Planned~~ Development plan shall reserve enough land area to satisfy the full requirements of chapter 12 of this title, then only sixty percent (60%) of the required parking for any phase of the development need be developed until and unless the village determines that the existing parking is inadequate. At such time, the owner shall construct additional parking spaces as required by chapter 12 of this title up to one hundred percent (100%). An amount equal to twenty percent (20%) of the parking provided for the development shall be located in an office building and/or in underground parking facilities decked over with architectural landscaping. (Ord. G-60, 3-22-1966; Ord. G-447, 4-24-1990; Ord. G-558, 7-25-1995; Ord. G-695, 3-26-2002)

13-10C-6: PROCEDURES FOR PLAN APPROVAL IN THE ORA-3:

- ~~—A. The applicant shall concurrently file with the village clerk:~~
 - ~~—1. An application for rezoning of the property to an ORA3 office-research-assembly district classification; and~~
 - 2. An application for approval of a proposed ~~development plan~~ Planned Development.
 - ~~—B. Such applications shall be processed in the manner provided in section 13-14-8 of this title.~~
 - ~~—C. The proposed development plan shall include the following:~~
 - ~~—1. A statement as to the following:~~
 - ~~—a. The period of time expected to be required to implement the development plan Planned Development, and each development phase necessary or desirable for full implementation thereof.~~
 - ~~—b. The total acreage allocated for each principal and accessory use, including, but not limited to, open space, office and other buildings and structures, parking and other accessory uses.~~
 - ~~—c. The conditions and limitations relating to the development of the property.~~
 - ~~—2. A plat setting forth graphically on a scaled drawing drawn to a scale not smaller than one hundred feet to one inch (1" = 100'), which shall include the following information:~~
 - ~~—a. The boundaries of the site and location of adjacent public streets;~~
 - ~~—b. The general location of proposed vehicular access points and internal private drives;~~
 - ~~—c. The proposed boundaries of areas within the site of: 1) open space areas where no building or parking lots will be permitted; 2) building areas where buildings and other structures and parking lots will be permitted;~~
 - ~~—d. The location of water channels, storm water detention areas, lakes and ponds;~~
- ~~provided, that prior to final approval of improvement plans as provided for in subsection E of this section, all of such areas shall be precisely defined.~~
- ~~—D. The applicant shall also provide the following:~~
 - ~~—1. A statement of the planning objectives to be achieved by the development.~~
 - ~~—2. A plat of survey of the site.~~
 - ~~—3. A topographical analysis of the site with contour intervals of not more than two feet (2').~~
 - ~~—4. An aerial photograph of the site at a scale of not less than two hundred feet to the inch (1" = 200').~~

~~—5. Information on existing water mains, sanitary sewers, storm sewers, storm water retention and runoff, stream channels, floodplains and floodways, lakes and ponds.~~

~~—6. A study by traffic engineers providing information on the impact of the development on public streets and intersections.~~

~~—7. A plat or map showing the land uses, physical features and zoning of all adjacent lands within four hundred (400) yards of the site.~~

~~—E. Following final approval of the Planned dDevelopment plan for the site, no building permit shall be issued and no improvements shall be commenced until an improvement plan shall have been approved in the manner provided in the applicable provisions of the subdivision regulations 1.~~

~~—F. The owner of property zoned ORA3 may file from time to time applications for approval of proposed amendments to an approved Planned dDevelopment plan, which applications shall be processed in the manner provided in subsections B through E of this section. (Ord. G-60, 3-22-1966; Ord. G-233, 5-31-1978)~~

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Notes

~~1. See title 14 of this code.~~

ARTICLE D. 03 OFFICE DISTRICT

SECTION:

13-10D-1: Permitted Uses

13-10D-2: Special Uses

13-10D-3: Lot Area Requirements

13-10D-4: Additional Regulations

13-10D-1: PERMITTED USES:

Accessory uses and structures including:

Restaurants, accessory cocktail lounges, and outdoor dining areas (as described in section 13-10-4) over five (5) stories in height which is used principally for a permitted use, and when located on floors below those used for the principal use or on the top floor or roof of such structure.

Retail sales and personal service uses, having no exterior advertising and accessible only from the lobby and interior of a building (which is over 12 stories in height) and used for a

permitted principal use and when no single establishment occupies more than two thousand (2,000) square feet of floor area.

Banks and financial institutions.

Electric distribution centers and substations.

Gas regulator station.

Offices. (Ord. G-60, 3-22-1966; Ord. G-842, 10-9-2007; Ord. G-1163, 4-28-2020)

13-10D-2: SPECIAL USES:

Daycare center, provided such facility complies with all licensing requirements of the state and maintains a direct alarm hookup to the Oak Brook police department.

Heliports, not for freight, shall meet all of the standards as contained in subsection 13-10A-4C of this chapter. Additionally, the operation of said heliport shall meet the performance standards as contained in section 13-10-3 of this chapter.

Hotel or combination office and hotel.

Public utility, governmental service and transportation uses.

Bus turnarounds and passenger shelters.

Emergency warning system structures.

Fire and police stations.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Sewage and storm water lift stations.

Telephone exchanges, transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs. (Ord. G-60, 3-22-1966; Ord. G-454, 10-9-1990; Ord. G-483, 3-10-1992; Ord. G-747, 4-27-2004; Ord. G-1163, 4-28-2020)

13-10D-3: LOT AREA REQUIREMENTS:

A. Floor Area Ratio: Not to exceed 0.8.

B. Yards:

1. Front: Not less than one hundred feet (100') in depth, except when adjacent to a residence district boundary line not less than one hundred fifty feet (150') in depth.

2. Side: Not less than thirty feet (30') in depth, except: a) that portion of a side yard abutting a residence district shall be not less than one hundred fifty feet (150') in depth; b) a side yard abutting a street shall be not less than forty feet (40') in depth; and c) a side yard abutting 22nd Street shall be not less than one hundred feet (100') in depth.

3. Rear: Not less than forty feet (40') in depth, except that portion of a rear yard abutting a residence district shall be not less than one hundred feet (100') in depth and except that a rear yard abutting an alley or service drive may be reduced by twenty feet (20') in depth. (Ord. G-60, 3-22-1966; Ord. G-213, 3-22-1977)

13-10D-4: ADDITIONAL REGULATIONS:

A. Awnings, Marquees And Signs: See chapter 11 of this title.

B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966; Ord. G-233, 5-31-1978; Ord. G-305, 9-8-1981; Ord. G-695, 3-26-2002)

ARTICLE E. 04 OFFICE DISTRICT

SECTION:

13-10E-1: Permitted Uses

13-10E-2: Special Uses

13-10E-3: Lot Area Requirements

13-10E-4: Additional Regulations

13-10E-1: PERMITTED USES:

Accessory uses and structures including:

Restaurants including outdoor dining (as described in section 13-10-4) and accessory cocktail lounges in a structure five (5) stories or more in height which is used principally for a permitted use, and when located on the ground or on floors below those used for the principal use or on the top floor or roof of such structure.

Retail sales and personal service uses when no single establishment occupies more than two thousand (2,000) square feet of floor area.

Buildings existing at the time of rezoning to O4 office district may be used for any of the uses permitted in the zoning district applicable to the property at the time of its rezoning; provided that in the event that: a) the structure is substantially damaged and the owner is not required by the lease or otherwise to restore the structure to its prior condition; or b) the structure is not occupied, used or leased for such purpose or purposes for a period of twelve (12) consecutive months, then its future use shall be limited to one or more of the uses permitted in this article, or, with the prior approval of the village board of trustees, to one or more of the special uses set forth in section 13-10E-2 of this article.

Electric distribution centers and substations.

Gas regulator station.

Office supply retail establishments.

Offices. (Ord. G-60, 3-22-1966; Ord. G-1163, 4-28-2020)

13-10E-2: SPECIAL USES:

Daycare center, provided such facility complies with all licensing requirements of the state and maintains direct alarm hookup to the Oak Brook police department.

Health clubs, private, membership only, in multi-building office complexes under single ownership or control on sites not less than ten (10) acres. Such structure shall not front on any perimeter road, and access thereto shall be provided only from interior roadways.

Heliports, not for freight, shall meet all of the standards as contained in subsection 13-10A-4C of this chapter. Additionally, the operation of said heliport shall meet the performance standards as contained in section 13-10-3 of this chapter.

Hotel or combination office and hotel.

Medical offices.

Outdoor ATM (automated teller machine) walk-up or drive-thru

Mixed use development on properties not less than ten (10) acres in area subject to the following:

A. Authorized Uses:

1. Permitted; B1 District; Exceptions: All permitted uses authorized in the B1 local shopping center district, except that the following uses are not permitted:

Fire stations.

Laundrettes, including automatic self-service dry cleaning equipment.

Libraries, branch.

Police stations.

2. Permitted; B-2 District; Exceptions: All permitted uses in the B-2 regional shopping center district, except that the following uses are not permitted:

Automobile service stations.

Electric distribution centers and substations.

Gas regulator stations.

Hospitals, having not more than ten (10) beds and first aid stations for the treatment of emergency cases.

Laundries, dyeing and cleaning establishments.

Laundries, self-service, and shops for the collection and distribution of laundry and dry cleaning articles.

Messenger and telephone service stations.

Printing plants, newspaper, magazine and similar publications.

Radio and television broadcasting stations.

Service, cleaning and repair shops, for personal, household or garden equipment.

3. Permitted; B-3 District; Exceptions: All permitted uses in the B-3 general business district, except that the following uses are not permitted:

Animal hospitals and veterinarian offices.

Automobile accessory stores.

Automobile service stations.

Building material sales, not including outside storage.

Cartage and express facilities.

Clothing pressing establishments.

Clubs, lodges and fraternal organizations.

Coin and philatelic stores.

Electric distribution centers and substations.

Employment agencies.

Exhibition halls.

Fire stations.

Garages, public, where body repair and painting are incidental accessory uses, but not including automobile wrecking yards.

Garages, storage.

Gas regulator stations.

Greenhouses and conservatories.

Kennels, with no outdoor dog runs.

Laboratories, medical, dental or optical.

Libraries.

Locksmith shops.

Mail order service stores.

Orthopedic and medical appliance stores.

Pet service, domestic.

Physical culture and health service, gymnasiums, reducing salons, massage salons and public baths.

Plumbing, heating, air conditioning and electrical fixtures and equipment, showroom and shops, for domestic use only.

Police stations.

Radio and television stations.

Recording studios.

Recreational buildings, community centers and meetings halls.

Religious institutions, churches, chapels, temples or synagogues.

Sewing machine sales and services.

Taxidermists.

Telegraph offices.

Typewriter and adding machine sales and service establishments.

Undertaking establishments and funeral parlors.

4. Special; B-1 District; Exceptions: All special uses authorized in the B-1 local shopping center district, except as specified in subsection A7 of this use.

5. Special; B-2 District; Exceptions: All special uses in the B-2 regional shopping center district, except as specified in subsection A7 of this use.

6. Special; B-3 District; Exceptions: All special uses in the B-3 general business district, except as specified in subsection A7 of this use.

7. Nonpermitted Uses: The following uses are not permitted, notwithstanding the provisions of the zoning regulations:

Amusement establishments, including gymnasiums, swimming pools and skating rinks.

Automobile minimarket.

Automobile service stations.

Clubs, lodges, fraternities and community centers.

Drive-in establishments for permitted uses.

Fire and police stations.

Gas regulator stations.

Horse stables and riding academies, public.

Nursing homes.

Open sales lots, when accessory to new automobile, trailer or boat sales establishments.

Recreation, outdoor, par 3 and miniature golf courses, golf driving ranges, swimming and tennis clubs, and other outdoor recreation uses as approved by the village board of trustees.

Water filtration plants, wells, pumping stations and reservoirs.

8. Additional Authorized Uses:

Bakeries, where not more than forty percent (40%) of the floor area is devoted to processing.

Barber shops and beauty parlors, day spas, tanning salons.

Clinics, medical, dental and optometric including accessory laboratories.

Drive-in and drive-through banking facilities.

Garden supply, retail.

Health clubs, including accessory uses such as daycare, spa services including tanning and salon, selling of goods including clothing, food, other items related to health and well being.

Indoor entertainment facilities, except for game rooms and pool rooms.

Offices: business, professional and public. Any such office use may also include a daycare center.

Retail food products sales facilities.

Seasonal, portable carts serving only limited menu foods and/or beverage items in outdoor areas of a shopping center as a convenience to pedestrian shoppers, provided that: a) all aspects of the operation and sales meet the applicable requirements of the DuPage County health department; and b) cart locations have appropriate utilities provided, are not convenient to drive-up business, and do not materially interfere with access to or visibility of other establishments within the shopping center.

Single-family attached dwellings.

~~—B. Lot Requirements:~~

~~—1. Yards:~~

~~—a. Front: Not less than one hundred feet (100') in depth; provided that parking may be installed and utilized in this setback along York Road not less than thirty feet (30') of the property line; and further provided that canopies may encroach no more than eight feet (8') into any required front yard;~~

~~—b. Rear: Not less than thirty feet (30'); provided that canopies may encroach no more than eight feet (8') into any required rear yard; and further provided that hotel and condominium canopies may encroach no more than fifteen feet (15') into any required rear yard;~~

~~—c. Side: Not less than thirty feet (30'); provided that canopies may encroach no more than eight feet (8') into any required side yard; and further provided that hotel and condominium entryway coverings may encroach no more than fifteen feet (15') into a required side yard;~~

~~—provided, however, that when a developed zoning lot which contains two (2) or more principal buildings is subdivided the yards required along the new lot lines created by the subdivision shall be not less than thirty feet (30') in depth and the depth of all required yards for each lot shall be shown on the subdivision plat; provided, that existing parking stalls and aisles and access and service drives shall be permitted to continue within said yards and within the yards along the boundaries of the original zoning lot required by this subsection B1, as modified by subsection 13-12-3H of this title; and provided further that upon redevelopment of any part of a lot, other than for resurfacing or for utility replacement, which development requires removal of existing parking stalls or aisles located in whole or in part within areas where such accessory uses are not permitted by said subsections as so modified, no new stalls or aisles shall be constructed in such areas except as permitted by said subsections as so modified, and any landscaping therein required by this title shall be promptly installed and properly maintained.~~

~~—2. Floor Area Ratio: Not to exceed 1.0.~~

~~—3. Structure Height: Not more than sixteen (16) stories or one hundred eighty feet (180'), whichever is greater.~~

~~—C. Parking And Loading: In a mixed use development containing hotel and/or office uses:~~

~~—1. Up to thirty five percent (35%) of required parking spaces for all uses may have a minimum width of eight and one half feet (8.5').~~

~~—2. No more than fifteen percent (15%) of required parking spaces may be located within one hundred feet (100') of York Road.~~

~~—3. Notwithstanding the provisions of subsection 13-12-3C of this title, the minimum aisle width shall be twenty four feet (24').~~

~~—4. The following provisions shall govern driveways notwithstanding the provisions of subsection 13-12-3E of this title: Spacing between driveways shall be consistent with good engineering practice as reasonably determined by the village engineer and not less than thirty five feet (35').~~

~~—5. The following provisions shall govern loading requirements, notwithstanding the provisions of section 13-12-7 of this title: Loading docks and loading berths are not required provided that off street loading areas are installed.~~

~~—D. Signs:~~

~~—1. Monument Signs:~~

~~—a. One at fifteen feet by sixteen feet (15' x 16') (2 sided) with slots for tenant signage (240 square feet, each side, 480 square feet total).~~

~~—b. One at ten feet by sixteen feet (10' x 16') (2 sided) (160 square feet each side, 320 square feet total).~~

~~—2. Directional And Miscellaneous/Wayfinding Signs:~~

~~—a. Up to twenty (20) signs, each no more than twenty (20) square feet.~~

~~—3. Restaurant And Retail Signs:~~

~~—a. On building signage/entrance signage.~~

~~—b. Gross surface area of all signs shall be no more than two (2) times the number of linear feet in the length of the building wall facing a public street.~~

~~—c. On a corner or through lot, a sign may be erected along each street frontage.~~

~~—d. Height of letters are limited to thirty six inches (36").~~

~~—e. The sign shall not project more than thirty inches (30") from any facade or canopy and shall not be higher than the top of the building.~~

~~—4. Blade Signage: The following sign provisions are available for each occupant of any nonresidential use:~~

~~—a. Signage shall be no larger than eight (8) square feet.~~

~~—b. Height of letters are limited to twelve inches (12").~~

~~—c. Signage shall be at least eight feet (8') above the elevation of the sidewalk.~~

~~—d. Signage shall project no more than sixty inches (60") from the facade.~~

~~—5. Health Club Signs:~~

~~—a. Building signage/entrance signage.~~

~~—b. Gross surface area shall be no more than six hundred thirty (630) square feet.~~

~~—c. Height of letters are limited to forty eight inches (48").~~

~~—d. The sign shall not project more than thirty inches (30") from any facade or canopy and shall not be higher than the top of the building.~~

~~—e. Health club may have three (3) building/entrance signs: two (2) on the building and one at the main entrance.~~

~~—6. Hotel Signage:~~

~~—a. Top of the building (north side): Up to one hundred forty (140) square feet.~~

~~—b. Top of the building (south side): Up to sixty five (65) square feet.~~

~~—c. Porte-cochere signage: Up to one hundred forty five (145) square feet.~~

~~—d. Ground sign: Up to three (3) square feet.~~

~~—7. Condominium Signage:~~

~~—a. Entrance Signage: The primary and secondary entrances may each have the following signage:~~

~~—(1) Gross surface area shall be no more than two (2) times the number of linear feet in the length of the building wall facing a public street.~~

~~—(2) Height of letters are limited to thirty six inches (36").~~

~~—(3) The signs shall not project more than thirty inches (30") from any facade or canopy and shall not be higher than structure height.~~

~~—b. Parking Signage For Condominiums:~~

~~—(1) Limited to thirty (30) square feet.~~

~~—8. Location Of Signs: Except for signs authorized in subsection D2 of this use, no ground sign may be closer than ten feet (10') from any lot line and no sign may be closer than three feet (3') from a driveway or parking area.~~

~~—E. Landscaping: The following provisions shall govern requirements for landscaping notwithstanding the provisions of subsections 13-12-4B and C of this title:~~

~~—1. Screening And Landscaping: The following landscaped and planted areas shall be provided and maintained for all parking areas:~~

~~—a. Front Yards: Permanent screening at least two feet (2') in height shall be installed in front yard areas adjacent to parking areas. This screening may consist of a planted earth berm, shrubs or trees, or a combination of both.~~

~~—b. Side And Rear Yards: Permanent peripheral screening at least two feet (2') in height shall be installed in side and rear yards adjacent to parking areas. This screening may consist of a planted earth berm, shrubs or trees, or a combination of both.~~

~~—2. Lot Area: Landscaped areas shall occupy not less than ten percent (10%) of the total lot area.~~

Public utility, governmental service and transportation uses:

Bus turnarounds and passenger shelters.

Emergency warning system structures.

Fire and police stations.

Schools - nonresidential, postbaccalaureate school, provided that not more than twenty percent (20%) of the course offerings may be prerequisite to admission to the postbaccalaureate programs.

Sewage and stormwater lift stations.

Telephone exchanges, transmission buildings and equipment, and outdoor telephone booths and pedestals.

Water filtration plants, wells, pumping stations and reservoirs. (Ord. G-60, 3-22-1966; Ord. G-710, 12-10-2002; Ord. G-827, 1-23-2007; Ord. G-914, 1-12-2010; Ord. G-1074, 4-12-2016; Ord. G-1163, 4-28-2020)

13-10E-3: LOT AREA REQUIREMENTS:

A. Floor Area Ratio: Not to exceed 0.8.

B. Structure Height: Not to exceed one hundred eighteen feet (118') or eight (8) stories in height, whichever is less.

C. Yards:

1. Front: Not less than sixty feet (60') in depth, except: a) when adjacent to a residence district boundary line not less than one hundred fifty feet (150') in depth; and b) when abutting 22nd Street or York Road not less than one hundred feet (100') in depth.

2. Side: Not less than thirty feet (30') in depth, except: a) that portion of a side yard abutting a residence district shall be not less than one hundred fifty feet (150') in depth; b) a side yard abutting a street shall be not less than forty feet (40') in depth; and c) a side yard abutting 22nd Street or York Road shall be not less than one hundred feet (100') in depth.

3. Rear: Not less than forty feet (40') in depth, except that portion of a rear yard abutting a residence district shall be not less than one hundred feet (100') in depth and except that a rear yard abutting an alley or service drive may be reduced by twenty feet (20') in depth. (Ord. G-60, 3-22-1966)

13-10E-4: ADDITIONAL REGULATIONS:

A. Awnings, Marquees And Signs: See chapter 11 of this title.

B. Off Street Parking And Loading: Off street parking and loading shall be as provided in chapter 12 of this title. (Ord. G-60, 3-22-1966; Ord. G-619, 9-22-1998; Ord. G-695, 3-26-2002)

CHAPTER 12

OFF STREET PARKING AND

LOADING SECTION:

13-12-1 : Scope Of Regulations

13-12-2 : Permissive Parking And Loading Facilities

13-12-3: Off Street Parking Regulations

13-12-4 : Design And Maintenance

13-12-5 : Off Street Parking Spaces

Required 13-12-6: Handicap Parking

13-12-7 : Off Street Loading Regulations

13-12-8 : Parking For Damaged Or Destroyed Uses

13-12-1 : SCOPE OF REGULATIONS:

The off street parking and loading provisions of this chapter shall apply as follows, subject to the restrictions set forth in section 13-12-3 of this chapter:

A. Accessory off street parking and off street loading facilities shall be provided as required by the regulations of this chapter for all uses and structures established in each district after the effective date hereof. However, where a building permit has been issued prior to the effective date hereof, and construction is begun within ninety (90) days after such effective date and diligently prosecuted to completion, parking and loading facilities as required for the issuance of said building permit may be provided in lieu of any different amounts required by this chapter.

B. When the intensity of use of any structure or premises is increased through the addition of dwelling units, gross floor area or seating capacity parking and loading facilities for the addition shall be provided in the amount specified herein.

C. Whenever the existing use of a structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said structure was erected prior to the effective date hereof, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this chapter.

D. The design and engineering for all new or modifications to existing parking and loading facilities shall be approved by the village engineer prior to construction. (Ord. G-687, 10-23-2001)

13-12-2 : PERMISSIVE PARKING AND LOADING FACILITIES:

Nothing in this chapter shall be deemed to prevent the voluntary establishment of off street parking and loading facilities to serve any existing uses or structures, provided that all regulations herein governing the location, design, and operation of such facilities are followed. (Ord. G-687, 10-23-2001)

13-12-3 : OFF STREET PARKING REGULATIONS:

A. Existing Parking Facilities: Accessory off street parking facilities in existence on the effective date hereof and located on the same lot as the structure or use served shall not hereafter be reduced below the requirements for a similar new structure or use under the provisions of this chapter.

B. Location: After the effective date hereof, all off street parking spaces shall be located on the same lot as the building, structure or use of land served; however, off street parking spaces may also be located on a lot other than the lot on which the building, structure or use of land served is located, provided that said spaces are also within five hundred fifty feet (550') walking distance of such building, structure, or use of land. All off street parking spaces required for single-family residences shall be located on the same lot as the residence, provided that no required spaces may be located in any front or side yard.

C. Size And Aisles: Each required off street parking space shall have a width and length, exclusive of access drives or aisles, ramps, columns, or office and work areas in accordance with standards set forth below. Enclosed parking spaces shall have a vertical clearance of at least seven feet (7'). Each required off street parking space shall open directly upon an aisle or driveway of a width and design in accordance with standards set forth below:

MINIMUM STANDARDS OF PARKING SPACES, AISLES AND PARKING BAYS FOR PARKING
ACCESSORY TO NONOFFICE USES

45°	9'0"	12'9"	19'1"	12'0"	50'2"
60°	9'0"	10'5"	20'1"	17'0"	57'2"
75°	9'0"	9'4"	19'9"	22'0"	61'6"
90°	9'0"	9'0"	18'0"	27'0"	63'0"

Minimum Space Per Car:			Width 9'0" Length 18'0"		
Parking Space And Aisle Dimensions:			Width Of Parking Bays ¹		
Angle Of Parking	Width Of Space Feet And Inches	Width Of Space Parallel To Aisle, Feet And Inches	Depth Of Space Perpendicular To Aisle, Feet And Inches	Width Of Aisle Feet And Inches	Head-In To Curb Feet And Inches

MINIMUM STANDARDS OF PARKING SPACES, AISLES AND PARKING BAYS FOR
PARKING ACCESSORY TO OFFICE AND HOTEL USES

Minimum Space Per Car:			Width 8'6" Length 17'6"		
Parking Space And Aisle Dimensions:			Width Of Parking Bays ²		
Angle Of Parking	Width Of Space Feet And Inches	Width Of Space Parallel To Aisle, Feet And Inches	Depth Of Space Perpendicular To Aisle, Feet And Inches	Width Of Aisle Feet And Inches	Head-In To Curb Feet And Inches
45°	8'6"	12'0"	18'5"	12'0"	48'10"
60°	8'6"	9'10"	19'5"	16'0"	54'10"
75°	8'6"	8'10"	19'1"	20'0"	58'2"
90°	8'6"	8'6"	17'6"	24'0"	59'0"

D. Timing Of Construction: All required off-street parking shall be constructed in accordance with the design criteria of this chapter and shall be improved and ready for use as a condition of occupancy for the structure, issuance of additional permits or use of land. However, the property owner may request approval from the ~~ed~~Director of community Development Services, to initially construct no less than seventy five percent (75%) of the required parking as a condition of occupancy with the remaining required spaces to be set aside and constructed when the parking demands for the site as determined by the village, require the construction of the set aside parking spaces. Prior to occupancy, a written covenant agreeing to construct the set aside parking spaces shall be submitted to the village for review and approval. Once approved, this document shall be filed for recording in the office of the county recorder of deeds and shall run with the parcel of land.

E. Access: All off-street parking facilities shall be provided with appropriate means of vehicular access to a street in accordance with regulations set forth below:

ACCESS DRIVEWAYS FROM STREETS TO OFF-STREET PARKING AND LOADING SPACES

1. Width of driveways (measured at the lot line adjoining a street):
 - a. Residential Uses: Not less than nine feet (9') wide or more than twenty feet (20') wide.
 - b. Nonresidential Uses:
 - (1) Not less than twelve feet (12') wide or more than twenty two feet (22') wide for a one-way driveway.
 - (2) Not less than twenty two feet (22') wide or more than twenty five feet (25') wide for a two-way driveway serving twenty (20) or fewer parking spaces or one loading berth.
 - (3) Not less than:
 - (A) Twenty four feet (24') wide or more than thirty eight feet (38') wide for a two-way driveway (2 lanes out and 1 lane in) without a median; or
 - (B) Twenty four feet (24') wide or more than forty four feet (44') wide for a two-way driveway (2 lanes out and 1 lane in) with a median, serving more than twenty (20) parking spaces or two (2) or more loading berths.
2. Radius connecting street pavement edge and driveway edge:
 - a. In Residential Districts: Not less than two feet (2').
 - b. In All Other Districts: Not less than fifteen feet (15').
3. Angle at intersection of a driveway and street: The acute angle formed at the intersection of driveway and street pavement edges shall be not less than sixty degrees (60°). The required turning angle for a vehicle entering or leaving a driveway shall not exceed ninety degrees (90°).
4. Spacing between separate driveway entrances on a lot (measured center to center at the lot line adjoining a street): no less than forty percent (40%) of the length of the lot line adjoining the street, or four hundred feet (400'), whichever is less.
5. On corner lots, spacing between driveway entrance and right- of-way line of an adjacent intersecting street (measured from the nearest edge of the driveway pavement at its intersection with the street pavement to the nearest right-of-way line, extended, of an adjacent intersecting street): no less than twenty percent (20%) of the length of the lot line adjoining the street being entered.
- F. Use: Accessory off-street parking facilities, as accessory to specific uses listed in this chapter, shall be solely for the parking of automobiles of patrons, occupants or employees. When bus transportation is provided for patrons, occupants or employees of a specific

establishment, additional open or enclosed off-street parking spaces for bus parking on the premises shall be provided in accordance with all other regulations set forth in this chapter.

G. Computation: When determination of the number of off-street parking spaces required by this chapter results in a requirement of a fractional space, any fraction of one-half (1/2) or less may be disregarded while a fraction in excess of one-half (1/2) shall be counted as one parking space.

H. In Yards: Off-street parking spaces, open to the sky, in nonresidential districts, may be located in required interior side yards and rear yards, no less than ten feet (10') from the nearest lot line, except a parking area containing four (4) or more parking spaces shall be not less than forty feet (40') from an adjoining residence district boundary; provided, however, that:

1. On any lot in a B1 local shopping center district and a B3 general business district, the required off-street parking spaces may be located in a front yard or side yard adjoining a public street not less than ~~ten~~ forty feet (40') from ~~a street~~ the property line;

2. On any lot in ORA1 or ORA2 office-research-assembly district and an O3 or O4 office district, not more than ten percent (10%) of the required off-street parking spaces, not to exceed six (6) spaces, may be located in a required front yard or along the side of the building adjoining the street and not less than ~~twenty-five~~ forty feet (2540') from ~~a street line~~ the property line or fifty feet (50') from the ~~street lines~~ right-of-way line of Cermak and York Road; and

3. On any lot in an ORA3 office-research-assembly district, the location of off-street parking spaces shall be controlled by subsection 13-10C-4E of this title and not the provisions of this subsection H.

I. Parking Of Certain Commercial Vehicles And Equipment In Residence Districts Prohibited: No motor vehicle bearing ambulance, funeral home, livery, taxi or tow truck state license plates shall be stored or parked on any lot in any residence district, unless such motor vehicle(s) is wholly enclosed in a building or such vehicle is being used in connection with a legitimate service actually being rendered for the benefit of such lot. No motor vehicle having a gross vehicle weight (including vehicle and attached equipment and maximum load) 3 in excess of eight thousand (8,000) pounds, except vehicles registered as recreational vehicles under the Illinois motor vehicle code, and no contractor's equipment, supplies or tools, shall be stored or parked on any lot in any residence district, unless:

1. Such vehicle, equipment, supplies or tools are wholly enclosed within a building; or
2. Such vehicle, equipment, supplies or tools are being used in connection with a legitimate service actually being rendered for the benefit of such lot.

J. Collective Provision: Off-street parking facilities for separate uses located in a principal building on a single parcel may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements for each such use and provided that all regulations governing location of accessory parking spaces, in relation to

the use served, are adhered to. In addition, any parcel of land that has excess parking beyond what is required by this chapter may allocate excess parking capacity to any parcel or use that is directly contiguous to it under a shared parking arrangement if it meets the applicable requirements of this chapter. Such arrangement must be in written form with notification provided to the village.

K. Control Of Off-Street Parking Facilities: In cases where parking facilities are permitted on a lot other than the lot on which the structure or use served is located, a covenant running with the land must be recorded in the office of the recorder of deeds of DuPage County, Illinois, on the lot upon which the accessory off-street parking is located which prohibits any other use on that lot, and a copy of the recorded covenant certified by the office of the recorder of deeds of DuPage County, Illinois, shall be deposited with the ~~Director of community development~~ Services. The covenant shall not be released until such time as either one of the following conditions occurs:

1. The structure on the lot containing the principal use is removed and the principal use terminated.
2. Another lot of the required size within the required distance is properly developed and used for the required accessory off- street parking in place of and in lieu of the initial lot used for accessory off-street parking with the same requirements, covenants, and conditions attaching to such substitute accessory use lot as approved by the same authority as required for approval of such initial lot.

L. Employee Parking: Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

M. Repair And Service: Except in cases of emergency, no motor vehicle repair work or service of any kind shall be permitted in off-street parking areas. No gasoline or motor oil shall be sold or services performed in conjunction with any accessory parking facilities unless such facilities are located within a completely enclosed structure, in which case gasoline and motor oil may be sold within such structure to the users of such facilities, provided that no sign thereto is visible from outside the structure and provided further that all gasoline pumps shall be effectively screened from view of streets and residence districts. (Ord. G-687, 10-23-2001; Ord. G-758, 8-24-2004)

N. Shared Parking Reductions – Mixed-Use Developments: Cumulative parking requirements for mixed-use occupancies may be reduced where it can be determined that the peak requirement of the several occupancies occurs at different times during the day. The Shared Parking Report, January 1995, 2nd Edition, published by the Urban Land Institute may be used as a guideline in the estimation of parking demand. For a shared parking arrangement, the Director of Development Services may make an administrative adjustment that reduces the off-street parking requirements for each participating commercial property by a maximum of 15%.

Notes

- 1 1. Parking bay consists of 2 rows of parking spaces and 1 aisle.
- 2 1. Parking bay consists of 2 rows of parking spaces and 1 aisle.
- 3 1. Equivalent to Illinois motor vehicle registration class C and higher, second division vehicles.

13-12-4 : DESIGN AND MAINTENANCE:

A. Surfacing: Except in the R1 and R2 single-family residential zoning districts where off street parking areas can be either stone or hard surfaced, all off street parking areas shall be improved with an all weather hard surface pavement installed in accordance with the village of Oak Brook public works construction standards.

~~B. Screening And Landscaping: The following landscaped and planted areas shall be provided and maintained for all parking areas:~~

~~—1. Front Yards: Permanent screening at least four feet (4') high shall be installed in front yard areas adjacent to parking areas. This screening may consist of a planted earth berm, densely planted shrubs or trees, or a combination of both.~~

~~—2. Side And Rear Yards: Permanent peripheral screening at least five feet (5') high shall be installed in side and rear yards adjacent to parking areas. This screening may consist of a planted earth berm, densely planted shrubs or trees, or a combination of both. In side and rear yards, the screening shall be so located and constructed as not to interfere or conflict with the use of any utility easements or utility installations existing or planned to be installed in these easement areas.~~

~~C. Interior Parking Lot Landscaping: Landscaped areas shall occupy not less than ten percent (10%) of the total lot area excluding:~~

~~—1. The building footprint or footprint of other structures,~~

~~—2. All required front yard or street setback areas, and~~

~~—3. Any required landscape areas along rear lot lines.~~

~~In parking areas which are wider than one bay of double parking, interior shade trees shall be planted with a maximum spacing of forty feet (40'), provided that at least one tree is located in the area occupied by every fifteen (15) interior parking spaces. Landscaped dividers with a minimum width of six feet (6') shall be provided between every three (3) parking bays. Individual permanent planter areas (minimum size of 8 feet 6 inches by 17 feet) are required for interior trees with a minimum caliper of three inches (3"), which shall be of a variety which do not drop a messy fruit (see village of Oak Brook public works construction standards for list of appropriate trees).~~

~~DB. Landscape Plans: Complete detailed landscaping plans shall be submitted for approval showing type, Latin and common names, size and location of planting material, in accordance with the requirements and standards of Chapter 18.~~

~~EC~~. Lighting: Illumination of an off street parking area shall be arranged so as not to project direct rays of light or glare into any roadway or adjacent property. Intensity of illumination of parking areas shall be in accordance with the village of Oak Brook public works construction standards. All lighting for business and office uses adjacent to residential districts shall be extinguished or reduced in intensity, not later than thirty (30) minutes after the close of business of the use being served.

~~FD~~. Disposal Of Storm Water: Adequate provision shall be made for the management of storm water in accordance with village standards so that such water shall not flow into adjacent property or onto or across sidewalks in a quantity or manner that would be detrimental thereto or inconvenient to persons using the sidewalks.

~~GE~~. Permanent Curbing: Continuous permanent concrete curbing conforming to the village of Oak Brook public works construction standards shall be provided adjacent to all driveway, loading and parking pavement associated with nonresidential uses.

~~HE~~. Striping And Traffic Circulation: Parking spaces shall be delineated by a single white or yellow line. For one-way movements along aisles and driveways, direction of movement shall be indicated by pavement markings or directional signs or both as determined by the village.

~~IG~~. Pedestrian Safety: In order to ensure pedestrian safety, where parking stalls are not aligned perpendicular to the primary pedestrian objective or where pedestrians will be required to cross parking aisles, a pedestrian walkway at least five feet (5') wide and clearly indicated by pavement markings shall be provided at intervals not to exceed two hundred feet (200').

~~JH~~. Parking Structures:

~~1. Landscaping And Screening: All parking structures shall be landscaped (which includes 1 or more berms) pursuant to a landscape plan prepared by a landscape architect to screen substantially the first level from adjacent streets and other uses. For any parking structure that is four (4) floors or less in height, the landscaped area must be a minimum of ten feet (10') in depth but must average fifteen (15) in depth for all screening. For any parking structure that is in excess of four (4) floors, the landscaped area must be a minimum of twenty feet (20') in depth. Any approved landscape plan required for screening of a parking structure must incorporate evergreens within the plantings and include a maintenance schedule to ensure that any damaged or dead trees, shrubs or ground cover shall be replaced promptly. Regular maintenance of these landscaped areas shall also be required.~~

~~21~~. Architecture/Design: All exterior walls of such structures, which are visible from adjacent roadways, shall be finished with a material to maintain a "common architectural character", as defined in section 13-8-4 of this title, with the principal building. Maintaining common architectural character between the parking structure and the principal building(s) shall be judged in terms of: building form and materials; the pattern, size, shape, and number of window openings; the glazing or screening of window openings; and surface treatments such as cornices, moldings, reveals and sills.

32. Lighting: Parking structures with light standards on the top floor of the structure shall be located in the center aisle of the deck and shall be of appropriate design and scale. Low profile lighting should be used around the perimeter of the parking structure and all internal/external light sources shall be properly screened from view to minimize glare on adjacent property. (Ord. G-687, 10-23-2001)

3. Setbacks: For any parking structure that abuts a residential use/zoning district the setbacks shall be ten feet (10') plus two feet (2') for every one foot (1') in height above grade, up to a maximum setback of one hundred feet (100') for the parking structure. (Also see landscape setback requirements in Chapter 18)

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13-12-5 : OFF-STREET PARKING SPACES REQUIRED:

There shall be provided for each structure and use hereafter erected, structurally altered, or enlarged, a minimum number of off-street parking spaces in accordance with the following:

Dwelling And Lodging Uses:

Hotels	1 parking space for each lodging room, 1 parking space for each dwelling unit, and 1 parking space for each 100 square feet of retail sales, meeting area and dining area.
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Single-family attached and (detached) dwellings	2 parking -spaces for each dwelling unit .
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<u>Duplex and Townhomes (attached)</u>	<u>2 spaces for each dwelling.</u>
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<u>Condominium and Apartments</u>	<u>2 spaces for each dwelling.</u>
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Assisted living units	0.5 parking spaces per dwelling unit.
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Theaters, Schools, Institutions, Auditoriums Or Other Places Of Assembly:

Churches, chapels, temples and synagogues	1 parking space for each 4 seats.
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Clubs, lodges and fraternal organizations	1 parking space for every 100 square feet of floor space, or part thereof.
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Colleges, universities and fine art schools	For classroom and administration buildings, 1 parking space for each 2 employees who are required to work during hours of normal operation, plus 1 parking space for each 3 students, in accordance with designed seating capacity of classroom facilities.
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	1 parking space for each 4 seats in accordance with designed seating capacity.
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Gymnasiums, stadiums, meeting halls, convention and exhibition halls	
--	--

Hospitals	1 parking space for every 500 square feet of floor area, or part thereof.
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Libraries, museums and art galleries	1 parking space for every 500 square feet of floor area, or part thereof. 1 parking space for every 1,000 square feet of
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Sanitariums, health resorts, institutions for the aged, daycare centers, and nursing homes	floor area plus 1 space for every employee. Adequate stacking will also be provided for drop-off areas per the review and approval of the village engineer.
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Schools:

Commercial or trade, music, dance and business	1 parking space for every 250 square feet of floor area, or part thereof.
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High	1 parking space for each 6 students, plus 1 parking space for each faculty member and other full-time and part- time employees.
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Elementary and junior high	1 parking space for each faculty member, plus 1 for each other full-time employee.
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Theaters, auditoriums and other
places of public assembly accessory
to schools and other institutional
establishments

1 parking space for each 2.5 seats.

Recreation Uses, Commercial Or Noncommercial:

Bowling alleys and arcades of floor
area, or part thereof.

1 parking space for every 200 square feet

Golf courses

60 parking spaces for every 9 holes plus 1
parking space for each 250 square feet
devoted to retail sales, restaurant use or
meeting space.

Health salons and skating rinks,
commercial

1 parking space for every 100 square feet of
floor area, or part thereof.

Parks, playgrounds, outdoor and
indoor recreation

1 parking space for every 10,000 square feet
of area.

Swimming pools, commercial

1 parking space for every 75 square feet of
surface water area when filled.

Business, Commercial And Industrial Use:

Appliance stores, motor vehicle sales establishments and establishments for repair of household equipment and furniture

1 parking space for every 200 square feet of floor area or part thereof.

Car wash (full service)

1 parking space for each 1.5 employees plus 20 stacking spaces.

Car wash (not full service including self-service)

1 parking space for each 1.5 employees plus 10 stacking spaces for vehicles that can be accommodated at full occupancy.

Automobile service stations

1 parking space for each island of gasoline pumps, plus 2 for each service bay.

Banks and other financial institutions

1 parking space for every 250 square feet of floor area, or part thereof.

Barbershops and beauty parlors

3 parking spaces for each operator's chair.

1 parking space for every 400 square feet of floor area or part thereof. As used in this listing, "furniture store" shall mean

Furniture stores

Restaurants with a drive-through in an ORA-2 zoning district located within 1,000 feet of office buildings containing a minimum aggregate of 250,000 square feet at the time of initial restaurant construction

Manufacturing, fabricating, processing, storing, cleaning, testing, assembly, repairing and service establishments (as permitted in office-research-assembly districts)

Medical and dental clinics and offices of physicians and dentists

Offices, business, professional, administrative and public (other than medical and dental clinics, and offices of physicians and dentists)

Public utility, governmental service and transportation uses

establishments
classified
under
standard
industrial
classification
(SIC)
5712 as
primarily
engaged in
the retail
sale of
household
furniture
with only
incidental
sales of:

A. Floor coverings;

B. D
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Restaurants, with drive-through

Restaurants, without drive-through

Theaters, except open air drive-ins

Undertaking establishments and
funeral parlors

Warehouse, storage, wholesale and
mail order establishments

ry materials;

C. Miscellaneous home furnishings; and

D. Consumer audio and video electronic
equipment but only as part of "home
entertainment centers" which contain furniture
as well as electronic components, but no
significant sale of any other products or
materials.

1 parking space for each 1.5 employees as
related to the working period when the
maximum number of persons are employed
on the premises, or 1 for each 800 square
feet of floor area, whichever is greater.

1 space for each 200 square feet of floor
area.

1 parking space for each 300 square feet of
floor area.

1 parking space for each 2 employees.

1 parking space for every 100 square feet of
floor area.

1 parking space for every 66 ²/₃ feet of floor
area.

1 parking space for every 100 square feet of
floor area, or part thereof.

1 parking space for each 2.5 seats.

1 parking space for each 100 square feet of
floor area.

4 plus 1 parking space for each 1,500 square
feet of floor area over 4,500 square feet, or 1
parking space for each 1.5 employees,
whichever is greater.

B2 Regional Shopping Center Districts:

With a lot area of not more than 40 acres

Parking spaces and aisles not less in area than $2\frac{1}{4}$ times the floor area of buildings constructed.

Not less in area than $1\frac{7}{8}$ times the gross floor area of buildings constructed.

With a lot area of 40 acres to 60 acres

With a lot area of 60 acres or more

Not less in area than $1\frac{1}{2}$ times the gross floor area of buildings constructed.

~~Determination Of Unspecified Offstreet Parking Facilities:~~

For permitted or special uses not listed above, the ~~community development director~~ Development Services Director shall determine the required number of off street parking spaces by comparing the proposed use against the most similar use listed in this title and requiring that particular parking ratio.

(Ord. G-687, 10-23-2001; Ord. G-758, 8-24-2004)

13-12-5 : HANDICAP PARKING:

~~See chapter 11 of this title. (Ord. G-687, 10-23-2001; Ord. G-695, 3-26-2002)~~

Accessible Parking Required: All facilities, which provide parking, shall provide accessible parking in compliance with the Sections 208 & 502 of the Illinois Accessibility Code of the Capital Development Board, as adopted, and of the Federal Americans with Disabilities Act.

13-12-6 : OFF STREET LOADING REGULATIONS:

There shall be provided off street loading berths not less than the minimum requirements specified in this section in connection with any structure which is to be erected or substantially altered, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles in accordance with the following:

A. Location:

1. In all O districts, all accessory off street loading berths shall be on the same lot as the principal use and they shall face only interior lot lines. Open off street loading berths shall be located only at the rear of the building and shall be not less than one hundred feet (100') from an adjoining residence district boundary and such off street loading berths shall be effectively screened therefrom by a wall or fence, of architectural design consistent with the principal building on the lot, not less than six feet (6') nor more than eight feet (8') in height additionally screened by a planted earth berm, densely planted shrubs or trees, or a combination of both.

2. In the B2 zoning district, off street loading berths may face perimeter or boundary streets if said loading berths are screened by a stone or masonry wall at least eight feet (8') in height. No off street loading berths shall be permitted within five hundred feet (500') of a boundary street, unless such loading berths are screened and are located at the rear of the building.

3. In B1, B3 and B4 zoning districts, all loading berths shall be at the rear of the building facing an interior lot line. If the rear of the building faces a lot line fronting on a street, loading berths shall be enclosed by a wall of at least eight feet (8') high or shall be completely enclosed within a building. Where the rear of the building faces a lot line which is also a residence district zoning line, loading berths shall be set back at least one hundred feet (100') from said lot line and residence district boundary, and:

- a. Completely enclosed within a building, or
- b. Enclosed by a wall or fence not less than six feet (6') nor more than eight feet (8') in height, or
- c. Effectively screened by a planted earth berm, densely planted shrubs or trees, or a combination of both.

B. Size: Unless otherwise specified in this title, a required off street loading berth shall be at least twelve feet (12') in width and at least fifty five feet (55') in length, exclusive of access drives, aisles, ramps, maneuvering space, columns, office and work areas, and shall have a vertical clearance of not less than fourteen feet (14').

C. Access: Each required off street loading berth shall have an adjacent open paved area, other than a street or public way, of adequate size and so located as to provide for all required maneuvering for truck access to the loading berth. Such areas and related access drives shall be in accordance with the regulations set forth in subsections 13-12-3C and E of this chapter and other applicable sections of this title and shall provide sufficient and adequate width and radii for a fifty five foot (55') long tractor semitrailer combination.

D. Surfacing: All open off street loading berths, access drives, aisles, and maneuvering spaces shall be improved in accordance with the village of Oak Brook public works construction standards.

E. Repair And Service: No storage of any kind nor motor vehicle repair work or service of any kind shall be permitted within any required loading berth.

F. Use: Space allocated to any off street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off street parking facilities or portions thereof.

G. Required Berths:

1. The minimum number of off street loading berths accessory to office uses hereafter erected, structurally altered or enlarged in all business and office-research-assembly districts shall be in accordance with the following schedule: Floor Area Of Establishments (Square Feet)	Required Number
5,000 to 25,000	1
25,001 to 200,000	2

For each additional 200,000 square feet of floor area, or fraction thereof, over 200,000 square feet of gross floor area: 1 additional loading berth.

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2. The minimum number of off street loading berths accessory to nonoffice uses hereafter erected, structurally altered, or enlarged in all business and office-research- assembly districts shall be in accordance with the following schedule:

Floor Area Of Establishments (Square Feet)	Required Number
5,000 to 25,000	1
25,001 to 40,000	2
40,001 to 100,000	3

For each additional 100,000 square feet of floor area, or fraction thereof, over 100,000 square feet of floor area: 1 additional loading berth. (Ord. G-687, 10-23-2001; Ord. G-750, 6-8-2004)

13-12-7 : PARKING FOR DAMAGED OR DESTROYED USES:

When any conforming or nonconforming use or structure which is in existence on the effective date hereof is restored and continued in operation after being damaged or destroyed by fire, collapse, explosion or other cause, to the extent that the cost of restoration does not exceed fifty percent (50%) of the assessed valuation, not less than the off street parking or loading facilities equivalent to any maintained at the time of such damage or destruction must be provided. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this chapter for equivalent new uses or construction. (Ord. G-687, 10-23-2001)

CHAPTER 13 NONCONFORMING BUILDINGS, STRUCTURES AND USES

SECTION:

13-13-1: Purpose

13-13-2: Authority To Continue

13-13-1: PURPOSE:

The purpose of this Chapter is to provide for the regulation of nonconforming uses, buildings and structures, and to specify those circumstances and conditions under which those nonconforming buildings, structures and uses shall be eliminated. (Ord. G-60, 3-22-1966; Ord. G-575, 9-24-1996)

13-13-2: AUTHORITY TO CONTINUE:

Any building, structure or use which existed lawfully at the time of the adoption of this Title, and which remains or becomes nonconforming upon the adoption of this Title, or of any subsequent amendment thereto, may be continued only in accordance with the following regulations:

A. Repairs And Alterations: Ordinary repairs and alterations may be made to a nonconforming building or structure, provided that no structural alterations shall be made in or to such building or structure, all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the building or structure and use thereof conform to the regulations of the district in which it is located. Ordinary repairs and alterations shall be determined by the Director of **Community Development Services** and shall include, among other things the replacement of storage tanks where the safety of operation of the installation requires such.

B. Additions And Enlargements:

1. A nonconforming building or structure all or substantially all of which is designed or intended for a use not permitted in the district in which it is located shall not be added to or enlarged in any manner unless such nonconforming building or structure, and use thereof, is made to conform to all the regulations of the district in which it is located.

2. A nonconforming building or structure which is nonconforming only as to bulk, may be added to or enlarged, provided such additions or enlargement conforms to all regulations of the district in which it is located.

C. Moving: No building or structure shall be moved in whole or in part to any other location unless every portion of such building or structure, and the use thereof, is made to conform to all regulations of the district in which the moved building is located.

D. Restoration Of Damaged Nonconforming Buildings Or Structures: A building, structure or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, and which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed fifty percent (50%) of the total cost of reconstructing the entire building or structure, shall not be restored unless said building or structure and the use thereof shall conform to all regulations of the district in which it is located. In the event that such damage or destruction is less than fifty percent

(50%) of the cost of reconstructing the entire building or structure, no repairs or construction for restoration shall be made unless such work is started within one year from the date of the partial destruction and is diligently prosecuted to completion.

E. Discontinuance Of Use Of Nonconforming Building Or Structure: A building, structure, or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, and in which the use has ceased by discontinuance or abandonment, on the effective date of this Title or thereafter is abandoned and remains unoccupied, or is not used for a continuous period of one year, shall not thereafter be occupied or used, except by a use which conforms to the use regulations of the district in which it is located.

F. Change Of Use In Nonconforming Building Or Structure: The nonconforming use of a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, may be changed to a use permitted in the district in which the building or structure is located.

G. Nonconforming Use Of Conforming Buildings Or Structures: The existing nonconforming use of a part or all of a conforming building or structure may be continued subject to the following provisions:

1. The nonconforming use of a part of such building or structure shall not be expanded or extended into any other portion of such building or structure, nor changed to any other nonconforming use.

2. If a nonconforming use of such a building or structure is discontinued, or abandoned for a period of six (6) consecutive months, it shall not be renewed, and any subsequent use of such building or structure shall conform to the use regulations of the district in which the premises are located.

H. Nonconforming Use Of Land: The nonconforming use of land not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of land, may be continued subject to the following provisions:

1. Such nonconforming use shall not be expanded or extended beyond the area it occupies.

2. If such a nonconforming use of land is discontinued or abandoned for a period of six (6) consecutive months, it shall not thereafter be renewed, and subsequent use of land shall conform to the regulations of the district in which the land is located.

3. No nonconforming use of land shall be changed to another nonconforming use.

4. Where the nonconforming use of land is accessory to the nonconforming use of a building or structure, it shall be discontinued on the same date on which the nonconforming use of the building or structure is discontinued. (Ord. G-60, 3-22-1966; Ord. G-368, 10-22-1985; Ord. G-568, 4-1-1996; Ord. G-575, 9-24-1996)

CHAPTER 14

ADMINISTRATION AND ENFORCEMENT

SECTION:

13-14-1: Director Of ~~Community~~ Development Services

13-14-2: Zoning Certificates

13-14-3: Filing Plans

13-14-4: Planning and Zoning Commission Board Of Appeals Jurisdiction And Authority

13-14-5: Appeals

13-14-6: Variations

13-14-7: ~~Plan Commission Jurisdiction~~

13-14-~~87~~: Amendments

13-14-~~98~~: Special Uses

13-14-~~109~~: Fees

13-14-~~1110~~: Violation, Penalty And Enforcement

13-14-~~1211~~: Public Hearing Notification Requirements

13-14-1: DIRECTOR OF ~~COMMUNITY DEVELOPMENT SERVICES~~:

The ~~director of community development~~ Director of Development Services or his/her designee shall enforce this title, and in furtherance of his/her authority shall:

- A. Determine conformance of applications for building permits with regulations of this title.
- B. Issue all zoning certificates, following approval as required in this title, and make and maintain records thereof.
- C. Issue building permits.
- D. Issue all certificates of occupancy, and make and maintain records thereof.
- E. Issue permits for temporary parking and use of trailers.
- F. Authorize, in writing, changes in residence districts signs that are more than six (6) square feet in area.
- G. Conduct inspections of uses of land and structures in accordance with due process of law to determine compliance with the terms of this title.
- H. Maintain permanent and current records of the administration and enforcement of this title, including, but not limited to, applications, processing and decisions for all

amendments, variations and appeals, and chart and designate each: 1) district line amendment; and 2) special use on the zoning district map.

I. Provide and maintain a public information bureau relative to all matters pertaining to this title.

J. Receive, file and forward to the ~~zoning board of appeals~~ Planning and Zoning Commission all applications for variations, appeals of other matters on which the village board is required to act under this title.

K. Forward to the village clerk all applications initially filed with the ~~director of community development~~ Director of Development Services for amendments, and other matters necessary under this title upon which the village board of trustees is required to act.

L. Provide such clerical and technical assistance as may be required by the ~~zoning board of appeals~~ Planning and Zoning Commission in the exercise of its duties. (Ord. G-60, 3-22-1966)

13-14-2: ZONING CERTIFICATES:

A. Zoning Certificates Required:

1. Except as hereinafter provided, no permit pertaining to the use of land or permit required by building codes shall be issued by any officer, department or employee of the village, unless the applications for such permits have been examined by the ~~director of community development~~ Services department and he has affixed thereon certifications indicating that the applications comply with the provisions of this title.

2. An application for a zoning certificate for a structure and the use thereof or a land use which requires compliance with performance standards set forth in general regulations of the office-research-assembly districts 1 shall have affixed to it the certification of an architect or a structural engineer registered in the State of Illinois. Such certification shall state that the structure and the use thereof, or the use of land when no structure is involved, complies with all provisions of this Title pertaining to such performance standards. The ~~Director of Community Development~~ Services department shall, upon receipt of such application, approve and authorize the issuance of a zoning certificate, provided there is compliance with all other provisions of this Title. Within fifteen (15) days after the date of such approval, the ~~Director of Community Development~~ Services department shall examine said application and if, in ~~his~~ their opinion, the structure and use thereof, or use of land not involving a structure, does not in fact comply with such performance standards regulations, he shall advise such architect, or structural engineer, in writing, of his findings, stating the reason or reasons therefor. Failure of the architect or structural engineer, to submit additional information or make revisions in the application necessary to comply with performance standards within thirty (30) days of such notification shall be cause for revocation of the zoning certificate.

B. Certificate Of Occupancy:

1. No structure erected or altered hereafter shall be occupied or used in whole or in part for any purpose whatsoever until a certificate of occupancy shall have been issued by the ~~Director of Community~~ Development Services department stating that the structure complies with all the building and health laws and ordinances and with the provisions of this Title. No change of use shall be made in any structure or part thereof now or hereafter erected or altered without a permit having been issued by the ~~Director of Community~~ Development Services department, and no permit shall be issued to make such change unless it is in conformity with the provisions of this Title.

2. Nothing in this Section shall prevent the continuance of the present occupancy or use of any existing structure, except as may be necessary for the safety of life and property.

3. Application of a certificate of occupancy shall be made coincident with the application for a building permit and such certificate shall be issued within ten (10) days after the erection or alteration of such structure has been completed. A record of all certificates shall be kept on file in the office of the ~~Director of Community~~ Development Services department and copies shall be furnished on request to any person having proprietary or possessory interest in the structure affected. A fee of ten dollars (\$10.00) shall be charged for each original certificate and one dollar for each copy thereof. (Ord. G-60, 3-22-1966; Ord. G-203, 12-14-1976)

Notes

1. See Section 13-10-3 of this Title.

13-14-3: FILING PLANS:

All applications for zoning certificates and building permits shall be accompanied by plans in triplicate, including landscaping plans ~~where required in ORA and O3~~ as required by this Title, drawn to scale, not less than one foot equal to one-tenth of an inch ($1/10" = 1'$), showing the actual shape and dimensions of the lot to be built upon, the exact size, area and location of the lot, of the structures and accessory structures existing, and the lines within which the structure shall be erected or altered, the existing and intended use of each structure or part thereof, the number of dwelling units or lodging rooms a residential structure is designed to accommodate, the design and location of off-street parking facilities, vehicular drives, and outdoor lighting, and such other information with regard to the lot and neighboring lots and performance standards as may be necessary to determine and provide for the enforcement of this Title. Applications involving single-family attached and semi-detached dwellings and multiple-family dwellings shall also be accompanied by architectural drawings showing all elevations and indicating building materials to be used on the exterior of the structure. (Ord. G-60, 3-22-1966)

13-14-4: PLANNING AND ZONING COMMISSION BOARD OF APPEALS JURISDICTION AND AUTHORITY 1 :

A. The Planning and Zoning Commission Board of Appeals is hereby designated as the proper commission or committee to publish notices as required by statute and these zoning regulations pertaining to proposed amendments to this Title and to make a written report and recommendation to the Board of Trustees on any such proposed amendment.

B. The Planning and Zoning Commission Board of Appeals is hereby invested with the following authority and jurisdiction:

1. To hear and decide appeals from any order, requirement, decision or determination made by the Director of Community Development Services or other authorized officials of the Village having jurisdiction under this Title.

2. To hear applications for variations from the terms provided in this Code in the manner and subject to the standards set forth in this Chapter.

3. To hold public hearings in matters pertaining to applications for planned developments, amendments and special uses.

4. To hear all other matters referred to it or upon which it is required to pass under this Title.

5. To consider applications for Subdivision as detailed in Title 14 of the Village Code.

5.6. Submit reports to the Board of Trustees setting forth its findings and recommendations in the manner prescribed in this Chapter. (Ord. G-60, 3-22-1966; Ord. G-116, 4-14-1970)

Notes

~~1. See Title 2, Chapter 8 of this Code for the Zoning Board of Appeals.~~

13-14-5: APPEALS:

A. Authority: The Planning and Zoning Commission Board of Appeals shall hear and decide appeals from an administrative order, requirement, decision or determination made by the Director of Community Development Services or other authorized official of the Village having jurisdiction under this Title.

B. Initiation:

1. An appeal to the Planning and Zoning Commission Board of Appeals may be taken by any person aggrieved or by any officer, department, board or commission of the Village. The appeal shall be taken within such time as shall be prescribed by the Board by a general rule by filing with the officer from whom the appeal is taken and with the Board a notice of

appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the appeal action is taken.

2. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Planning and Zoning Commission Board of Appeals, after the notice of appeal has been filed with him, that by reason of facts stated in this certificate a stay would, in his opinion cause imminent peril to life or property. In this event the proceedings shall not be stayed other than by an order of the Board or a court of record on application of and on notice to the officer from whom the appeal is taken, and on due cause being shown.

C. Processing:

1. An appeal shall be filed with the Village Clerk. The Village Clerk shall forward the appeal to the Planning and Zoning Commission Board of Appeals for processing in accordance with the Illinois Compiled Statutes.

2. The Planning and Zoning Commission Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to parties and shall decide the appeal within reasonable time. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement or decision or determination as in its opinion ought to be made on the premises and to that end has all the powers of the official from whom the appeal is taken.

D. Decisions: All decisions, after hearing of the Planning and Zoning Commission Board of Appeals on appeals from an administrative order, requirement, decision or determination of the Director of Community Development Services or other authorized official of the Village, shall, in all instances, be final administrative determinations and shall be subject to judicial review only in accordance with applicable statutes of the State. (Ord. G-60, 3-22-1966)

Notes

- 1 2. See Title 2, Chapter 8 of this Code for the Zoning Board of Appeals.

13-14-6: VARIATIONS:

A. Authority: The Board of Trustees shall decide all applications for variations of the provisions of this Title after a public hearing held before the Planning and Zoning Commission Board of Appeals on such notice as shall be required by the Illinois Compiled Statutes. The Zoning Board of Appeals shall hold public hearings upon all applications for variations and shall report its recommendations to the Board of Trustees as to whether a requested variation would be in harmony with its general purpose and intent, and shall recommend a variation only where it shall have made findings of fact specifying the reason

or reasons for recommending the variations. Such findings shall be based upon the standards prescribed in subsection D of this Section. No variation shall be granted by the Board of Trustees without such findings of fact. In the case of a variation where the Planning and Zoning Commission Board of Appeals fails to recommend the variation, it can only be adopted by ordinance with the favorable vote of two-thirds (2/3) of the Trustees.

B. Initiation: An application for a variation shall be in triplicate and may be made by any governmental office, department, board, bureau or commission, or by any person having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may become a freehold interest, or any exclusive possessory interest applicable to the land, or land and improvements described in the application for a variation.

C. Processing: An application for a variation shall be filed with the Village Clerk who shall forward one copy of such application to the Planning and Zoning Commission Board of Appeals for processing in accordance with applicable statutes of the State and one copy to the Board of Trustees.

D. Standards:

1. The Planning and Zoning Commission Board of Appeals shall not recommend a variation of the provisions of this Title as authorized in this Section unless it shall have made findings of fact based upon the evidence presented to it on the following specific issues that:

a. The property in question cannot 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. The plight of the owner is due to unique circumstances.

c. The variation, if granted, will not alter the essential character of the locality.

2. For the purpose of supplementing the above standards, the Planning and Zoning Commission Board of Appeals, in making the determination whether there are practical difficulties or particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence that:

a. The particular physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out.

b. The condition upon which the petition for variation is based would not be applicable generally to the other property within the same zoning classification.

c. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

d. The proposed variation will not 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 property values within the neighborhood.

e. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

f. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

3. The Planning and Zoning Commission Board of Appeals may recommend and the Board of Trustees may require such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in this Section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and to implement the general purpose and intent of this Title.

E. Unauthorized Variations: The variation procedure shall in no case be used to accomplish a result which could otherwise be achieved by a rezoning of the property involved, such as, but not limited to, establishment or expansion of a use not permitted in a residence district; authorizing the construction of residences in other than residence districts; nor authorizing other than single-family detached residences in the R1, R2, R3 and R4 Districts.

F. Reapplications: Any person having been denied a variation to the provisions of this Title respecting a specific parcel of property may not reapply for a like variation on said real property until the period of one year has elapsed since the denial of the application for variation by the Village President and Board of Trustees. (Ord. G-60, 3-22-1966; Ord. G-137, 9-14-1971)

13-14-7: PLAN COMMISSION JURISDICTION 1:

~~The Plan Commission of the Village, which has been duly established with functions as prescribed by the Illinois Compiled Statutes, shall have the following duties under this Title:~~

~~—A. Receive from the Village Clerk copies of applications for proposed amendments and thereafter may submit its recommendations thereon to the Zoning Board of Appeals and Board of Trustees.~~

~~—B. Receive from the Director of Community Development copies of applications for proposed special uses and thereafter submit its recommendations thereon to the Director and Board of Trustees.~~

~~—C. Act on all other matters which are referred to it as required by the provisions of this Title.~~

~~—D. Review, from time to time, the provisions of this Title and to make reports of its recommendations with respect to proposed amendments to the Board of Trustees. (Ord. G-60, 3-22-1966)~~

Notes

1. ~~See Title 2, Chapter 1 of this Code for the Planning Commission.~~

13-14-~~87~~: AMENDMENTS:

A. Authority: This Title may be amended from time to time by ordinance in accordance with applicable Illinois statutes. No vote shall be taken upon the adoption of a proposed amendment by the Village Board of Trustees until after a public hearing before the Planning and Zoning Commission Board of Appeals and a report of its findings and recommendations has been submitted to the Board of Trustees ~~along with the recommendation of the Plan Commission.~~

B. Initiation Of Amendment: Amendments may be proposed by the Village Board of Trustees, ~~Plan Commission or Zoning Board of Appeals~~ Planning and Zoning Commission, and by any person having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may become a freehold interest or any exclusive possessory interest which is specifically enforceable on the land which is described in the proposal for an amendment.

C. Processing:

1. A proposal for an amendment shall be filed with the Village Clerk and thereafter entered into the records of the first meeting thereafter of the Board of Trustees.

2. A copy of such proposal shall be forwarded by the Village Clerk to the ~~Zoning Board of Appeals~~ Planning and Zoning Commission with a request to hold a public hearing and submit to the Board of Trustees a report of its findings and recommendations. Such public hearing shall be held upon notice as required by Illinois Compiled Statutes.

~~3. The Village Clerk shall also transmit a copy of such proposal to the Plan Commission. The Plan Commission shall submit an opinion report relative to such proposed amendment to the Zoning Board of Appeals and Board of Trustees.~~

D. Decisions: The Board of Trustees, upon report of the ~~Plan Commission, if such report is made, and the report of the Zoning Board of Appeals~~ Planning and Zoning Commission, and without further public hearing, may vote upon the adoption of any proposed amendment in accordance with applicable Illinois Compiled Statutes, or may refer it back to the ~~Boards~~ Planning and Zoning Commission for further consideration.

The following criteria shall be taken in consideration of a request for a zoning amendment:

1. The character of the neighborhood;
2. The extent to which property values are diminished by the particular zoning restrictions;
3. The extent to which the removal of an existing limitation would depreciate the value of other property in the area;
4. The suitability of the property for the zoned purposes;
5. The existing uses and zoning of nearby property;
6. The length of time under the existing zoning that the property has remained unimproved, considered in the context of land development trends in the area;
7. The relative gain to the public as compared to the hardship imposed on the individual property owner;
8. The extent to which the ordinance promotes the health, safety, morals or general welfare of the public;
9. The relationship of the proposed use to the Comprehensive Plan of the Village; and
10. The community need for the use proposed by the property owner.

E. Reapplications: Any person having been denied an amendment to this Title respecting a specific parcel of property may not reapply for a like amendment on said real property until the period of one year has elapsed since the denial of the application for amendment by the President and Board of Trustees. (Ord. G-60, 3-22-1966; Ord. G-137, 9-14-1971)

13-14-~~98~~: SPECIAL USES:

A. Purpose: The development and execution of this Title is based upon the division of the Village into districts, within any one of which the use of land and buildings and the bulk and location of buildings or structures, as related to the land, are essentially uniform. It is recognized, however, that there are special uses which, because of their unique character, cannot be properly permitted in particular districts without consideration, in each case, of the impact of those uses upon neighboring lands and upon public need for the particular use or the particular location. Such special uses fall into two (2) categories:

1. Uses operated by public agency or publicly-regulated utilities, or uses traditionally affected with a public interest.

2. Uses entirely private in character, but of such a nature that the operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities such as, but not limited to, single-family attached and semi-detached dwellings, horizontal condominiums and other residential developments.

B. Authority: Special uses shall be authorized or denied by the village board in accordance with the statutes of the state applicable to amendments of this title, and the regulations and conditions set forth in this title for special uses.

No application for a special use shall be acted upon by the village board until after:

1. A written report is prepared and forwarded to the board of appeals and the village board by the plan commission in a manner prescribed herein for amendments to this title; and

2. A public hearing has been held by the ~~zoning board of appeals~~ Planning and Zoning Commission, after due notice by publication as provided by the applicable statutes of the state for amendments and upon a report of the plan commission to the board of trustees, if such a report is made.

C. Initiation: An application for a special use may be made by any person, firm or corporation or by any office, department, board, bureau or commission requesting or intending to request a zoning certificate.

D. Processing: An application for a special use, in such form and accompanied by such information as shall be established from time to time by the ~~plan commission~~ Planning and Zoning Commission, shall be filed with the village clerk and thereafter processed in the manner prescribed theretofore for applications and amendments. Special use applications may be processed simultaneously with requests for amendment of this title.

E. Decisions: The village board, upon report of the ~~zoning board of appeals~~ Planning and Zoning Commission and the plan commission, and without further hearing, may authorize or deny an application for a special use in accordance with ~~the Illinois Compiled Statutes statutes of the state applicable to amendments~~, or may refer it back to the ~~board of appeals and the plan commission~~ Planning and Zoning Commission for further consideration.

No special use shall be authorized by the village board unless ~~the special use:~~

1. ~~Is of the type described in subsection A1 of this section, is deemed necessary for the public convenience at that location The proposed use is operated by a public agency, or for proposed uses traditionally affected with a public interest, and the proposed building or use is necessary or desirable to provide a service or a facility which is in the interest of the public convenience;~~

2. ~~The proposed building or use will be~~ Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; and

3. ~~The proposed building or use will~~ Would not cause substantial injury to the value of other property in the neighborhood in which it is located.

F. Conditions: The ~~plan commission and zoning board of appeals~~ Planning and Zoning Commission may recommend, and the village board may provide, such conditions and restrictions upon the construction, location and operation of a special use, including, but not limited to, provisions for off street parking and loading as may be deemed necessary to promote the general objectives of this title and to minimize the injury to the value of the property in the neighborhood. (Ord. G-60, 3-22-1966; Ord. G-66, 12-19-1966)

13-14-~~109~~: FEES:

Fees for any relief under this title shall be as otherwise established by separate ordinance. (Ord. G-60, 3-22-1966; Ord. G-132, 5-25-1971; Ord. G-289, 3-24-1981)

13-14-1~~10~~: VIOLATION, PENALTY AND ENFORCEMENT:

A. Any person who violates, disobeys, omits, neglects, refuses to comply with or who resists enforcement of any of the provisions of this title shall, upon conviction, be fined as provided in the general penalty in section 1-3-1 of this code for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

B. The ~~director of community development~~ Director of Development Services is hereby designated and authorized to enforce this title. However, it shall also be the duty of all officers, citizens and employees of the village, particularly of all members of the police and fire departments, to assist the ~~director of community development~~ Director of Development Services by reporting to him/her any new construction, reconstruction, improper land uses, or upon seeming violations of this title. (Ord. G-60, 3-22-1966; Ord. G-233, 5-31-1978; 2000 Code)

13-14-1~~21~~: PUBLIC HEARING NOTIFICATION REQUIREMENTS:

All applicants filing an application with the village of Oak Brook for a map amendment, variation or special use as provided for in this title shall provide notice of all public hearings related to their application in the following manner:

A. All applicants shall provide notice of any public hearing related to their application to all record owners (as required by the Illinois municipal code) and to the general public in the manner and in the time frame as provided in division 13 (zoning) of article 11 of the Illinois municipal code 1.

B. In addition to the notice required by the Illinois municipal code, a sign shall be placed on the subject property informing the general public of an upcoming public hearing in accordance with the following requirements:

1. Such sign shall be posted on the subject property at a location oriented to and readable from the nearest adjacent street or roadway. However, where a parcel abuts two (2) or more streets or roadways, one such sign oriented to and readable from each abutting street or roadway is required.

2. If no public road abuts the property, the sign shall be placed on the property in question in such a position as may be most readily seen by the public.

3. Public notification signs shall be posted not less than fifteen (15) days prior to the public hearing and shall not be removed until after the public hearing has been completed unless otherwise directed to do so by the ~~community development director~~ Development

Services department. The applicant shall remove all signs within forty eight (48) hours after the closing of the public hearing.

4. The public notification signs shall be weatherproof and measure no smaller than two feet by three feet (2' x 3') or be no larger than twelve (12) square feet and shall be mounted at least three feet (3') above the ground.

5. For consistency, said sign shall read as follows:

*NOTICE
PUBLIC HEARING FOR THIS PARCEL
WILL BE HELD
For more information call:
Village of Oak Brook 630-368-5103*

6. Any applicant requesting the subdivision of a parcel shall also provide notice by posting a sign on the subject property in a manner consistent with the requirements for posting public hearing signs. (Ord. G-764, 11-9-2004; per correspondence dated 2-20-2009)

Notes

1. 65 ILCS 5/11-13-1 et seq.

CHAPTER 15 PLANNED DEVELOPMENTS

SECTION:

13-15-1: Intent And Purpose

13-15-2: General Provisions

13-15-3: Planned Development Standards

13-15-4: Site Development Allowances

13-15-5: Procedures

13-15-6: Application Requirements

13-15-7: Effect Of Approval Or Denial

13-15-8: Amendments And Changes To Approved Planned Development Permits

13-15-1: INTENT AND PURPOSE:

The purpose of the regulations, standards, and criteria contained in this chapter 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 chapter. The objective of the planned development is to encourage a higher level of design and amenity than is possible to achieve under standard zoning regulations. The end result is intended to be a product which fulfills the objectives of the village of Oak Brook commercial areas revitalization master plan and planning policies of the village while allowing flexibility from the standard application of the use and bulk regulations of the zoning regulations. The planned development is intended to permit and encourage flexibility and to accomplish the following specific purposes, among others:

- A. To stimulate creative approaches to the commercial, nonsingle-family residential, and commercial/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 those required under standard zoning regulations.
- D. To develop and implement 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's commercial areas revitalization master plan, which will allow harmonious and compatible land uses or combination of uses with surrounding areas. (Ord. G-890, 7-14-2009)

13-15-2: GENERAL PROVISIONS:

- A. Except as provided for in subsection 13-15-5E of this chapter, no new commercial, office, or mixed use development construction within the planned development overlay district shall be permitted except as approved as a planned development in accordance with this chapter; provided, however, that a stand alone project for construction of outdoor dining facilities or for drive-through facilities will not require a planned development under this chapter.
- B. Each planned development shall be presented and reviewed on its own merits. It shall not be sufficient justification for approval of a planned development to rely on an already existing planned development, except to the extent that the existing planned development and the proposed planned development are part of an approved unified, phased, or master development plan.
- C. The burden of providing evidence and persuasion that any planned development is necessary and desirable shall in every case rest with the applicant.
- D. Buildings and uses or combinations of uses within a planned development shall be limited solely to those approved as part of the ordinance granting a planned development;

provided, however, that any buildings and uses or combinations of uses in compliance with a unified, phased, or master development plan approved as part of the ordinance granting a planned development may be approved by the corporate authorities.

E. To the extent provided in the ordinance approving a proposed planned development, the proposed planned development need not comply with the density, dimension, area, bulk, use, and other zoning regulations that, but for the provisions of this chapter, would otherwise apply to the property on which the proposed planned development is intended. Modifications and departures from the standard zoning provisions may be provided in accordance with the provisions of this chapter and to the extent that they will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. (Ord. G-890, 7-14-2009; Ord. G-904, 11-10-2009)

13-15-3: PLANNED DEVELOPMENT STANDARDS:

A. **Planned Developments Are Not Permitted As Of Right:** Planned developments shall be approved by the village only in direct response to the accrual of tangible public benefits from the planned development to the village and its residents, along with the neighborhood and area in which the planned development is proposed. These benefits shall include, without limitation, exceptional amenities, landscape features, architectural or site design, or the conservation of special manmade or natural features of the site, all as more specifically set forth in the standards set forth in subsection B of this section.

B. **General Design Standards:** No application for a planned development shall be approved by the corporate authorities unless the proposed planned development satisfies the standards set forth in this subsection B and subsection C of this section. All of these standards shall not be regarded as inflexible, but shall be used as a framework by the village to test the quality of the amenities, benefits to the community, and design and desirability of the proposal.

1. **Commercial Areas Revitalization Master Plan:** The planned development shall not be inconsistent with the planning policies, goals, objectives, and provisions of the village's commercial areas revitalization master plan. A planned development must also not be inconsistent with the intent and spirit of the village of Oak Brook comprehensive plan.

2. **Public Welfare:** The planned development shall be 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.

3. **Impact On Other Property:** The planned development shall not be unnecessarily injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted pursuant to the applicable zoning district, shall not prevent the normal and orderly development and improvement of surrounding properties for permitted uses, shall not be inconsistent with the community character of the neighborhood, shall not alter the essential character of the neighborhood, and shall not substantially diminish or impair

property values within the neighborhood, or be incompatible with other property in the immediate vicinity. The uses permitted in a planned development must be of a type and so located so as to exercise no undue detrimental influence upon surrounding properties. The planned development must also address compliance with the village's noise, lighting, and other performance standards.

4. **Impact On Public Facilities And Resources:** The planned development shall be designed so that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve the development. The planned development shall include such impact donations as may be reasonably determined by the corporate authorities. The required impact donations, including, without limitation, obligations under the village's subdivision regulations, shall be calculated in reasonable proportion to the impact of the planned development on public facilities and infrastructure to the extent permitted by law.

5. **Archaeological, Historical Or Cultural Impact:** The planned development shall not substantially and adversely affect a known archaeological, historical, or cultural resource located on or off of the parcel proposed for development.

6. **Parking And Traffic:** The planned development shall have or make adequate provision to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets, provides appropriate cross access to adjacent properties and parking areas, and provides adequate access for emergency vehicles.

7. **Adequate Buffering:** The planned development shall have adequate landscaping, public open space, and other buffering features to protect uses within the development and surrounding properties.

8. **Signage:** Signage on the site of the planned development shall generally be in conformity with the village's sign regulations (chapter 11 of this title), except as may otherwise be specifically provided in the ordinance approving a planned development.

9. **Ownership/Control Area:** The site of the planned development must be under ownership and/or unified control of the applicant.

10. **Need:** A clear showing of need for the planned development must be made by means of an economic feasibility, land utilization and marketing study.

11. **Compliance With Subdivision Regulations And Plat Act:** All planned developments, whether or not they are by definition subject to the village's subdivision regulations or the Illinois plat act, shall comply with all standards, regulations and procedures of the village's subdivision regulations and the plat act except as is expressly provided otherwise in this chapter, or as otherwise provided by the corporate authorities pursuant to the ordinance approving the planned development, or the applicable sections of the village's subdivision regulations.

12. **Covenants And Restrictions To Be Enforceable By Village:** All covenants, deed restrictions, easements, and similar restrictions to be recorded in connection with the planned development shall provide that they may not be modified, removed, or released

without the express consent of the corporate authorities and that they may be enforced by the village as well as by future landowners within the proposed development.

13. **Security And Site Control:** The planned development shall include the plans necessary to describe, establish, and maintain appropriate property and building security and site control measures for the planned development and the property on which the planned development is located. These plans shall also include measures to prevent adverse impacts on neighboring properties.

C. **Additional Standards:** In addition to the standards required in subsection B of this section, the following standards shall be considered in reviewing all proposed and amended planned developments, particularly with regard to elements of planned development proposals that do not satisfy the otherwise applicable provisions of the underlying zoning and subdivision regulations:

1. **Integrated Design:** A planned development shall be laid out and developed as a unit in accordance with an integrated overall design. This design shall provide for safe, efficient, convenient and harmonious grouping of structures, uses and facilities, and for appropriate relation of space inside and outside buildings to intended uses and structural features.

2. **Beneficial Common Open Space:** Any common open space in the planned development shall be integrated into the overall design. These open spaces shall have a direct functional or visual relationship to the main building(s) and shall not be of isolated or leftover character. The following would not be considered usable common open space:

- a. Areas reserved for the exclusive use or benefit of an individual tenant or owner.
- b. Dedicated streets, alleys and other public rights of way.
- c. Vehicular drives, parking, loading and storage areas.
- d. Irregular or unusable narrow strips of land.

3. **Functional And Mechanical Features:** Exposed storage areas, trash and garbage retainers, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be accounted for in the design of the planned development and made as unobtrusive as possible. These features shall be subject to such setbacks, special planting or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

4. **Visual And Acoustical Privacy:** The planned development shall provide reasonable visual, and acoustical privacy. Fences, insulations, walks, barriers and landscaping shall be used as appropriate for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable view or uses, and reduction of noises.

5. **Energy Efficient Design:** A planned development shall be designed with consideration given to various methods of site design and building location, architectural design of individual structures, and landscaping design capable of reducing energy consumption within the planned development. The applicant will be encouraged, to the

extent feasible, to obtain leadership in energy and environmental design ("LEED") certification for the project. A planned development applicant may also undertake the following:

a. Having at least one member of the applicant's project team be a "LEED accredited professional" - a person who has received the LEED accredited professional designation from the United States green building council ("USGBC"), the Green Building Certification Institute, or another entity authorized by the USGBC to grant that designation.

b. Having its application materials include a "LEED checklist" developed by the U.S. green building council indicating the credits pursued and total points anticipated for a project under the most appropriate LEED rating system, in consultation with the ~~ed~~Director of ~~community ed~~Development Services.

6. Drives, Parking And Circulation: Principal vehicular access shall be 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 shall be given to location and number of access points to the public streets, 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 and convenient, and insofar as feasible, do not detract from the design of proposed buildings and structures and the neighboring properties. To the extent practical, planned developments shall provide connections to and from existing bike and walking paths so as to ensure a continuous route without gaps or disconnections.

7. Surface Water Drainage: Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic. (Ord. G-890, 7-14-2009)

13-15-4: SITE DEVELOPMENT ALLOWANCES:

Proposed site development characteristics that are not consistent with the zoning regulations otherwise applicable to the property on which a planned development or planned development amendment is proposed, may be approved in accordance with this chapter as part of the ordinance approving the planned development or planned development amendment. The applicant shall specifically identify each site development departure and demonstrate how each departure will be compatible with surrounding development and is not inconsistent with the planned development standards set forth in section 13-15-3 of this chapter. Each departure shall be specifically stated and approved in the ordinance approving the planned development or planned development amendment. Any approved departures from the otherwise applicable zoning regulations shall not be deemed a nonconformity and shall not require a variation. (Ord. G-890, 7-14-2009)

13-15-5: PROCEDURES:

The following procedures are required to assure the orderly review of every planned development application in a timely and equitable manner:

A. Preliminary Board Review:

1. A prospective applicant, prior to meeting with village staff for a formal prefilng review, shall appear before the corporate authorities for a preliminary board review. At a minimum, the applicant shall provide the following materials to the corporate authorities for its preliminary review: a) a preliminary concept plan of the development, and b) a brief narrative describing the overall character, intensity, uses, and nature of the proposed planned development. Prior to submission to the corporate authorities, the ~~community development director~~ Director of Development Services will review the materials to confirm that the materials provide sufficient information to adequately inform the corporate authorities of the nature and scope of the proposed planned development. If sufficient information is provided, the applicant shall coordinate with the village manager to be placed on a corporate authorities agenda and scheduled for the earliest appropriate corporate authorities meeting.

2. The purpose of the preliminary board review shall be to broadly acquaint the corporate authorities with the applicant's proposal and to provide the applicant with any preliminary views or concerns that members of the corporate authorities may have at a time in the process when positions are still flexible and adjustment is still possible and prior to the time when the applicant is required to expend the funds necessary to prepare the complete documentation required for a formal application.

3. At the meeting at which the preliminary board review is conducted, any member of the corporate authorities may make any comments, suggestions or recommendations regarding the preliminary development concept plan deemed necessary or appropriate by that member; provided, however, that no final or binding action shall be taken with respect to any preliminary application. Any views expressed in the course of the corporate authorities' review of any preliminary development concept plan shall be deemed to be only preliminary and advisory and only the individual views of the member expressing them. Nothing said or done in the course of such review shall be deemed to create, or to prejudice, any rights of the applicant or to obligate the corporate authorities, or any member of it, to approve or deny any formal application following full consideration as required by this chapter.

B. Prefiling Review And Transmittal Of Application:

1. Conference:

a. Following the preliminary board review, a prospective applicant, prior to submitting a formal application for a planned development, shall meet for a prefilng review conference with the village manager, the ~~community development director~~ Director of Development Services, and any other village official or employee designated by the

village manager. The purpose of the conference is to assist the applicant in understanding the commercial areas revitalization master plan, the requirements of this chapter, the zoning regulations, the site development allowances, the standards by which the application will be evaluated, and the application requirements.

b. After reviewing the planned development process, the applicant may request a waiver of any application requirement which in the applicant's judgment should not apply to the proposed planned development. The justification for a waiver must be that the application requirement should not apply because it does not relate and is not necessary given the nature and scope of the proposed planned development. All requests for application waivers shall be made in writing to the ~~community development director~~ Director of Development Services prior to the submission of the formal application documents.

c. All requests for waiver shall be reviewed by the ~~community development director~~ Director of Development Services, who will make a final determination regarding the waiver within fifteen (15) working days of receipt of the request.

d. If deemed appropriate by the ~~community development director~~ Director of Development Services, the applicant, prior to submitting a formal application for a planned development, will schedule a public meeting to discuss the proposed planned development and the nature and extent of impact, if any, on area residents. If a meeting is required, the applicant shall send a written notice of the meeting via certified mail to all taxpayers of record and residents for all property within five hundred feet (500') of the proposed planned development. The notice shall be mailed not more than thirty (30) nor less than fifteen (15) days prior to the date of the meeting. A copy of the notice and mailing list shall be provided to the ~~community development director~~ Director of Development Services. A written summary of comments made at the meeting shall be maintained and submitted by the applicant with the application.

2. Filing Of Application: Following the completion of the prefiling review conference, the applicant shall file an application for a planned development in accordance with this chapter. The ~~community development director~~ Director of Development Services shall deliver copies of the application to other appropriate village departments for review and comment.

3. Deficiencies: The ~~community development director~~ Director of Development Services shall determine whether the application is complete. If the ~~community development director~~ Director of Development Services determines that the application is not complete, then the ~~community development director~~ Director of Development Services shall notify the applicant in writing of the deficiencies and shall take no further steps to process the application until the deficiencies are remedied.

4. Report On Compliance: 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 chapter shall be delivered to the planned development commission prior to the public hearing required by subsection C of this section.

5. Determination Not Binding: Neither the ~~community development director's~~ Director of Development Services determination that an application is complete nor any comment made by the ~~community development director~~ Director of Development Services or village staff at a prefiling review conference or as part of the review process shall be intended or construed as a formal or informal recommendation for or against the approval of a proposed planned development, or any component part thereof, nor shall they be intended or construed as a binding decision of the village, the ~~planned development commission~~ Planning and Zoning Commission, or village staff.

C. Review And Action By The ~~Planned Development Commission~~ Planning and Zoning Commission:

1. Upon receiving the report from the ~~community development director~~ Director of Development services, the ~~planned development commission~~ Planning and Zoning Commission shall hold a public hearing on the proposed planned development.

2. Notice of the required public hearing shall be published by the village, at the applicant's expense, not more than thirty (30) nor less than fifteen (15) days before the scheduled hearing in a newspaper of general circulation in the village and shall contain the following information:

- a. The identification number designation of the application;
- b. The date and time of the public hearing;
- c. The location of the public hearing; and
- d. The general location of the property, the legal description of the property and its street address, if applicable, and a short description of the proposed planned development and purpose of the public hearing.

3. Notice of the required public hearing shall also be provided by the village, at the applicant's expense, by posting a sign or signs on the property not more than thirty (30) days nor less than fifteen (15) days prior to the public hearing. The sign shall be weatherproof and contain the information as is required in subsection C2 of this section. Failure to post the sign(s) and/or the inadvertent removal or knocking down (by the village or others) of the sign after posting but before the public hearing shall not invalidate, impair, or otherwise affect any planned development subsequently granted following the public hearing, nor shall it require a postponement of the public hearing.

4. Notice of the required public hearing shall also be provided by the applicant by certified U.S. mail, return receipt requested, to the taxpayers of record and owners of record of the property which is the subject of the application (if different than the applicant), and the taxpayers of record and residents of all property within five hundred feet (500') of the subject property. The notice shall contain the information as is required in subsection C2 of this section and shall be mailed not more than thirty (30) nor less than

fifteen (15) days prior to the date of the public hearing. The notice shall also include the name and address and phone number of the applicant for the planned development.

5. The transcript of testimony, if any, the commission's minutes, all applications, requests, exhibits, and papers filed in the proceeding before the commission, and the decision and report, or reports, of the commission shall constitute the record for that particular application.

6. The ~~planned development commission~~ Planning and Zoning Commission shall review the application, the standards and requirements established by this chapter, the report of the ~~community development director~~ Director of Development Services, and any oral and written comments and testimony received by the planned development commission before and at the public hearing. The ~~planned development commission~~ Planning and Zoning Commission shall recommend approval, approval with conditions, or disapproval of the proposed planned development.

7. Every recommendation of the commission upon any application filed pursuant to this chapter shall be by a written resolution and shall include such findings of fact and conclusions as the commission shall deem necessary. The resolutions shall generally refer to the evidence in the record and to the exhibits, plans, or specifications upon which the recommendation is based. The resolution shall generally specify the reason or reasons for the recommendation and shall contain a conclusion or statement separate from the findings setting forth the recommendation of the commission. Every resolution shall expressly set forth any limitations or conditions recommended by the commission. In order to make a recommendation to approve (with or without conditions) or a recommendation to deny a proposed planned development or an amendment to an existing planned development, the affirmative vote of a majority of all members of the commission then holding office shall be required.

D. Review And Action By The Corporate Authorities:

1. Within sixty (60) days of receipt of the report and recommendation of the ~~planned development commission~~ Planning and Zoning Commission, and without further public hearing, the corporate authorities shall, at a minimum, commence consideration of the proposed planned development. The corporate authorities will attempt to conclude its consideration and render a final decision as soon as possible within that sixty (60) day time period, but may extend its consideration as necessary to allow a full and complete review and consideration of the proposed planned development. Following its consideration, the corporate authorities shall: a) deny the application; b) refer the application back to the ~~planned development commission~~ Planning and Zoning Commission for further review and, if necessary, additional public hearings; c) postpone further consideration pending the submittal of additional information, including any application requirement previously waived but deemed necessary by the village for its consideration; or d) adopt an ordinance approving the planned development.

2. Any action taken by the corporate authorities pursuant to subsection D1 of this section shall require the concurrence of a majority of the corporate authorities; provided, however, that any proposed planned development that does not receive a recommendation

of approval (with or without conditions) from the ~~planned development commission~~ Planning and Zoning Commission shall not be approved by the corporate authorities except by the affirmative vote of two-thirds (2/3) of the corporate authorities.

3. In approving a planned development, the corporate authorities may attach such conditions to the approval as it deems necessary to have the proposed use or combination of uses meet the standards set forth in this chapter and to prevent or minimize adverse effects on other property in the immediate vicinity. The conditions may include, but are not limited to: impact donations and other related fees or property or monetary contributions; limitations on size, bulk, location, and setbacks; requirements for landscaping, signage, and outdoor lighting; provisions for adequate ingress and egress; hours of operation; and such other conditions as the corporate authorities may deem necessary in furtherance of the objectives of this chapter.

E. Exemptions: At the election of the applicant, the planned development provisions of this chapter shall not apply to an existing development or a proposed development project that satisfies all of the underlying zoning regulations applicable to the property. In such case, the proposed development will be subject to the processes of the village that are applicable to any new construction project. (Ord. G-890, 7-14-2009; Ord. G-904, 11-10-2009)

13-15-6: APPLICATION REQUIREMENTS:

A. Owner To File Application: The application for a planned development must be filed by the owner of the property on which the planned development is proposed to be located or any person or entity having a contractual interest in the property. If the application is not filed by the owner, the owner must, at a minimum, confirm to the village in writing that the owner has authorized the applicant to apply for the proposed planned development.

B. Information Required: Applications for a planned development shall be filed with the ~~community development director~~ Director of Development Services in such form and accompanied by such information, with sufficient copies, as shall be established from time to time by the village. Every application shall contain, at a minimum, the following information and related data:

1. The names and addresses of the owner(s) of the subject property and the applicant(s).
2. A statement from the owner of the subject property, if not the applicant, approving of the filing of the application by the applicant.
3. A survey of, and legal description and street address for, the subject property.
4. A statement demonstrating compliance of the proposed planned development with the commercial areas revitalization master plan, and evidence of the proposed project's

compliance in specific detail with each of the standards for planned developments provided in this chapter.

5. A scaled site plan showing the existing contiguous land uses, natural topographic features, zoning districts, public thoroughfares, and transportation and utilities.

6. A scaled site plan of the proposed planned development showing lot area, the required yards and setbacks, contour lines, common space, and the location, floor area ratio, lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.

7. Schematic drawings illustrating the design and character of the building elevations, types of construction, and floor plans for all proposed buildings and structures. The drawings shall also include a schedule showing the number, type, and floor area for all uses or combinations of uses, and the floor area for the entire proposed planned development.

8. A landscaping plan showing the location, size, character, and composition of vegetation and other material.

9. The substance of existing covenants, easements, and other restrictions, and any to be imposed, on the use of land, including common open space, and buildings or structures.

10. A schedule showing the approximate date for beginning and completion of each stage of construction of the planned development.

11. A professional traffic study acceptable to the village showing the proposed traffic circulation pattern within and in the vicinity of the area of the planned development, including the location and description of public improvements to be installed, and any streets and access easements.

12. A professional environmental impact study identifying and describing the nature and extent of noise, light, and other potential environmental impacts associated with the planned development and the property on which the planned development is located, and the plans necessary to address those impacts.

13. A professional economic analysis acceptable to the village, including the following:

- a. The financial capability of the applicant to complete the proposed planned development;
- b. Evidence of the project's economic viability; and
- c. A comprehensive analysis summarizing the economic impact the proposed planned development will have upon the village.

14. Copies of all environmental impact studies as required by law.

15. An analysis setting forth the anticipated demand on all village services resulting from the proposed planned development.

16. A plan showing off site utility improvements required to serve the planned development, and a report showing the cost allocations and funding sources for those improvements.

17. A site drainage and stormwater detention and maintenance plan for the proposed planned development.

18. A photometric/lighting plan for the proposed planned development.

19. A written summary of residents' comments pertaining to the proposed application from any public meeting or hearing held pursuant to subsection 13-15-5B or C of this chapter.

20. Plans necessary to describe, establish, and maintain appropriate property and building security and site control measures for the planned development and the property on which the planned development is located. These plans shall also include measures to prevent adverse impacts on neighboring properties.

C. Fees:

1. General Fees: Each application for a planned development shall be accompanied by a fee in the amount established by the corporate authorities from time to time payable to the order of the village to defray the costs and expenses of the planned development procedures, and any other filing or other charges established pursuant to this subsection.

2. Additional Cost Recovery: Every application filed for a planned development pursuant to this chapter that requires the village to incur third party costs or expenses, including, without limitation, legal fees incurred by the office of the village attorney or any attorney or firm retained by the village, shall be subject to the cost recovery fee and lien provisions set forth in this subsection. The cost recovery fee shall be in addition to the general fees.

3. Responsibility For Payment: The owner of the property that is the subject of the application and, if different, the applicant, shall be jointly and severally liable for the payment of the general fees, the cost recovery fee, and for the cost recovery lien. By signing and authorizing the application, the owner or applicant shall be deemed to have agreed to pay, and to have consented to, the general fees and cost recovery fee, plus any costs of collection, that have not been paid within thirty (30) days following the mailing of a written demand for payment to the owner or applicant at the address set forth on the application, including any additional cost recovery fees assessed herein. Any lien filed pursuant to this subsection may be foreclosed in the manner provided for mortgages or mechanics' liens under Illinois law.

4. Recoverable Costs: For purposes of calculating the cost recovery fee and general fees, the costs incurred by the village with respect to the following items shall be deemed to be the "actual costs" incurred by the village in processing an application for a planned development:

a. Publication and mailing of notices;

- b. Court reporter and recording secretarial services;
- c. Professional and technical consultant services;
- d. Village attorney, or other village related attorney or law firm, consultation, meeting attendance, document preparation, and review;
- e. Copy reproduction;
- f. Document recordation; and
- g. Inspection fees.

5. Escrow: For each application filed and processed pursuant to this chapter that requires the village to incur third party costs or expenses, an application fee escrow account shall be established as provided below:

a. Initial Deposit: Every petition filed that requires the village to incur third party costs or expenses shall be accompanied by an initial deposit for purposes of paying additional application fees. The amount of the initial deposit shall be determined by the village manager, and the initial deposit and any subsequent deposit shall be placed in an application fee escrow account. No interest shall be payable on any such escrow account.

b. Draws From Escrow: From the date of filing of any application, the village shall maintain an accurate record of the actual costs of processing and reviewing the application. The village shall, from time to time, draw funds from the escrow account established to pay costs identified in subsection C4 of this section and shall transfer funds to the appropriate village accounts. The village shall maintain an accurate record of all draws.

c. Additional Deposits: Should the village at any time determine that the escrow account established in connection with any application is, or is likely to become, insufficient to pay the actual costs of processing an application, the village shall inform the applicant of that fact in writing and demand an additional deposit in an amount deemed to be sufficient to cover foreseeable additional costs. Unless and until such additional amount is deposited by the applicant, the village may direct that processing of the application be suspended or terminated. Any termination shall be deemed a withdrawal of the application by the applicant.

d. Final Settlement: As soon as reasonably feasible following final action on an application, the village shall cause a final accounting to be made of the escrow deposits made in connection with the application and the actual costs of processing the application and shall make a final charge of costs against the escrow deposit. A copy of the accounting shall be provided to the applicant. If the amount in the escrow is insufficient to pay the total actual costs, a written demand for payment of the balance due shall be mailed to the applicant. If any unused balance remains in the escrow account after paying the total actual costs, that amount shall be returned to the applicant.

6. Waiver For Specified Public And Charitable Bodies: The provisions of this subsection may be waived by the corporate authorities for fees applicable to any application filed by

any public body, or any agency deriving the majority of its revenues from taxes levied within the village, or any charitable or eleemosynary organization.

7. Condition Of All Planned Development Applications And Approvals: No application filed pursuant to this chapter shall be considered complete unless and until all fees due pursuant to this subsection C have been paid. Every approval granted and every permit issued pursuant to this chapter shall, whether or not expressly so conditioned, be deemed to be conditioned upon payment of cost recovery fees as required by this subsection C.

8. Time Periods: Where this chapter provides that the passage of time without decision or action shall be deemed an approval or recommendation for approval, all time periods shall be tolled during any period of nonpayment, but shall otherwise continue to run.

9. Failure To Pay: The failure to fully pay cost recovery fees when due shall be grounds for refusing to process an application and for denying or revoking any planned development approval sought or issued with respect to the land or development to which the unpaid fee relates. (Ord. G-890, 7-14-2009)

13-15-7: EFFECT OF APPROVAL OR DENIAL:

A. Approval of the planned development by the corporate authorities 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 proposed planned development. The village's ~~community development director~~ Director of Development Services shall review applications for these permits for compliance with the terms of the planned development granted by the corporate authorities and other applicable requirements. No permit shall be issued for development which does not comply with the applicable requirements of law, including, without limitation, the terms and conditions of the planned development ordinance approved by the corporate authorities.

B. The village shall administratively revise the official zoning map to properly note the existence and boundaries of each approved planned development; provided, however, that any such notation of a planned development shall not constitute a map amendment to the official zoning map.

C. Subject to subsection G of this section, the corporate authorities may declare the approval of a planned development null and void if the recipient does not file a complete application for a building permit relative to the proposed planned development within nine (9) months after the date of adoption of the ordinance approving the planned development.

D. Subject to subsection G of this section, the corporate authorities may declare the approval of a planned development null and void if construction has not commenced within twenty four (24) months, and is not completed within thirty six (36) months, after the date of adoption of the ordinance approving the planned development, except as may otherwise be provided in the ordinance approving the planned development.

E. Subject to subsection G of this section, the corporate authorities may declare the approval of a planned development with a phasing plan null and void if construction has not commenced and is not completed in accordance with the terms of the phasing plan.

F. Subject to subsection G of this section, the corporate authorities may declare the approval of a planned development with a master development plan null and void if construction has not commenced and is not completed in accordance with the terms and conditions contained in the master development plan.

G. An extension of the time requirements provided pursuant to subsections C, D, E, and F of this section may be granted by the corporate authorities 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.

H. The corporate authorities may declare the approval of a planned development null and void if the use or combination of uses for which the approval was granted ceases for a consecutive period of one year.

I. No application for a planned development which was previously denied by the corporate authorities shall be considered by the planned development commission or the corporate authorities if it is resubmitted in substantially the same form and content within one year of the date of such prior denial.

1. The ~~community development director~~ Director of Development Services shall review the application for a planned development and determine if the application is or is not substantially the same as a previously denied application. An applicant has the right to request a meeting before the corporate authorities to appeal the determination of the ~~community development director~~ Director of Development Services that the application is substantially the same, provided a petition for appeal is filed in writing with the village manager within ten (10) days after the ~~community development director's~~ Director of Development Services determination.

2. The corporate authorities shall affirm or reverse the determination of the ~~community development director~~ Director of Development Services, regarding whether the new application is substantially the same as a previous application, within forty five (45) days after receipt of the appeal.

3. If it is determined that the new application is not substantially the same, then the applicant shall be entitled to continue with the application process and have the application reviewed in accordance with the provisions of this chapter. (Ord. G-890, 7-14-2009)

13-15-8: AMENDMENTS AND CHANGES TO APPROVED PLANNED DEVELOPMENT PERMITS:

A. Major Change. Except for those specific alterations that meet the standards to qualify as a "minor changes" as provided in subsection B, or an administrative change as provided

~~in subsection C of this section~~, any ~~amendments or~~ modifications to an approved planned development or any addition to or expansion of an existing planned development shall require separate review and approval under the provisions applicable to the initial approval of a planned development.

B. A "minor change" is any change in the site plan or design details of an approved planned development which is consistent with the standards and conditions applicable to the planned development and which does not alter the concept or intent of the planned development, ~~but does not meet the standards of an "Administrative Change" in subsection C. A minor change shall not increase the planned development's density, add new uses, increase any applicable bulk regulation, reduce open space, modify the proportion of housing types, change or add new parking areas, alter alignment of roads, utilities or drainage, amend final development agreements, provisions or covenants, or provide any other change inconsistent with any standard or condition imposed by the corporate authorities in approving the planned development.~~ A developer's request for ~~M~~minor ~~C~~change ~~may be approved by the village manager, following receipt of a recommendation must be accompanied by an accurate schematic and descriptive narrative of the proposed changes (the "Minor Change Request").~~ ~~of T~~the community development director ~~Director~~ of Development Services shall make a written recommendation (the "Written Recommendation") to the Village Manager who shall then submit the Minor Change Request and Written Recommendation to the Village President and Board of Trustees (collectively the "Corporate Authorities") for review, such review period not to exceed seven (7) calendar days (the "Notice Period"). At the conclusion of the Notice Period;
~~without obtaining separate approval by the corporate authorities.~~

1. If less than two members of the Corporate Authorities provide a written objection to the Village Manager, the Written Recommendation shall be deemed acceptable and the Minor Change Request shall be approved by the Village Manager;
2. If two or more members of the Corporate Authorities provide a written objection to the Village Manager, the Written Recommendation and Minor Change Request shall be referred to the Corporate Authorities at next available Village Board of Trustees meeting for discussion and/or referral to the Planning and Zoning Commission. At the meeting:
 - a. If the Corporate Authorities, by majority vote present at such meeting, vote in favor to refer to the Minor Change Request to the Planning and Zoning Commission, then such request shall be deemed a Major Change, requiring separate review and approval under the provisions applicable to the initial approval of a planned development.
 - b. Any failed vote, by majority present at such meeting, to vote in favor to refer the Minor Change Request to the Planning and Zoning Commission shall be deemed acceptance of the Written Recommendation and the Minor Change Request shall be approved by the Village Manager.

C. Administrative Change. An "Administrative Change" is a nominal change in the site plan or design details of an approved planned development which is consistent with the standards and conditions applicable to the planned development and which does not materially alter the concept or intent of the planned development. Nominal changes shall

be defined as minor shifting of elements within the plan which are other unrecognizable to the general public. Such nominal changes may include shifting of landscape elements, without reduction in number, substantially similar material substitutions, minor architectural modifications such as shifting or rearrangement of features without reduction in the quality of materials or design, or shifting of underground utilities. An Administrative Change may be approved by the Village Manager following receipt of a written recommendation (the "Written Recommendation") of the Director of Development Services.

D. The standard to apply to changes outlined in subsections B and C of this section shall include any material change, which shall be defined as any change where there is a substantial likelihood that such change, when viewed by a reasonable person, would result in an outcome that: (i) is inconsistent with the standards and conditions applicable to the planned development; or (ii) alters the concept or intent of the planned development. The following changes shall be deemed to be material for purposes of this section and specifically excluded from the scope of an Administrative Change or a Minor Change:

- Any increase the planned development's density(including but not limited to FAR or Lot Coverage);
- Any addition of any new uses not otherwise permitted by the underlying Zoning District;
- Any increase in any applicable bulk regulation;
- Any reduction in open space;
- Any modification of the proportion of units and/or bedroom counts
- Any change to, addition or removal of any new parking areas
- Any alteration of the alignment of roads or above-ground utilities;
- Any amendment of final development agreements, provisions or covenants
- Any sign not permitted by the Sign Code
- Any electrical box, gas line, meter, emergency exit door, or other such feature facing an entrance or public street which is not fully screened in a year-round manner;
- Any other change inconsistent with any standard or condition imposed by the corporate authorities in approving the planned development.

€ E. The provisions and limitations of subsections A ~~through and~~ BD of this section are subject to such additional conditions and provisions as the corporate authorities may include in the ordinance approving a planned development.

Under Title 13, Chapter 18 (New Chapter)

LANDSCAPE STANDARDS

13-18-1: PURPOSE

13-18-2: LANDSCAPING REQUIREMENTS

13-18-3: ENERGY CONSERVATION AND GREEN BUILDING

13-18-1: PURPOSE:

The regulations of this Chapter 18 are intended to establish a comprehensive set of procedures, standards and guidelines for the appearance, design, landscaping, and environmental quality of properties within the Village, and to further:

Promote the public health, safety, and general welfare of the citizens of the Village;

Promote orderly community development, as well as encourage both high quality and innovative designs;

Protect and enhance property values;

Protect and enhance the social, cultural, economic, environmental and aesthetic development of the community; and

Ensure that the Village remains a safe and attractive community in which to reside and operate a business.

13-18-3: LANDSCAPING REQUIREMENTS:

- A. Chapter 4 of Title 8, Trees and Shrubs, should be referenced for general requirements for landscaping in the public right-of-way, obstructions of public areas from landscaping on private property, and treatment of diseased trees.
- B. Landscape Plan Requirements. All landscape plans so submitted shall be at an appropriate scale, not smaller than 1 inch = 40 feet. Completed landscape plans shall contain information including but not limited to: detailed landscape site plan information; detailed schedule of landscape materials; and irrigation plans, as outlined below:

1. Title Block.
2. Name and Address of the property owner/petitioner.
3. Name of Registered Landscape Architect /Contractor.
4. Landscape Architect's /Contractor's firm name and address.
5. Scale data, north arrow and date and date of any revisions.
6. All site plan information as required in Chapter 18, Section 2; Location of Existing Conditions and Proposed Landscape Improvements, including:
 - a. Identification of all proposed plant materials with planting bed, planters, and planter box locations and dimensions.
 - b. Treatment of all ground surfaces (ground covers, sod, seed, seasonal beds, paving, impervious and pervious materials).
 - c. Walls and fences (indicating height and material).
 - d. Parking spaces and driveway aisles.
 - e. Spot elevations and/or contours, existing and proposed.
 - f. Berms, with one (1) foot interval contours indicated.
 - g. Sidewalks and pedestrian paths.
 - h. Existing tree survey (six (6) inch caliper and above, with drip line), noting trees proposed for removal and planned for preservation.
 - i. Monument sign locations.
 - j. Refuse/Recycling disposal areas.
 - k. Public rights of way/easements, including street widths/drives/approaches.
 - l. Other exterior landscape amenities including exterior tables and benches.

7. Schedule of proposed and existing landscape material, including:
 - a. List of all proposed plantings, indicating common and botanical names, caliper, height or size and quantity.
 - b. List of all existing trees proposed for removal, six (6) inch caliper or greater, indicating caliper, common and botanical names.
 - c. List of all existing trees, six (6) inch caliper or greater, planned for preservation, indicating caliper size, common and botanical names.
8. Irrigation Plan, including system details and sprinkler head locations, providing for underground irrigation of planting beds or a water supply outlet no greater than one hundred fifty (150) feet from planting beds, if required.
9. Construction erosion control plan.
10. Where applicable, the Development Services department may require less information, or any other additional information to appropriately evaluate compliance of the proposed development or improvement.
- C. Planting Design and Preservation Criteria
 1. New planting materials used in conformance with the provisions of this Chapter, shall be:
 - a. Plants approved by the Village of Oak Brook, in accordance with the list of approved trees contained in the public works construction standards.
 - b. High quality nursery-grown stock. Substandard "B-grade" or "Park Grade" plants are not acceptable.
 - c. Grown in a climate zone similar to Oak Brook. (i.e., United States Department of Agriculture Zone 5b).
 - d. Capable of withstanding the extremes of individual site micro climates.
 - e. Selected for interest in its structure, texture, color and for its ultimate growth.
 - f. In conformance with the American Standards for Nursery Stock, ANSI Z60.1-Latest Edition.
 - g. For each plant group (canopy tree, evergreen tree, etc.) there shall be no more

than twenty-five percent (25%) of one genus.

- h. Existing trees with an eight inch (8") caliper or greater shall be preserved on the property to the extent possible, as determined by the Development Services department.
 - i. Evergreens shall be incorporated into the landscape plan and treatment of a site, particularly in required buffers for property zoned residential, the screening of refuse holding areas, and critical points of required parking lot screening.
 - j. To ensure that landscape materials do not constitute a driving hazard, clear Intersection Sight Distance shall be established at all street intersections and at the intersection of site driveways and streets as required by Bureau of Local Roads and Streets Manual, Chapter 28.
 - k. Plant materials shall be placed against long expanses of building walls, fences and other barriers to soften their effect.
 - l. Where site characteristics or property dimensions limit the use or survivability of live landscaping as an effective screen, masonry walls shall be used for required screening subject to the regulations set forth in Chapter 13-3-17 (Fences Regulations).
 - 1) All masonry walls or decorative fencing shall be constructed and installed in a durable fashion, and shall have the finished side facing the street or property line.
- D. Installation of Plant Materials:
- 1. Plant materials of all types and species shall be installed in accordance with the minimum technical specifications of the "Illinois Chapter of Landscape Contractors," including the guarantee and replacements sections.
 - 2. Minimum plant sizes at time of installation shall be:
 - a. Shade Trees: two and one-half (2 1/2) inch caliper.
 - b. Ornamental Trees: two (2) inch caliper or if in clump form, six (6) feet in height.
 - c. Evergreen Trees: five (5) feet in height.

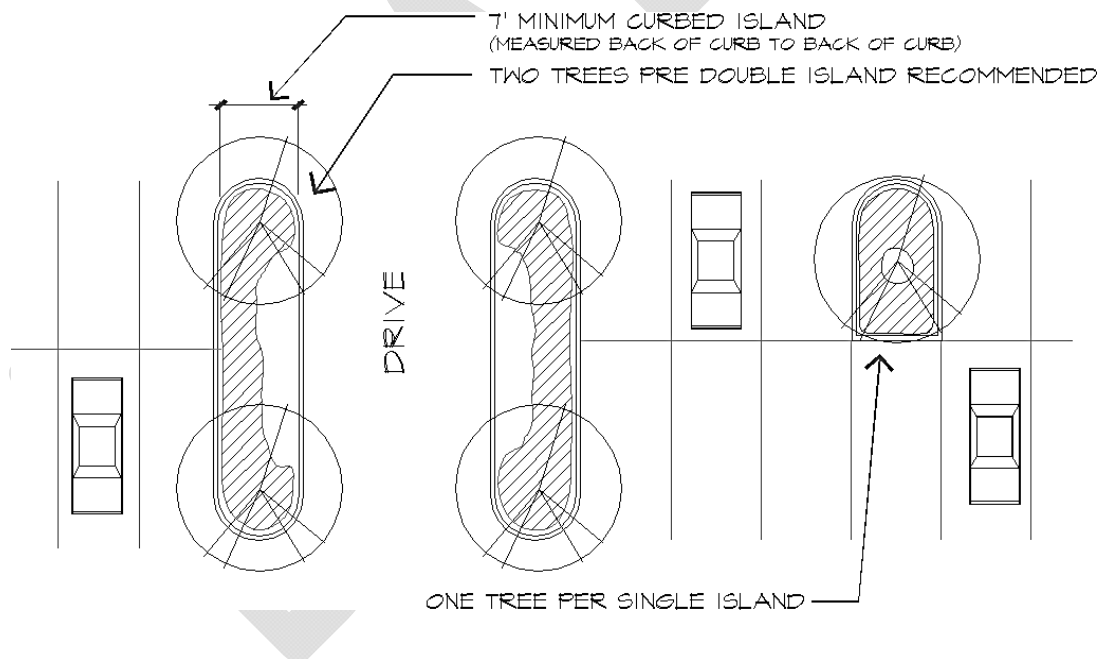
- d. Shrubs required for screening: three (3) feet in height; shrubs used for other purposes: eighteen (18) inches in height.
 - e. Ground Cover: spaced no less than twelve (12) inches on center.
 - f. Perennials: spaced no less than is recommended for the particular species.
3. Plantings on any portion of the public right-of-way provided by an adjacent property owner, association, or individual, that are removed as a result of Village utility construction or maintenance, or other Village activities, may be replaced at the sole responsibility of the property owner, association or individual. The Village shall not be required to replace any plant material in the public right-of-way.
- E. Minimum Setbacks and Landscape Requirements for Off-Street Parking Lots:
- 1. Every off-street parking lot or parking area containing five (5) or more parking spaces shall be buffered and screened from public view and adjacent property by a berm and perimeter landscaped area in accordance with the yard setback requirements of Chapter 12, 13-12-3 H. (Off Street Parking Regulations). The minimum parking lot setbacks shall be maintained in accordance with the following schedule:
 - 2. The minimum width for the perimeter screening area shall be measured from the property line and shall not include any parking overhang.
 - 3. No buildings or parking area shall be permitted within a required buffer yard.
 - 4. Screening within the perimeter setback area shall consist of a berm, trees, densely planted hedge, massing of shrubs, and may include a masonry wall and other plant material installed in a manner so as to inhibit public views of the parking area. Landscape materials in perimeter parking areas shall include plants that are salt-tolerant and provide year-around screening. The surface of the perimeter setback area shall be suitably covered with grass, ground cover or similar vegetation and periodically mulched. Impervious materials such as asphalt, concrete or a layer of stone is prohibited. The landscape buffer shall not be used for the purposes of parking, loading, servicing, or storage.
- a. Landscape Requirements for Parking Lots Facing Public Streets and Residential Districts. Landscaping materials within perimeter parking setback areas facing a public street shall contain the following minimum number of plant materials:
- 1. Evergreen trees: 1 tree/20 lineal ft.
 - 2. Evergreen shrubs: 1 shrub/4 lineal ft.

3. Deciduous shrubs: 1 shrub/4 lineal ft.
 4. Ornamental trees: 1 tree/25 lineal ft.
 5. Shade trees: 1 tree/50 lineal ft.
- b. Landscape Requirements for Parking Lots Not Facing a Public Street or a Residential District. Landscaping materials within perimeter parking setback areas not facing a public street may be reduced by 30% as required in Section E.4.a. above.
- c. Where a fence or masonry wall are provided to effectively screen parking areas, plants providing year-around screening may be reduced.
- d. The minimum berm height shall be 30 inches and shall have average height of five feet (5') with a 3:1 slope. Shrubs and other landscape material shall be planted on berms to provide seasonal color, and to ensure landscape screening is maintained between thirty-six (36") and forty-eight (48") inches height.
5. Perimeter screening of parking areas shall be continuous, except for breaks as may be permitted for pre-existing trees or planned additional trees, sidewalks, driveways and sight triangles.
 6. Shrubs, hedges and other perimeter screening material shall be at least three (3) feet in height at time of installation.
 7. The surface of the perimeter setback area shall be suitably covered with grass, ground cover or similar vegetation and periodically mulched where appropriate.
 8. A six (6) inch continuous poured-in-place concrete curb shall separate all drive and parking surfaces from landscape areas, except where bio-filtration design requires breaks for water inflow.
- F. Minimum Landscape and Screening Requirements for Parking Structures:
1. All parking structures shall be landscaped (which includes 1 or more berms) pursuant to a landscape plan prepared by a landscape architect to screen substantially the first level from adjacent streets and other uses. For any parking structure that is four (4) floors or less in height, the landscaped area must be a minimum of ten feet (10') in depth but must average fifteen (15) in depth for all screening. For any parking structure that is in excess of four (4) floors, the landscaped area must be a minimum of twenty feet (20') in depth. Any approved landscape plan required for screening of a parking structure must incorporate evergreens within the plantings and include a maintenance schedule to ensure that

any damaged or dead trees, shrubs or ground cover shall be replaced promptly. Regular maintenance of these landscaped areas shall also be required.

G. Interior Landscaping Requirements

1. A planting island equal in area to a parking space shall be located at each end of a parking row, and after each fifteen (15) parking spaces within a parking row.
 - a. The maximum spacing requirement between parking spaces and landscaped islands may be varied to allow for a lesser number of larger landscaped islands to be provided, which islands shall be of sufficient size to sustain a diversity of plant material and shall be designed and placed within the parking lot in a non-grid fashion in order to create relief in the monotonous layout of the parking lot.



Example of a Planting Island Equal to a
Parking Space

2. The total tree count shall be no less than one tree per five parking lot spaces.
3. Landscaped dividers or continuous islands with a minimum width of six (6) feet

shall be provided between every three (3) parking bays.

- a. The installation of bio-filtration swales for landscaping and stormwater management purposes is encouraged within larger, continuous planning islands. Flood-tolerant plants should be used which will remain healthy when used in bioswales.
- b. Continuous islands help divide large parking areas into smaller parking fields, provide more room for plants to grow, and provide areas for pedestrian access. Trees are recommended to be planted in the continuous landscaped island every 25' on-center.

Each parking island shall include at least one shade or evergreen tree [where visibility is not restricted]. At least fifty percent (50%) of the remaining portions of the surface of the planting island shall be covered with sod, plants with seasonal interest, low shrubs and salt- tolerant ground cover. The remaining area shall contain landscape mulch. A layer of stone or impervious materials such as asphalt and concrete is prohibited.

Example of a continuous bio-swale planting island.



4. A six (6) inch continuous poured in place curb shall separate and surround all interior landscape island areas, except when designed for bio-filtration purposes.
5. Except those designed as bio-infiltration islands, all landscaped islands shall have a minimum topsoil depth of three (3) feet and mounded to a center height which has

a 1 to 3 percent slope above the top of the curb height.

H. Minimum Landscape Requirements for Foundations Plantings

1. A minimum building foundation landscape area of five (5) feet in width shall be located immediately along the front and sides of all buildings, except for entryways.
2. A six (6) inch curb shall separate all foundation landscape areas from the drive aisle and parking areas.
3. Foundation landscaping shall include a minimum of 1 plant for each 3 lineal feet of the foundation, and shall include a variety of shade trees, ornamental trees, hedges, shrubs, evergreens and ground cover in a manner which accents building entranceways and architectural features, softens large expanses of building walls, and screens mechanical equipment.

I. Miscellaneous Landscape Requirements

1. Landscaping of Monument/Ground and Pole/Pylon Signs: For every one square foot of total sign area of the ground and pole sign, one square foot of landscaped area shall be extended at least three feet (3') beyond the sign faces or supporting structures in all directions.
 - a. The landscaped area shall consist of plantings such as, but not limited to, shrubs, evergreens, flowering plants and ground cover plants. Landscaping bark, mulch, sod or seeded areas shall not be considered in calculating the square footage of the required landscaped area.
 - b. Exposed foundations shall be constructed with a finished material such as brick, stone, architectural metal, exposed aggregate or wood. Plain, "bagged" or parged concrete is not an approved finish material.
 - c. Landscaping must be maintained in a manner that prevents the screening or blocking of addresses and other information provided on the monument sign.

J. Landscaping and Screening of Ground Mounted Mechanical and Utility Equipment:

1. All ground mounted mechanical equipment, including heating and air conditioning units, generators and pool equipment shall be screened by a solid fence, wall, or densely planted evergreen landscape planting at a maximum height sufficient to obscure such equipment from view from all adjacent streets, and adjacent lots used for residential purposes.

2. All fences installed to satisfy the screening requirement shall comply with the regulations of Title 13, Chapter 3 (FenceType) and with all other applicable Village Code regulations.
- K. Water Supply; Underground Irrigation: A water supply to irrigate landscaping is required within one hundred fifty (150) feet of all landscaped areas. Installation of an underground irrigation system is recommended.
- L. Changes to Approved Landscape Plan: Any change to an approved Landscape Plan shall require the prior approval of the Development Services department, or designee.
- M. Landscape Maintenance Required:
 1. Property Owners shall be responsible for ongoing maintenance, fertilization, repair and replacement of all vegetation, barriers and landscape planting materials. Landscaping should be properly maintained on a weekly or monthly basis (depending on the plantings) and include seasonal "clean- ups" in the spring and fall, to enhance the built environment in perpetuity.
 2. Plants shall be regularly inspected for pests in accordance with Best Management Practices recommended by the Illinois Landscape Contractors Association.
 3. Plants shall be pruned and litter removed in accordance with Best Management Practices recommended by the Illinois Landscape Contractors Association.
 4. Replacement plantings shall be no less than the minimum required size or the size indicated in the approved Landscape Plan, whichever is greater.
 5. The Property Owner shall make replacement plantings promptly after any plant has died but no later than one hundred twenty (120) days after notification by the Village of violation of this Ordinance, unless a time extension for inclement weather is given.
 6. Planting beds shall be initially, and thereafter periodically, filled with soil and mulched in their entirety, with shredded bark or other organic equivalent.
 7. Variations: A Property Owner may file an application for a variation when compliance with the requirements of this Chapter for a new or pre-existing building pose a practical hardship in accordance with the procedures and standards in Chapter 14 of Title 13 (Variations).

13-18-3: ENERGY CONSERVATION AND GREEN BUILDING

A. Energy Efficient Building Design:

1. Multiple-family, commercial, office and industrial construction of green buildings, including LEED certified buildings, is encouraged. All planned development shall comply with the requirements of Chapter 15, Section C.5 (13-15-3C.5)– Energy Efficient Building Design.
2. Energy conserving, energy efficient, and Energy Star products should be selected for non single- family buildings.
3. Building heating, cooling, and power should utilize solar, geothermal, wind, and bio-fuel resources where practical.
4. Construction, demolition, and land clearing debris should be salvaged, reused or recycled.
5. Roof structures with light colored materials to reduce energy loads and extend the life of the roof.
6. Green Roofs that incorporate vegetation on the roof assembly can lead to significant cost savings in thermal insulation, with the added advantages of stormwater runoff control, increased waterproof membrane life, sound insulation and a usable green space on the roof.

B. Site Design:

1. Integrate Natural Resources to ensure contiguous and well-planned open space and preservation of the site's natural resources. A planned development must provide, to the extent possible, for the preservation or creation of unique amenities such as natural streams, stream banks and shore buffers, wooded cover, rough terrain, man-made landforms or landscaping and similar areas.



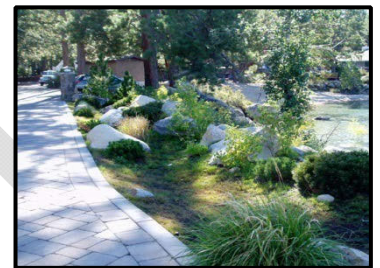
Stormwater runoff is treated in a series of rain gardens within the parkway of this urban street section

2. The use of permeable paving systems or and naturalized stormwater management best practice systems is encouraged.



Permeable pavers

3. Incorporate transportation solutions that acknowledge the need for bicycle parking and carpool staging.



The bioswale filters runoff and reduces the amount of stormwater introduced into the underground sewer system

4. Designated parking, close to the primary building entrance, should be provided for energy-efficient cars and carpools.
5. Multifamily structures should incorporate Electric Vehicle chargers in design.