



AGENDA PACKET
VILLAGE OF LAKE ZURICH
Planning and Zoning Commission Meeting

December 13, 2023
07:00 pm

VILLAGE OF LAKE ZURICH

PLANNING AND ZONING COMMISSION MEETING

DECEMBER 13, 2023
07:00 PM
AGENDA

1. CALL TO ORDER AND ROLL CALL

Chairperson Orlando Stratman, Vice-Chair Antonio Castillo, Joe Giannini, Sean Glowacz, Jake Marx, Scott Morrison, Mike Muir and Ildiko Schultz.

2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

Minutes of the Planning and Zoning Commission Meeting, on August 16, 2023.

Attachment: [PZC 2023-9-20 unapp.pdf](#)

3. PUBLIC MEETING

A. No items were received for consideration

4. PUBLIC HEARING

A. Miscellaneous Amendments to the Zoning and Land Development Codes (2023-19):

Staff of the Community Development Department are proposing various miscellaneous housekeeping amendments to the Zoning and Land Development Code to enhance their effectiveness.

Attachment: [4A-PZC-Text_Amendment-Packet.pdf](#)

5. OTHER BUSINESS

6. STAFF REPORTS

A. Update on the Comprehensive Plan

B. Projects of significance in the pipeline for 2024

7. PUBLIC COMMENT

This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the Commission. Public Comment is limited to 30 minutes total and up to 5 minutes per speaker.

8. ADJOURNMENT

Unapproved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
September 20, 2023

Village Hall
70 E. Main Street, Lake Zurich, IL 60047

The meeting was called to order by Chairman Stratman at 7:01 p.m.

ROLL CALL: *Present* – Chairman Stratman, Commissioners Glowacz, Marx, and Morrison. Chairman Stratman noted a quorum was present. Commissioners Castillo, Giannini, Schultz and Muir were absent and excused. *Also present:* Village Manager Ray Keller, Community Development Director Sarosh Saher, Planner Tim Verbeke and Management Services Director Michael Duebner.

CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

Approval of the August 16, 2023 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Glowacz, seconded by Commissioner Marx to approve the August 16, 2023 minutes of the Planning and Zoning Commission with no modifications.

Upon roll call:

AYES: 3 Chairman Stratman, Commissioners Glowacz, and Marx.

NAYS: 0

OBSTAIN: 1 Commissioners Morrison

MOTION CARRIED

PUBLIC MEETING:

The Public Meeting was held to introduce the Comprehensive Plan Project and the presentation of the community condition analysis. The Comprehensive Plan Presentation does not require a public hearing, rather a public meeting of this Commission. This item does not require public testimony.

Teska Associates, the consultant selected to update Lake Zurich's Comprehensive Plan, introduced the project and presented its community conditions analysis. The role of the PZC is to serve as the "Steering Committee" throughout the process culminating in a recommendation to the Village Board to adopt the final Comprehensive Plan document.

Speakers: Erin Cigliano, Francesca Lawrence from Teska Associates

The Commissioners had a variety of different questions and comments that were all answered by the representatives from Teska Associates and Village Staff.

No action was required of the Commission.

PUBLIC HEARING:

MOTION was made by Commissioner Glowacz, seconded by Commissioner Marx to open the following public hearings at 7:51 p.m. for Application PZC 2023-12 for the property at 120 Telser Road – Special Use Permit, and Application PZC 2023-18 Miscellaneous Amendments to the Zoning and Land Development Codes.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Glowacz, Morrison, and Marx.

NAYS: 0

MOTION CARRIED

Those wishing to speak were sworn in by Chairman Stratman.

The following applications were considered:

A. 120 Telser Road – Special Use Permit. (2023-12)

Public Hearing to consider the Application for a Special Use Permit and Final Plat of Sub-division to establish a self-storage facility with outdoor vehicle storage on the rear 2/3 portion of a vacant property located within the I Industrial District. The facility will be operated by "Extra Space Storage."

The Applicant has withdrawn the application and the public hearing will be closed.

Applicant: James Lapetina of Design Build Storage

Owner: Rose Road Enterprises, LLC

MOTION was made by Commissioner Glowacz, seconded by Commissioner Morrison to close the public hearing and to terminate consideration of the item.

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Glowacz, Morrison, and Marx.

NAYS: 0

MOTION CARRIED

B. Miscellaneous Amendments to the Zoning and Land Development Codes (2023-18):

Staff of the Community Development Department are proposing various miscellaneous housekeeping amendments to the Zoning and Land Development Code to enhance their effectiveness.

Applicant: Village of Lake Zurich

The item was presented by Director Saher, the Applicant, with support from the Village of Lake Zurich. He made a presentation and responded to all questions from the Commissioners regarding the proposed amendments to the Zoning and Land Development Code. Despite the questions, the Commissioners were satisfied with the responses by the applicant and closed the public hearing.

MOTION was made by Commissioner Marx, seconded by Commissioner Morrison to close the public hearing.

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Glowacz, Morrison, and Marx.

NAYS: 0

MOTION CARRIED

MOTION was made by Commissioner Marx, seconded by Commissioner Morrison, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff; and to receive the testimony presented by the Applicants, by members of the public, by the PZC Members, and by Village Staff at the Public Hearing; and make these standards and testimony a part of the official record for the Application and Findings of the PZC; and to recommend that the Village Board approve the application for various miscellaneous housekeeping amendments to the Zoning and Land Development Code to enhance their effectiveness as presented."

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Glowacz, Morrison, and Marx.

NAYS: 0

Planning & Zoning Commission Meeting Minutes, September 20, 2023

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MOTION CARRIED

OTHER BUSINESS – None.

STAFF REPORT:

None

PUBLIC COMMENT:

No additional public comment was provided.

ADJOURNMENT:

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Glowacz, Morrison, and Marx.

NAYS: 0

MOTION CARRIED

The meeting was adjourned at 8:00 p.m.

Submitted by: Tim Verbeke, Planner

Approved by:



At the Heart of Community

COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road
Lake Zurich, Illinois 60047

Phone (847) 540-1696
Fax (847) 726-2182
LakeZurich.org

APPLICATION PZC 2023-19
PZC Hearing Date: December 13, 2023**AGENDA ITEM 4.A****STAFF REPORT**

To: Chairperson Stratman and Members of the Planning & Zoning Commission
From: Sarosh Saher, Community Development Director
CC: Mary Meyer, Building Services Supervisor
Re: PZC 2023-19 Zoning Application for Amendments to the
Lake Zurich Zoning and Land Development Codes

SUBJECT

The Village of Lake Zurich, (the “Applicant”) requests amendments to the text of the zoning and land development codes for the purpose of clarifying and increasing the effectiveness of the codes. These include various miscellaneous and procedural amendments.

GENERAL INFORMATION

Requested Action: Text Amendments
Applicant: Village of Lake Zurich
Staff Coordinator: Sarosh Saher, Community Development Director

LIST OF EXHIBITS

- A. Development Application and Attachments
- B. Draft Ordinance Language

BACKGROUND

Staff Report
APPLICATION PZC 2023-19

Community Development Department
PZC Hearing Date: December 13, 2023

The Village of Lake Zurich (the “Applicant”), is the Applicant for the proposed text amendment to the Lake Zurich Zoning and Land Development Codes. Staff offers the following additional information:

- **Courtesy Review.** Due to the miscellaneous nature of the amendments, no courtesy review of the Village Board was requested.
- **Proposed Amendments.** The following is a summary of the language that is proposed to be amended in the various sections of the Lake Zurich Zoning and Land Development Codes:
 1. *Definitions:* Update and clarify certain definitions within Section 9-24-2 “Definitions” of the zoning code.
 Office Use. The definitions provide for an “Office Use of Purpose” but only in an Office District (O-1, O-2 and O-3). Office uses are not provided for in the B-1 and B-3 Business districts.

The definition of “Office” will generally allow for office uses regardless of the associated land uses including various business services (SIC Major Group 73) such as offices of medical practitioners, attorneys, contractors, etc., to be established. This would also allow for co-working environments to be established.

The proposed definition is as follows:

Office - Any building or portion thereof utilized for the transaction of business limited to the preparation or processing of information, documents, plans or graphics for commercial, professional, organizational and governmental work.

2. *Murals:* Include a definition and regulations for “Murals” in Title 12 – “Signs” under Section 12-1-9 Exempt Signs – No Permit Required.” The sign code currently provides for certain signs that are exempt from requiring permits but need to be constructed according to certain parameters of type, sign face area, location, dimensions, etc. With the introduction of murals in the community, staff recommends that the sign code include requirements for murals as guidance to owners that are contemplating them on their commercial properties. Section 12-1-7 “General Sign Standards;” will also be amended to allow for such signs. (Exhibit A).
3. *Cannabis distancing requirements:* Amend the distancing requirements for Cannabis Dispensing and similarly related organizations and businesses. Two modifications to the text are proposed:
 - a. Remove the requirement of distancing from “Group Homes.” The ordinance currently requires that new dispensaries “...not be located within five hundred feet (500 feet) of the property line of any school, daycare facility or group home.”

Staff Report
APPLICATION PZC 2023-19

Community Development Department
PZC Hearing Date: December 13, 2023

The goal of the distancing requirement was to separate cannabis related land uses from child education and care facilities. Group homes that comprise nursing homes, memory care centers, certain types of managed senior living and rehabilitation facilities cater only to adults and therefore do not need to be subject to these distancing requirements.

Village staff additionally researched a number of communities and found that a majority of these do not include distancing requirements from Group Homes (Exhibit B)

The proposed text will read “Such uses shall not be located within five hundred feet (500 feet) of the property line of any school or daycare facility.”

- b. Clarify the method to measuring the distance between cannabis related uses and sensitive land uses. The code did not properly define how the distance between the uses would be measured. Staff has determined that there are a number of parameters which the measurement can be taken. As such staff recommends that the following measuring parameter be used to determine the distance between a cannabis related use and a nearby sensitive use.
 - The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest property line of the premises of any school, child daycare facility, parks, property intended for recreational purposes;
 - The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest exterior structural wall of any other existing cannabis facility.”

- 4. *Clarify Public Warehousing and Storage uses within the industrial district.* Section 9-6-2 “Permitted Uses” within the Industrial Park is unclear on which specific uses under Public Warehousing and Storage are allowed permitted or special uses. Currently only general warehousing and storage is allowed as a permitted use, while miniwarehouse warehousing or self-storage warehousing or special warehousing and storage, not elsewhere classified is allowed as a Special use. The list is silent on refrigerated warehousing and storage and Farm Product Warehousing and Storage.

The code is proposed to be amended to provide for refrigerated warehousing and storage (such as cold storage of foods, wine and spirits, and other perishable goods) as a permitted use and not allow Farm Product Warehousing and Storage (such as grain elevators, farm product warehousing, tobacco and wool warehousing). (reference Exhibit C)

Staff Report
APPLICATION PZC 2023-19

Community Development Department
PZC Hearing Date: December 13, 2023

5. *Clarify Bulk, Space, and Yard Requirements of Section 9-3-11 “Residential District Exceptions and Explanatory Notes” on Side And Rear Yard Regulations For Accessory Structures And Uses. Providing clarification to allow for service walks to encroach into specific yards on residential zoning lots. (Reference Exhibit D)*
6. *Cleanup and clarification of business district land use list. Section 9-4-2 “Permitted Uses” in the Business districts has a few duplicates referencing the NAICS code which are being removed. Additionally, based on the number of requests, yoga instruction is being added to the list. (Reference Exhibit E)*

GENERAL FINDINGS

Staff of the Community Development Department offers the following findings on the amendments to the sections of the Code.

9-18-3 STANDARDS FOR AMENDMENTS

A. **Standards:** Amending the zoning map or the text of the zoning code is a matter committed to the sound legislative discretion of the board of trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied, the board of trustees shall act in what it reasonably believes to be in the best interest of the general public, and may consider, among other factors, the following factors as they may be relevant to a particular application:

1. The consistency of the proposed amendment with the purposes of this zoning code.

Staff Response: Standard met. The proposed are amendments to the text of the zoning and land development codes. Staff has found the proposed amendments will enhance the purposes of the zoning and land development codes as they relate to the proper definition and interpretation of the codes.

2. The community need for the proposed amendment and for the uses and development it would allow.

Staff Response: Standard met. The amendments to the code are part of routine review and amendment to the codes to enhance their effectiveness.

3. If a specific parcel of property is the subject of the proposed amendment, then the following factors:

Staff Response: Not Applicable. The text amendments do not pertain to any specific property, rather they are applicable to all property within the community.

Staff Report
APPLICATION PZC 2023-19

Community Development Department
PZC Hearing Date: December 13, 2023

RECOMMENDATION

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-18-3: Standards for Amendments

Based on the review of staff, the standards for approval have been met and therefore staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2023-18. Staff further finds that the amended zoning and land development codes:

1. Will enhance the effectiveness of the Lake Zurich Municipal Code;
2. Will provide the Village Board with additional clarity, flexibility and opportunity to properly regulate development in the community;
3. Will not negatively affect Lake Zurich's efforts to promote a positive image; and
4. Will not adversely affect the Village's ability in enforcing other regulations pertaining to Building, Zoning, Land Development or any other code or ordinance that protects the health, safety and welfare of the community.

Respectfully Submitted,

Sarosh Saher,
Community Development Director

Staff Report
APPLICATION PZC 2023-19

Community Development Department
PZC Hearing Date: December 13, 2023

LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS

**MISCELLANEOUS AND PROCEDURAL AMENDMENTS TO THE LAKE ZURICH
ZONING AND LAND DEVELOPMENT CODES**
December 13, 2023

The Planning & Zoning Commission recommends approval of Application PZC 2023-18, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **December 13, 2023** for this Application for the following reasons:

1. Will enhance the effectiveness of the Lake Zurich Municipal Code;
2. Will provide the Village Board with additional clarity, flexibility and opportunity to properly regulate development in the community;
3. Will not negatively affect Lake Zurich's efforts to promote a positive image; and
4. Will not adversely affect the Village's ability in enforcing other regulations pertaining to Building, Zoning, Land Development or any other code or ordinance that protects the health, safety and welfare of the community.

Without any further additions, changes, modifications and/or approval conditions.
 With the following additions, changes, modifications and/or approval conditions:

Planning & Zoning Commission Chairman



(Please Type or Print)

ANNEXATION AND ZONING APPLICATION

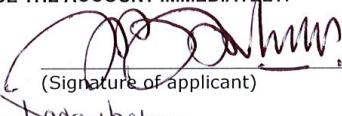
Community Development Department
505 Telser Rd.
Lake Zurich, IL 60047
Phone: (847) 540-1696
Fax: (847) 540-1769

1. Address of Subject Property: _____ N/A
2. Please attach complete legal description
3. Property Identification number(s): _____ N/A
4. Owner of record is: _____ N/A Phone: _____
E-Mail _____ Address: _____
5. Applicant is (if different from owner): Village of Lake Zurich Phone: 847-540-1696
E-Mail _____ Address: 70 E Main Street
6. Applicant's interest in the property (owner, agent, realtor, etc.): _____ N/A
7. All existing uses and improvements on the property are: _____

8. The proposed uses on the property are: _____ N/A
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:
N/A
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:
N/A
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.
THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

Sarosh Saher
(Name of applicant)


(Signature of applicant)

Subscribed and sworn to before me this 4 day of December, 2023.


(Notary Public)

My Commission Expires
8/26/2024



(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this _____ day of _____, 2023.


(Notary Public)

My Commission Expires _____

Please indicate what form of zoning relief your application requires. For assistance, please contact Staff:

Zoning Code **Map** Amendment to change zoning of Subject Property from _____ to _____

Zoning Code **Text** Amendment to amend the following section(s) of the Zoning Code _____

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)

Special Use Permit/Amendment for _____

(See Section 19-103 of the Lake Zurich Zoning Code for specific standards.)

Planned Unit Development/Major Adjustment/Amendment

(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. See Section 22-105 of the Lake Zurich Zoning Code for specific standards. Please list all the 'modifications' requested in the cover letter.)

Variation for _____

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

Modification to the Land Development Code (includes retaining walls more than 2 feet in height)

(See Section 10-6-18 of the Land Development Code for specific standards.)

Preliminary Plat of Subdivision

Final Plat of Subdivision or Amendment to Plat of Subdivision

(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

Site Plan Approval/Major Adjustment/Amendment

(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

Exterior Appearance Approval or Amendment

(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

APPLICATION TO ANNEX CERTAIN TERRITORY

All land annexed to the Village is classified automatically after such annexation in the R-1\2 Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

Petition to Annex Certain Territory (Please complete attached petition)

Application to Annex Certain Territory

COMPREHENSIVE PLAN APPLICATION

Comprehensive Plan **Map** Amendment for _____

Comprehensive Plan **Text** Amendment for _____

**Village of Lake Zurich
Proposed Text Amendment**

Amendments to Title 9 and Title 10 of the Lake Zurich Municipal Code

Proposal: Various miscellaneous and procedural amendments to the text of the zoning and land development codes to enhance its effectiveness.

The Village of Lake Zurich (the “Applicant”), is the Applicant for the proposed text amendment to the Lake Zurich Zoning Code.

Submitted by:



Sarosh Saher, Community Development Director
Village of Lake Zurich
505 Telser Road
Lake Zurich, IL 60047

Dated: December 4, 2023

Exhibit A**Section 12-1-9 Exempt Signs – No Permit Required.”****Murals**

Definition: Mural means a hand painted or handmade work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of a property owner.

Examples of murals include hand painted images or mosaics comprised of individual tiles or other like material. A mural does not include mechanically produced or computer-generated prints or images, including, but not limited to, digitally printed vinyl; electrical or mechanical components; or changing image art display.

Murals that are either permanent or temporary, shall not direct attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the mural is located; also called a billboard – and shall constitute “off-premises commercial signs,” and subject to the regulations of the sign code.

Regulations:

Murals may be located only in compliance with the provisions of this section.

1. Murals shall be allowed only in non-residential districts including the Business Districts (B-1, B-2 and B-3), Office (O-1, O-2 and O-3), I-Industrial District, IB Institutional Building District, and OS Open Space District, and corresponding “Overlay” districts. Additionally, Murals shall not be placed on a building which is used exclusively for a residential principal use, regardless of the underlying zoning district.
2. Murals shall not extend more than six (6) inches from the plane of the wall upon which they are painted or to which they are affixed, and shall not extend above the top of the wall upon which they are painted or to which they are affixed.
3. Murals shall not cover or interrupt major architectural features, such as doors, exits, and windows.
4. Murals shall contain less than three (3) percent text.
5. The property owner shall not be compensated for the display of the mural or the right to place the mural on a site/property/building wall (advertising).

Section 12-1-7 “General Sign Standards;” b. Construction Standards.

5. No sign may be painted on a wall or any other structure, **except “Murals”**

Exhibit B**Cannabis distancing requirements**

Chapter 4 entitled "Business Districts"

	<p>15. CANNABIS DISPENSING ORGANIZATION CANNABIS INFUSER ORGANIZATION OR INFUSER (SIC #5912) and only subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees." 2. Such uses shall not be located within five hundred feet (500 feet) of the property line of any school, daycare facility or group home. 3. Such uses shall not be located within two hundred fifty feet (250 feet) of the property line of any parks or property intended for recreational purposes. <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest property line of the premises of any school, child daycare facility, parks, property intended for recreational purposes</p> <ol style="list-style-type: none"> 4. Such uses shall not be located within 1,500 feet (state law) of any other Cannabis Business Establishment as defined in Chapter 9-24-2. <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest exterior structural wall of any other existing cannabis facility</p> <ol style="list-style-type: none"> 5. Such uses may open for operation no earlier than 6:00 a.m. and close no later than 10:00 p.m. 6. Such Uses shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act. 7. The on-premise use of cannabis and cannabis-related products shall be prohibited. 8. No cannabis related uses shall be maintained or operated in a manner that causes, creates, or allows the public viewing of cannabis, or cannabis -related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system. 9. All cannabis related uses shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses. 	S	S	S
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	These express conditions and all other requirements and conditions of state statute shall apply to these Uses, in addition to any other conditions or considerations deemed appropriate by the Village, pursuant to the existing standards for the approval of a special use under this Zoning Code.		
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Chapter 5 entitled "Office Districts"

	<p>4. CANNABIS DISPENSING ORGANIZATION CANNABIS INFUSER ORGANIZATION OR INFUSER (SIC #5912) and only subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees." 2. Such uses shall not be located within five hundred feet (500 feet) of the property line of any school, daycare facility or group home 3. Such uses shall not be located within two hundred fifty feet (250 feet) of the property line of any parks or property intended for recreational purposes. The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest property line of the premises of any school, child daycare facility, parks, property intended for recreational purposes 4. Such uses shall not be located within 1,500 feet (state law) of any other Cannabis Business Establishment as defined in Chapter 9-24-2. The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest exterior structural wall of any other existing cannabis facility 5. Such uses may open for operation no earlier than 6:00 a.m. and close no later than 10:00 p.m. 6. Such Uses shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act. 7. The on-premise use of cannabis and cannabis-related products shall be prohibited. 8. No cannabis related uses shall be maintained or operated in a manner that causes, creates, or allows the public viewing of cannabis, or cannabis -related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. 	--	S	S
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	<p>No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system.</p> <p>9. All cannabis related uses shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses.</p> <p>These express conditions and all other requirements and conditions of state statute shall apply to these Uses, in addition to any other conditions or considerations deemed appropriate by the Village, pursuant to the existing standards for the approval of a special use under this Zoning Code</p>		
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Chapter 6 entitled "Industrial Districts"

	<p>3. CANNABIS CRAFT GROWER CANNABIS CULTIVATION CENTER CANNABIS PROCESSING ORGANIZATION OR PROCESSOR (SIC #5912) and only subject to the following conditions:</p> <p>1. The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees."</p> <p>2. Such uses shall not be established in multiple use or tenant property or on a property that shares parking with other uses.</p> <p>3. Such uses shall not be located within five hundred feet (500 feet) of the property line of any school, daycare facility or group home</p> <p>4. Such uses shall not be located within two hundred fifty feet (250 feet) of the property line of any parks or property intended for recreational purposes.</p> <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest property line of the premises of any school, child daycare facility, parks, property intended for recreational purposes</p> <p>5. Such uses shall not be located within 1,500 feet (state law) of any other Cannabis Business Establishment as defined in Chapter 9-24-2.</p> <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest exterior structural wall of any other existing cannabis facility</p> <p>6. Such uses may open for operation no earlier than 6:00 a.m. and close no later than 10:00 p.m.</p> <p>7. Such Uses shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act.</p> <p>8. The on-premise use of cannabis and cannabis-related products shall be prohibited.</p>	S
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	<p>9. No cannabis related uses shall be maintained or operated in a manner that causes, creates, or allows the public viewing of cannabis, or cannabis -related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system.</p> <p>10. Cannabis uses related to craft growers, cultivation, processing and transportation shall operate in a manner that prevents odor impacts on neighboring premises or properties and, if necessary, such facilities shall be ventilated with a system for odor control.</p> <p>11. All cannabis related uses shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses.</p> <p>These express conditions and all other requirements and conditions of state statute shall apply to these Uses, in addition to any other conditions or considerations deemed appropriate by the Village, pursuant to the existing standards for the approval of a special use under this Zoning Code.</p>	
6.	<p>CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER (SIC #5912) and only subject to the following conditions:</p> <p>1. The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees."</p> <p>2. Such uses shall not be established in multiple use or tenant property or on a property that shares parking with other uses.</p> <p>3. Such uses shall not be located within five hundred feet (500 feet) of the property line of any school, daycare facility or group home</p> <p>4. Such uses shall not be located within two hundred fifty feet (250 feet) of the property line of any parks or property intended for recreational purposes.</p> <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest property line of the premises of any school, child daycare facility, parks, property intended for recreational purposes</p> <p>5. Such uses shall not be located within 1,500 feet (state law) of any other Cannabis Business Establishment as defined in Chapter 9-24-2.</p> <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest exterior structural wall of any other existing cannabis facility</p> <p>6. Such uses may open for operation no earlier than 6:00 a.m. and close no later than 10:00 p.m.</p> <p>7. Such Uses shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act.</p>	S

	<p>8. The on-premise use of cannabis and cannabis-related products shall be prohibited.</p> <p>9. No cannabis related uses shall be maintained or operated in a manner that causes, creates, or allows the public viewing of cannabis, or cannabis -related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system.</p> <p>10. Cannabis uses related to craft growers, cultivation, processing and transportation shall operate in a manner that prevents odor impacts on neighboring premises or properties and, if necessary, such facilities shall be ventilated with a system for odor control.</p> <p>11. All cannabis related uses shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses.</p> <p>These express conditions and all other requirements and conditions of state statute shall apply to these Uses, in addition to any other conditions or considerations deemed appropriate by the Village, pursuant to the existing standards for the approval of a special use under this Zoning Code.</p>	
16.	<p>CANNABIS DISPENSING ORGANIZATION CANNABIS INFUSER ORGANIZATION OR INFUSER (SIC #5912) and only subject to the following conditions:</p> <p>1. The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees."</p> <p>2. Such uses shall not be established in multiple use or tenant property or on a property that shares parking with other uses.</p> <p>3. Such uses shall not be located within five hundred feet (500 feet) of the property line of any school, daycare facility or group home</p> <p>4. Such uses shall not be located within two hundred fifty feet (250 feet) of the property line of any parks or property intended for recreational purposes.</p> <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest property line of the premises of any school, child daycare facility, parks, property intended for recreational purposes</p> <p>5. Such uses shall not be located within 1,500 feet (state law) of any other Cannabis Business Establishment as defined in Chapter 9-24-2.</p> <p>The distance limitation shall be measured in a straight line from the nearest exterior structural wall of each cannabis establishment to the nearest exterior structural wall of any other existing cannabis facility</p> <p>6. Such uses may open for operation no earlier than 6:00 a.m. and close no later than 10:00 p.m.</p>	S

	<p>7. Such Uses shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act.</p> <p>8. The on-premise use of cannabis and cannabis-related products shall be prohibited.</p> <p>9. No cannabis related uses shall be maintained or operated in a manner that causes, creates, or allows the public viewing of cannabis, or cannabis -related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system.</p> <p>10. Cannabis uses related to craft growers, cultivation, processing and transportation shall operate in a manner that prevents odor impacts on neighboring premises or properties and, if necessary, such facilities shall be ventilated with a system for odor control.</p> <p>11. All cannabis related uses shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses.</p> <p>These express conditions and all other requirements and conditions of state statute shall apply to these Uses, in addition to any other conditions or considerations deemed appropriate by the Village, pursuant to the existing standards for the approval of a special use under this Zoning Code.</p>	
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Group Home rationale:

The general idea was to separate adult use cannabis from children. Hence the parks and school buffers are reasonable. But group homes in Lake Zurich are currently only being used by adults.

Hoffman Estates	Group homes not included in our buffer requirements.
Hanover Park	Group homes not included in our buffer requirements.
Antioch	Group homes not included in our buffer requirements.
Arlington Heights	Group homes not included in our buffer requirements.
Deerfield	Group homes not included in our buffer requirements.
Park Ridge	Group homes not included in our buffer requirements.
Rolling Meadows	Group homes not included in our buffer requirements.
Skokie	Group homes not included in our buffer requirements.
Streamwood	Group homes not included in our buffer requirements.
Schaumburg	Group homes not included in our buffer requirements.
Deer Park	Group homes not included in our buffer requirements.
Cary	Group homes not included in our buffer requirements.
Buffalo Grove	Group homes not included in our buffer requirements.
Addison	250 from "any residential structure"
Glenview	1,000 feet from " <i>group day care homes</i> "

Buffalo Grove 1,000 feet from group homes

Crystal Lake 250 foot buffer away from Residential Care Homes

Exhibit C

Clarify Public Warehousing and Storage uses within the industrial park. Section 9-6-2 "Permitted Uses" within the Industrial Park is unclear on which specific uses under Public Warehousing and Storage are allowed permitted or special uses. Currently only general warehousing and storage is allowed as a permitted use, while miniwarehouse warehousing or self-storage warehousing or special warehousing and storage, not elsewhere classified is allowed as a Special use. The list is silent on refrigerated warehousing and storage and Farm Product Warehousing and Storage.

The code is proposed to be amended to provide for refrigerated warehousing and storage (such as cold storage of foods, wine and spirits, and other perishable goods) as a permitted use and not allow Farm Product Warehousing and Storage (such as grain elevators, farm product warehousing, tobacco and wool warehousing).

9-6-2: PERMITTED USES:

The following uses and no others are permitted as of right in the industrial district as indicated in the following table. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual", the North American industry classification system, and chapter 15 of this title. SIC codes and NAICS codes, where applicable, are given in parentheses following each use listing.

D.	Transportation and public utilities:	
1.	Local transit stations (411)	P
2.	Trucking and courier services, except air (421)	P
3.	<u>Public Warehousing and Storage (422) only including General Warehousing and storage (4225) and Refrigerated Warehousing and Storage (4222); not including Farm Product Warehousing and Storage (4221), miniwarehouse warehousing or self-storage warehousing (4225) or special warehousing and storage, not elsewhere classified (4226)</u>	P

Exhibit D

Clarify Bulk, Space, and Yard Requirements of Section 9-3-11 "Residential District Exceptions and Explanatory Notes on Side And Rear Yard Regulations For Accessory Structures And Uses. Providing clarification to allow for service walks to encroach into specific yards on residential zoning lots.

9-3-11: BULK, SPACE, AND YARD REQUIREMENTS:

The building height, lot, yard, and landscaped surface requirements applicable in the residential districts are set forth in the following table:

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* Accessory structures are also subject to the provisions of subsection [9-9-1C](#) of this title and applicable provisions of title 8 of the Lake Zurich municipal code.

E. Exceptions And Explanatory Notes:

1. Nonconforming Lots: See section [9-11-5](#) of this title for requirements with respect to legal nonconforming lots of record.
2. Minimum Lot Area: Water areas and land areas with natural resource restrictions including floodplains, wetlands, and lowland conservancy soils are not included as part of the calculation of the required minimum lot area.
3. Lot Areas In R-5 District: Many lots in the R-5 district were platted and developed at times when applicable regulations permitted lot areas smaller than 10,000 square feet. Subsections B1a, C1a, and C2a of this section establish such lots as permitted in the R-5 district. The regulations of subsections B1a, C1a, and C2a of this section shall not be interpreted, construed, or applied in any way to authorize the creation of any lot, whether by subdivision or any other means, the area of which is less than 10,000 square feet; provided, however that the minimum lot area shall be 5,400 square feet for lots that, as of January 1, 2006, abut South Shore Lane and are classified in the R-5 district. No alteration or addition of any kind shall be allowed to encroach into any established required front, corner side, or side yard/setback lines.
4. Visibility Across Corners: Any other provision of this zoning code to the contrary notwithstanding, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in any residential district in violation of the provisions of subsection [4-2-1-3C](#) of the Lake Zurich municipal code.
5. Special Setbacks For Signs: Special setbacks established for some signs in the Lake Zurich municipal code shall control over the yard requirements established in the table.
6. Specified Structures And Uses In Required Yards: The following structures and uses, except as limited below, may be located in any required yard:
 - a. Statuary, arbors, trellises, and ornamental light standards having a height of 8 feet or less, but not in any side yard in the LP district; and
 - b. Eaves and gutters projecting not more than 2 feet from an exterior wall; and

- c. Awnings, canopies, bay windows, and balconies projecting not more than 3 feet into a front or rear yard from an exterior wall for a distance not more than $\frac{1}{3}$ of the length of such wall, projecting not more than 2 feet into a side yard from an exterior wall for a distance not more than $\frac{1}{4}$ of the length of such wall; and
- d. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, and the like projecting not more than 2 feet from an exterior wall, but not in any side yard in the LP district; and
- e. Outside stairways that extend from an exterior wall, but not more than 3 feet into the required yard, not greater than a height of 4 feet or less, and not in any side yard in the LP district, and provided that such exterior wall shall be located outside of the required yard; and
- f. Flagpoles, but not in any side yard in the LP district; and
- g. Clotheslines, except in any front, side, or corner side yard; and
- h. Terraces, but not within 20 feet of any front, corner side, or rear lot line, and not within 5 feet of any interior side lot line; and
- k. Recreational devices, but only freestanding basketball standards and no other recreational devices in any front yard and not in any side yard in the LP district; and
- l. Fences, walls (except in corner side yards), and hedges, subject to the limitations of the Lake Zurich municipal code; and
- m. Driveways, subject to the limitations of subsection [9-10-1C](#) of this title, but not within 3 feet of any side lot line on the lot on which such driveway is located, including, without limitation, any unimproved (dirt, gravel, or other) driveway that is paved and any driveway that is substantially rebuilt or that is removed and replaced. However, an existing residential driveway that encroaches on the required 3 foot side lot line may be maintained, repaired, and replaced at its current location if, but only if, the driveway complied at the time of its original installation with applicable provisions of this zoning code; and
- n. Service Walks may not be within 3 feet of any side lot line on the lot on which such service walk is located, including, without limitation, any unimproved (dirt, gravel, or other) service walk that is paved and any service walk that is substantially rebuilt or that is removed and replaced. However, an existing service walk that encroaches on the required 3-foot side lot line may be maintained, repaired, and replaced at its current location, but only if the service walk complied at the time of its original installation with applicable provisions of this zoning code; and
- o. Decks, swimming pools, swimming pool equipment, and gazebos in any residential district, but not in any front, corner side, or interior side yard and not within 23 feet of any rear lot line. Swimming pools shall not be located closer to the front lot line than any part of the principal building and shall not be located in any required front yard or corner side yard.

7. Front And Corner Side Yard Adjustment Next To Existing Structures: When a lot abuts, on both sides, lots that have already been developed, the front yard applicable to such lot shall be determined by taking the average of the setbacks of the buildings on the 2 abutting lots; provided, however, that no such front yard shall be less than 20 feet. When a lot abuts a lot that has already been developed on 1 side and a vacant lot or street is on the other side, the front or corner side yard applicable to such lot shall be determined by taking the average of the setback

of the building on the abutting developed lot and the required front or corner side yard in the zoning district; provided, however, that no such front or corner side yard shall be less than 20 feet, except as provided in subsection E8 of this section.

8. Side And Rear Yard Regulations For Accessory Structures And Uses: Parking areas wherever located, and other detached accessory structures and uses when located within the rear 25 percent of the depth of the lot, shall not be required to maintain an interior side or rear yard in excess of 5 feet; provided, however, that this exception shall not apply to residential recreational facilities, antennas, or antenna support structures. No accessory structure or use, or combination of such structures or uses, located within an otherwise required side or rear yard pursuant to this subsection E8 shall occupy more than 30 percent of such required yard.

9. Density Adjustment For Senior Housing:

a. Authority To Approve Increased Density: The plan commission may recommend and the board of trustees may authorize an increase in the overall density of development when approving a special use permit for a senior housing development in the R-6 district, by reducing the required minimum lot area per unit.

b. Maximum Permissible Adjustment; Maximum FAR: No such adjustment shall reduce the lot area per dwelling unit requirement to less than 2,000 square feet. The maximum floor area ratio for senior housing and all related support service areas shall be 0.40 excluding all areas devoted to enclosed parking areas or lots, and 0.45 including all such areas.

c. Standard For Adjustment: No such adjustment shall be recommended or authorized except on the basis of a finding that the adjustment will not result in any undue congestion in or adverse impact on the surrounding area. In determining the amount of any such adjustment to be recommended or authorized, consideration shall be given to:

(1) The development's excellence in satisfying the standards set forth in subsection [9-3-3A](#) of this chapter; and

(2) The extent to which public or private subsidies are provided to allow some or all of the proposed dwelling units to be occupied by individuals of low or moderate income within the meaning of section 103(b)(4)(A) of the internal revenue code of 1954, as amended.

10. Calculation Of Nursing Or Personal Care Facility Density: Every patient room in a nursing or personal care facility, whether private or semiprivate, shall be counted as 1 dwelling unit. For patient rooms able to accommodate more than 2 patient beds, each patient bed more than 2 shall be counted as a separate dwelling unit. In addition, any dwelling unit occupied or available for occupancy by staff of the nursing or personal care facility shall be counted as a dwelling unit. The maximum floor area ratio for a nursing or personal care facility including all related support service areas shall be 0.45.

11. Special Yard From Ela Road And Cuba Road: Notwithstanding any other provision of this section, all yards along every lot line abutting Ela Road or Cuba Road shall be not less than 40 feet.

12. Special Yard From Route 12 And Route 22: Notwithstanding any other provision of this section, all yards along every lot line abutting Route 12 or abutting Route 22 between Ela Road and the westernmost village limits shall be not less than 50 feet.

13. Minimum Lot Width In Grand Avenue Neighborhood: Notwithstanding the lot width requirements contained in subsection B3 of this section, the minimum lot width for any lot that: a) was located in that portion of the Grand Avenue neighborhood that was rezoned to the R-4 single-family residential district pursuant to ordinance 2002-01-147, and b) consists of at least 15,000 square feet in lot area, shall be not less than 75 feet.

(Ord., 10-2004; amd. Ord. 2006-06-423, 6-19-2006; Ord. 2016-4-122, 4-4-2016)

Exhibit E

Cleanup and clarification of business district land use list. Section 9-4-2 "Permitted Uses" in the Business districts has a few duplicates referencing the NAICS code which are being removed. Additionally, based on the number of requests, yoga instruction is being added to the list.

9-4-2: PERMITTED USES:

The following uses and no others are permitted as of right in the Business Districts indicated in the following table. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual", the North American industry classification system, and chapter 15 of this title. SIC codes and NAICS codes, where applicable, are given in parentheses following each use listing.

C.	Retail trade:			
1.	Paint, glass, and wallpaper stores (523)	P	P	P
2.	Hardware stores (525)	P	P	P
3.	Department stores (531)	-	-	P
4.	Variety stores (533)	P	P	P
5.	Miscellaneous general merchandise stores (539)	P	P	P
6.	Grocery stores (541)	P	P	P
7.	Meat and fish markets (542)	P	P	P
8.	Fruit and vegetable markets (543)	P	P	P
9.	Candy, nut, and confectionery stores (544)	P	P	P
10.	Dairy products stores (545)	P	P	P
11.	Retail bakeries (546)	P	P	P
12.	Miscellaneous food stores (549), except poultry dealers	P	P	P
13.	Men's and boys' clothing and accessory stores (561)	P	P	P
14.	Women's clothing stores (562)	P	P	P
15.	Women's accessory and specialty stores (563)	P	P	P
16.	Children's and infants' wear stores (564)	P	P	P
17.	Family clothing stores (565)	P	P	P
18.	Shoe stores (566)	P	P	P

	19.	Miscellaneous apparel and accessory stores (569)	P	P	P
	20.	Home furniture and furnishing stores (571)	P	P	P
	21.	Household appliance stores (572)	P	P	P
	22.	Radio, television, consumer electronics, and music stores (573)	P	P	P
	23.	Eating places (5812), but not including live entertainment or drive-in establishments	P	P	P
	24.	Drinking places (5813) accessory to permitted eating places or accessory to a special use granted at subsection <u>9-4-3J1</u> of this chapter	P	P	P
	25.	Drugstores and proprietary stores (591)	P	P	P
	26.	Sporting good stores and bicycle shops (5941)	P	P	P
	27.	Bookstores (5942)	P	P	P
	28.	Stationery stores (5943)	P	P	P
	29.	Jewelry stores (5944)	P	P	P
	30.	Hobby, toy, and game shops (5945)	P	P	P
	31.	Camera and photographic supply stores (5946)	P	P	P
	32.	Gift, novelty, and souvenir shops (5947)	P	P	P
	33.	Luggage and leather goods stores (5948)	P	P	P
	34.	Sewing, needlework, and piece goods stores (5949)	P	P	P
	35.	Florists (5992)	P	P	P
	36.	Tobacco and Alternative Nicotine Product stores and stands (5993) but only subject to the following conditions: 1. The establishment and operation of such uses shall conform to the provisions of Sections <u>3-2-4</u> and <u>3-2-18</u> . 2. Such uses shall not be located within one thousand five hundred feet (1,500 feet) of the property line of any residential property, school, daycare facility or property intended for use by minors for education or recreational purposes. 3. Such uses shall not be located within 1,000 feet of any other Principal Tobacco and Alternative Nicotine Product stores as defined in Section <u>9-24-2</u> . 4. The on premise use of tobacco and alternative products shall only be conducted within designated lounges as defined in Section <u>9-24-2</u> and in conformance with the provisions of Section <u>3-2-18</u> .	P	P	P

	37.	<p>Lounges for the use of tobacco or alternative nicotine products, and only accessory to an approved tobacco and alternative nicotine product store and stand, but only subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Such use shall not exceed the normal business hours of the principal use. 2. Lounges shall only be permitted when the principal use is the sole occupant located within a freestanding building. 3. Adequate ventilation shall be provided for the removal of all smoke and vapor generated as a result of the use of the lounge. The ventilation system shall also assure that smoke or vapor from the lounge is incapable of migrating into any other portion of the building operating the lounge or into any other building in the vicinity of the lounge. 	P	P	P
	38.	<p>Accessory Tobacco and Alternative Nicotine Product stores and stands (5993) but only subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Such uses shall only be accessory to a land use that is otherwise permitted within Section 9-4-2: Permitted Uses: C. Retail Trade, OR Section 9-4-3: Special Uses: C. Retail Trade 2. Such uses shall not occupy more than 10% of the floor area of the premises or 200 square feet, whichever is less 3. Such uses shall be so designed, located, and advertised so as not to be visible or accessible except from the interior of such building and within view and control of the manager of the premises at all times. 4. Such uses shall not include the establishment, operation or on-premise use of tobacco and alternative products within smoking lounges 	P	P	P
	39.	News dealers and newsstands (5994)	P	P	P
	40.	Optical goods stores (5995)	P	P	P
	41.	Miscellaneous retail stores (5999), but not including auction rooms, firework sales, gravestone sales, sales barns, or tombstone sales	P	P	P
	42.	Miscellaneous retail trade uses, not otherwise classified, if approved by the Village Manager; provided, however, that any such use shall be: a) compatible with and consistent with existing retail uses in the vicinity of the proposed use, b) consumer oriented, and c) Retail Sales Tax generating if located in the B-3 District. If the Village Manager approves such a use, then the Manager shall report such approval to the next regularly scheduled meeting of the Board of Trustees, which may, by majority vote of those present, overrule such approval. No such use shall be finally approved until after such meeting of the Board of Trustees	P	P	P
	43.	Computer and software stores (5734)	P	P	P

E.	Services:			
1.	Garment pressing, and agents for laundries and dry cleaners (7212)	P	-	-
2.	Photographic studios, portrait (722)	P	P	P
3.	Beauty shops (723)	P	P	P
4.	Barbershops (724)	P	P	P
5.	Shoe repair shops and shoeshine parlors (725)	P	P	P
6.	Tax preparation services (7291)	P	P	P
7.	Advertising services (731)	P	P	P
8.	Employment agencies (7361)	P	P	P
9.	Computer programming, data processing, and other computer related services (737)	P	P	P
10.	Photofinishing laboratories (7384)	-	P	P
11.	Packaging and labeling service (not packing and crating), parcel packing service (packaging), and mailing service (7389)	-	P	P
12.	Electrical repair shops (762), but not including refrigeration and air conditioning service and repair shops (7623)	-	P	-
13.	Watch, clock, and jewelry repair (763)	P	P	P
14.	Picture framing to individual order, not connected with retail art stores, and picture framing, custom (7699)	P	P	P
15.	Videotape rental (784)	P	P	P
16.	Offices and clinics of doctors of medicine, dentists, osteopaths, chiropractors, optometrists, podiatrists, and other health practitioners (801-804)	P	P	P
17.	Legal services (81)	P	P	P
18.	Engineering, architectural, and surveying services (871)	P	P	P
19.	Accounting, auditing, and bookkeeping services (872)	P	P	P
20.	Management and public relations services (874)	P	P	P
21.	Miscellaneous services (89)	-	P	P
22.	The following general office services: clerical services such as telephone, fax, copier, computer, scheduling, billing, administration, and other clerical work in support of a retail use or other permitted service use that is performed off site. Such general office services shall not include any use that is listed as a permitted or special use in the B-2 District and shall not include any delivery, distribution, or storage of materials	-	P	-
23.	The following miscellaneous personal services, not elsewhere classified (7299): baby sitting bureaus, birth certificate agencies, buyers' clubs, car title and tag service, checkroom concessions or services, clothing rental (except industrial launderers and linen supply), college clearinghouses, computer photography or portraits, consumer buying service, costume rental, debt counseling or adjustment service to individuals, depilatory	P	P	P

		salons, diet workshops, dress suit rental, electrolysis, genealogical investigation service, hair weaving or replacement service, marriage bureaus, massage therapy, porter service, quilting for individuals, scalp treatment service, shopping service for individuals, tanning salons, tuxedo rental, valet parking wardrobe service (except theatrical)			
		Massage therapy shall be subjected to the following conditions:			
		a. Such use shall be ancillary to a full service hairdressing and beauty salon (729), ancillary to a full service nail salon in the B-3 District only , or such use shall be ancillary to an office or clinic of doctors of medicine, osteopaths, chiropractors, podiatrists, and other health practitioners (801-804)			
		b. Such use shall be offered during normal business hours, and only when all other services of business are offered, and never before 8:00 A.M. or after 9:00 P.M. on any day			
		c. Massage therapy services shall be restricted to 2 rooms, not to exceed a total of 200 square feet. "Tune up" services shall be restricted to the reception area			
		d. Massage therapy services shall be performed only by trained and professionally certified massage therapists			
24.		Physical fitness facilities (7991) including aerobic dance and exercise classes, health clubs, exercise salons, fitness salons, gymnasiums, physical fitness centers, reducing facilities-physical fitness (without lodging), slenderizing salons, spaces-health fitness (except resort lodges)	P	P	P
25.		Yoga Instruction (7999)	P	P	P
26.		Computer programming (NAICS 541511) - This is a duplicate	P	P	P
27.		Computer software analysis and design (NAICS 541512) - This is a duplicate	P	P	P
26.		Personnel supply services (7360)	P	P	P
27.		Photocopying and duplicating service (7334)	P	P	P
28.		Party stores (454390)	P	P	P
29.		Travel agencies (4724)	P	P	P