

## **ARTICLE V. - PROVISIONAL AND SPECIAL USES**

### **DIVISION 3. - STANDARDS FOR SPECIFIC PROVISIONAL USES**

#### **Sec. 37-245. - Standards for bed and breakfast homestays in SF1, SF2, MF1, MF2, IT-SF1, and IT-SF2 Districts.**

A bed and breakfast homestay in the SF1, SF2, MF1, MF2, IT-SF1, and IT-SF2 Districts shall meet each of the following standards:

- (a) The property shall be owner-occupied and the owner shall be the operator of the establishment.
- (b) The maximum length of stay for any guest for any consecutive period of time shall be seven (7) days.
- (c) The maximum number of bedrooms for a bed and breakfast use shall not exceed three (3).
- (d) No cooking facilities shall be permitted in any of the rented rooms.
- (e) Breakfast may be served to overnight guests only. No other meals shall be served to guests and no other food service is allowed.
- (f) No advertising sign, other than a nameplate, which does not exceed one square foot in total face area, shall be displayed in connection with the bed and breakfast facility.
- (g) All bed and breakfast establishments shall meet all applicable requirements of the Illinois Compiled Statutes.

#### **Sec. 37-246. - Standards for day care centers.**

Day care centers shall meet the following standards as applicable:

- (a) All day care centers shall submit for review to the Zoning Administrator all approved valid permits required by the State of Illinois and any other applicable City, County, State, or Federal agency prior to occupancy.
- (b) All day care centers shall provide a minimum of four (4) stacking spaces for off-street drop-off and loading of children shall be provided to accommodate customers.
- (c) If located within the SF1, SF2, IT-SF1, or IT-SF2 Districts, day care centers shall be developed, maintained, and operated so that the building and yard have the appearance of a single-family residence. The size of the building shall not exceed four thousand (4,000) square feet
- (d) All day care centers shall be designed and used so that there is no play equipment or care of children in the front or side yard setback.
- (e) Outdoor activities at all day care centers shall only be permitted between 8:00 a.m. and 6:00 p.m.
- (f) In the In-Town Districts, day care centers shall meet the side yard and landscape setback requirements for the SFR attached use found in section 37-547.
- (g) No point on a lot on which a day care center is a principal use and located in a Residential District shall be located within six hundred (600) feet from any point on another lot that is the site of a day care center that is a principal use.

#### **Sec. 37-248. - Standards for emergency shelters and transitional housing.**

Emergency shelters and transitional housing shall meet each of the following standards:

- (a) In all residential zoning districts, emergency shelters and facilities providing transitional housing shall be separated by at least six hundred (600) feet from any and all other nearest emergency shelters and/or transitional housing and shall be located not more than six hundred (600) feet from a public bus route.
- (b) If the emergency shelter or facility for transitional housing is located in the CG, CB1, CB2, CB3, or CI Districts, and if the property was acquired by the current owner on or after November 1, 1989, the operator of the emergency shelter or facility for transitional housing for the homeless shall provide the Zoning Administrator with an Illinois Responsible Property Transfer Act disclosure statement signed by the owner.
- (c) The owner must conform with any other applicable governmental regulations regarding the siting and operation of emergency shelters or facility for transitional housing for the homeless.
- (d) The length of stay in an emergency shelter shall be limited to no more than sixty (60) consecutive days, with a minimum of thirty (30) days between stays. The period between October 31 and March 31 shall not be subject to this provision.
- (e) The length of stay in a facility for the transitional housing shall be limited to no more than two consecutive years, with a minimum of one year between residency periods. Each person residing in the facility shall be enrolled in a required rehabilitation and/or training program.
- (f) Such facilities located within the MF2, Multifamily Medium Density District shall be limited to no more than twenty (20) persons or the limitation of the Building Code, whichever is less. Such facilities within the MF3, Multifamily Medium Density District shall be limited to no more than sixty (60) people or the limitation of the Building Code, whichever is less.

**Sec. 37-255. - Standards for restaurants in the CO and CI-Districts.**

Restaurants in the CO and CI Districts shall meet each of the following standards:

- (a) Restaurants in the CO and CI Districts shall not exceed seven thousand, five hundred (7,500) square feet.
- (b) Restaurants in the CO and CI Districts shall not serve food or alcohol between the hours of 11:00 p.m. and 6:00 a.m. Sunday through Thursday, or 12:00 p.m. to 6:00 a.m. Friday and Saturday.
- (c) Restaurants in the CO and CI Districts shall not be permitted to hold a liquor license of a designation higher than an "R" (Restaurant) license.
- (d) Restaurants in the CO and CI Districts shall be separated from any other restaurant within a CO District by a minimum of seven hundred fifty (750) feet, lot-line to lot-line.
- (e) Restaurants in the CO and CI Districts shall not be permitted to have any outdoor amplified sound including loudspeakers or music, nor outdoor unamplified music.

**Sec. 37-257. - Standards for liquor establishments in the CN District.**

Liquor establishments located in the CN District shall meet each of the following standards, determined by their distance from nearby residences and the area of the particular CN District:

- (a) Any liquor establishment located in a CN District of at least eight (8) acres in area and that has no part of its licensed premises located closer than five hundred (500) feet from the boundary of any lot zoned SF1, SF2, IT-SF1, or IT-SF2, other than a lot dedicated for a park or other non-residential use, shall comply with the following requirements:

- (1) Such liquor establishments shall not sell or serve alcoholic liquor or beverages between the hours of 12:00 midnight and 11:00 a.m. daily. Liquor establishments shall close and not permit the public to remain within the premises between the hours of 12:30 a.m. and 11:00 a.m. daily; provided however, that on New Year's Eve such liquor establishments may, sell or serve alcoholic liquors until 1:00 a.m. of New Year's Day and permit the public to remain on the premises until 1:30 a.m. of New Year's Day.
- (2) The floor area where liquor may be consumed on the premises shall not exceed three thousand (3,000) square feet.
- (b) Any liquor establishment located in CN Districts less than eight (8) acres in area or any liquor establishment that has any part of its licensed premises less than five hundred (500) feet from the boundary of any lot zoned SF1, SF2, IT-SF1, or IT-SF2, other than a lot dedicated for a park or other non-residential use, shall comply with the following requirements:
  - (1) Liquor establishments shall not remain open to the public during the hours of 11:00 p.m. to 11:00 a.m., provided however, that such liquor establishments may, remain open to the public on New Year's Eve. On New Year's Eve such Liquor Establishments may open at 11:00 a.m., and sell or serve alcoholic liquors until 1:00 a.m. of New Year's Day and permit the public to remain on the premises until 1:30 a.m. of New Year's Day.
  - (2) The total floor area in the establishment to be used for the display of packaged alcoholic liquors or the consumption of alcoholic liquors on the premises shall not exceed two thousand (2,000) square feet.
  - (3) There shall be no amplified sounds or speakers outside the establishment.
- (c) All lights related to advertising signs for the liquor establishments, or any products sold on site, visible from outside the establishment shall be turned off at the close of business hours. Lights for purposes of security are not subject to this provision.
- (d) No accessory parking for a liquor establishment may be located in a residential district.

**Sec. 37-259. - Standards for retail food and drug in the CO District.**

Retail food and drug uses in the CO District shall meet each of the following criteria:

- (a) Retail food and drug uses in the CO District shall not exceed three thousand (3,000) square feet or more than twenty-five (25) percent of the floor area of any building.
- (b) Retail food and drug uses in the CO District shall not be open to the public between the hours of 10:00 p.m. and 6:00 a.m.

**Sec. 37-263. - Standards for University Research and/or Production Facility within the CO and UN-C Districts.**

University Research and/or Production Facility within the CO District shall meet each of the following criteria:

- (a) Principal activities shall be located indoors, except training activities.
- (b) No structure shall be less than five thousand (5,000) square feet.
- (c) All production activities shall be limited to the assembly of parts that are manufactured off-site.
- (d) Any outdoor storage of materials including gases, oxygen, and other similar materials shall be one hundred (100) percent screened with materials which match the exterior materials of the structure.

**Sec. 37-264.3 - Standards for Multi-Family Dwellings and Common Lot Line Dwellings in the CB1, CB2, and CB3 Districts.**

Any multi-family dwelling or common lot line dwelling in the CB1, CB2, or CB3 District shall meet the following standards:

- (a) There shall be no dwelling units on the ground floor facing either side of the portions of public streets identified in Map V-A in this article and further described in paragraph (c) below.
- (b) No more than twenty-five (25) percent of the ground floor frontage facing either side of the portions of public streets identified in Map V-A in this article and further described in paragraph (c) below may be dedicated to accessory residential uses, such as lobbies and commons areas.
- (c) The portions of public streets identified in Map V-A in this article and referenced in paragraph (a) above are further described as follows:
  - (1) Neil Street between Columbia Avenue and John Street
  - (2) Washington Street between Neil Street and Market Street
  - (3) Hickory Street between Washington Street and Church Street
  - (4) Church Street between Randolph Street and Neil Street
  - (5) Main Street between Neil Street and Chestnut Street
  - (6) Park Avenue between Randolph Street and Neil Street
  - (7) Taylor Street between Neil Street and Walnut Street
  - (8) Chester Street between Neil Street and Market Street
  - (9) Walnut Street between Washington Street and White Street
  - (10) Chestnut Street between Main Street and University Avenue
  - (11) University Avenue between State Street and Wright Street
  - (12) First Street between Hill Street and John Street
  - (13) Green Street between Randolph Street and Wright Street
  - (14) Fifth Street between Healey Street and John Street
  - (15) Sixth Street between Healey Street and Chalmers Street
  - (16) John Street between Fifth Street and Wright Street
  - (17) Daniel Street between Fifth Street and Wright Street

Map V-A: Restrictions on ground level residential

