

ORDINANCE # 200<sup>1</sup>~~6~~36

**AMENDMENT TO SECTION 9.0 "BUSINESS DISTRICTS" OF THE  
KENDALL COUNTY ZONING ORDINANCE**

*WHEREAS*, Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

*WHEREAS*, the Kendall County Board amends these ordinances from time to time in the public interest; and

*WHEREAS*, the Zoning Ordinance currently regulates business and commercial land development through the various business zoning districts; and

*WHEREAS*, the County has proposed amendments to the business section of the zoning ordinance to update the current standards which are attached to this Ordinance as Exhibit "A"; and

*WHEREAS*, the Regional Planning Commission reviewed the proposed amendments on January 24, 2007, and recommended approval of them by a unanimous vote; and

*WHEREAS*, the Zoning Board of Appeals conducted a public hearing on the proposed changes on March 27, 2007, and subsequently voted unanimously in favor of the proposed amendments; and

*WHEREAS*, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals.

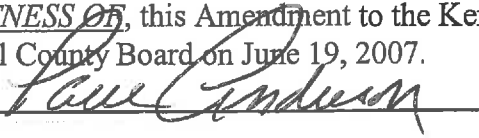
*WHEREAS*, the County Board feels that it is in the best interests of the County to amend the business zoning regulations to improve the quality of development within the unincorporated areas of the County.

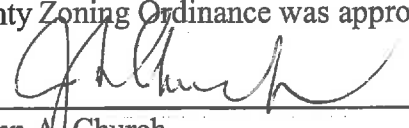
*NOW, THEREFORE, BE IT ORDAINED*, the Kendall County Board hereby ordains the Kendall County Zoning Ordinance is hereby amended as follows:

- a: Sections 9.00 through 9.03 and Sections 9.05 through 9.06 inclusive of the Kendall County Zoning Ordinance, as written in the attached Exhibit "A".
- b: Delete Section 9.04 "B-3 OFFICE AND RESEARCH PARK DISTRICT" of the Kendall County Zoning Ordinance in its entirety and replace it with a new Section 9.04 "B-3 HIGHWAY COMMERCIAL DISTRICT" as written in the attached Exhibit "A".
- c: Add a new Section 9.07 "B-6 OFFICE AND RESEARCH PARK DISTRICT" to the Kendall County Zoning Ordinance, as written in the attached Exhibit "A".

*IN WITNESS OF*, this Amendment to the Kendall County Zoning Ordinance was approved by the Kendall County Board on June 19, 2007.

Attest:

  
\_\_\_\_\_

  
\_\_\_\_\_  
John A. Church  
Kendall County Board Chairman

Paul Anderson  
Kendall County Clerk

**SECTION 9.00 BUSINESS DISTRICTS**

**EXHIBIT "A"**

9.00 COMMERCIAL ZONING DISTRICTS (Amended in full 8/21/2001)

9.01 PURPOSE

The purpose of this section is to encourage the orderly development of commercial properties to serve and meet the needs of the citizens of Kendall County. The establishment of new commercial districts shall follow the guidelines of the Kendall County Land Resource Management Plan (LRMP). In general, areas designated as Commercial/Industrial or Transportation Corridors on the Resource Management Concept Plan are appropriate for commercial development. Where properties proposed for commercial development are contiguous to existing municipalities, the County encourages the annexation of these properties.

More specifically, the commercial zoning districts are intended to provide for groupings of business and commercial establishments that are compatible in scope of services, methods of operation, and traffic generation.

## SECTION 9.00 BUSINESS DISTRICTS

### 9.02 B-1 LOCAL SHOPPING DISTRICT

A. Purpose. The B-1 Local Shopping District is composed of those areas of the County whose principal use is neighborhood-oriented, limited retail, service and repair business activities which serve the surrounding area. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads. To these ends, certain uses which would interfere with the operation of these business activities and the purpose of this district have been excluded.

C.B. Permitted Uses. The following uses are permitted:

1. Accessory uses
2. Art Galleries and Studios
3. Bait Shop
4. Candy and Ice Cream Shops
5. Electrical Appliance Stores and Repair
- ~~2.6.~~ Grocery and food sales under 10,000 square feet including convenience stores
7. Paint and Wallpaper Stores
8. Hobby Stores
- ~~5.12.~~ Indoor business sales and service under 10,000 square feet
- ~~6.13.~~ Indoor retail sales of goods under 10,000 square feet, including repair of goods sold on the premises
- ~~7.14.~~ Offices, business and professional, including medical clinics
15. Optician and Optometrist
- ~~8.16.~~ Personal and business service shops under 10,000 square feet but not including and uses regulated in Section 4.17.
17. Photography Studios.

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9-18. Public building erected or leased by any government

10-19. Restaurants, cafes, cafeterias or other similar establishments

11-20. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction

21. Tobacco Shops

D.C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

1. \_\_\_\_\_ Clubs and lodges (non-profit), fraternal or religious institutions

2. \_\_\_\_\_ Communications facilities

3. \_\_\_\_\_ Day Care Center or Nursery

3.4. \_\_\_\_\_ Drive through or drive up windows for any permitted use

4.5. \_\_\_\_\_ Dwelling units, provided they are located above the first floor and above a permitted business use or off-street parking. Dwelling units shall not be permitted on the ground floor.

6. \_\_\_\_\_ Musical Instrument Sales and Repair (including lessons)

~~5. Meeting halls~~

~~6. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-1 District~~

~~7. Outdoor storage~~

~~8. Planned business developments~~

~~17.9.7.~~ Public service uses, including:

a. Filtration plant, pumping station, and water reservoir

b. Gas regulator stations

c. Sewage treatment plant

d. Telecommunications hub

e. Electric substation, generators and booster stations

Draft – June 12th Feb. 19J10<sup>th</sup>, 3rd, uly 5, March 23, 2007

## SECTION 9.00 BUSINESS DISTRICTS

### f. Non-exempt governmental uses

G.D. Conditional Uses. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:

1. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.

2. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.

~~3. Outdoor Display may be permitted subject to the following:~~

#### ~~a. TEMPORARY SEASONAL DISPLAYS~~

~~(i) Seasonal displays not exceeding 60 days per calendar year may be conducted on the same zoning lot as the principal business.~~

~~(ii) A site plan must be submitted by the applicant and approved by the Zoning Administrator showing the location of the seasonal display, the items to be displayed and the duration of the display.~~

~~(iii) Seasonal display areas shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.~~

~~(iv) All signage for seasonal display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.~~

#### ~~b. PERMANENT OUTDOOR DISPLAYS~~

~~(i) Shall only be permitted on the same zoning lot as the principal business, and shall only display merchandise which is sold at the subject premises. Items which are not sold on the premises or which are general outdoor storage are not permitted.~~

~~(ii) Shall not exceed 10% of the subject area or 1,000 square feet in area, whichever is smaller.~~

~~(iii) Shall be subject to site plan review and approval by the Zoning Administrator.~~

~~(iv) Shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not~~

## SECTION 9.00 BUSINESS DISTRICTS

- ~~encroach into any required vision triangle areas.~~
- ~~(v) Displays shall not be higher than 15 feet in height.~~
- ~~(vi) All signage for outdoor display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.~~
- ~~(i) A zoning certificate and fee are required for approval of an outdoor display area.~~
- ~~(ii) Any outdoor display area shall be subject to review by the Planning, Building and Zoning Committee and may be rescinded if deemed necessary.~~
- ~~(iii) Any outdoor display area which does not meet these requirements may be permitted as a special use.~~

E. Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 10,000 square feet and a width of not less than 100 feet as measured from the front building line.

K.F. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:
  - a. Arterial Roadways. Fifty (50) feet from a dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.
  - b. Major or Minor Collector Roadways. Forty (40) feet from a dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.
  - c. All Other Streets. Thirty feet (30) from a dedicated road right-of-way or seventy-five (75) feet from the center line of all adjacent roads, whichever is greater.
2. Side Yard. Ten feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.
3. Rear Yard. Twenty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a

## **SECTION 9.00 BUSINESS DISTRICTS**

municipality, the required rear yard shall be twenty feet, or equivalent to said adjacent setback, whichever is greater.

### L.G. Lot Coverage.

1. Maximum Floor Area Ratio. Not to exceed 0.50.
2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 75% of the lot.

### M.H. Maximum Building Height. No building hereinafter erected shall exceed 35 feet in height.

### S.J. Signs. In accordance with the regulations set forth in Section 12.00.

### T.K. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking shall not encroach upon the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least 10' from the rear property line is maintained.

### U.L. Other Provisions.

1. Performance Standards. All activities shall conform with the performance standards established for in this zoning ordinance.
2. Refuse Enclosures. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, and shall include a concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.
3. Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.
4. Screening and Landscaping. Where a commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-1 zoning is made.



## SECTION 9.00 BUSINESS DISTRICTS

### 9.03 B-2 GENERAL BUSINESS DISTRICT

- A. Purpose. The B-2 General Business District is composed of those areas of the County whose principal use is general retail, service and repair business activities which serve persons and businesses in the County. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads.
- B. Permitted Uses. The following uses are permitted:
1. All permitted uses in the B-1 Local Shopping District
  2. Adult Day Care or Respite Care
  3. ~~Agricultural implement sales and service on an open lot or within a building~~
  - 4.3. Ambulance service
  5. ~~Art galleries and studios~~
  - 6.4. Motor Vehicle/Auto accessory store
  - 7.5. Banks and financial institutions
  6. Bakery Shops
  7. Blue Printing and Copying
  8. Book Binding
  - 8.9. Building material sales (retail)
  10. Catering Establishments
  11. Contractors' offices and shops, where no fabrication is done on the premises and where all storage of material and equipment is within a building.

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- 9-12. Cutting of glass and glazing establishments
- 13. Exterminating Shops
- ~~10-14~~ Feed and seed stores, wholesale
- 15. Gardening Supplies and Seed Stores (retail sales only)
- ~~14-16~~ Grocery and food sales, including convenience stores
- ~~12-17~~ Indoor business sales and service in excess of 10,000 sq. feet
- ~~13-18~~ Indoor entertainment and recreation
- ~~14-19~~ Indoor retail sales of goods in excess of 10,000 sq. feet, including repair of goods sold on the premises
- ~~15-20~~ Monument sales, but not including the cutting or grinding of stones
- 21. Musical Instrument Sales and Repair (including lessons)
- ~~16. Offices, business and professional, including medical clinics, optician and optometrist~~
- 22. Packaged Liquor Store or any sale of alcoholic beverages excluding gas or service stations
- ~~17-23~~ Personal service shops in excess of 10,000 Sq. ft. , but not including adult or regulated uses
- 24. Pet shop when conducted wholly within an enclosed building.
- 25. Plumbing, heating, and roofing supply shops
- ~~18-26~~ Postal substations
- 27. Public auction rooms
- ~~19-28~~ Off-set printing and copy shops
- ~~20. Public building erected or leased by any government~~

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- ~~21. Restaurants, cafes, cafeterias or other similar establishments~~
- ~~22-29. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)~~
- ~~23. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction~~
- ~~24. Trailer sales or rental (house trailers) business on an open lot or within a building, not including occupancy of trailers~~

C.C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

1. Agricultural implement sales and service on an open lot or within a building

1.2. Automobile Motor Vehicle service stations, including automobilemotor vehicle body repair and rebuilding, or painting of automobilemotor vehicles

2.3. AutomobileMotor vehicle sales

3.4. AutomobileMotor vehicle washing, including the use of mechanical conveyers, blowers and steam cleaning

5. Battery and Tire Service Stations

6. Clubs and lodges (non-profit), fraternal or religious institutions

4.7. Communications facilities

8. Consumer Credit, Financing or Financial Offices

9. Currency Exchange

10. Day Care Center or Nursery

5-11. Drive through or drive up windows for any permitted use

6-12. Dwelling units, provided they are located above the first floor and above a permitted business use or off-street parking. Dwelling units shall not be permitted on the ground floor.

Draft – June 12th Feb. 19J10<sup>th</sup>, 3rd, uly 5, March 23, 2007

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~~7.13. Garages, public, for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity~~

~~8. Hospitals and sanitariums~~

~~9.14. Kennels, when located more than 600' from an occupied principal structure other than the owners residence~~

~~10.15. Meeting halls~~

~~11. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-2 District~~

~~12.16. Outdoor storage, provided such storage is screened from adjacent and surrounding properties~~

~~13. Planned business developments~~

~~14.17. Public utility and public service uses, including:~~

- ~~a. Bus turn-arounds~~
- ~~b. Electric substations~~
- ~~c. Public art galleries and museums~~
- ~~d. Telecommunications hub~~
- ~~e. Water filtration plants~~
- ~~f. Water pumping stations~~
- ~~g. Water reservoirs~~
- ~~h. Other similar uses~~

~~18. Trailer and Recreational Vehicle, or rental (house) trailer sales on an open lot or within a building, not including occupancy of trailers~~

~~15.18. Taverns~~

**SECTION 9.00 BUSINESS DISTRICTS**

**16.19. Funeral homes**

D.D. Conditional Uses. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:

1. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.
2. Hotels, including restaurants and meeting rooms, cocktail lounges, retail shops and personal service shops when the only access is from the interior of the hotel and there is no outdoor advertising or display.
3. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place
4. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.
5. Pet shop or animal hospital when conducted wholly within an enclosed building.
6. Processing or assembly, provided that space occupied in a building does not exceed six thousand square feet of total floor space and basement space, not including stairwells or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust or any other conditions which might be disturbing to occupants of adjacent buildings. When manufacturing operations of the same or similar products demand space exceeding six thousand square feet, they shall then be located in the M-1 Manufacturing District.
7. Enclosed self-service storage facility, provided that:
  - a. Each self-service storage facility shall be governed by the provisions of the Illinois Self-Service Storage Facility Act, 770 ILCS 95/1 et seq.
  - b. A fence and landscaping shall be provided which completely encloses the facility and screens it from view of residential structures and residentially zoned property

Draft – June 12th, Feb. 19, 10<sup>th</sup>, 3rd, July 5, March 23, 2007

## **SECTION 9.00 BUSINESS DISTRICTS**

### **8. Outdoor Display may be permitted subject to the following:**

#### **a. TEMPORARY SEASONAL DISPLAYS**

- (i) Seasonal displays not exceeding 60 days per calendar year may be conducted on the same zoning lot as the principal business.**
- (ii) A site plan must be submitted by the applicant and approved by the Zoning Administrator showing the location of the seasonal display, the items to be displayed and the duration of the display.**
- (iii) Seasonal display areas shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.**
- (iv) All signage for seasonal display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.**

#### **b. PERMANENT OUTDOOR DISPLAYS**

- (i) Shall only be permitted on the same zoning lot as the principal business, and shall only display merchandise which is sold at the subject premises. Items which are not sold on the premises or which are general outdoor storage are not permitted.**
- (ii) Shall not exceed 10% of the subject area or 1,000 square feet in area, whichever is smaller.**
- (iii) Shall be subject to site plan review and approval by the Zoning Administrator.**
- (iv) Shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.**
- (v) Displays shall not be higher than 15 feet in height.**
- (vi) All signage for outdoor display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.**
- (vii) A zoning certificate and fee are required for approval of an outdoor display area.**
- (viii) Any outdoor display area shall be subject to review by the Planning, Building and Zoning Committee and may be rescinded if deemed necessary.**
- (ix) Any outdoor display area which does not meet these requirements may be permitted as a special use.**

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E.E. Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 10,000 square feet and a width of not less than 100 feet.

F.F. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

a. Arterial Roadways. Fifty feet (50) from the dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.

b. Major or Minor Collector Roadways. Forty (40) feet from the dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.

c. All Other Streets. Thirty (30) feet from the dedicated road right-of-way or seventy (70) feet from the center line of all adjacent roads, whichever is greater.

d. Exception. Where lots comprising fifty percent of the frontage on the same street and within the same block are developed with buildings having front yards with a variation of not more than ten feet in depth the average of such front shall establish the minimum front yard depth for the entire frontage, but in no case shall a front yard of more than that stipulated above for the applicable classification of a street on which the property is located be required.

2. Side Yard. Ten feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.

3. Rear Yard. Twenty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be twenty feet, or equivalent to said adjacent setback, whichever is greater.

G.G. Lot Coverage.

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1. Maximum Floor Area Ratio. Not to exceed 0.50.
2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 70% of the lot.

H.H. Maximum Building Height. No building hereinafter erected shall exceed 35 feet in height.

S.I. Signs. In accordance with the regulations set forth in Section 12.00.

T.J. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking shall not encroach upon the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least 10' from the rear property line is maintained.

U.K. Other Provisions.

1. Performance Standards. All activities shall conform with the performance standards established for in this zoning ordinance.

2. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable and dustless surface, and shall be graded and drained as to dispose of all surface water.

3. Refuse Enclosures. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of seven feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.

4. Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.

5. Screening and Landscaping. Where a commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-2 zoning is made.

**9.04 B-3 HIGHWAY BUSINESS DISTRICT**

*Draft – June 12th, Feb. 19, July 10th, 3rd, July 5, March 23, 2007*



## **SECTION 9.00 BUSINESS DISTRICTS**

A. Purpose: The B-3, Highway Business District is intended for major retail, service and repair establishments serving a large trade area, usually the entire County or beyond and oriented to the traveling public. The trade area population served by these establishments requires easy access, although patronage is more dispersed and visits to these establishments less frequent than in the B-1 District and B-2 District. It is the intent of the B-3 District regulations that establishments desiring location along major traffic routes are grouped with appropriate and adequate access ways provided.

B. Permitted Uses. The following uses are permitted:

1. All Permitted Uses identified in the B-2 General Business District
2. Agricultural implement sales and service on an open lot or within a building.
3. Animal hospital or Veterinarian
4. Motor vehicle service stations.
5. Motor vehicle repair and service shop, but not including motor vehicle body repair and rebuilding, or painting of motor vehicles.
6. Motor vehicle washing, including the use of mechanical conveyers, blowers and steam cleaning.
7. Motor vehicle sales and service establishments for new passenger automobiles and trucks, including sale of used cars and trucks when operated in conjunction with the principal use. Mechanical repairs, body repairs and repainting may be included. All facilities shall be contained in an enclosed building, except the storage of automobiles and trucks displayed in the open and available for sale.
8. Battery and tire service stations.
9. Beverages, non-alcoholic, bottling and distributing.
10. Construction equipment sales and service.
11. Currency exchange.
12. Garages, public, for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity.

## **SECTION 9.00 BUSINESS DISTRICTS**

13. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.

14. Motels.

15. Nurseries and greenhouses

16. Printing, publishing, and issuing of periodicals, books, stationery, and other reading matter.

17. Restaurants, including the drive-in type where food is served to customers remaining in motor vehicles.

18. Taverns

19. Trailer and Recreational Vehicle sales or rental (house trailers) business on an open lot or within a building, not including occupancy of trailers.

20. Funeral Homes with or without a crematory.

21. Used passenger automobiles sales on an open lot or within a building.

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00.

1. Motor vehicle body repair and rebuilding, or painting of motor vehicles.

2. Clubs and Lodges (non-profit), fraternal or religious institutions.

3. Communication Uses.

4. Consumer credit, financing or financial offices

5. Day care center or nursery.

6. Kennels, when located more than 600' from any occupied residential structure other than the owners residence.

7. Micro-Brewery, and/or Winery.

8. Meetings Halls

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9. Outdoor storage, provided such storage is screened from adjacent and surrounding properties

10. Outdoor theaters (drive-in), indoor theaters, banquet halls, and convention centers.

11. Outdoor amusement establishments, fairgrounds, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.

12. Pawn Shop

14.13. Public utility and public service uses, including:

- a. Bus turn-arounds
- b. Electric substations
- c. Public art galleries and museums
- d. Telecommunications hub
- e. Water filtration plants
- f. Water pumping stations
- g. Water reservoirs
- h. Other similar uses

14. Self-Service Storage Facilities.

15. Truck Driving School.

16. Truck Stop

D. Conditional Uses. All conditional uses outlined in the B-2 General Business District (Section 9.03D) may be permitted only if specifically authorized by the Zoning Administrator.

E. Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 10,000 square feet and a width of not less than 100 feet.

Draft – June 12th, 1991, Feb. 19, 1991, 3rd, July 5, March 23, 2007

## **SECTION 9.00 BUSINESS DISTRICTS**

F. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

a. Arterial Roadways. Fifty (50) feet from a dedicated road right-of-way or one hundred (100) feet from the centerline of all adjacent roads, whichever is greater.

b. Major or Minor Collector Roadways. Forty (40) feet from a dedicated road right-of-way or ninety (90) feet from the centerline of all adjacent roads, whichever is greater.

c. All Other Streets. Thirty feet (30) from a dedicated road right-of-way or seventy-five (75) feet from the centerline of all adjacent roads, whichever is greater.

2. Side Yard. Twenty (20) feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be twenty (20) feet, or equivalent to said adjacent setback, whichever is greater.

3. Rear Yard. Twenty (20) feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be twenty (20) feet, or equivalent to said adjacent setback, whichever is greater.

G. Lot Coverage. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 10,000 square feet and a width of not less than 150 feet.

1. Maximum Floor Area Ratio. Not to exceed 0.50.

2. Impervious Lot Coverage (building, parking, drives, etc.). Not to exceed 70% of the lot.

H. Maximum Building Height. No building hereinafter erected shall exceed 35 feet in height.

I. Signs. In accordance with the regulations set forth in Section 12.00.

## **SECTION 9.00 BUSINESS DISTRICTS**

J. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking shall not encroach along the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least ten (10) feet from the rear property line is maintained.

### K. Other Provisions.

1. Performance Standards. All activities shall conform to the performance standards established in this zoning ordinance.
2. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable dustless surface, and shall be graded and drained as to dispose of all surface water.
3. Refuse Enclosure. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing or either wood or masonry construction, to a height of seven (7) feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.
4. Waste Material. No materials or wastes shall be deposited upon a lot in such a form that natural causes or forces may transfer them off the property.
5. Screening and Landscaping. Where commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-3 zoning is made.

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### **9.04 B-3 OFFICE AND RESEARCH PARK DISTRICT**

~~A.Purpose. The B-3 Office and Research District is intended to provide for innovative, well-designed and maintained office and nuisance-free research uses in an environment which is characterized by controlled ingress and egress to major streets and extensive setbacks and yard areas with imaginative landscaping. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads.~~

~~B.Permitted Uses. The following uses are permitted:~~

~~1.Accessory uses~~

~~2.Business offices such as corporate headquarters, district, branch, sales, insurance, real estate, advertising, computer facility and other similar business offices~~

~~3.Financial offices, such as commercial banks, savings and loan, stock or commodities brokers, automobile, commercial and real estate financing, real estate title and other similar financial offices~~

~~4.Public building erected or leased by any government~~

~~5.Professional offices, such as medical and dental offices and clinics, legal offices, certified public accountants and other similar professional offices~~

~~6.Research laboratories, including the testing of products, but not including the manufacturing of products, except as incidental to the research and testing of products~~

~~7.Sales offices, with incidental repairs and service, for business and office equipment and supplies with incidental storage of parts and supplies not to exceed a storage area of 100 percent of the gross square foot area of the sale area and offices~~

~~8.Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction~~

~~9.Wholesale sales, displays and offices, but not including storage or warehousing~~

~~C.Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:~~

~~1.Business or trade school~~

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- ~~2. Caretaker's dwelling unit~~
- ~~3. Consumer credit or financing office~~
- ~~4. Hotel or motor hotel~~
- ~~5. Light manufacturing and assembly~~
- ~~6. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-3 District~~
- ~~7. Private clubs, including health clubs~~
- ~~8. Telecommunications hub~~
- ~~9. Utility (light, gas, telephone, water, sewer) buildings for use as a branch office, excluding a distribution center~~
- ~~10. Restaurants and/or taverns~~
- ~~11. Services or commercial uses intended primarily to serve the immediate convenience needs of persons employed in the area, including stationery and office supply stores, restaurants (but not drive-in facilities), day cares, dry cleaning (but not on-site plant) and similar uses~~

~~D. Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 150,000 square feet and a width of not less than 250 feet.~~

~~E. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:~~

~~1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:~~

~~a. Arterial Roadways. Seventy five (75) feet from the dedicated road right of way or one hundred and twenty five (125) feet from the center line of all adjacent roads, whichever is greater.~~

~~b. Major or Minor Collector Roadways. Fifty (50) feet from the dedicated road right of way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.~~

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~~c. All Other Streets. Forty (40) feet from the dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.~~

~~2. Side Yard. Thirty feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be thirty feet, or equivalent to said adjacent setback, whichever is greater.~~

~~3. Rear Yard. Forty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be forty feet, or equivalent to said adjacent setback, whichever is greater.~~

### ~~F. Lot Coverage.~~

~~1. Maximum Floor Area Ratio. Not to exceed 0.50.~~

~~2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 70% of the lot.~~

~~G. Maximum Building Height. No building hereinafter erected shall exceed 75 feet in height. No building within 300 feet of a residential district shall exceed two stories, nor shall it exceed forty (40) feet in height.~~

~~H. Signs. In accordance with the regulations set forth in Section 12.00.~~

~~I. Off Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least 10' from the side or rear property line is maintained. Trucks and semitrailers shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure, fence or landscaped berm. However, temporary parking, overnight, not to exceed a 48-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.~~

### ~~J. Other Provisions.~~

~~1. Performance Standards. All activities shall conform with the performance standards established for in this zoning ordinance.~~



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~~2. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable and dustless surface, and shall be graded and drained as to dispose of all surface water.~~

~~3. Outdoor Storage. No outdoor storage shall be permitted.~~

~~4. Refuse Enclosures. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of seven feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.~~

~~5. Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.~~

~~6.1. \_\_\_\_\_ Screening and Landscaping. Where a commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-3 zoning is made.~~

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**9.05 B-4 COMMERCIAL RECREATION**

A. Purpose. The B-4 Commercial Recreation District is intended to accommodate commercial activities that serve the recreational needs of County residents, or which are dependent upon locations near recreational resources, such as lakes. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads.

B. Permitted Uses. The following uses are permitted:

1. Boat launching ramp
2. Daycare facilities
3. Fairgrounds
4. Golf courses (including miniature golf), golf driving range, club houses, county clubs, and membership riding clubs
5. Health clubs (public or private) and related accessory uses
6. Non-profit recreational facilities and related accessory uses
7. Parks, forest preserve, nature preserve, and other public and private open space (but excluding lighted athletic fields)
8. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction
9. Accessory uses (including caretaker's residence)

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

1. Amphitheater, drive-in theater, and sports arena, provided that the following conditions are met:
  - a. The minimum site area shall be 200,000 square feet.
  - b. All structures, viewing, parking, and seating areas shall be set back at least 100 feet from any street or property line.

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- c. The site shall have frontage on and access to a collector or arterial street, provided that the highway authority with jurisdiction over the subject road may approve alternative access.
- d. The following accessory uses may be permitted as incidental to, and limited to patrons of, the principal use:
  - (i) playground
  - (ii) refreshment stand or booth
  - (iii) souvenir stand or booths
  - (iv) offices
- e. For any drive-in theater:
  - (i) The theater screen shall not be visible from any collector street, arterial street, or freeway within 1,200 feet.
  - (ii) The viewing/parking area shall be screened in such a manner that it cannot be observed from outside the property.
  - (iii) Off-street space for automobiles of patrons awaiting admission to the theater shall be equal to a minimum of 15 percent of the capacity of the viewing area. All entrances and exits shall be separated, and internal circulation shall provide one-way traffic.

2. Athletic Fields with Lights, provided that the following conditions are met:

- a. The minimum site area shall be 140,000 square feet.
- b. All structures, viewing, parking, and seating areas shall be set back at least 100 feet from any street or property line.
- c. Photometric lighting plans will be submitted and approved by the County. All lighting shall be directed downward, and

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should minimize glare and light trespass on adjacent property.

3. Amusement park, including go-cart tracks, water parks and other rides, provided that the following minimum standards are met:

- a. The site shall be located and designed to minimize adverse impacts on adjacent uses.
- b. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.

4. Candy and Ice Cream Stores

5. Convenience Store

6. Hotel and/or Motel

7. Indoor entertainment and recreation

8. Kennels, , when located more than 600' from any occupied residential structure other than the owners residence

9. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-4 District

4.10. Racetrack (animal), provided that the following minimum standards are met:

- a. The minimum site area shall be 20 acres.
- b. The racetrack and all building, viewing areas, seating areas, and structures for housing animals shall be located no closer than 250 feet from any public road right-of-way or property line.
- c. If night racing is to be conducted, all parking areas and access ways shall be adequately lit; provided that such lighting, as well as lighting for the racetrack, shall be shielded to prevent light and glare spillover to adjacent residential or agricultural properties.
- d. All facilities for housing and maintaining equine shall comply with the following requirements:
  - (i) An approval for such facility from the Kendall County Health Department must accompany the application for a Conditional Use Permit.

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- (ii) A 100 foot wide area of vegetation cover, exclusive of pasture area, shall be maintained between any corral, un-vegetated exercise area, manure pile, or application area and any surface water or well, in order to minimize runoff, prevent erosion, and promote quick nitrogen absorption.
  - (iii) All facilities for housing and maintaining other animals shall meet the conditions specified in the Special Conditional Use Permit.
- e. The accessory uses may be permitted as incidental to and limited to patrons of the principal use:
- (i) refreshment stands or booths
  - (ii) souvenir stands or booths
  - (iii) wagering facilities
  - (iv) restaurants or lounges
  - (v) playgrounds or day care facilities
  - (vi) any other customary and incidental uses which are deemed appropriate by the Plan Commission or County Board.

5.11. Racetrack (vehicle), provided that the following minimum standards are met:

- a. The minimum site area shall be 20 acres.
- b. The racetrack and all building, viewing areas, seating areas, and areas reserved for vehicles to be raced shall be located no closer than 300 feet from any public road right-of-way or property line.
- c. All parking areas and access ways shall be adequately lit; provided that such lighting, as well as lighting for the racetrack, shall be shielded to prevent light and glare spillover to adjacent residential or agricultural properties.

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d. A noise study shall be prepared by a trained professional addressing anticipated noise levels during races or practice sessions. This study shall also address how excessive noise will be mitigated. The County shall reserve the right to obtain an independent review of this study, and require additional noise mitigation beyond that outlined in the noise study.

~~d.e.~~ The accessory uses may be permitted as incidental to and limited to patrons of the principal use:

~~(i)A.~~ refreshment stands or booths

~~(ii)B.~~ souvenir stands or booths

~~(iii)C.~~ vehicle fuel and supplies sales limited to owners or operators of vehicles to be raced

~~(iv)D.~~ temporary campgrounds

~~(v)E.~~ playgrounds or day care facilities

~~(vi)F.~~ any other customary and incidental uses which are deemed appropriate by the Plan Commission or County Board.

~~6.1.~~ Recreational camps and recreational vehicle parks

~~2.~~ Seminaries, convents, monasteries, and similar religious institutions including dormitories and other accessory uses required for operation.

~~3.~~ Telecommunications Stations and transmission Devices

D Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 20,000 square feet and a lot width of 100 feet measured at the front building line.

~~I.E.~~ Number of Buildings. Due to the nature of the uses permitted in this zoning district, multiple buildings may be permitted on a single zoning lot, without requiring Planned Development approval.

~~J.F.~~ Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

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1.a. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

a. Arterial Roadway. Fifty (50) feet from the dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.

b. Major or Minor Collector Roadway. Fifty (50) feet from the dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.

c. All Other Streets. Forty (40) feet from the dedicated road right-of-way or eighty (80) feet from the center line of all adjacent roads, whichever is greater.

2. Side Yard. Ten feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.

3. Rear Yard. Ten feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.

K.E. Lot Coverage.

1. Maximum Floor Area Ratio. Not to exceed 0.20.

2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 75% of the lot.

L.F. Maximum Building Height. No building hereinafter erected shall exceed 50 feet in height.

S.d. Signs. In accordance with the regulations set forth in Section 12.00.

T.e. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00.

U.f. Other Provisions.

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1-Performance Standards. All activities shall conform with the performance standards established for in this zoning ordinance.

Refuse Enclosures. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of seven feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.

2-Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.

3-Screening and Landscaping. Adequate screening and landscaping for adjoining residential areas shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-4 zoning is made.



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| **9.06 B-5 BUSINESS PLANNED DEVELOPMENT**

- A. Purpose. The B-5 Business Planned Development (BPD) District is intended to provide for greater freedom, imagination, and flexibility in the development of land while assuring appropriate development standards. To this extent it allows diversification and variation in the relationship of uses, structures, and open spaces in developments planned as comprehensive, cohesive projects which are unified by a shared concept. It is further intended to encourage the beneficial integration of different compatible land uses at a proper scale and to encourage better design, provision of amenities, and the efficient use of public services through the use of planned unit development procedures. The intensity and profile of the development within this District are intended to be compatible with all adjacent uses.
- B. Permitted Uses. Permitted uses shall be consistent with the purpose of this District, including a wide variety of retail, office, general commercial, and light industry. A permitted use list shall be developed and approved with each zoning request in the BPD District.
- C. Lot, Yard, Coverage and Height. Uses in the BPD District shall conform to a plan for the District, as adopted by ordinance by the County Board. The plan must include, at a minimum, the following:
1. Minimum yard requirements, including appropriate landscape easements
  2. Lot coverage permitted
  3. Building height permitted
  4. Minimum landscape and site open space standards
  5. Minimum architectural standards
  6. Lighting

| D.B. Signs. In accordance with the regulations set forth in Section 12.00.

| E.C. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least 10' from the side or rear property line is maintained. Trucks and semitrailer shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure, fence or landscaped berm. However, temporary parking, overnight, not to exceed a 24-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.

| F.D. Other Provisions.

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1. Performance Standards. All activities shall conform with the performance standards established for in this zoning ordinance.
2. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable and dustless surface, and shall be graded and drained as to dispose of all surface water.
3. Outdoor Storage. No outdoor storage shall be permitted unless approved as a part of the BPD.
4. Refuse Enclosures. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of seven feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.
5. Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.
6. Screening and Landscaping. Where a commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-5 zoning is made.

### **9.07 B-6 OFFICE AND RESEARCH PARK DISTRICT**

A. Purpose. The B-6 Office and Research District is intended to provide for innovative, well-designed and maintained office and nuisance-free research uses in an environment which is characterized by controlled ingress and egress to major streets and extensive setbacks and yard areas with imaginative landscaping. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads.

B. Permitted Uses. The following uses are permitted:

1. Accessory uses

2. Business offices such as corporate headquarters, district, branch, sales, insurance, real estate, advertising, computer facility and other similar business

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offices

3. Consumer Credit and Financing

4. Financial offices, such as commercial banks, savings and loan, stock or commodities brokers, automobile, commercial and real estate financing, real estate title and other similar financial offices

5. Government offices.

6. Hospital

7. Public building erected or leased by any government

8. Professional offices, such as medical and dental offices and clinics, legal offices, certified public accountants and other similar professional offices

9. Research laboratories, including the testing of products, but not including the manufacturing of products, except as incidental to the research and testing of products

10. Sales offices, with incidental repairs and service, for business and office equipment and supplies with incidental storage of parts and supplies not to exceed a storage area of 100 percent of the gross square foot area of the sale area and offices

11. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction

12. Wholesale sales, displays and offices, but not including storage or warehousing

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

1. Business or trade school

2. Caretaker's dwelling unit

3. Convenience store

4. Hotel or motel

5. Light manufacturing and assembly

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6. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-6 District
7. Private clubs, including health clubs
8. Self Service Storage Facilities (enclosed)
9. Telecommunications stations and transmission devices
10. Utility (light, gas, telephone, water, sewer) buildings for use as a branch office, excluding a distribution center
11. Restaurants and/or taverns
12. Services or commercial uses intended primarily to serve the immediate convenience needs of persons employed in the area, including stationery and office supply stores, restaurants (but not drive-in facilities), day cares, dry cleaning (but not on-site plant) and similar uses
  - D. Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 150,000 square feet and a width of not less than 250 feet.
  - E. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:
    1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:
      - a. Arterial Roadways. Seventy-five (75) feet from the dedicated road right-of-way or one hundred and twenty-five (125) feet from the center line of all adjacent roads, whichever is greater.
      - b. Major or Minor Collector Roadways. Fifty (50) feet from the dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.
      - c. All Other Streets. Forty (40) feet from the dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.

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2. Side Yard. Thirty feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be thirty feet, or equivalent to said adjacent setback, whichever is greater.

3. Rear Yard. Forty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be forty feet, or equivalent to said adjacent setback, whichever is greater.

F. Lot Coverage.

1. Maximum Floor Area Ratio. Not to exceed 0.50.

2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 70% of the lot.

G. Maximum Building Height. No building hereinafter erected shall exceed 75 feet in height. No building within 300 feet of a residential district shall exceed two stories, nor shall it exceed forty (40) feet in height.

H. Signs. In accordance with the regulations set forth in Section 12.00.

I. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least 10' from the side or rear property line is maintained. Trucks and semi trailers shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure, fence or landscaped berm. However, temporary parking, overnight, not to exceed a 48-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.

J. Other Provisions.

1. Performance Standards. All activities shall conform with the performance standards established for in this zoning ordinance.

2. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable and dustless surface, and shall be graded and drained as to dispose of all surface water.

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3. Outdoor Storage. No outdoor storage shall be permitted.

4. Refuse Enclosures. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of seven feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.

5. Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.

Screening and Landscaping. Where a commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-3 zoning is made