

STAFF REPORT

2023-19P: Zoning Chapter Amendment

Community Development Department

Council Chambers, 7:30 PM, August 3, 2023

To: Paul Luke, Chairman, Skokie Plan Commission
From: Paul Reise, Planning Manager
Case: **2023-19P: Zoning Chapter Amendment**
Drive Through Facilities

General Information	
<i>Petitioner</i>	Village of Skokie
<i>Purpose</i>	The Village of Skokie is requesting an amendment to Section 118 of the Skokie Village Code to modify provisions for drive-through facilities.

STAFF ANALYSIS

Following the discussion of drive-through policy considerations at the April 20, 2023 Plan Commission meetings, staff has further refined the recommendations for discussion and consideration.

Drive-throughs typically do not support environmental and livability goals or contribute to the vitality and amenities that suggest people might want to come live, work or play in a neighborhood. Drive-throughs discourage walking, public transit use, and visits to neighboring businesses. Due to the built-in conflicts of drive aisles and pedestrian circulation crossing, they also lead to accidents with pedestrians, cyclists, and other cars.

Staff seeks consideration from the Plan Commission on five potential zoning changes and additional Village policy and development guidelines regarding the permitting and mitigation of drive-through uses. The changes are intended to reduce the following negative impacts associated with drive-through facilities:

- Vehicle emissions and air pollution resulting from trip generation and idling vehicles;
- Excess paved areas to accommodate vehicle waiting, queuing, and maneuvering;
- More curb cuts, leading to more conflict points between vehicles and pedestrians, as well as the potential for vehicles blocking sidewalks;
- Litter, noise, and light impacts; and
- Auto-oriented site and building design.

Staff has included several code changes below. In addition to these code changes the following policy changes would be implemented and do not require code changes:

- Require a plan on record with village that addresses how operations are managed to reduce queuing of the line in order to better understand how the restaurant will operationally handle a long line of cars and how it will mitigate this issue.
- Prohibit deliveries during peak usage times.
- Require that mobile ordering be part of the business model of approved special uses. If customers can order ahead of time through mobile apps on phones or computers, this will reduce ordering times between the order window and the pay window at businesses. It might also discourage customers from moving through a drive-through lane and getting out of the vehicle and going into the establishment.
- Require drive-through restaurants to offer composting and recycling in addition to waste that will go to a landfill, for both kitchen waste as well as dining area waste.

STAFF RECOMMENDATION

Staff recommends the following changes to Chapter 118 to support a more sustainable Skokie and manage the impacts of drive-throughs (the changes with text to be added highlighted and text to be removed ~~highlighted and stricken through~~ in the attached draft ordinance):

- Adopt specific language that defines a drive-through facility;
- Require drive-throughs to be screened from the street and should be placed behind buildings;
- Remove food-related drive-throughs as an allowed use from the mixed-use districts (NX, TX, and CX) to reduce the negative cumulative impact of restaurant drive throughs in pedestrian-oriented areas;
- Reduce the parking requirement at drive through establishments from 1 parking space for each 100 square feet of net floor area to 1 spot per 150 square feet of net floor area; and
- Requirement that no mature healthy trees can be removed to accommodate a drive-through as reviewed by the Village arborist and for every 100 trips generated by a drive-through, one new tree must be planted on site or a fee-in-lieu shall be paid to the Village to offset emissions from drive-through activity.

ARTICLE II. DEFINITIONS

Sec. 118-32. - General definitions.

Drive-through facility. A facility which accommodates automobiles and from which the occupants of the automobiles may make purchases or transact business, including the stacking spaces in which automobiles wait. Examples include but are not limited to drive-up windows, menu boards, order boards or boxes, and drive-up banks and automated teller machines. Drive-through facilities shall not include the direct refueling of motor vehicles, car washes, parking spaces used for customer pick-up or loading of goods or products purchased on-site or prior to the customer's arrival, or parking and loading spaces used for the donation of secondhand goods.

ARTICLE VII. - BUSINESS ZONING DISTRICTS

Sec. 118-141. - Generally.

- (a) *Purpose.* Business district regulations govern the development and use of the full range of business and commercial establishments needed to provide services to Village residents and its trading area. The various business district regulations provide for the grouping of compatible business and commercial establishments in accordance with their functions and extent of services.
- (b) *General requirements.* General requirements are as follows:
 - (1) *Permitted goods and services.* Goods and services shall be provided on the premises at retail.
 - (2) *Outside uses.* All business, servicing, storing, or processing shall be conducted within completely enclosed principal buildings, except as otherwise provided by this chapter, other applicable Village codes, or as follows:
 - a. Activities needing a special use permit, if the activity is conducted with a principal use in the district:
 1. Outside vending machines and propane sales.
 2. Garden and plant material sales.
 3. Outside storage, display, sales, or rental of motor vehicles or boats.
 4. Shopping carts storage. Use of shopping cart collection corrals within parking lots during a business's hours is permissible without a special use permit.
 5. Seasonal display of whole, uncut fruits and vegetables that do not need to be refrigerated, are stored at least 6" off the ground, and are displayed only during store business hours.
 - b. Activities requiring an administrative permit from the Village Manager or designee: Tent sales and events in the B4 Regional Shopping district. One permit per use may be issued for a maximum of 10 consecutive calendar days per year. Only 1 tent permit shall be issued at a shopping center during any 10-day period.
 - c. Activities requiring site plan approval, which may be approved through the modified review procedure, subject to Health Department approval of food products: Retail merchandising units (RMUs) in the B4 Regional Shopping district operated and maintained pursuant to the shopping center owner's or manager's design guidelines and rules and regulations and located within an interior courtyard of the shopping center, subject to Health Department approval of food products.
 - d. Outdoor dining on private property or in a public way, subject to Section 118-93.
 - e. Certain parking and loading spaces for commercial vehicles, subject to Section 118-217.
 - (3) *Performance standards.* The performance standards established in the general industrial regulations shall apply to all activities conducted in the business districts.
 - (4) Reserved.
 - (5) *Visual screening.*
 - a. Visual screening requirements for B1, B2, and B3 districts are as follows:

1. When any lot in a business district is across an alley from or abutting a residentially zoned property, adequate visual screening shall be provided along the side and rear lot lines. When a structure is located not more than 5 feet from a public alley, no screening shall be required along the alley for the length of the building. Only the following types of visual screening shall be permitted for the purpose of this chapter:
 - i. Face brick wall.
 - ii. Reinforced concrete wall with decorative finish.
 - iii. Solid wooden fence.
 - iv. Dense evergreen living shrubs.
 - v. A combination of the types of screening listed in this subsection.
 2. The height of the screening shall be 6', except as noted in this section and elsewhere in this chapter.
 3. Where property is abutting residentially zoned property as noted in subsection a.1 of this subsection, the height of the screening that is parallel to the required front yard of the residential lot shall be no more than 30 inches in height. The height of the remainder of the fence shall be no lower than 6 feet and no higher than 8 feet.
 4. Screening shall be erected 1 foot within the lot line of the commercial property where it abuts the alley.
 5. All screening shall be adequately protected from vehicular maneuvers, including parking and continual traffic flow. Such protection shall be subject to the approval of the Director of Engineering and may include wheel stops, curbing, guard rails and/or earth berming. The 1-foot area between the property line and the required screening shall be covered with a hard surface, subject to the approval of the Director of Engineering.
 6. The Director of Engineering shall determine when the required screening on a lot would interfere with the utility companies' use of the easement and shall determine a suitable location for such screening. If required screening cannot be so placed to avoid interference with the utilities, alternate screening and location shall be determined by the Director of Engineering and the Director of Community Development.
- b. Visual screening requirements in the B4 Regional Shopping district and H1 Hospital district shall be determined through the site plan approval process.
- (6) Reserved.
- (7) *Sight distance triangle.* All objects within a 15-foot sight distance triangle shall not exceed 30 inches in height. Traffic control devices listed in the Manual on Uniform Traffic Control Devices shall be exempt from this provision.
- (8) *Public sidewalks and parkways.* To promote a pedestrian scale environment, the following design standards shall apply:
- a. Sidewalks must have a minimum paved width of 5 feet and have a common alignment within a block.
 - b. The effective walkway width of a sidewalk shall at all times be at least 5 feet wide. The effective walkway width is the shortest hard-surfaced distance between obstructions, hazards, or buildings along a walkway.
 - c. All efforts shall be made to promote and preserve street trees and pedestrian scale landscaping and streetscaping.
 - d. There shall be a 5-foot setback for the purpose of landscaping along an arterial street, Main Street, or Howard Street for a distance of 100 feet from the intersection of a public right-of-way containing any of these streets.
 - e. All walls facing a street and all portions of walls facing the required front yard of an adjacent residential district must contain at least 1 of the following pedestrian scale features: architectural variation in depth, windows, spandrels, landscaping, flower planters, or other architectural features required by the Appearance Commission. The quantity and extent of these features must be reviewed by the Community Development Department and approved by the Appearance Commission.

(9) *Drive Through Facilities.*

- a. Only drive through facility driveways that are shared with other parking facilities are permitted.
- b. The drive through facility shall be screened from the public way.
- c. The drive through requirements shall be determined through the site plan approval process.

(c) *Restricted Uses.* Uses listed as restricted in Appendix A shall be permitted only under the circumstances listed in this section.

- (1) In addition to the restrictions listed below, uses may be further restricted by sections of this chapter specifically referenced in Appendix A and by Subsection 118-147(5).
- (2) *Textiles, jewelry or silverware manufacturing.* The making of textiles, jewelry or silverware shall be limited to items for retail sale, primarily from the subject premises, to individual customers.

(Zon. Ord., § 9.1; Ord. No. 01-10-Z-3034, § 1, 10-1-2001; Ord. No. 02-3-Z-3074, § 1, 3-4-2002; Ord. No. 02-5-Z-3082, § 4, 5-6-2002; Ord. No. 03-1-Z-3144, § 1, 1-6-2003; Ord. No. 03-4-Z-3157, § 1, 4-7-2003; Ord. No. 03-9-Z-3201, § 1, 9-15-2003; Ord. No. 05-8-C-3375, § 1, 8-1-2005; Ord. No. 06-4-C-3429, § 1, 4-17-2006; Ord. No. 07-1-C-3483, § 1, 1-16-2007; Ord. No. 08-1-C-3577, § 2, 1-7-2008; Ord. No. 08-6-C-3621, § 1, 6-2-2008; Ord. No. 08-11-C-3649, § 1, 11-3-2008; Ord. No. 09-1-C-3657, § 2, 1-5-2009; Ord. No. 09-7-C-3691, § 1, 7-20-2009; Ord. No. 10-2-C-3734, § 1, 2-1-2010; Ord. No. 10-4-C-3757, § 1, 4-7-2010; Ord. No. 11-3-C-3823, § 1, 3-7-2011; Ord. No. 12-4-C-3895, § 1, 4-16-2012; Ord. No. 15-5-C-4142, § 3, 5-4-2015; Ord. No. 16-2-C-4201, § 1, 2-1-2016; Ord. No. 16-8-C-4241, § 1, 8-1-2016; Ord. No. 17-2-C-4272, § 1, 2-6-2017)

ARTICLE IX. - MIXED-USE ZONING DISTRICTS

Sec. 118-185. Restricted uses.

- (a) Uses listed as restricted in Appendix A in the district as a whole or along retail streets shall be permitted only under the circumstances listed in this section.
- (b) *Residences.* Townhouse residences may be attached as facing to parking decks or commercial portions of buildings, except along retail streets.
- (c) *Limited frontages.* The following uses may be permitted with ground floor frontages along retail streets not to exceed 30% of the linear feet of building along that retail street:
 - (1) *Uses.*
 - a. Hotels.
 - b. Department store, warehouse club, or superstore.
 - c. Motion picture viewing and exhibition services.
 - d. Storm water detention facilities.
 - e. Restricted arts, entertainment, and recreation uses
 - f. Colleges and universities.
 - g. Funeral homes.
 - h. Convention and exhibition halls.
 - i. Mixed-use building amenities including only fitness rooms, management offices, coworking spaces, and game rooms.
 - (2) Other permitted or special uses located along the retail street that meet the design guidelines in Section 118-182 within the uses listed above shall not be considered part of the restricted use.

- (d) *Retail only restrictions.* Motor vehicle parts and accessory stores and motorbike, ATV, and other similar vehicle sales are limited to retail sales and may not include service, repair, or other non-retail activities.
- (e) *Dental laboratories.* Dental laboratories may only operate in conjunction with a clinic or outpatient care center.
- (f) *Residential construction offices.* Building, developing, and general contracting offices for residential construction are permitted only for current, nearby projects.
- (g) *Drive-through facilities.*
 - (1) Drive-through facilities, except restaurant uses, are permitted as a special use.
 - (2) ~~No part of the drive-through facility shall be visible from the retail street.~~ Drive Through facilities shall be screened from the public way.
- (h) *Special uses.* The following uses listed as restricted shall also need a special use permit:
 - (1) Hotels.
 - (2) Motion picture viewing and exhibition services.
 - (3) Theater, dance, or music establishment.
 - (4) Funeral homes.
 - (5) Convention and exhibition halls.
- (i) *Textiles manufacturing and jewelry and silverware manufacturing.* Textiles manufacturing and jewelry and silverware manufacturing shall be limited to only custom garments for individual clients.
- (j) *Real estate services, property management services, and business, professional scientific, and technical services.* May not occupy a space larger than 2,500 square feet or occupy a building's corner unit with 2 street frontages.

(Ord. No. 09-1-C-3657, § 2, 1-5-2009; Ord. No. 10-2-C-3734, § 1, 2-1-2010; Ord. No. 12-2-C-3885, § 1, 2-6-2012; Ord. No. 22-9-C-4616, § 2, 9-19-2022)

ARTICLE XI. - OFF-STREET PARKING AND LOADING FACILITIES

Sec. 118-218. Required number of off-street motor vehicle parking spaces.

- (a) *Calculation of number of spaces.*
 - (1) *Fractional numbers.* When determination of the number of parking spaces required by this article results in a requirement of a fractional space, any fraction less than $\frac{1}{2}$ may be disregarded, while a fraction $\frac{1}{2}$ or greater shall be counted as 1 parking space.
 - (2) *Required on an employee basis.* Parking spaces required on an employee basis shall be based on the average number of employees during the highest period of employment.
 - (3) *Owned, rented, or leased vehicles.* Except for residences, in addition to the minimum requirements listed in subsection (b), 1 additional parking space shall be required for each vehicle owned, rented, or leased by the use that is kept on site.
- (b) *Minimum number of spaces.* The minimum number of parking spaces required for designated uses shall be as follows:
 - (1) *Residential and lodging uses.*

Congregate living facilities: For residential units with 5 or less bedrooms, parking shall conform to the requirements of the type of residential unit it occupies if the building were not used for a congregate

living facility. For units with 6 or more bedrooms, the Plan Commission shall determine off-street parking.

Dormitory: Off-street parking requirements shall be determined by the Plan Commission.

Elderly and disabled housing:

- a. Market rate units: 1 parking space for each unit.
- b. Subsidized units: 1 parking space for every 3 units.
- c. For buildings containing 5 or more units, a minimum of 10 percent of the required parking spaces shall be unenclosed and available for guests and/or unit owners on an unrestricted first come, first served basis.

Hotels or private clubs and lodges: 1 parking space for each lodging room, plus 1 parking space for each 100 ft² of dining area, meeting rooms, and bars and cocktail lounges. In addition, other uses, such as retail sales or offices, which do not exclusively serve the subject establishment, shall provide parking spaces on the basis of the off-street parking requirements set forth elsewhere in this article.

Residences:

- a. For purposes of this section, any room other than a kitchen, living room, dining room, living-dining room, laundry room, bathroom or lavatory shall be deemed a bedroom, if it is more than 60 percent enclosed from an adjacent space.
- b. For residences built after the effective date of the ordinance from which this article is derived, all required handicapped and guest parking spaces shall be accessible to the public.
- c. Off-street parking shall be provided for each unit as indicated in the table below:

Bedrooms	Detached, and 2-Unit Multifamily	Townhouse		3 or More Unit Multifamily and Upper Story Residences in Mixed Uses					
				Except B3 district transit oriented developments and NX, TX, and CX districts		B3 district transit oriented developments and NX and TX districts		CX district	
		Residents	Guests	Residents	Guests	Residents	Guests	Residents	Guests
Efficiency	2.00	2.00	0.00	0.90	0.10	0.90	0.10	1.00	0.25
1 or 2	2.00	2.00	0.00	1.35	0.15	1.35	0.15	1.00	0.25
3 or more	2.00	2.00	0.50	1.80	0.20	1.35	0.15	1.00	0.25

- d. Guest parking is eligible for a financial contribution in lieu of providing the parking in a CX Core Mixed-Use district, subject to the provisions in (7)e. of this section. The Village Manager or designee may waive contribution if it is shown that appropriate shared parking or Municipal Parking exists in the area.

Skilled nursing facilities: 1 parking space for each 3 beds.

(2) *Schools, places of worship, institutions, auditoriums and other places of assembly.*

Assembly uses, including religious assembly, auditoriums, gymnasiums, stadiums, grandstands, meeting halls and institutional establishments: Off-street parking requirements shall be determined by the Plan Commission.

Religious assembly: Off-street parking requirements shall be determined by the Plan Commission.

Colleges and universities: Off-street parking requirements shall be determined by the Plan Commission but such requirements shall not be less than 1 parking space per 300 ft² of net floor area.

Courts: The Plan Commission shall determine off-street parking requirements.

Cultural centers: Off-street parking requirements shall be determined by the Plan Commission.

Libraries or archives: 1 parking space for each 800 ft² of net floor area.

Schools: The greater of the required parking spaces as listed below or the required parking spaces for an auditorium or other places of public assembly accessory to the school.

- a. Alternate education: 1 parking space for each faculty member and each other full-time employee plus 1 parking space for each 7 high school students based on the maximum number of students that can be accommodated in accordance with such design capacity of the building.
- b. Driving: 1 parking space for each school employee.
- c. Elementary and middle: 1 parking space for each faculty member and each other full-time employee.
- d. Fine and performing arts or sports and recreation: 1 parking space for each 2 employees, plus 1 space for each 4 students or 1 space per 300 ft², whichever is greater.
- e. Technical and trade: 1 parking space for each employee, plus 1 space for each 2 students, or 1 space per 200 ft², whichever is greater.
- f. Senior high: 1 parking space for each 7 students based on the maximum number of students that can be accommodated in accordance with the design capacity of the building.

All other schools, institutions, and assembly uses: Off-street parking requirements shall be determined by the Plan Commission.

(3) *Arts, entertainment, and recreation uses.*

Bowling alleys: 7 parking spaces for each lane. In addition, other uses, such as restaurants, shall provide parking spaces on the basis of the off-street requirements set forth elsewhere in this article.

Dancehalls, including discotheques, and commercial skating rinks: 1 parking space for each 100 ft² of net floor area. In addition, other uses, such as restaurants, shall provide parking spaces on the basis of the off-street parking requirements set forth elsewhere in this article.

Firing range: Determined by the Plan Commission.

Games arcade establishment: 1 parking space for each 200 ft² of net floor area, or 1 space per 4-person capacity plus 1 space per employee, whichever is greater.

Health and fitness centers and swimming pools: Determined by the Plan Commission.

Indoor court facilities, racquetball and handball courts: 5 parking spaces for each court. In addition, other uses, such as restaurants, shall provide parking spaces on the basis of the off-street parking requirements set forth elsewhere in this article.

Museums: 1 parking space for each 800 ft² of net floor area.

Parks, recreation areas, and community centers: 1 parking space for each 2 employees, plus spaces in adequate numbers as determined by the Plan Commission to serve the visiting public.

Tennis courts: 7 parking spaces for each court and 6 additional spaces for staff. Other uses, such as restaurants, shall provide parking spaces on the basis of the off-street parking requirements set forth elsewhere in this article.

Theater, dance, music establishments (live performance): 1 parking space for each 3 seats.

All other arts, entertainment, and recreation uses: Determined by the Plan Commission.

(4) *Office, retail, service, and industrial uses.*

Animal shelter: Determined by the Plan Commission.

Art galleries: 1 parking space for each 800 ft² of net floor area.

Auction house: 1 parking space for every 100 ft² of auctioneering and seating area if the seats to be used are portable; and, in addition, 1 parking space for each 1,500 ft² of gross floor area for all other floor area, or 1 parking space for each 2 employees, whichever is greater number of required spaces.

Automobile sales and service establishments: Off-street parking for all uses under this category shall be calculated cumulatively for each use on the site as listed below:

- a. Vehicle dealer (all types): 3.0 parking spaces per 1,000 ft² of floor area for the first 1,000 ft², then 1.2 parking spaces per 1,000 ft² of floor area thereafter.
- b. Automotive fuel station: 2 parking spaces plus 1 parking space for tire inflation.
- c. Automotive repair facility and hand car wash: 3.5 spaces for each service bay. Service bays are not to be included in meeting the off-street parking requirements, and required parking spaces cannot be used as service bays.
- d. Car wash: Determined by the Plan Commission.
- e. Motor vehicle parts and accessories store: 3.0 parking spaces per 1,000 ft² of floor area.
- f. Any parking spaces as required for other uses listed in this section.

Banks and other financial institutions, walk-in: 1 parking space for each 300 ft² of net floor area.

Banks and other financial institutions, drive-in: Off-street parking and stacking requirements to be determined by the Plan Commission. The petitioner must provide a traffic impact study from a recognized traffic engineering consultant, indicating the impact on the surrounding road network.

Barbershops, beauty parlors, and other similar establishments: 1 parking space for each 200 ft² of net floor area.

Cannabis dispensaries: 1 parking space for each 300 ft² of net floor area.

Computer services establishment: 1 parking space for each 200 ft² of net floor area, or 1 space per 4-person capacity plus 1 space per employee, whichever is greater. Other uses, such as restaurants, training schools, and computer repair, shall provide parking spaces on the basis of the off-street parking requirements set forth elsewhere in this chapter.

Construction material sales centers, machinery related contractor, and heavy construction businesses: 1 space for each 1,500 ft² of net floor area, plus 1 parking space for each employee.

Dry cleaning and laundry establishments: 1 parking space for each 300 ft² of net floor area.

Dry cleaning and laundry plant: 1 parking space for each 600 ft² of net floor area.

Electronic answering services, collections, or telemarketing: 1 parking space for each 100 ft² of net floor area.

Emergency response: 1 parking space for each 300 ft² of net floor area or 1 parking space for each employee, whichever results in the greater number of off-street parking requirements.

Food establishments and food services:

- a. Brew pub: Off-street parking requirements shall be determined by the Plan Commission.
- b. Caterer: 1 parking space for each 300 ft² of net floor area.
- c. Carryout restaurant: 1 parking space for each 300 ft² of net floor area.
- d. Drive Through facility: 1 parking space for each 150 ft² of net floor area.
- e. Food establishments (all categories in Appendix A): 1 parking space for each 300 ft² of net floor area.
- f. Limited-service restaurant and full-service restaurant, and bar or drinking place: 1 parking space for each 100 ft² of net floor area.
- g. Tap room: Off-street parking requirements for production area shall be determined by the Plan Commission.

Funeral homes and mortuaries:

- a. Funeral homes: 1 parking space for each 100 ft² of net floor area.
- b. Mortuaries: 1 parking space for each 300 ft² of net floor area.

Furniture and appliance stores, carpet and rug stores, electrical fixture sales and showrooms, orthopedic and medical appliance stores, machinery sales and service and establishments for sale or repair of major household equipment or furniture or major kitchen or bathroom accessories or

fixtures: 1 parking space for each 800 ft² of ground floor area, plus 1 parking space for each 1,500 ft² of net floor area other than net ground floor area. Any item for sale or rent shall not occupy an off-street parking space required by this article.

Greenhouse, nursery, and floriculture:

- a. Floriculture production food crops grown under cover, and all other indoor crop farming: 1.5 parking spaces for each 1,000 ft² of gross floor area, except that if any portion of the facility or operations is for retail use then the requirement is 3.0 parking spaces for each 1,000 ft² of gross floor area for the whole facility.
- b. Medical cannabis cultivation center: Determined by the Plan Commission.

Health and human services:

- a. Medical and diagnostic laboratories: 1.5 parking spaces for each 1,000 feet² of gross floor area.
- b. Child day care: 2.0 parking spaces for each 1,000 feet² not in residences, no additional parking required beyond that of the residence use in residences.
- c. Child and youth services, community food services, home hospice and home health care agencies, and services for the elderly and disabled: 3.0 parking spaces for each 1,000 feet² of gross floor area.
- d. Clinics and outpatient care centers, blood and organ banks: 5.0 parking spaces for each 1,000 feet² of gross floor area.
- e. Hospitals: Determined by the Plan Commission.

Health and personal care: 3.0 parking spaces for each 1,000 ft² of gross floor area. If a clinic or outpatient care use is operated in conjunction with this use, 5.0 parking spaces for each 1,000 ft² of gross floor area are required for that portion of the use.

Laundromats: 1 parking space for each 200 ft² of net floor area.

Mail order and direct selling establishment: 1 parking space for each 300 ft² of net floor area. In industrial districts, use manufacturing and whole trade requirements.

Manufacturing and wholesale trade uses. Off-street parking for all uses under this category shall be calculated cumulatively for each activity on site as listed below:

- a. Electronic answering services, collections, or telemarketing and retail uses: as listed for that use elsewhere in this section.
- b. Office uses and dental laboratories: 1 parking space per 300 ft² of net floor area.
- c. Manufacturing uses, including production, processing, printing, repackaging, assembling, cleaning, servicing, testing, or repairing of materials, goods, or products, and limited manufacturing processes as permitted in mixed-use and business districts: 1 parking space for each 600 ft² of net floor area.
- d. Conventional warehouses, including storage, wholesale, and mail order establishments where no other activities involving the product are performed, and where the product remains intact in the same physical state as it arrived, except for necessary packaging (but not repackaging), storage, or mailing containers: 1 parking space for each 1,500 ft² of net floor area.
- e. Self-service storage facility: determined by the Plan Commission.

Microbrewery, microdistillery or micro-winery: Off-street parking requirements for production area shall be determined by the Plan Commission.

Motion picture viewing or exhibition services: 1 parking space for each 3 seats.

Newspaper distribution agencies: 1 parking space for each 300 ft² of net floor area or 1 parking space for each employee, whichever results in the greater number of off-street parking requirements.

Offices, nonmedical and nontreatment: 1 parking space for each 300 ft² of net floor area.

Private security agencies, including canine patrols: 1 parking space for each 300 ft² of net floor area, excluding animal quarters, or 1 parking space for each employee, whichever results in the greater off-street parking requirements.

Public utility and public service uses: 1 parking space for each 2 employees.

Rental and leasing uses:

- a. Leasing of commercial or industrial machinery or equipment: 1.2 parking spaces for each 1,000 ft² of gross floor area.
- b. All other rental and leasing uses: 3.0 parking spaces for each 1,000 ft² of gross floor area.

Research and development services: 1 parking space for each 600 ft² of net floor area.

Road, ground, passenger, and transit transportation:

- a. Local transit systems: no parking required.
- b. Interurban and charter bus establishments, school and employee bus transportation, and taxi and limousine service: 3.0 parking spaces for each 1,000 ft² of gross floor area.

Road materials recycling: Off-street parking requirements shall be determined by the Plan Commission.

Truck and freight transportation services: Off-street parking requirements shall be determined by the Plan Commission.

All other retail, business offices and commercial establishments: 1 parking space for each 300 ft² of net floor area.

- (5) *Parking determinations.* The Plan Commission will base their determination of off-street parking on a signed statement describing the operation of the proposed use, information and recommendations contained in the Staff Report of the Plan Commission, and any other information that affects the type and amount of parking necessary for the use, as determined by Staff and listed on the Petition for Parking Determination. This additional information may include, but is not limited to, professional parking studies measuring real parking demand, the number of employees at the location throughout the day, peak use periods, parking spaces needed for specific functions (e.g. pick-up/drop-off, vehicles used or stored by the use, et cetera), occupancy of different spaces and usage of different areas within the location.
- (6) *Uses in B4 Regional Shopping district.* For the purpose of determining the required number of parking spaces, the B4 Regional Shopping district shall be divided into 3 categories:
 - a. Category A: When less than 50% of the floor area is devoted to retail sales, the required number of parking spaces for each use established in the B4 district shall be the same as the required number of parking spaces as set forth in subsections (b)(1) through (b)(4) of this section for such uses.
 - b. Category B: When 50% or more of the floor area is devoted to retail sales, the required number of parking spaces shall be 4 parking spaces for each 1,000 ft² of the total horizontal area of all floors that are at least 6 feet 9 inches in height, measured from the exterior faces of the exterior walls, except those areas used for parking facilities. The parking requirement is reduced to 3.8 parking spaces per 1,000 ft² if a transit station serving at least 4 routes exists on-site.
 - c. Category C: In addition to the required retail parking in this section, parking for upper story over non-residential use and/or residence, 3-or more unit multi-family shall be provided on a basis of 1.35 spaces per residential unit plus 0.15 spaces for guests per unit.
- (7) *Uses in mixed-use districts.* The number of off-street parking spaces required shall be determined as follows:
 - a. In CX districts, 2.0 parking spaces for each 1,000 ft² of gross floor area for permitted and special uses, except that the following uses shall have the parking requirements so indicated:

Uses	Parking Requirement
•Congregate living •Dormitories •Elderly and disabled housing •Residences	In accordance with (b)(1) of this section

<ul style="list-style-type: none"> •Elementary, middle, and junior high schools •Colleges and universities •Libraries and archives •Museums 	In accordance with (b)(2) of this section
<ul style="list-style-type: none"> •Animal shelters 	In accordance with (b)(4) of this section
<ul style="list-style-type: none"> •Hotels and motels •Private clubs and lodges 	1 parking space for each lodging room, plus 2.0 parking spaces for each 1,000 ft ² of gross floor area of uses not exclusively serving the subject establishment
<ul style="list-style-type: none"> •Assembly uses 	Determined by the Plan Commission
<ul style="list-style-type: none"> •Motion picture viewing and exhibition •Theater, dance, or music establishment 	1 parking space for each 4 seats or for each 80 lineal inches of seating space in the main auditorium or assembly

- b. Parking requirements as listed in (b)(1), (b)(2), (b)(3), and (b)(4) of this section for non-conforming uses in CX districts and all uses in NX and TX districts.
 - c. No additional off-street parking shall be required for the continued use, change of use when the parking requirement for the new and old use are the same, or remodeling of existing structures or buildings for permitted and special uses in the district.
 - d. In CX districts, for the following use categories listed in Appendix A: consumer goods, food establishments, health and personal care, professional offices, and food services:
 - 1. No additional off-street parking shall be required for new construction and building additions when the total gross floor area after the addition is less than 8,000 ft². The Village Manager or designee, may waive an additional 2,000 ft² (up to 10,000 ft²) or the conversion of the existing second floor to a maximum of 2 dwelling units if it can be demonstrated that appropriate shared parking or Municipal Parking exists in the area.
 - 2. Off-street parking shall be required at 2.0 parking spaces for each 1,000 ft² of gross floor area after the first 8,000 ft².
 - e. *Financial contribution in lieu of providing off-street parking.* Since a variance or relief from providing required off-street motor vehicle parking is not permitted, a payment shall be made to the Village, to be held in a reserve account to provide for the acquisition, erection, construction, or installation of public parking structures or lots within or adjacent to a mixed-use district, for each deficient required parking space under the following conditions:
 - 1. The off-street parking space is not a required resident space for residence use in (b)(1) of this section but may be a space required for guests.
 - 2. The off-street parking space is required for a use other than in (b)(7)e.1. of this section.
 - 3. The off-street parking space is being used as a credit for an FAR bonus in Section 118-184(b) for a commercial parking space in excess of required parking requirements available for nonrestricted public use.
 - 4. A contribution of \$15,000 for each of the first 5 parking spaces requested and \$24,000 for each additional parking space requested thereafter must be paid prior to the issuance of a building permit.
- (8) *Uses in B6 Downtown Science and Technology district.* The number of off-street parking spaces required for nonresidential uses shall be reduced by 15% from the required number of parking spaces as set forth in subsections (b)(1) through (b)(4) of this section for such uses.

(Zon. Ord., § 11.19; Ord. No. 00-6-Z-2898, § 1, 6-19-2000; Ord. No. 00-8-Z-2912, § 3, 8-7-2000; Ord. No. 00-11-Z-2952, § 4, 11-20-2000; Ord. No. 01-1-Z-2967, § 1, 1-2-2001; Ord. No. 01-3-Z-2977, § 9, 3-19-2001; Ord. No. 01-8-Z-3021, § 6, 8-6-2001; Ord. No. 01-10-Z-3034, § 1, 10-1-2001; Ord. No. 02-3-Z-3073, § 3, 3-4-2002; Ord. No. 02-5-Z-3082, § 11, 5-6-2002; Ord. No. 02-6-Z-3094, § 7, 6-3-2002; Ord. No. 02-10-Z-3120, § 16, 10-7-2002; Ord. No. 05-8-C-3375, § 1, 8-1-2005; Ord. No. 05-9-C-3383, § 6, 9-6-2005; Ord. No. 06-3-C-3422, § 3, 3-6-2006; Ord. No. 07-1-C-3483, § 1, 1-16-2007; Ord. No. 07-3-C-3491, § 1, 3-5-2007; Ord. No. 07-4-C-3499, § 1, 4-4-2007; Ord. No. 07-12-C-3566, § 1, 12-3-2007; Ord. No. 08-2-C-3600, § 1, 2-19-2008; Ord. No. 08-3-C-3604, § 1, 3-17-2008; Ord. No. 08-9-C-

3641, § 3, 9-15-2008; Ord. No. 09-1-C-3657, § 2,1-5-2009; Ord. No. 09-3-C-3669, § 1, 3-16-2009; Ord. No. 09-7-C-3690, § 1, 7-20-2009; Ord. No. 10-2-C-3734, § 1, 2-1-2010; Ord. No. 11-3-C-3822, § 1, 3-7-2011; Ord. No. 11-3-C-3823, § 1, 3-7-2011; Ord. No. 12-2-C-3885, § 1, 2-6-2012; Ord. No. 14-2-C-4036, § 2, 2-18-2014; Ord. No. 14-6-C-4064, § 1, 6-2-2014; Ord. No. 14-6-C-4065, § 1, 6-2-2014; Ord. No. 14-12-C-4108, § 1, 12-1-2014; Ord. No. 16-8-C-4241, § 1, 8-1-2016; Ord. No. 16-10-C-4250, § 3, 10-6-2016; Ord. No. 18-3-C-4363, § 1, 3-5-2018; Ord. No. 18-3-C-4368, § 1, 3-19-2018; Ord. No. 18-8-C-4404, § 2, 8-6-2018; Ord. No. 18-10-C-4416, § 3, 10-15-2018; Ord. No. 19-4-C-4450, § 1, 4-15-2019; Ord. No. 19-6-C-4463, § 1, 6-3-2019; Ord. No. 19-8-C-4479, § 1, 8-19-2019; Ord. No. 19-9-C-4488, § 1, 9-16-2019; Ord. No. 21-1-C-4547, § 1, 1-19-2021; Ord. No. 22-8-C-4611, § 2, 8-1-2022; Ord. No. 22-9-C-4616, § 3, 9-19-2022)

ARTICLE XII. - LANDSCAPING

Sec. 118-233. Private property landscaping.

(a) *Tree preservation for development activity.*

- (1) *[Required.]* The preservation of trees is required for all public and private new construction, enlargement or expansion of buildings or structures and other increases in impermeable surface over 600 ft² in area in accordance with the provisions of this article.
- (2) *Tree removal permit.* Trees having a diameter of 8 inches or greater measured at 4.5 feet above the ground line, at construction sites described in subsection (a)(1) of this section, shall not be removed without first obtaining a tree removal permit. The only exception to this requirement shall be in emergency situations posing a threat to a person, property, or the community where such emergency renders compliance with the permit process unreasonable. The person removing the tree must contact the Community Development Department within 48 hours of the removal of the tree.
- (3) *[Submissions.]* Prior to the issuance of a building permit and/or tree removal permit, a tree survey, final grading plan, and tree preservation plan shall be submitted to the Community Development Department for review and approval.
 - a. *Tree survey.* The tree survey shall be indicated on a recent plat of survey, with land contours, and include the location and size of all trees 8 inches or greater in diameter.
 - b. *Final grading plan.* The final grading plan shall integrate the existing trees on the tree survey to be preserved into the proposed development. If the Community Development Department determines that integration of trees into the final grading plan cannot be accomplished, the developer or property owner may remove the trees in dispute and replace the trees with new trees based upon the exchange rate set forth in subsection (5) of this section.
 - c. *Tree preservation plan.* The tree preservation plan shall indicate the location and species of those trees to be preserved and the methods to be used to preserve such trees. This plan shall also indicate the protective fencing of trees, methods of protecting trees from construction activities, material storage, and the protection of trees and vegetation on adjacent property along the property line. The plan shall be in compliance with the Village of Skokie Standard Tree Protection Requirements for Construction Projects.
- (4) *Removal of trees.*
 - a. Trees approved for removal for which a permit has been issued shall be removed prior to the implementation of the final grading plan.
 - b. Removal of trees designated for preservation shall be allowed by amending the final grading plan with the approval of the Director of Community Development or designee. The amended plan shall indicate the location and size of all trees being removed and all replacement trees in accordance with the approval of the Director of Community Development or designee.
 - c. Field adjustments to trees designated for preservation on the preservation plan may be necessary during the course of the construction. In such instances, the developer or property owner shall not remove any trees designated for preservation prior to site inspection and approval by the Director of

Community Development or designee. Adjustments approved by the Director of Community Development or designee shall be reflected on the final grading plan.

(5) *Replacement of trees.*

- a. The replacement of trees 8 inches or greater in diameter and trees designated for preservation shall be replaced with new trees from the approved list of trees by the Village Forester, each of which shall have a minimum diameter of 2.5 inches measured at a distance of 6 inches above ground level. Trees shall be replaced based on the Village of Skokie Parkway Tree Removal and Replacement Policy, as amended from time to time, within 6 months of the tree removal. These trees must be planted on site in accordance with an approved grading plan. If the Director of Community Development or designee determines that adequate or suitable space is not available on site for the replacement trees the developer shall pay into a tree fund for the trees, based on the Village of Skokie Parkway Tree Removal and Replacement Policy.
- b. Any relocated or replaced trees shall be guaranteed survival for up to one growing season. In the event that a relocated or replaced tree dies or is in declining condition, the tree shall be replaced with a new 2.5-inch diameter tree.

(6) *Drive Through Facilities.*

- a. Existing trees on proposed site are not to be removed, if healthy, as determined by Village Forester.
 - b. One new tree for every 100 car trips generated per the Traffic Study and approved by Village of Skokie Engineering Division, shall be required to be planted on site, or a fee assessed to cover planting at another location. Fees shall be calculated using rates based on Village of Skokie Parkway Tree Removal and Replacement Policy
- (b) Any development subject to the provisions of this chapter shall provide a landscape plan to be approved by Village Manager or designee and the Village Appearance Commission. The landscape plan shall include existing and proposed plantings, including species, spacing, quantity, and size, areas to be sodded, and locations and specifications of other materials. The landscape plan shall address all requirements of this chapter.
- (c) Maximum feasible (live) landscaping shall be provided.
- (1) For existing developments, landscaping shall be provided at parking lots between the property line and the continuous curbing adjacent to street frontages.
 - (2) For new developments, additions and uses requiring a special use permit, landscaping shall be provided along street frontages, along the perimeter and interior of parking lot areas, and adjacent to buildings and other areas of the site not dedicated to parking, drives, sidewalks or other improvements.
- (d) All unpaved areas not planted by trees, shrubs, ground cover, etc., shall be sodded. Grass seeding shall not be allowed.
- (e) New parking lots and improved existing commercial lots shall provide, at a minimum, 1 tree within the interior of the parking area for every 15 parking spaces. Open sales lots and storage lots shall be exempt from this landscaping requirement. Trees to be used in the interior portions of parking areas shall be limited to those on the "Approved Species for Parking Lot Tree Planting" list, approved by the Village Manager or designee as may be amended from time to time. All trees shall have a minimum trunk diameter of 2.5 inches measured at a distance of 6 inches above ground level.
- (f) Trees, shrubs, ground cover and other plants selected for planting at a site shall be acclimated to Northern Illinois.
- (g) Planting used for screening shall be a combination of tall, low and wide shrubbery.

- (h) Earth berms banked on both sides, or with 1 side banked toward the yard boundary line and a retaining wall, shall have a maximum side slope ratio of 3 to 1 for ease of maintenance. The embankment ratio shall be indicated on the required landscape plan.
- (i) Perimeter curbing, landscaping timbers, railroad ties, etc., shall be used to delineate and protect landscaped areas from motor vehicles.

(Zon. Ord., § 14.3; Ord. No. 03-11-Z-3222, §§ 1, 2, 11-3-2003; Ord. No. 13-10-C-4010, § 5, 10-7-2013)