

**VILLAGE OF MORTON
ORDINANCE 24-21**

**AN ORDINANCE MAKING AMENDMENTS TO TITLE 10 OF THE MORTON
MUNICIPAL CODE REGARDING OLD MORTON DISTRICT PROVISIONS FOR
B-3 ZONED PROPERTIES**

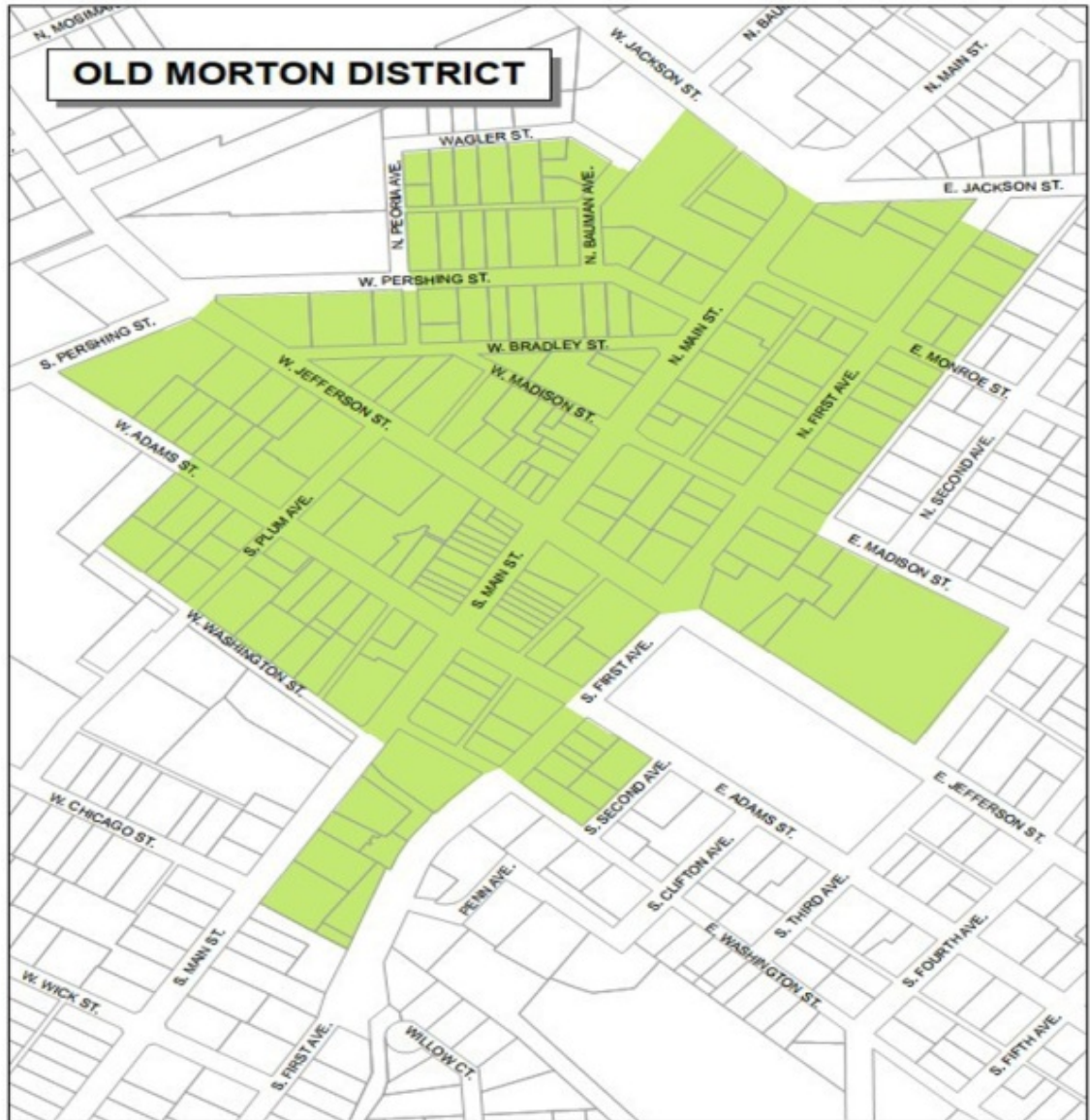
NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Morton, in the State of Illinois, as follows:

SECTION 1: **AMENDMENT** “10-8-9: Special Parking Provisions For Old Morton District” of the Morton Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10-8-9: Special Parking Provisions For Old Morton District

- A. Old Morton District Area: See map below.
- B. All ~~business-zoned~~ **B-1 or B-2 zoned** properties in the Old Morton District are exempt from the parking requirements of 10-8-6. (amd. Ord. 10-14, 8-2-10)



SECTION 2: AMENDMENT “10-6-4: B-3 Highway And Service Commercial District” of the Morton Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6-4: B-3 Highway And Service Commercial District

A. Permitted Uses:

1. All uses permitted as a “permitted use” in the B-1 Professional Office District and in the B-2 General Business District, except however the permitted use allowing "living quarters above or adjoining a business, not to exceed one (1) apartment" in the Old Morton District shall not be a permitted use in the B-3

District.

2. All other retail stores, shops, and service establishments not permitted in the B-1 or B-2 Districts, including those uses specifically mentioned below and providing within enclosed buildings except as noted below, not however, to include uses involving any manufacturing or processing except as expressly permitted below.
 3. Automobile supplies and auto parts.
 4. Auto washing establishments.
 5. Boat sales.
 6. Bowling alleys.
 7. Branch banks.
 8. Catering establishments.
 9. Clubs, lodges, fraternal and business organization meeting halls, and recreational facilities.
 10. Drive-in or drive-through food, refreshment, and other business establishments servicing customers in cars.
 11. Dry cleaning and laundry establishments.
 12. Earth moving and material handling indoor equipment displays and sales rooms.
 13. Exterminating shops.
 14. Farm supplies (not to include outdoor storage of farm equipment).
 15. Feed stores.
 16. Garages for repair and servicing of automobiles and trucks (but not to include outdoor storage other than vehicles awaiting repair or pick-up).
 17. Machinery sales (not to include outdoor storage of machinery).
 18. Motels and hotels.
 19. Printing and publishing having not more than twenty five (25) employees other than office and maintenance employees.
 20. Roller rinks and ice skating rinks.
 21. Service, cleaning, or repair shops for personal, household, or garden equipment.
 22. Storage, warehousing, and wholesale establishments provided carried out within enclosed buildings.
 23. Veterinarian or animal hospital without outdoor kennels or runways.
- B. Special Uses: The following uses are permitted subject to the public hearing and other special permit procedure requirements as outlined in Chapter 10 of this Title:
1. Any use permitted as a special use in the B-2 General Business District.
 2. Any of the foregoing uses where outdoor storage of products or goods used or sold on the premises is a necessary part of the operation.

In making its recommendation to the Village Board to permit special uses involving outdoor storage areas, the Plan Commission shall require such outdoor storage areas, except those for the display of sale items, be located at least seventy feet (70') from the nearest collector or major street, highway, or interstate highway, as defined on the "Official Map" of the Village, and to be so located on the site and screened from public view from such streets and highways to the fullest extent possible. Such screening shall be by landscape

screening or by a screening fence appropriately located, and as defined in Chapter 2 of this Title.

3. Automobile sales, including lots for the outdoor storage and display of new or used automobiles.
 4. Building material establishments for the sale of dimensioned lumber, millwork, cabinets, and other building materials, provided no milling, planing, jointing, or manufacturing of millwork shall be conducted on the premises.
 5. Cartage and express facilities, including the storage of goods, motor trucks, and other equipment.
 6. Contractor's or construction offices and shops, such as building, concrete, electrical, masonry, printing, plumbing, refrigeration, and roofing, including any related outdoor storage areas.
 7. Earthmoving and material handling equipment, including lots for the outdoor storage and display of such equipment.
 8. Farm machinery and supplies, including lots for the outdoor storage and display of new or used farm equipment.
 9. Mobile home and recreational vehicle sales and storage, not, however, to include the storage or parking of occupied mobile homes or recreational vehicles.
 10. Monument sales, including outdoor storage and display of monuments.
 11. Storage and warehousing involving outdoor storage.
 12. Outdoor recreation facilities.
 13. Fuel sales (not bulk plants) except where retail sales are incidental to another permitted use. (amd. Ord. 01-28, 11-5-01)
 14. Lumber yards. (amd. Ord. 02-34, 3-17-03)
 15. School bus storage yards and related buildings. (Ord. 13-07, 7-1-13)
- C. Required Yard Areas: Every building hereafter erected or structurally enlarged shall provide the following yard requirements, except for lots of record which shall meet the reduced requirements of Section 10-4-4 and except for those general exceptions to yard requirements as outlined in Section 10-4-3:
1. Front Yard: The front yard shall equal the building height but in no case shall it be less than forty five feet (45'), except that on the west side of Detroit Avenue.
 2. Side Yard: The side yard shall be a minimum of ten feet (10') unless an existing adjoining property provides no side yard, in which case the property need provide no side yard. Where adjoining structures are not attached, the side yard for a building of two and one-half (2 1/2) stories shall be a minimum of ten feet (10'). For each story or portion of story above two and one-half (2 1/2) stories, the side yard shall be increased by five feet (5').
 3. Rear Yard: The rear yard shall be a minimum of twenty feet (20').
 4. Fences: Ornamental and enclosure fences meeting the required conditions are exempt from the specific yard requirements as noted.
 - a. Ornamental fences not exceeding six feet (6') in height are permitted within the front yard. Enclosure fences are not permitted in front yards.
 - b. Ornamental and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. (amd. Ord. 08-30, 12-1-08)

5. Pavement: Pavement shall be no closer than ten feet (10') to the side and rear property lines. In the event walks, drives, or parking areas were built in compliance with a lesser setback, but not as a result of a variance, then the setback for subsequent walks, drives, and parking areas may be the same as that in effect at the time of prior construction. Landscape screening shall be required whenever pavement is closer than the building setback line.
 6. Parking Lot Light Poles: Parking lot light poles may extend an additional three feet (3') into the required landscaped yard setback. All outdoor lighting in any business or industrial district shall be installed so that lighting throw does not fall beyond any property line.
 7. Noise-Emitting Mechanical Equipment. On properties adjacent to residential districts, mechanical equipment emitting noise such as air-conditioning compressors and similar equipment emitting noise such as air-conditioning compressors and similar equipment may be located in side or rear yards but in no case any closer than twelve feet (12') to the side yard property line of the adjacent property, and in all instances so installed and directed to be of minimum annoyance to the adjacent property. Back-up generators may be located in side or rear yards but in no case closer than six feet (6') to the side yard property line of the adjacent property
- D. Building Height: No building shall be erected or enlarged to exceed a height of two and one-half (2 1/2) stories or thirty five feet (35') except for those general exceptions to height limitations listed in Section 10-4-3. Buildings of up to five (5) stories or seventy feet (70') in height may be permitted as a special use subject to the public hearing and other special permit requirements as outlined in Chapter 10 of this Title.
- E. Required Off-Street Parking And Loading: Off-street parking and loading shall be provided as outlined in Chapter 8 of this Title. (Ord. 78-31, 3-5-79)
- F. Required Construction Area And Composition: A building which is erected or enlarged shall conform to the following:
1. It shall rest upon footing or foundation. This shall not be construed to prohibit pole buildings or post frame buildings if set in concrete.
 2. It shall have sanitary facilities which comply with all other requirements of the Morton Municipal Code. This provision shall not apply to those buildings used exclusively for storage or warehousing.
- G. Interstate Corridor: In the event the property is located within an interstate corridor, then the required lot size and required yard area size shall be as set forth in Title 10, Chapter 4, Subsection 7(B) and (C). The provisions of Title 10, Chapter 4, Subsection 7(G) shall also apply. (Ord. 94-31, 5-15-95)
- H. Landscaped Buffers or Screening Required: Newly established business uses adjacent to or backing on property zoned in the residential districts shall provide and continuously maintain on that property line a dense hedge, tree row, or other similar landscape device suitable to visually screen the differing types of adjacent uses from one another.
- I. Accessory Buildings: Accessory buildings or structures shall be permitted subject to the following
1. They shall be located within the required rear yard.
 2. They shall maintain a side and rear setback of six feet (6') for all lots except corner lots. For corner lots the accessory building or structure shall maintain a

setback of twenty feet (20') for any side which abuts a street and six feet (6') for all other sides.

3. They shall not be established within the territory of an existing Village of Morton easement or other utility easement
4. There shall be no more than one accessory building or structure on any lot in this zoning district.
5. The height of any accessory building or structure shall not exceed thirteen feet (13') or the height of the primary structure, whichever is less. The area of any building or structure shall not exceed 1.6% of the lot area to a maximum of four hundred eighty (480) square feet
6. Any side(s) abutting a street shall be screened as follows: at the time of construction (or if weather requires, no later than six(6) months after construction) one row of evergreens shall be planted which shall be of a variety which, at maturity, shall grow together when planted ten feet (10') on center, and shall be at least five feet (5') in height when planted. If the rear yard is completely enclosed by a privacy fence six feet (6') in height, then the landscape screening requirement shall be waived. The landscape screening shall be continuously maintained continuously until such time as the accessory building or structure is removed from the premises.

SECTION 3: AMENDMENT “10-4-6: Site Plan Review” of the Morton Municipal Code is hereby *amended* as follows:

AMENDMENT

10-4-6: Site Plan Review

- A. Uses For Which Site Plan Review Is Required: In order to minimize adverse effects of any proposed development upon existing uses, to clarify the concept of a proposed development when seeking local building and zoning approvals, and to better conserve and enhance the visual environment of the Village, the following types of proposed uses or developments shall not be permitted without administrative site plan review and approval by the DPW.
 1. All R-3 and R-4 residential, commercial, or industrial uses indicated as “permitted use” in the district in which located, and mobile home districts. (amd. Ord. 05-46, 3-6-06)
 2. Any special use for any zoning category. (Ord. 78-31, 3-5-79)
 3. Any property except that located in a district zoned R-1 (single family) and R-2 (two-family) within an interstate corridor shall also be subject to the provisions of Title 10, Chapter 4, Section 7. (Ord. 94-31, 5-15-95)
 4. Any large scale developments shall also be subject to the provisions of Title 10, Chapter 4, Section 11. (amd. Ord. 02-26, 1-6-03)
 5. Any rezoning of property within the Old Morton District from the B-2 Zoning District to the B-3 Zoning District
- B. Site plans submitted for site plan review by the DPW shall include a hard paper copy,

as well as a digital media copy in an ESRI Shapefile, or other computer readable format compatible with the Village of Morton mapping software, and shall be drawn to the following scales and include the following data: (amd. Ord. 05-46, 3-6-06)

1. A scale of not smaller than one inch equals fifty feet (1" = 50') for areas of fifteen (15) acres or less or where the longest dimension does not exceed eight hundred feet (800'); for all larger projects, one inch equals one hundred feet (1" = 100'), plan to show date, north point, and scale.
2. Property lines of the subject and abutting properties.
3. Location of existing and proposed structures, drives, and parking areas on the subject property and existing structures within one hundred feet (100') of the subject property.
4. Location, right-of-way width, and street width of abutting streets and alleys.
5. Landscaping and screening
 - a. All landscape plans shall fully meet the following performance standards in order to receive approval from the Zoning Officer:
 - (1) Landscaping shall not hinder the vision of motorists and pedestrians necessary for safe movement into, out of, and within the site.
 - (2) Landscaping materials shall be selected and placed in such a manner so as not to interfere with or damage existing utilities.
 - (3) Landscaping materials shall be selected and placed so as not to inhibit the safe and enjoyable use of surrounding properties.
 - (4) Landscaping shall be selected and placed with a sensitivity toward the ultimate size to be achieved over time through growth of vegetation.
 - (5) Landscaping with thorns, berries, and other unsuitable characteristics shall be carefully placed to avoid potential harm to people or property on- and off-site.
 - (6) Weak wooded trees shall be used only where other species are not available.
 - b. The amount of landscaping required shall be calculated by the point system hereinafter described. The requirements for any zoning lot shall be the total of all front yards. In calculating any requirement, a fraction of one-half (0.5) or greater shall be rounded up to the next whole number.

The following point allocations shall apply for all required landscaping:

<u>Tree Classification</u>	<u>Base Value</u>
Shade Tree	15 points
Evergreen Tree	15 points
Intermediate Tree	10 points
<u>Shrub Classification</u>	<u>Base Value</u>

Evergreen Shrubs	2 points
Deciduous Shrubs	1 point

At the time of planting, shade trees and intermediate trees shall have a caliper size of not less than two inches (2"). Evergreen trees shall be a minimum of five feet (5') in height and evergreen shrubs shall be a minimum of two feet (2') in height at the time of planting. (amd. Ord. 05-44, 2-6-06)

- c. All developed zoning lots, other than those located within R-1 and R-2 zoning districts, shall have front yard landscaping installed, as provided for in this subsection. All yards, such as those on corner lots or irregularly shaped lots, which are adjacent to any street, road, or interstate highway, shall meet the landscaping requirements for front yards.
 - (1) The number of points required for landscaping of front yards shall be based on the overall lot frontage, as measured along the property line, divided by two (2). For example, if the front yard lot frontage is two hundred twenty feet (220') in length, then the landscaping must generate one hundred ten (110) points.
 - (2) Not less than fifty percent (50%) of the points required for landscaping of front yards shall be achieved by utilizing plants from tree classification.
 - (3) Front yard landscaping shall be planted in the required front yard. If there is an additional area between the required front yard and the closest on-site parking lot or building, all or some of the required landscaping may be planted within such additional area upon approval by the Zoning Officer.
 - d. Screening requirements in accordance with Section 10-4-3-H of this Title shall meet the size requirements set forth in this section. The screening requirements shall be greater than landscaping requirements so as to achieve the desired visual barrier, as approved by the Zoning Officer.
 - e. Any landscaping materials required in this section which may, for any reason, die or fail to thrive shall be replaced with other landscaping materials having an equal or greater point value and similar characteristics as soon as good horticultural practice permits, though not to exceed six (6) months.
 - f. Landscaping shall be completed within one (1) year of the issue date of the building permit. If landscaping is not completed within the required time frame, then the procedure outlined in Section 4-1-7 of this Code shall be applied. (amd. Ord. 00-51, 3-19-01)
- 6. Names and addresses of the architect, engineer, landscape architect, planner, or designer responsible for the site plan.
 - 7. Location of utilities, existing and proposed, on the subject property and within one hundred feet (100') of the subject property.
 - 8. Location of existing storm water drainage conduits and ditches on the subject

property and within one hundred feet (100') of the subject property.

9. For the purposes of this section, decorative masonry shall consist of the following: brick, natural/native stone, split-faced block, ground-faced block, fluted block, glazed block, concrete mortarless veneer siding systems, exterior insulation and finish systems (EIFS), exposed aggregate concrete wall panels, pre-cast concrete wall panels that have been painted or stained, glass block, and simulated stone. Neither simulated panelized sheeting mechanically attached to the structure, nor painted and/or scored block, shall be considered decorative masonry.

The following materials are acceptable as decorative finishes for exterior walls that front a street or highway: glass, prefinished steel or aluminum, decorative masonry finishes, and wood (cedar, redwood, or cypress). In addition to these materials, all other building walls may be of concrete block, prefabricated exterior materials, and other similar materials, excluding non-coated galvanized siding.

In commercially zoned areas and the interstate corridor, there shall be a minimum percentage of decorative masonry and/or decorative finish required for exterior walls, as follows:

Street frontage, or any elevation with public access or facing a public parking lot	A minimum of fifty percent (50%) decorative masonry with the remainder to be a decorative finish
Side or rear abutting an interstate	A minimum of fifty percent (50%) decorative masonry, which must run the length of the building to a minimum of three feet (3') from grade level up
Side or rear adjacent to a residential area	A minimum of fifty percent (50%) decorative finish
Side or rear not fronting a street or abutting a residential area	No requirements

On all other projects requiring site plan review, there shall be thirty five percent (35%) of brick stone work or decorative masonry on the portion of the building fronting a street or highway.

The Board of Trustees may alter or waive the requirements subject to the following: suitable landscaping and an alternative material of decorative wood which is stained or painted. In allowing an altering or waiving of the requirements, the Board of Trustees may impose such additional conditions as it may deem appropriate.

The Board of Trustees may alter or waive the requirements for additions to existing buildings that at the time of the addition do not have the required brick stone work or decorative masonry or any building that is being

remodeled, and may impose such conditions as it may deem appropriate in granting such waiver.

Notwithstanding the foregoing provisions, there shall be no requirement for brick stone work or decorative masonry for a metal-clad and station-type cubical switchgear, which includes equipment for the control and protection of apparatus used for power generation, conversion, and transmission and distribution. (amd. Ord. 04-03, 5-3-04; amd. Ord. 09-34, 12-21-09; amd. Ord. 13-34, 4-7-14)

10. Storm water detention plans and calculations.
11. Erosion control plans.
12. EPA water and sewer permit applications, as required. (amd. Ord. 05-46, 3-6-06)

C. Review Of Site Plan: In reviewing site plans, the DPW shall consider:

1. Location of drives, ingress and egress points to public streets, and installation of sidewalks.
2. Traffic circulation and location of building, parking, loading, and storage areas within the site to ensure that use of the site creates minimum adverse effects on bounding streets and properties.
3. Less attractive or possible nuisance uses to be accommodated on the site which might require landscape screening or fencing. The DPW may require relocation of such uses to areas of the site where they will have less adverse visual or nuisance impact on surrounding properties and bounding roads.
4. Connection to Village utilities, storm water detention, and drainage.
5. Wall Length: Buildings should not exceed one hundred (100) lineal feet of wall length without providing architectural relief in the facade. Architectural relief as used herein shall mean using arcades, cornices, eaves, focal points, and offsets in elevation.

D. Director of Public Works' Action; Applicant's Petition To Village Board: Following the review, the DPW shall, by action, approve or disapprove the issuance of a zoning permit and shall notify the applicant and Zoning Enforcing Officer of his actions including, if disapproved, the reasons for disapproval. If approved, the Zoning Enforcing Officer shall issue the necessary permits providing the proposed structure or use is otherwise in compliance with regulations of the Village.

If the DPW disapproves the project or approves the project with conditions to which the applicant is not agreeable, the applicant may petition the Village Board for review of the project. The Village Board may concur or reverse the action of the DPW by a simple majority vote but shall take no action without receiving a written report from the DPW of the findings and action unless such report is not received within forty five (45) days of his action on the matter.

Site plans upon which issuance of zoning permits have been based after site plan review shall be filed in the office of the Zoning Enforcing Officer. Substantial variance from that site plan without concurrence of the DPW in carrying forth the proposed project shall be deemed to be a violation of this Title, subject to the penalties prescribed herein. (Ord. 78-31, 3-5-79; amd. Ord. 79-42, 4-7-80; amd. Ord. 94-4, 5-2-

94; amd. Ord. 98-31, 12-21-98; amd. Ord. 00-35, 10-16-00; amd. Ord. 00-46, 12-18-00; amd. Ord. 02-34, 3-17-03; amd. Ord. 03-31, 11-17-03; amd. Ord. 03-39, 1-19-04)

SECTION 4: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.


SECTION 6: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VILLAGE OF MORTON PRESIDENT AND BOARD OF TRUSTEES NOVEMBER 06, 2023.


	AYE	NAY	ABSENT	ABSTAIN
Trustee Blunier	X	_____	_____	_____
Trustee Hilliard	X	_____	_____	_____
Trustee Leitch	X	_____	_____	_____
Trustee Menold	X	_____	_____	_____
Trustee Parrott	X	_____	_____	_____
Trustee Newman	X	_____	_____	_____
President Kaufman	_____	_____	_____	_____

Presiding Officer

Attest



 Jeffrey L. Kaufman, Village President,
 Village of Morton



 Zo M. Evans, Village Clerk, Village of
 Morton

