

Section 6.5 Retail Planned Development

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Retail Planned Development. All retail establishments shall be located within a special use Retail PD Zoning District, whether singly or in combination with other uses, and shall be planned and developed as a unit. The unique and substantially different character of a Retail PD requires that it be processed administratively as a special use under this Ordinance.

6.5-1 **Mapping Restrictions:** The Retail PD Zoning District is designed and intended to be mapped only on Illinois Route 120 and Walkup Road, the two primary thoroughfares serving the Village where the impact upon the Village's character, residential development and traffic congestion, will be minimized with appropriate site plan and development restrictions. The Retail PD Zoning District and a Retail PD are inappropriate for mapping in any other area of the Village. A prerequisite to approval of any Retail PD is the classification or reclassification of the proposed site to that of a Retail PD Zoning District.

6.5-2 **Purposes:** The purpose of the Retail PD is to provide for high quality, retail development that is compatible with the essential character and scale of development within the Village and to encourage more creative and imaginative designs for retail developments than are possible under more conventional zoning regulations. The Village may require amenities, establishment of facilities, buffers, and open spaces greater than required in connection with conventional zoning districts or federal and state government regulations. The proposed use at the particular location requested will be necessary or desirable to provide a retail service or a retail facility which is in the interest of public convenience and generates sales tax revenue to the Village, and will contribute to the general welfare of the neighborhood and community. Preservation of natural site qualities, quality design standards that integrate natural landscape features, and a higher quality project are the goals and expected results of the Retail PD process. It is the intent of this Ordinance that the following objectives be achieved through use of the Retail PD procedure:

- (a) To promote a creative approach to the use of land and related physical facilities that results in the best type, style and design of development, and a retail environment complimentary to the Village, with the inclusion of aesthetic amenities;
- (b) To coordinate architectural styles, building forms and building relationships with a possible mixing of different uses in an innovative design;
- (c) To ensure a pattern of development to preserve natural vegetation, topographic and geological features, and environmentally appropriate features;
- (d) To provide for the prevention and/or control of soil erosion, surface flooding and the preservation of sub-surface water;
- (e) To create a method for the permanent preservation of common open space for the continued use and enjoyment of the residents of the community;
- (f) To promote the more efficient use of the land resulting in more economic networks of utilities, streets and other facilities;
- (g) To encourage a land use promoting public health, safety, comfort, morals and welfare; and
- (h) To ensure that such retail use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.

6.5-3 **Uses:** Land use including small specialty shops, services and restaurants are emphasized, although major food or other store “anchors” are permitted to allow for the development of shopping areas that meet a full range of shopping needs for the citizens of the Village as well as neighboring communities. Appendix A of this Section lists those uses that are Preferred Tier Uses and Second Tier Uses that will be considered within a Retail PD. However, a use (or uses) may be rejected in a subsequent Retail PD if the use is already established in a previous Retail PD. Second Tier uses may be considered in limited numbers as appropriate ancillary uses to the Preferred, first tier uses. Each use will be considered on its own merits. It is preferred that those uses with an asterisk be located on the second story of buildings. Additional retail uses similar in character to those uses listed may be considered. The first floor of principal buildings shall be used only for retail purposes. The proposed retail use shall comply with the regulations and conditions specified in this Section for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board.

6.5-4 **Use Limitations:**

- (a) **Residential Uses:** Limited residential uses shall be included in the Retail PD District as part of a Retail Planned Development in order to: 1) increase the number of affordable dwelling units available for rent in the Village, 2) increase the range of choice of housing accommodations, 3) encourage greater diversity of population with particular attention to young adults and senior citizens, and 4) encourage a more economic and energy-efficient use of the Village housing supply in compliance with Illinois Affordable Housing mandates.

Refer to Section 6.6 Inclusionary Housing and the Village of Bull Valley Affordable Housing Plan.

If the Village housing supply is adequately meeting state requirements, the inclusion of residential uses in a Retail Planned Development may be waived by action of the Village Board.

- (b) **Automotive Services Limited:** Automobile service station services shall be limited to the retail sale and dispensing of fuel, lubricants, coolants, tires, batteries, minor accessories and supplies; and installation and customary services incidental thereto. Towing operations shall be prohibited. Facilities for chassis and gear lubrication and for the washing of vehicles may be authorized only if enclosed in a building and then limited to not more than four vehicles. In no event shall any service station be located within 2,000 feet of any other service station located within the Village.

In no event shall the sale, rental, storage, service (except the minor service hereinabove mentioned), or repair of motorized vehicles, including passenger cars, trucks, buses, trailers, recreational vehicles or motorcycles be allowed in the Retail PD District

In no event shall the sale or installation of vehicle parts and accessories (except the minor accessories and installation hereinabove mentioned) be allowed in the Retail PD District.

- (c) **Wholesale Establishments Prohibited:** No wholesale establishments or activities shall be allowed in the Retail PD District. All business establishments shall be retail or service establishments dealing directly with consumers.
- (d) **Manufacturing Limited:** No manufacturing, processing, or treatment of products shall be conducted on any premises in the Retail PD District, except those that are incidental to a principal retail business use. All products produced on the premises shall be sold on the premises.
- (e) **Professional Offices:** Office Development will be allowed in limited quantities in mixed use developments that are predominantly retail.
- (f) **Storage Limited:** No storage or warehousing of any product shall be permitted in the Retail PD District except such as incidental to a principal retail use.
- (g) **Hours of Operation:** No use shall conduct normal operations, including deliveries, before the hour of 7:00 a.m. or continue normal operations past the hour of 10:00 p.m. without an exception specifically provided for in the special use permit.
- (h) **Noxious or Offensive Impact Prohibited:** No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.

6.5-5 Standards:

The Retail PD must meet the following standards:

- (a) **Bulk Standards:** The minimum bulk standards shall be:

Parcel Area, Lot Area & Frontage		Yard Requirements			Bulk Limits			
Minimum Area	Minimum Lot Width Frontage	Minimum Lot Front Yard	Minimum Lot Rear Yard Buffer*	Minimum Lot Side Yard Buffer*	Height Limit for Principal Use		Height Limit for Accessory Use	
Acres	Feet	Feet	Feet	Feet	Feet	Stories	Feet	Stories
25 acres	150	100	100	30 feet	30	2	15	1
Individual Lot Size: 40,000 square feet								
*If a rear or side yard abuts a residential property the minimum yard shall be 100 feet. If a rear or side yard abuts high quality ADID wetlands the minimum yard shall be 200 feet. 200 feet								

- (b) **Design and Development Standards:** All uses in a Retail PD will be evaluated with respect to size, style, theme, color, size and height of buildings; appropriateness and attractiveness of building materials; façade articulation, entrances and windows; storefront appearance with respect to doorways, windows, steps and awnings; use of green roofs and energy efficient technology; IEPA compliance; design of parking and loading zones; provisions for refuse pickup, screening and refuse containment; sidewalks, outdoor furniture, outdoor seating areas, pedestrian friendliness of venue, walkability of overall plan design and

building connectivity; bike paths and bike parking; provision and appropriateness of fencing, if necessary; compliance with tree protection, retention standards and landscaping requirements; creation of natural landscaping, retention of natural grades and best management practices in planning for the flow of storm water, compliance with the MCSMO, open space preservation; appropriateness of lighting, signage and noise reduction practices; appropriateness and effectiveness of water supply and treatment systems; limitation on impermeable surfaces; general visual appeal and general fit with the philosophy and character of the immediate area and the Village in general, as well as compliance with the provisions of this Ordinance, including Appendix C of this ordinance, Commercial Design Standards.

- (c) **Materials and Color Chart:** Appendix B of this Section is a recommended Materials and Color Chart. The chart is intended as a general guide to the materials most and least preferred for use within the Retail PD. Actual exterior materials and colors are subject to review and approval by the Village's Planning and Zoning Commission to ensure appropriateness.
- (d) **Comprehensive Plan:** The Retail PD shall conform to the intent and spirit of the Village's Comprehensive Plan. Creation of a mixed use community with a "Main Street" or "Town Square" character is strongly encouraged. Common open space is integral to a balanced, human scale development and is expected to be included in the form of small park-like rest areas with seating, picnic areas, , water features, native landscaped walkways, etc. Larger developments should include larger common areas such as small amphitheaters, children's play areas, outdoor patios attached to restaurants and other amenities that encourage the combination of shopping with other functions.
- (e) **Compatibility:** The permitted uses must be of a type and so located to perpetuate the overall character of the Village by preserving established residential areas and encouraging development consistent with the countryside character of the Village's residential core.
- (f) **Landscaping:** Landscaping requirements shall be governed by Appendix C of this ordinance, Commercial Design Standards.
- (g) **Parking and Loading Requirements:** Parking and loading requirements shall be governed by Appendix C of this Ordinance, Commercial Design Standards.
- (h) **Size and Ownership:** The site must be under single ownership and/or unified control.
- (i) **Lighting:** Lighting requirements shall be governed by Appendix C of this ordinance, Commercial Design Standards.
- (j) **Stormwater Management:** The Planned Development shall adhere to the requirements of the MCSMO. In particular, the design shall incorporate a strategy to meet the ordinance release rate requirements, to minimize the increase in runoff volumes and rates, and to address the identified water quality treatment requirements of the ordinance. The applicant shall use appropriate best management practices as presented in the MCSMO *Technical Reference Manual* and the following hierarchy in preparing a drainage plan suitable for the development site. These practices shall be given preference in the site plan according to the following sequence:

- (i) Preservation of natural resource features of the development site (e.g. floodplains, wetlands, isolated waters of McHenry County, prairies and woodlands);
 - (ii) Preservation of the existing natural streams, channels and drainage ways;
 - (iii) Minimization of impervious surfaces created at the site (e.g. narrowing road width, minimizing driveway length and width, clustering buildings, shared driveways and parking facilities);
 - (iv) Use of natural landscaping as an alternative to turf grass;
 - (v) Use of open vegetated swales, bio-swales, filter strips, rain gardens and infiltration devices to convey, filter and infiltrate stormwater runoff;
 - (vi) Preservation of the natural infiltration and storage characteristics of the site (e.g. disconnection of impervious cover and on-lot bio-retention facilities); and
 - (vii) Structural measures that provide water quality and quantity control.
- (k) **Stormwater Design:** In addition, the stormwater and site design approach shall comply with the following:
- (i) The required stormwater management area shall be configured and developed with native wetland and prairie plantings and fit into the overall appearance of the open space as determined by the Village.
 - (ii) All stormwater detention/retention management areas shall be developed as a separate outlot that is not part of an individual building lot and shall be dedicated as a conservation easement or nature preserve to a legal entity approved to hold property as such.
 - (iii) Rooftop runoff and sump pump discharge shall be directed to pervious areas, such as yards, open space, grassed swales or vegetated areas, via sheet flow or in a similar diffused manner.
 - (iv) Where curb and gutter designs are determined by the Village to be necessary, creative approaches, where feasible, shall be implemented to convey runoff through curb cuts and similar designs into swales and bio-swales.
- (l) **Wastewater Treatment and Disposal:** The most appropriate wastewater treatment option shall be selected and implemented based on its ability to ensure groundwater recharge, beneficial reuse of nutrients, protection of groundwater quality, protection of surface water quality, and protection of environmentally sensitive environments. An alternatives analysis of wastewater treatment options shall be completed for all Retail PDs to determine the most appropriate treatment option for each specific site.

The analysis shall evaluate shallow groundwater flow direction, projected wastewater flows, projected strength of the wastewater, sensitivity of the receiving environment, recharge capability, potential cumulative impact of the chemical, organic, nutrient and bacterial loading on groundwater, and lifetime cost of the system. The analysis also shall evaluate and identify the most appropriate treatment

and disposal option that are consistent with state and federal anti-degradation policies. In particular, the analysis shall evaluate options that best protect groundwater, wetlands, and surface waters from increased concentrations of nutrients and related pollutants that may impact aquatic life, native plant diversity, and related uses.

The wastewater treatment system shall comply with Article X of the *McHenry County Public Health Ordinance*. Sites utilizing IEPA permitted technology shall conform to all of the requirements of the agency and receive all applicable permits prior to approval.

6.5-6 **Market Analysis:** If the site is not zoned for Retail PD purposes at the time of submittal of the sketch plan, a market analysis and fiscal impact analysis of any proposed retail development must be submitted with the sketch plan and application for rezoning.

6.5-7 **Retail PD Application Process:** A Retail PD is more complex and of a different character than other special uses requiring the establishment herein of specific and additional procedures, standards and exceptions to govern the recommendation of the Planning and Zoning Commission and the action of the Board of Trustees.

6.5-8 **Filing Requirements for Sketch Plan:**

(a) **Filing:** A sketch plan shall be filed with the Village Clerk no less than 20 days prior to a regular meeting of the Planning and Zoning Commission. The Village Clerk shall report the filing and present the plan to the Planning and Zoning Commission. Prior to the Planning and Zoning Commission's consideration of such sketch plan, the owner of the subject property shall submit a filing fee of \$1,000.00 and enter into a Reimbursement of Fees Agreement in accordance with Section 9.02 of the Bull Valley Municipal Code. Such Reimbursement of Fees Agreement shall be maintained and remain in full force and effect for the duration of the development process including sketch, preliminary and final plat stages.

(b) **Contents:** The sketch plan shall contain the following information and depictions:

(i) Identification:

- a. The name, address and telephone number of the owner, the engineer and any other contact persons.
- b. The existing zoning classification and zoning classification of all adjacent properties.

(ii) Delineation of existing and proposed conditions:

- a. Existing property lines and roads. Survey and legal description.
- b. Proposed lot lines and roads.
- c. Existing improvements, e.g. structures, septic systems, wells, sewer.
- d. Proposed improvements e.g. structures, walkways, open spaces, common spaces, etc. in general renderings but sufficient to permit evaluation of the project's compliance with the Village Comprehensive Plan and zoning ordinances.
- e. Existing natural features on the property shall be described by the submittal of a Natural Resource Information Report (NRI) prepared

by the McHenry County Soil and Water Conservation District, and obtained by the owner.

- f. An aerial photograph (available at McHenry County Planning and Development Department or the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) in Woodstock), taken in the last 10 months, on which the property is outlined and which includes adjoining lands up to one-half mile from the perimeter of the proposed Retail PD, reduced to an 11-inch by 17-inch exhibit.
- g. An Endangered Species Consultation Program Agency Action Report application and a map delineating the location of the proposed Retail PD shall be submitted to the IDNR. A copy of that application and the IDNR's report in response to the application shall be submitted to the Village prior to approval of the sketch plan.

(c) **Action:**

- (i) The Planning and Zoning Commission shall review the sketch plan and any related materials for consistency with the Village Comprehensive Land Use and Preservation Plan, as amended from time to time, within the time frame permitted by Illinois law and make recommendations to the Village Board and owner.
- (ii) The Planning and Zoning Commission shall review the sketch plan for compliance with this ordinance. No action shall be taken on any preliminary plan filed under Section 6.5-9 until a sketch plan has been filed and considered by the Planning and Zoning Commission.
- (iii) In its review, the Planning and Zoning Commission may make recommendations of a general nature with regard to consistency of the sketch plan with the Comprehensive Plan and this Ordinance. The Planning and Zoning Commission may, alternatively, choose to request additional information, drawings and reports, and recommend that the petitioner submit this material at subsequent meetings.
- (iv) If the proposed Retail PD, in the opinion of the Planning and Zoning Commission, raises significant questions as to its effect on the aquifer from which it will draw due to potential loadings of pollutants which would adversely affect either human health at homes which draw water from the aquifer or the stability of nearby ecological communities, or the potential to negatively impact wells in the area, the Planning and Zoning Commission, upon the advice of the Village's designated engineer or ecologist, may recommend that soil borings within the proposed Retail PD be undertaken or groundwater and/or monitoring wells be established to furnish hydro-geological data. In the event monitoring wells are required, data collection may be required for a minimum period of 12 months for observation of seasonal fluctuations. Such data collection would be required in advance of any review and vote on a preliminary plan. The cost of such data collection, the establishment of monitoring wells or undertaking of soil borings shall be borne by the owner of the subject property.

6.5-9 Procedure for Filing of Preliminary Plan.

(a) Filing Requirements:

- (1) After the Planning and Zoning Commission has reviewed and considered the sketch plan, the owner shall file 24 copies of a preliminary plan which shall be drawn to a scale of a least one inch to 100 feet and folded to approximately nine inches by 12 inches in size, with the Village Clerk and one copy with the chair of the Board of Trustees' Committee on Roads and Bridges. The Village Clerk shall report the filing and schedule the plan for the Planning and Zoning Commission. All documentation must be received no less than 10 days prior to the scheduled meeting or the plan will be rescheduled for the next meeting.
- (2) A filing fee of \$5,000, plus \$1000 for each building in the proposed Retail PD shall also be paid at the time of filing the preliminary plan. This filing fee is in addition to the Reimbursement of Fees deposit required by Section 9.02 of the Bull Valley Municipal Code.
- (3) Sufficient supporting data, plans or information to indicate the extent and nature of the proposal and that the project is ready for public hearing.
- (4) The Preliminary Plan shall designate all facilities and features to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings and shall include:
 - i. boundary lines (bearing and distances);
 - ii. easements-existing and proposed (location, dimensions and purpose);
 - iii. streets on and adjacent to the tract (existing and proposed streets, with street names, right-of-way width, existing or proposed center line elevations, pavement type, walks, curbs, gutters, culverts, bike paths, etc);
 - iv. utilities on and adjacent to the tract (location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone lines, and street lights; direction and distance to and size of the nearest usable water mains and sewers adjacent to the tract showing invert elevation of sewers);
 - v. ground elevations on the tract for land that slopes less than one-half percent, show one-foot contours; for land that slopes more than one-half percent, show two-foot contours, also show spot elevations at all breaks in grades, along all drainage channels or swales, and at points of special significance;

- vi. subsurface conditions on the tract (location and results of tests made to generally ascertain subsurface soil, rock and ground water conditions; depth to ground water.
 - vii. other conditions on the tract - water courses, flood plains, marshes, rock outcrop, wooded areas, houses, barns, accessory buildings, and other significant features;
 - viii. other conditions on adjacent land - approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of major buildings, railroads, power lines, towers, and other non-residential land uses or adverse influences; for adjacent platted land, refer to subdivision plat by name and show approximate percent build-up, typical lot size, and dwelling type;
 - ix. zoning - show zoning districts on and adjacent to the tract;
 - x. proposed public improvements - highways or other major improvements planned by public authorities for future construction on or near the tract;
 - xi. open space - all parcels of land intended to be dedicated for public use or reserved for the use or benefit of all property owners with purpose indicated, including but not limited to common open space, recreational facilities, parking areas and service areas;
 - xii. structures - general location, purpose and height, in feet or stories, of each building other than single-family residences on individually platted lots;
 - xiii. map data - name of development, name of site planner, north point, scale, date of preparation and acreage of site;
 - xiv. tree preservation plan pursuant to Chapter 12.14-k of the Bull Valley Municipal Code.
 - xv. miscellaneous - such additional related information as may be required by the Planning and Zoning Commission.
- b. Objectives - A statement of planning objectives to be achieved by the Retail Planned Development. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices of the developer.
 - c. Character - Explanation of the character of the Retail Planned Development and the manner in which it has been planned to take advantage of the

flexibility of these regulations and incorporate Design Standards of Appendix C of this ordinance.

- d. Ownership - Statement of present and proposed ownership of all land within the project, owners of beneficial interests, including present tract designation according to official records in offices of the County Recorder of Deeds. A certificate shall be furnished that there are no delinquent taxes or unpaid contractors or material men who have either labor or materials to the subject property constituting a lien on the whole or any part of the property.
- e. Names - The names and addresses of the persons who last paid taxes on all property adjacent to, contiguous to, or across any road from the property proposed for development.
- f. Schedule - Development schedule indicating:
 - i. stages in which project will be built, including but not limited to, infrastructure, primary structures, density, use and public facilities such as open space recreational facilities and other amenities to be developed with each stage; overall design of each stage shall be shown on the plat and through supporting graphic material;
 - ii. scheduling of the various stages of development with an approximate time frame;
 - iii. if different residential use types are to be included within the PD, the schedule must include the mix of uses to be built in each stage.
- g. Covenants - Proposed agreements, provisions or covenants which will govern the use, maintenance and continued protection of the Planned Development and any of its common open space.
- h. If applicable, Residential Density - Provide information on the density of residential uses, including the number of dwelling units per acre, the number of dwelling units by housing type, compliance with the Bull Valley Affordable Housing Ordinance.
- i. Provide information on the type and amount of common open space and long-term management plan for its maintenance and upkeep.
- j. Service Facilities - Provide information on all service facilities and off street parking facilities including comprehensive fire protection systems.
- k. Architectural Plans - Preliminary architectural plans for all buildings shall be permitted in sufficient detail to permit an understanding of the style of the development, the design of the building and the number, size and type

of units. Also, provide floor area of building types and total ground coverage of building.

- l. Landscape Plans - Preliminary plans for plant materials, earth sculpture, water, berming, and screening features shall be submitted. Native plantings must comprise 90% of all vegetation. Short grass lawns must be kept to a minimum.
- m. Facilities Plans - Preliminary plans or information adequate to indicate that the proposed development can be serviced, shall be submitted for:
 - i. roads, including classification, width of right-of-way, width of pavement, and typical construction details;
 - ii. sanitary sewers if applicable
 - iii. storm drainage; subject to a County Storm Water Ordinance permit
 - iv. water supply system; results of any soil borings or test well reports requested during pre-application procedure.
- n. Lighting Program; compliance with lighting requirements of Chapter 27 of the Bull Valley Municipal Code and Appendix C, Commercial Design Standards of this ordinance.
- o. Sidewalks, paths and non-motorized cycle trails.
- p. Public utilities.
- q. School Impact Study - Provide information on the student load and financial impact on the local school districts if any, including expected scheduling of potential students.
- r. Tax Impact Study - Provide information on the taxes to be generated by the proposed project and the cost to the various taxing bodies to provide the necessary services to the project.
- s. Traffic Analysis - Provide information on the adequacy of the local transportation and thoroughfare system to handle anticipated traffic volumes generated by the PD. Also an analysis should be made of the adequacy of the internal vehicular circulation pattern.
- t. Market Study - Evidence should be presented showing the need and feasibility of the proposed development, including information on land utilization and marketing potential, unless waived or excused by the Planning and Zoning Commission upon application of the developer.

- (5) The Village Clerk shall report the filing and present the preliminary plan to the Board of Trustees, and the Board of Trustees shall refer the matter to the Planning and Zoning Commission. The Planning and Zoning Commission shall hold a public hearing on the application in accord with the procedures of Section 13.7.
 - (6) Following the public hearing and review of the Preliminary Plan and supporting data for conformity to these regulations, the Planning and Zoning Commission shall, within 30 days, unless an extension is requested by the petitioner, recommend approval, modification or disapproval and the reasons therefore, or indicate why a report cannot be rendered to the Village Board. The Planning and Zoning Commission shall include consideration of the following:
 - a) In what respects the proposed plan is consistent with the stated purpose of the Planned Development regulations.
 - b) The extent to which the proposed plan meets the requirements of the Planned Development regulations and Design Standards of Appendix C.
 - c) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to the density, dimension, area, bulk and use, and the reasons by which such departures are deemed to be in the public interest.
 - d) The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space, and furthers the amenities of light and air, recreation and visual enjoyment.
 - e) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.
 - f) The desirability of the proposed plan as regards the physical development, tax base and economic well-being of the Village.
 - g) The conformity with the intent and spirit of the Planning Objectives of the Village.
 - (7) The Village Board shall instruct the Village Engineer and/or Village Planner to consult with the owner, the Planning and Zoning Commission in designing and planning for the construction of streets, other public improvements required by this Ordinance and any other ordinances as are otherwise appropriate, and the layout of buildings in the context of the general natural features of the subject land. The owner shall pay the fees of the planner and engineer for such consultation prior to action being under taken on the final plat.
- (b) **Process Qualifications for Approval by the Planning and Zoning Commission:**
The following qualifications shall govern approval of the preliminary plan:

- (1) The Planning and Zoning Commission shall, after receiving the preliminary plan, hold such deliberations and request additional information as it deems necessary to show compliance with the ordinances of the Village. All required materials must be received at least ten days prior to the Planning and Zoning Commission session at which it is to be considered. If the proposed plan is not satisfactory as presented, the applicant will be permitted to make changes and additions to meet the requirements of this Ordinance before the Planning and Zoning Commission submits a recommendation to the Village Board.
- (2) The recommendation of approval or disapproval of the plan shall be in writing and include any conditions of approval or the reasons for disapproval and the roll call vote. A recommendation of disapproval shall not prohibit the applicant from seeking Village Board's approval on the preliminary plan.
- (3) After the Village Board is satisfied that the preliminary plan is in accordance with the requirements of this Ordinance, and the Planning and Zoning Commission has inspected all phases of the improvements, and made its recommendation, the Village Board may accept, modify or reject the recommendation of the Planning and Zoning Commission on its actions on the plan. The Board of Trustees may require such special conditions in the approval of the preliminary plan as it may deem necessary to ensure conformity with the intent of all comprehensive plan elements and requirements of Village ordinances. Upon rejection of the preliminary plan, it shall be returned to the applicant with a written statement setting forth reasons for such disapproval. An approved preliminary plan shall remain on file with the Village Clerk.
- (4) Approval is tentative only, involving merely the general acceptability of the layout as submitted. Such approval shall be effective for a maximum period of 12 months, unless, upon application of the owner, the Village Board grants an extension. If the final plat has not been recorded within this time limit, the preliminary plan must again be submitted for approval.
- (5) Separate approval by the Village Engineer as to the proposed provisions of the owner's engineer for drainage, sewage disposal, water supply, gas and electric service, street lighting, fire protection and street improvements.
- (6) One print of the approved drawing, executed by the President and attested by the Village Clerk, shall be retained in the Village Clerk's office and two copies in the office of the Village Engineer. One executed copy is sufficient to authorize the owner to proceed with the preparation of plans and specifications for the improvements required herein, and to proceed with the preparation of the final plat.
- (7) The applicant shall provide a copy of the written approval or disapproval by the relevant local highway authority with respect to road way access and the local health department with respect to approval of a well and septic system for that part of the platted property which will not be served by a public water and sewer system.

- (8) Contents: In the event that a preliminary plan or final plat of Retail PD depicts an improvement over or upon a transmission pipeline or transmission easement, the owner shall provide written evidence of approval for such improvements by the owner of such pipeline as a condition for approval by the Village.
- (c) **Approval Just for Preliminary Plan.** Preliminary plan approval shall not constitute approval of the final plat. Rather, it shall be deemed an expression of preliminary approval of the layout submitted on the preliminary plan and a guide to the preparation of final plat documents, which will be submitted for the Village's approval.

6.5-10 Submission of Final Plat.

- (a) **Filing Requirements:** After approval of the preliminary plan by the Planning and Zoning Commission, the final plat, suitable for recording, may be submitted to the Village Board for approval at the next regular Village Board meeting that is no less than 30 days from the date of approval of the Preliminary Plat. The final plat shall contain, in addition to requirements of the preliminary plat, an accurate legal description of the entire area, and of each subdivided or unsubdivided area, and showing in detail the design, location and use of all structures, facilities and site improvements. A final construction schedule shall be submitted for the development or portion of development for which approval is being requested. Before the Village Board will consider approving the final plat the following requirements shall have been met or accompany the submittal:
 - (1) Fees: A filing fee of \$5,000, shall be paid at the time of filing the final plat. This filing fee is in addition to the Reimbursement of Fees deposit required by Section 9.02 of the Bull Valley Municipal Code.
 - (2) The Village Engineer must certify in writing that the Retail PD improvements described in the owner's plans and specifications comply with all ordinances of the Village, and all applicable laws, rules and regulations of the federal, state and county governments.
 - (3) The owner must submit written certification from all appropriate federal, state and county agencies that any and all permits required for the construction of the Retail PD improvements have been issued, including, but not limited to, any permits required to be issued by the United States Environmental Protection Agency and the Illinois Environmental Protection Agency.
 - (4) All fees, donations, deposits, bonds or letters of credit required to be paid or made by the owner under the provisions of this and any other applicable ordinance shall have been so paid or made.
 - (5) Guarantee Deposit: A deposit shall be made to the Village in cash, or maintenance bond equal to 130 percent of required land improvements. This deposit shall be a guarantee of satisfactory performance of the facilities constructed within the Planned Development and shall be held by the Village for a period of 18 months; the deposit shall be refunded if no defects have developed or, if any defects have developed, the balance of such deposit shall be refunded after reimbursement for amounts expended in

correcting defective facilities. No deposit shall be refunded until the developer applies therefore in writing. The Village Board shall approve the release of any funds in writing

- (6) During the review process the Planning and Zoning Commission, Village Engineer or the Village Board may require such changes or revisions as may be required so the final plat will conform to this Ordinance and other applicable ordinances of the Village and substantially comply with the approved preliminary plat.
- (7) The Village Engineer shall submit an approval letter to the Village Board that all engineering comments have been addressed as to adequacy of the storm water management plan, street system, bike path, street lighting, parkway trees and other appurtenant public improvements described in the preliminary engineering report for the proposed Retail PD prior to signature of the final plat.
- (8) Planning and Zoning Commission approval has been received.
- (9) The applicant shall provide a copy of the written approval or disapproval by the relevant local highway authority with respect to road way access and the local health department with respect to approval of a well and sewage disposal system for that part of the platted property which will not be served by a public water and sewer system.
- (10) Common Open Space documents: All common open space shall be either conveyed to a business corporation, N/F/P corporation or trust established for the purpose of benefitting the owners and residents of the planned development or retained by the developer with legally binding guarantees, in a form approved by the Village Attorney, that the common open space will be permanently preserved as open area. All documents reserving, creating or otherwise allocating open space, rights-of-way, easements or other common lands shall be submitted to the Village Attorney for his review and approval. No such document shall be entitled to recordation without the endorsement of approval by the Village Attorney. All land conveyed to a corporation or like entity shall be subject to the right of said corporation to impose a legally enforceable lien upon all benefitted properties for maintenance and improvement of the common open space. Any such conveyance shall also contain a covenant that the Village shall have a legally enforceable lien upon all benefitted properties for the maintenance of the open space in the event of a default by a managing corporation, and further that any maintenance by the Village shall not constitute acceptance of such open space as a public right-of-way or as a tacit dedication thereof.
- (11) Public Facilities: All required land improvements made necessary as a result of the Planned Development shall be either constructed in advance of the approval of the final plat or the developer shall post a cash bond or surety bond to guarantee construction of the required land improvements. The subdivider's cash bond, payable to the Village of Bull Valley, shall be sufficient to cover the full cost of the required land improvements plus 20

percent. The cost of all required land improvements shall be certified by a registered professional engineer. Detailed construction plans shall be submitted for all required land improvements to be built and shall be certified by a registered professional engineer. In lieu of cash, the subdivider or developer may post a surety bond, written by a corporate surety, acceptable to the Village

- (12) Covenants: Final agreements, provisions or covenants which will govern the use, maintenance and continued protection of the Planned Development shall be recorded in the office of the Recorder of Deeds at the same time as the final Planned Development Plat.
- (b) **Board of Trustees Action:** Provided that all the conditions of have been fulfilled, and all fees paid, action shall be taken by the Board of Trustees on the later to occur on 90 days after the final plat has been submitted for approval or 90 days after all the conditions of Section 6.5-5 have been met. The Village Board may approve, modify or disapprove the final plat, or may refer it back to the Planning and Zoning Commission. Approval shall not be deemed to constitute or effect an acceptance by the Village of liability for the construction, repair or maintenance of any dedicated street or other proposed public way or space shown in the plat prior to the time otherwise provided for herein.
- (c) **Acreage Fee:** At the time of the approval and before the recording and filing of the approved final plat an acreage fee determined by the Village Board, per acre shall be made by the owner to the Village to cover the intangible costs to the Village attributable to the development. The President and Board of Trustees may determine the method of payment and grant an extension on the time of the payment at their discretion.
- (d) **Recording:** Upon approval by the Village Board, the owner shall record the plat with the Recorder of Deeds no later than six months thereafter, and if not recorded within that time, the approval shall be null and void and the land shall not be developed. Final agreements, provisions or covenants governing the use and maintenance of the Retail Planned Development shall be recorded in the office of the McHenry County Recorder of Deeds at the same time the final plat is recorded.
- (e) **Building Permits:** No building permit shall be issued on any lot until all fees are paid and the final plat has been filed, approved and recorded, and all required public improvements and infrastructure are installed and functioning properly, including but not limited to street base/binder course, stormwater detention/retention facilities, storm sewers and essential private utilities.
- (f) **Extensions:** The final plat must be submitted to the Village Board or action within one year of the approval of the preliminary plat. The Board of Trustees may grant an extension for final plat approval up to one year. If the plat is not so submitted for action within one year after the approval of the preliminary plat, or, said plat having been so submitted within said time, is not so recorded within 60 days of said approval, or if it is recorded but construction does not so commence within one year after the date of such recording, then, in any of those events, the PD Special Use granted hereby shall be deemed and shall be automatically revoked and canceled. If there is no underlying zoning classification on the property, the Planning and

Zoning Commission shall recommend to the Village Board such zoning classification as it deems in the public interest, and the Village Board shall thereupon, by appropriate ordinance, reclassify the property to the appropriate zoning classification in accordance with Illinois law and consistent with the Village Comprehensive Land Use and Preservation Plan.

- (g) **Recording Related Documents:** Final agreements, provisions or covenants governing the use and maintenance of the Retail PD shall be recorded in the office of the McHenry County Recorder of Deeds or its successor at the same time the final plat is recorded.
- (h) **Unique Property Features:** In the event the property to be developed contains unique topographical conditions, or a literal application of this Ordinance would cause undue and/or unique hardship, or where any other reasonable detriments prevail, the owner of record may request a variation from such application, provided the variation is in substantial conformance with the recommendations of the Planning and Zoning Commission. The proposed variation shall require a public hearing before the Planning and Zoning Commission, at which time evidence will be submitted. Prior to the hearing the owner shall be required to send notice to adjacent property owners via certified mail and publish notice of the public hearing pursuant to Section 13.8 of this ordinance. The Planning and Zoning Commission shall include its recommendation regarding the requested variation to the Board of Trustees at the time it recommends approval or disapproval of the plat.
- (i) **Conditions and Guarantees:** The Board of Trustees, as a condition of approval of a final plat, may require such evidence and guarantees as it deems necessary to insure that the condition of approval, all requirements of this Ordinance and all provisions of the subject PD are being, and will continue to be, complied with and all required valid deed restrictions shall be recorded in the office of the McHenry County Recorder of Deeds.
- (j) **Appeal Process:** Any applicant or other person who disagrees with the determination of the Planning and Zoning Commission may file an appeal with the Board of Trustees requesting it to reconsider its determination on the special use application. Upon receipt of said appeal, the Board of Trustees shall schedule and hold a new hearing on the special use/planned development application. Notice of the hearing shall be made in accordance with and in the same manner as if it were a rezoning hearing before the Board of Trustees. At the hearing, the Board of Trustees will consider the evidence and witnesses presented by the applicant and any evidence and witnesses presented by any objectors. The proceedings shall be transcribed by a certified court reporter at the sole cost of the applicant and the Village shall maintain a full record of the proceedings. After all the evidence is presented, the Board of Trustees shall make a determination on the appeal. Any party dissatisfied with the Board of Trustees' action has the right to appeal to the 22nd Judicial Circuit Court of McHenry County.

6.5-11 **Changes in the Retail PD.** Changes to the recorded Retail PD may be made as follows:

- (a) **Major Changes:** Changes which alter the concept or intent of the Retail PD including, but not limited to, increases in density, increases in the height of buildings, reductions of proposed open spaces, changes in road standards; or

changes in the final governing agreements, provisions or covenants, may be approved only by submission of a new final Retail PD plan and supporting data and following the “final plat” procedure. All changes to the “original” final plat shall be recorded with the Recorder of Deeds as amendments to the final plat, or reflected in the recording of a new “corrected” final plat.

- (b) **Minor Changes:** The Board of Trustees may approve minor changes in the retail PD which do not change the concept or intent of the development. A minor change shall be any change not defined as a major change (see Section 6.5-11(a)).
- (c) The Board of Trustees shall determine what other changes constitute a major change, which definition may change from time to time. What constitutes a major change is determined case by case by the Board and is not intended to create a precedent for what constitutes a major change at a later time.

6.5-12 **Exceptions:** The Retail PD may depart from strict conformance with the required density, dimension, area, height, bulk, use and other regulations for the standard zoning districts and other provisions of this Ordinance to the extent specified in the preliminary plan and documents authorizing the Retail PD so long as the Retail PD will not be detrimental to or endanger the public health, safety, morals, comfort or welfare of any adjacent neighborhoods or the general public and if it promotes the quality and character of the proposed development. Any such departure from design standards shall be allowed only on the written recommendation of the Planning and Zoning Commission and the formal approval of the Board of Trustees. Such exceptions will be based on the specific characteristics of the proposed Retail PD and the underlying zoning classification, and a such are specific to the proposed PD and do not create precedent for any other proposed Retail PD.

6.5-13 **Failure to Begin a Retail PD:** If no substantial construction has begun or no use established within two years after approval of a Retail PD by the Board of Trustees, the special use permit for the Retail PD shall be declared null and void and the project shall not be initiated unless it is resubmitted and re-approved in the same manner that it was approved in the first instance.

APPENDIX A

Table of Uses

- (a) **Preferred Uses.** The following uses are preferred, first tier uses that may be considered within a Retail PD. However, a use (or uses) may be rejected in a subsequent Retail PD if the use is already established in a previous Retail PD.

Appliance sales and service	Office supply sales and
Bakery	print/copy services
Card and gift store	Pharmacy
Clothing/shoes	Restaurant/bar
Convenience store with an automobile service station	Specialty shops/boutique style
Computer sales and service	Sporting goods store
Deli	Specialty coffee drinks
Department/variety store	Coffee shop
Furniture sales and service	Ice Cream shop
Garden center	Bicycle shop
Grocery store (specialty foods)	Bookstore
Jewelry Store	Cellphone sales and service
Liquor Store	Fruit and vegetable store
	Paint and wallpaper store

- (b) **Second Tier Uses.** The following uses are second tier uses that may be considered in limited circumstances and numbers where appropriate as ancillary uses to the primary, first tier uses. Each use will be considered on its own merits. It is preferred that those uses with an asterisk be located on the second story of buildings.

Alterations*	Floor covering sales
Beauty/barber shop	Florist
Catering service	Gifts, stationery
Delicatessen	Hardware store
Dressmaker, tailor*	Health food store
Food Services:	Hobby shop
Personal Services:	Household furnishings
Interior decorating studio	Leather goods and luggage
Locksmith*	Magazine, news stand
Photography studio*	Music, instruments (lessons and recordings*)
Professional Offices (only above first floor)	Office equipment sales
Retail Sales:	Tobacco
Antique store	Toys
Art gallery, art supplies	Video rentals
Auto parts, accessories	Watch, clock sales and repair
Butcher shop, meat market	Temporary (by special permit only)
Craft studio	Contractor's office and equipment storage, only during construction
Dry goods, retail	Seasonal sales
Fish market	

No discount stores, wholesale stores, second hand/resale shops, fast food or take-out only restaurants.

APPENDIX B

Recommended Building Materials

ELEMENT	RECOMMENDED	NOT RECOMMENDED
Façade	Common red brick, single color	Multi-colored brick
	Bare (consistent tone)	Imitation brick siding
	Painted (approved color)	Painted concrete block
	Special masonry units	Plain (bare concrete masonry units)
	Textured concrete block	Metal siding
	Integrally Colored concrete block	Exterior Insulation Finish systems
	Split-faced block	Vinyl siding
	Natural stone/imitation stone Hardy Board	
	Wood clapboard in limited instances	Asphalt siding
	Wood shingle in limited instances	
Trim	Wood (painted or stained)	Bare wood
	Finished grade	Lumber grade
	Aluminum	
Windows	Anodized aluminum frame	
	Approved color	
	Wood frame	
	Painted or stained approved color	
	Vinyl clad	
	Expressed lintels (or openings)	Steel plate or angle
	Brick	
	Limestone	
	Colored concrete	
	Clear, etched or frosted glass	Mirrored glass
Stained glass		
Roof	Natural slate	
	Standing metal seam	
	Small seam width, approved color	
	Asphalt shingles	
	Parapet caps/chimney caps	
	Stone, pre-cast concrete or limestone	
Other	Canvas awnings	Plastic awnings
	3 color maximum, approved colors	
	Permeable pavers/materials	Asphalt walkways and other impermeable materials
	Stamped or poured concrete	
	Brick or colored paving stone	

APPENDIX C
Design Standards for Commercial Development

- A. Introduction
- B. Purpose
- C. Application and Process
- D. Definitions
- E. General Design Guidelines and Standards
- F. Site Layout
- G. Pad Sites
- H. Free Standing Kiosks
- I. Focal Point Required
- J. Site Amenities
- K. Crime Prevention
- L. Connectivity to Surrounding Land Uses
- M. Operational Compatibility Standards
- N. Vehicular Access and Circulation
- O. Pedestrian/Bicycle Access and Circulation
- P. Parking
- Q. Building Design
- R. Landscape and Screening
- S. Lighting
- T. Signage

A. Introduction:

At the time of this writing, the Village of Bull Valley is a blank slate with respect to commercial development. Aside from some commercial boarding stables and a couple of golf/country clubs, there is no commercial development in the Village. This provides the opportunity to build a strong base of acceptable standards that compliment and support the Village character.

The Comprehensive Plan adopted in December 2011 includes certain areas of the Village where commercial development, specifically retail development, is encouraged and will be actively pursued.

B. Purpose:

To implement the Bull Valley Comprehensive Land Use and Preservation Plan (Comprehensive Plan) in providing for retail development in the Village that serves Village residents needs and provides income to the Village while conforming to and enhancing the natural environment and rich ecological heritage that defines the Village character.

- a. To provide clear, quantitative review standards that are easy to administer and offer certainty to developers while maintaining a requisite degree of design flexibility to allow and encourage creative site and building design.
- b. To create a distinctive style and feel for commercial development in the Village that is easily identified as “Bull Valley.”

- c. To create a style that is not dictated by franchise architecture and is guided by unique, individualized building design decisions.

C. Application and Process:

- a. These Design Standards shall be applied, as applicable, in the normal review processes for site plans, and development plans for all Planned Unit Developments, Retail Planned Developments, Mixed Use Developments and any freestanding commercial development.
- b. The text indicates whether the proposed criteria are a guideline or a standard. Guidelines (“should”) are advisory, but strongly recommended; and standards (“shall”) are mandatory.
- c. To achieve uniformity and harmony within the development, preliminary plans shall include all contiguous land under the developer’s control, including land that is zoned other than retail commercial.
- d. New development shall work with the natural environment by preserving and integrating natural features, including mature trees. Native trees and vegetation shall comprise no less than ninety percent 90% of landscaping.
- e. In the event of conflict in these provisions or between these provisions and other sections of the Bull Valley Zoning ordinance, the more restrictive provision will control.

D. Definitions

As used in this document, the following terms shall have the following meanings:

Adjacent or Abutting—To physically touch or border upon, or to share a common property line or border. "Adjacent" or "abutting" shall include properties or uses that are separated by a drive, street, or other public-dedicated right-of-way.

Arcade—A series of arches supported on piers or columns.

Berm—An earthen mound designed to provide visual interest, screen undesirable views, decrease noise, and/or control or manage surface drainage.

Block Face—The properties abutting one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse or Village boundary.

Buffer—Open spaces, landscaped areas, fences, walls, berms, or any combination thereof, used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

Building Form—The shape and structure of a building as distinguished from its substance or material.

Building Mass—The three-dimensional bulk of a building height, width, and depth.

Building Scale—The size and proportion of a building relative to surrounding buildings and environs, adjacent streets, and pedestrians.

Commercial Center, Large—A "large commercial center" contains one or more commercial buildings or establishments with 50,000 square feet or more (gross floor area).

Commercial Center, Small—A "small commercial center" contains one or more commercial buildings or establishments and all the buildings in the center contain less than 50,000 square feet (gross floor area).

Commercial—All retail, restaurant, service, hotels, motels, office or light industrial uses.

Façade—Front or principal face of a building, and any side of a building that faces a street or other open space.

Fence—An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Floor Area Ratio—The relationship of the total gross floor area of a building to the land area of its site, as defined in a ratio in which the numerator is the gross floor area, and the denominator is the site area.

Foot-candle—A unit of measurement used to determine the amount of light incident on a surface, also known as "illuminance." One foot-candle (1 fc) is equivalent to one lumen evenly distributed over one square foot of surface area at a distance of one foot (1'). Foot-candle measurements can be taken with a handheld light meter.

Guidelines—Shall mean advisory regulations. Guidelines are indicated by use of the terms "may" and "should."

Thoroughfare Street—"Thoroughfare Street" shall mean streets designated by the Village's Master Plan as thoroughfares (arterials).

Major Tenant—Within a commercial center that does not fit the definition of "Large Commercial Center," any user or tenant containing 15,000 square feet or more of gross floor area. Where more than one user or tenant in such a center contains more than 15,000 square feet, the user or tenant with the largest amount of gross floor area shall be considered the center's "major tenant."

Maximum Extent Feasible—No feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

Maximum Extent Practicable—Under the circumstances, reasonable efforts have been undertaken to comply with the regulation or requirement, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the noncompliance.

Mixed-Use Development—A single building containing more than one principal permitted land use or a single development of more than one building containing more than one principal permitted land use. Such land uses may include office, retail, residential, or service uses such as hotels and motels. In a mixed-used development, the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of vehicular and pedestrian access and parking areas.

Natural Features—“Natural features” include but are not limited to flood plains and surface drainage channels, stream corridors and other bodies of water, steep slopes, prominent ridges, bluffs, or valleys, and existing trees and vegetation.

Orient—To bring in relation to, or adjust to, the surroundings, situation, or environment; to place with the most important parts facing in certain directions; to set or arrange in a determinate position: as in ‘to orient a building.’

Pad Site—Typically used in the context of retail shopping center development, a building or building site that is physically separate from the principal or primary building and reserved for freestanding commercial uses, each such use containing no more than 15,000 square feet of gross floor area. Typical pad site uses include, by way of illustration only, free-standing restaurants and auto services.

Primary Abutting or Access Street—The street abutting a commercial development that carries the most traffic volume. If a commercial development abuts two streets that have traffic volumes within twenty percent (20%) of each other, the applicant shall designate which street is the “primary abutting or access street.”

Primary or Principal Building— The building or structure on a commercial development site used to accommodate the majority of the principal permitted use(s). When there are multiple buildings on a commercial development site, such as in a shopping center, the primary or principal building shall be the one containing the greatest amount of gross floor area, although all buildings of similar floor area shall be considered primary buildings for parking and landscaping restrictions. Buildings sited on pad sites or free-standing kiosk/ATM machines cannot be “primary” or “principal” buildings.

Setback Line—A line, parallel to the respective lot line and internal to the lot, that defines the required building setback.

Standards— Shall mean mandatory regulations. Standards are indicated by use of the terms “shall” and “must.”

Steep Slopes— Any portion of a development site where the natural grade of the land has a slope of thirty percent (30%) or greater.

Transitions—Generally, an array of tools and techniques designed to ensure compatibility between adjoining land uses that may differ by type and in intensity, including the following techniques:

1. **Architectural Transitions**—Designing and adapting the form of a building to take into consideration neighboring buildings and land uses.

2. Landscape Buffer and Screening Transitions—The use of landscaping, berms, fences, walls, or any combination of these, to buffer and screen a more intense land use from an adjacent, less intense land use.

E. General Design Guidelines and Standards

- a. Integration with the Natural Environment: New retail/commercial development should integrate existing natural features, required open space, and existing historic structures or cultural resources located on-site into the overall design and layout of the development. In many cases existing historic structures should set the style of the overall design of the development. Existing natural features and scenic views, as well as the required common open space, should be used to create site amenities and provide physical separators and buffers from adjacent development, where needed.
- b. Surface Water: Compliance with the McHenry County Storm Water Ordinance and the Bull Valley Retail Planned Development Ordinance, Section 6.5-5 (j) and (k) is required. Perennial streams, wetlands, and their riparian corridors shall be incorporated into site plans and site designs as major amenities, with trails, seating, and appropriate supplemental vegetation. Buildings, parking areas, and other structures should be set back from such features a sufficient distance to ensure their continued quality and natural functions. Runoff shall be directed into vegetated swales planted with deep root native plantings to filter the water and avoid contamination of the aquifer below
- c. Trees and Native Vegetation: Compliance with the Bull Valley Tree Ordinance shall be required. Landscaping plans should include 90% native plantings.
- d. Lighting: Compliance with Section S below.
- e. Land Disturbance: The natural rolling and vegetated topography is a key element in distinguishing Bull Valley and defining its character. New development must respect and maintain the natural topography on a site through sensitive site organization and minimizing land disturbance. Extensive grading or unusual site improvements (e.g., large retaining walls) to force a preconceived design onto a particular piece of property is prohibited. Modifying the design of a commercial development to fit the site generally results in a reduced potential for environmental problems and an improved level of visual interest and variety. Specific requirements are contained in the Bull Valley Municipal Code, Chapter 16 Soil Erosion and Sedimentation Control.

F. Site Layout

- a. Site layout and building orientation often define the focus of activity that occurs at the front door or along the street. These standards are intended to use site planning and building orientation in order to:
 - i. Create a sense of place for users and passers-by;
 - ii. Ensure that buildings relate appropriately to surrounding developments and streets and create a cohesive visual identity and attractive street scene;
 - iii. Ensure that site circulation promotes contiguous pedestrian and vehicle circulation patterns;
 - iv. Ensure that parking areas provide safe and efficient access to buildings;
 - v. Create a unique and identifiable image for development in Bull Valley.

b. Location of Parking:

In order to reduce the scale of the paved surfaces and to shorten the walking distance between the parked car and the building, off-street parking for all commercial developments shall be located according to one of the following options:

Preferred Option: A maximum of thirty percent (30%)^{MORE?} of the off-street surface parking spaces provided for all uses contained in the development's primary building shall be located other than between the front façade of the primary building and the primary abutting street (e.g., to the rear or side of the primary building(s))

For example, creation of a "Main Street" into the development could accommodate angled parking in front of the principal buildings with the bulk of additional parking in the rear.

Alternative Option: More than seventy percent (70%) of the off-street surface parking spaces provided for all uses contained in the development's primary building may be located between the front façade of the primary building(s) and the primary abutting street, provided the amount of interior and perimeter parking lot landscaping required by Section R.f. (Parking Lot Landscaping) below is increased by fifty percent (50%).

- c. Multiple Buildings Orientation: All primary and pad site buildings shall be arranged and grouped so that their primary orientation complements adjacent, existing development and either:
- i. Frames the corner of an adjacent street intersection;
 - ii. Frames and encloses a "Main Street" pedestrian and or vehicle access;
 - iii. Frames and encloses on at least three sides parking areas, public spaces, or other site amenities.
 - iv. Alternatives. An applicant may submit an alternative development pattern, provided such pattern achieves the intent of the above standards and this section.
 - v. Strictly linear or "strip commercial" development patterns shall be prohibited.
- d. Single Tenant Single Building Orientation: A single-tenant, single building not part of a larger development, shall be oriented toward the primary abutting street and shall comply with the preferred option above for parking.
- e. Multi-Tenant Single Building Orientation: Unless part of a larger planned development a multi-tenant single building at least 50% of the "active" wall shall be oriented toward the primary abutting street and shall otherwise comply with the preferred option above for parking.
- f. Intersections: To the maximum extent practicable, within each intersection quadrant, primary buildings and/or pad site buildings shall be arranged to orient to the thoroughfare streets and to frame the corner at the intersection of the two thoroughfares. Deep building setbacks behind large expanses of parking areas or vacant land shall be avoided.

G. Pad Sites:

- a. The siting and design of smaller retail stores, or "pads," can create a more inviting appearance in a larger development by visibly reducing the project's scale and by

expanding the range of activities and businesses found within a single development. They can contribute to the development's visual interest by placing storefront spaces closer to the street and creating a street scene. Siting decisions shall further the general intent of creating a “sense of place,” utilizing focal points and site amenities.

- b. To the maximum extent practicable, pad sites shall be clustered together to define street edges and entry points or to enclose and create interesting places between buildings. Even dispersal of pad sites in a widely-spaced pattern within the development, even if along the street edge(s), is discouraged. Pad sites shall be consistent with the requirements for overall design, development pattern and site layout. Customer entrances shall be emphasized through incorporation of a building recess, projection, canopy, or similar design element.
- c. Wherever practicable, spaces between adjacent pad site buildings should be improved to provide small pockets (preferably heavily-landscaped) of customer parking, pedestrian connections, small-scale project amenities, or focal points. Examples include, without limitation:
 - i. A landscaped pedestrian walkway linking customer entrances between two or more pad site buildings;
 - ii. A public seating or outdoor eating area;
 - iii. An area landscaped with a variety of living materials emphasizing four-season colors, textures, and varieties;
 - iv. Sculptures or fountains.
- d. Significant departures from “off-the-shelf” standardized building design may be required to meet this standard. Pad site entrances are appropriate locations to express individual building character or identity.

H. Free Standing Kiosks:

Free-standing kiosk structures, like pad site structures, shall be compatible with the appearance and function of the overall commercial development and subject to the same design standards. Access shall be from drives and streets internal to the development

I. Focal Point Required:

A focal point to the development that sets its theme and defines its character is required. A focal point can consist of a distinctively designed building, which may include a pad site building, preferably with a vertical element, (but may not include a drive through facility or automobile service station); an architectural feature; public art or sculpture; fountain or other water feature; public plaza or other open space; a unique landscape feature.

J. Site Amenities

- a. Site amenities and pedestrian-scale features (e.g., outdoor plazas, street furniture, playgrounds, statuary, and sidewalk cafes) in commercial developments offer attractive spaces for customer and visitor interaction and create an inviting image for both customers and employees. The use of site amenities can also provide pedestrian spaces at the entry to buildings, can break up expanses of parking, enhance the overall development quality, and contribute to the character of an area.

- b. Site amenities and gathering places can vary widely in size, in type, and in degree of amenity. Buildings, trees, walls, topography, and other site features within a commercial development should be oriented and arranged to enclose such gathering places and lend a human scale.
- c. Site amenities may consist of any of the following:
 - i. Patio or plaza with seating area;
 - ii. Mini-parks, squares, or greens;
 - iii. Bus stops in coordination with County transit;
 - iv. Customer walkways or pass-throughs containing window displays;
 - v. Water feature;
 - vi. Clock tower; and/or
 - vii. Public art;
 - viii. Any other similar, deliberately shaped area and/or focal feature that, in the Village's judgment, adequately enhances such development and serves as a gathering place.
- d. All site amenities within a commercial development shall be an integral part of the overall design and within easy walking distance of major buildings, major tenants, and any transit stops.
- e. Any such amenity/area shall have direct access to the public sidewalk network.
- f. The amenity/area shall be constructed of materials that are similar in quality to the principal materials of the primary buildings and landscape.
- g. A site amenity may double as a focal point or may serve as a “green/open space transition” to adjacent residential areas.

K. Crime Prevention

- a. Commercial development site planning should integrate the principles of “Crime Prevention through Environmental Design” (CPTED) to the maximum extent practicable. Applicants are encouraged to consult with the Bull Valley Police Department and the Village Planning and Development Department regarding implementation of CPTED principles to commercial developments. These principles include:
 - i. Territoriality. Space within the development and along the edges should be well-defined and delineated to create a sense of ownership, such that intruders and strangers stand out. This may be accomplished through the use of pavement treatments, landscaping, art, signage, screening, fencing, and similar techniques.
 - ii. Natural Surveillance. Create an environment where it is possible for people engaged in their normal behavior to observe the spaces around them. Maximize a space's visibility through thoughtful design of building orientation, window placement, entrances and exits, landscaping of trees and shrubs, and other physical obstructions. Utilize nighttime illumination of parking lots, walkways, entrances, stairwells, and related areas that promote an environment in which natural surveillance is possible.

- iii. Access Control. Plan and implement access control to restrict criminal intrusion, especially in areas where criminal activity cannot be easily observed. Access control may include, but is not limited to, use of fences, walls, landscaping, and lighting to prevent or discourage public access to or from dark or unmonitored areas. In addition, sidewalks, pavement, lighting, and landscaping areas should use low, directed lighting to guide the public to and from primary development entrances and exits.
- iv. Activity Support. Create activity support by placing new or existing activities in an area so that individuals engaged in a particular activity become part of the natural surveillance of other areas.
- v. Maintenance. Maintain landscaping, lighting fixtures, and other features to facilitate the principles of CPTED, territorial reinforcement, natural surveillance, and access control.

L. Connectivity to Surrounding Land Uses

- a. Landscaped buffers, walls, and fences are used only when other alternative transitions are not effective, not possible, or not desirable given prevailing development patterns in a specific area. The use of alternative transitions, including the use of green/open spaces and existing natural features, are preferred.
- b. Architectural Transitions. To the maximum extent practicable, commercial development shall employ a minimum of three (3) of the following techniques to ensure compatibility with surrounding development, including adjacent residential development:
 - i. Use similar building setback.
 - ii. Use similar building height.
 - iii. Use similar roof form.
 - iv. Mitigate the larger mass of commercial buildings with façade articulation.
 - v. Use front-to-front building orientations, especially with commercial uses that are pedestrian-intensive (e.g., restaurants, banks). Other building-to-building orientations may be utilized except that a back-to-front building orientation is not an acceptable transition tool.
- c. Green/Open Space Transitions. Commercial development may employ the following technique to provide transitions and ensure compatibility between the commercial development and surrounding development:
 - i. Use small green spaces, courts, squares, parks, plazas, and similar spaces that can also function as community gathering places.
 - ii. Use existing natural features as transitions, including natural differences in topography (not retaining walls), streams, existing stands of trees, and similar features. When existing natural features are used as transitions, the Village may still require that adequate pedestrian connections to adjacent land uses be accommodated.
 - iii. Community-Serving Uses as Transitions. When office, small-scale retail, pedestrian-intensive retail, civic, or public uses are planned as part of the same development containing more intensive commercial uses, the applicant may site the lesser-intensive uses or more community-serving uses as transitions to lower-intensity, adjacent uses. For example, post offices, banks, and restaurants--all of

which are pedestrian-intensive, community-serving uses—may be sited next to adjacent medium-density residential uses.

- iv. Orient potentially bothersome or nuisance features or uses away from neighboring uses. For example, avoid placing garages, parking lots, or service areas facing the fronts of neighboring homes.
- v. Landscaping and Screening Transitions. Where other transitions tools are not possible, or where the Village determines other transition tools by themselves do not create an adequate transition to, or buffer for, less intensive land uses, landscaped buffers, walls, and fences may be considered.

M. Operational Compatibility Standards:

- a. The Village may impose conditions upon the approval of development applications to ensure that new commercial development will be compatible with existing neighborhoods and uses, including, but not limited to, conditions on the following:
 - i. Placement of trash receptacles;
 - ii. Location of delivery, storage, and loading zones; and
 - iii. Prohibition of outdoor vending machines.
 - iv. Prohibition of outdoor sound systems.

N. Vehicular Access and Circulation

- a. By creating a safe, continuous network for vehicular access and pedestrian walkways within and between developments, pedestrians will feel more inclined to safely walk, rather than drive, between stores. A pedestrian network that offers clear circulation paths from the parking areas to building entries creates a friendlier, more inviting image.
- b. The specific location of primary vehicle entrances will be determined in consultation with Township, County and State recommendations as appropriate. Entry driveway configuration and design shall be scaled to the size of the development and the capacity of the street and based on traffic volume, speed, and distribution.
- c. Internal vehicle circulation patterns shall provide a clear and direct path to the principal customer entrance of the primary building, to outlying pad sites, and to each parking area.
- d. In order to reduce pedestrian and vehicular conflicts, to the maximum extent feasible, main circulation drives shall not be located along the façades of buildings that contain primary customer entrances. In areas where the location of access points and the configuration of the main circulation drives indicate that traffic volumes will not be excessive, drives may contain directly-accessing parking spaces and may be located along façades containing primary customer entrances.
- e. To the maximum extent feasible, the intersection of two main circulation drives shall be designed as a “t” intersection, rather than a four-legged intersection, to minimize vehicular conflicts. Internal intersections shall have adequate sight lines, design geometrics, and/or traffic controls to minimize accident potential.
- f. In small developments where traffic volumes are lower and, consequently, pedestrian-vehicular and vehicular-vehicular conflicts are less likely, more flexibility is available in the location and design of internal drives and access points.

- g. On-Site Truck Traffic/Loading and Circulation/Public Transportation. Every commercial development will be required to provide loading and delivery facilities separate from customer parking and pedestrian areas.
- h. Due to their greater size and lower maneuverability, truck and bus circulation paths should be designed with larger curve radii and more maneuvering room. As the size of the development and the volume of vehicles increases, internal circulation patterns should reflect an increasing separation between automobile and truck/bus traffic in order to minimize accidents and congestion.
- i. To the maximum extent feasible, connections between adjacent nonresidential development parcels shall be provided by siting a logical array of access points continuous to the adjacent development.
 - i. To the maximum extent feasible, common or shared service and delivery access shall be provided between adjacent parcels and/or buildings.
 - ii. The village may require access easements to ensure that pad sites or adjacent parcels have adequate access if ownership patterns change.
- j. Adjacent Residential Uses. Commercial drives or on-site streets shall not align with access to adjacent residential developments.
- k. Emergency Access. All commercial developments shall comply with the currently-adopted building code provisions regarding emergency vehicle access and fire lanes.

O. Pedestrian/Bicycle Access and Circulation.

- a. Applicants shall submit a detailed pedestrian circulation plan with pedestrian walkways that provides direct, safe access and connections to and between building entrances, parking areas, site amenities, perimeter sidewalks if any, and, where feasible, walkways on adjacent contiguous commercial properties, public sidewalks, residential developments, public facilities, parks and greenways.
- b. Such walkways shall be of a width appropriate to the expected volume of foot traffic. Areas between walkways and building facades shall be landscaped.
- c. At each point that the on-site pedestrian walkway system crosses a parking lot or internal street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in paving materials distinguished by their color, texture, or height.
- d. Inclusion of bicycle lanes and secure bicycle parking facilities is strongly encouraged.

P. Parking

- a. While recognizing the paramount role of cars in everyday life and the need to provide adequate and convenient space for them, these guidelines and standards move away from the typical suburban pattern of predominant and highly-visible parking areas within commercial developments. Placing large amounts of parking between the front door of buildings and the adjacent street contributes to a formless arrival experience for users, and creates a detached relationship between the primary building and the street. These standards are also intended to reduce the scale of parking areas, siting a portion

of the parking lot out of view (see Site Layout above) providing clear pedestrian circulation paths and amenity areas with parking areas, and using increased landscaping within parking lots to screen spaces and reduce the overall visual impact of large parking areas.

- b. In order to minimize customer walking distance, adequate parking for each specific use within a development (which does not mean the total maximum peak amount of parking) should be provided in close proximity to the entrance for that use.
- c. All commercial developments over 50,000 square feet shall provide a minimum of 4 parking spaces per 1,000 square feet of gross floor area and a maximum of 5 parking spaces per 1,000 square feet of gross floor area regardless of specific uses or tenants within the center.
- d. ADA compliant parking spaces for the disabled shall be provided at entrances and adjacent to sidewalks, according to Village standards and specifications. Accessible parking for the disabled shall be located to avoid the need for disabled persons to cross drive aisles. In instances where high traffic volumes along the face of a large building are expected, the Planning and Zoning Commission or Village Board may waive this requirement where the accessible parking will be located across the drive aisle or in another suitable location nearest the building entrance.
- e. Parking Layout and Design. Parking areas should be designed for a safe and orderly flow of traffic throughout the site. Major circulation patterns within parking areas should be well-defined with curbs and landscaped islands (see Section. R.f. Parking Lot Landscaping, below for parking lot landscaping requirements), and parking spaces along main circulation drives should be avoided, except where approved as part of a Main Street style development. To the maximum extent practicable, dead-end parking lots shall be avoided and curb cuts minimized. Parking adjacent to residential areas shall avoid directing light toward the residential area.
- f. Parking Blocks Required.
 - i. In order to reduce the scale of parking areas, the total amount of parking provided shall be broken up into parking blocks, scaled to the size of the development.
 - ii. Parking blocks shall be separated from each other by landscaping, access drives or public streets, pedestrian walkways, or buildings.
 - iii. Each parking block or pod shall have consistent design angles for all parking within the block.
 - iv. Parking blocks should be oriented to buildings to allow pedestrian movement down and not across rows (typically with parking drive aisles perpendicular to customer entrances).
 - v. Where parking blocks are not easily defined, there shall be no more than (10) parking spaces without an intervening landscape island at least nine (9) feet wide.
- g. Shopping Cart Return Areas. As applicable, shopping cart return stations shall be evenly distributed within and between separate parking blocks. Shopping cart return stations shall be identified on the final plan and shall be designed to complement and coordinate with the overall theme and design of the development.

Q. Building Design

Except where noted, all new commercial development shall comply with the following standards

- a. The building design must create a recognizable image as a distinct place; vary massing to provide visual interest; as applicable, ensure compatibility with surrounding developments; and use building height and massing to emphasize important corners, designate points of entry, and create a visible skyline. A single, large, dominant building mass shall be avoided.
- b. All building walls shall have architectural interest and variety to avoid the effect of a single, long or massive wall with no relation to human scale. There shall be no blank, unarticulated building walls exceeding 30 feet in length. All buildings walls shall consist of a building bay or structural building system that is a maximum of thirty feet (30') in width. Bays shall be visually established by architectural features such as columns, ribs or pilasters, piers, changes in wall planes, changes in texture or materials, and fenestration pattern no less than twelve inches (12") in width.
- c. Large expanses of wall plane on larger structures shall be avoided by the use of projections or recesses, having a depth of at least three percent (3%) of the entire length of the façade and extending at least twenty percent (20%) of the entire length of the façade.
- d. All building walls shall include materials and design characteristics consistent with those on the front.
- e. When building walls that face public streets, connecting walkways, or adjacent development facades shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, trellises with vines, or alternate architectural detail that defines human scale, along no less than sixty percent (60%) of the façade.
- f. Customer Entrances With Awnings. See also subsection j (Customer Entrances) below.
 - i. Awnings shall be no longer than a single storefront.
 - ii. Fabric awnings are encouraged; canvas awnings with a matte finish are preferred. Awnings with high gloss finish are discouraged. Illuminated, plastic awnings are prohibited.
 - iii. Rigid frame awnings are allowed, but shall stop at the top section and shall not be included in the valence.
 - iv. Awning colors shall be compatible with the overall color scheme of the façade from which it projects. Solid colors or subtle striped patterns are preferred.
 - v. Awnings for rectangular openings shall be simple, shed shapes.
- g. Downspouts. All downspouts shall be concealed. Exposed downspouts may be approved if designed to make an architectural statement that coordinates aesthetically with the building. Downspouts that are part of a creative irrigation system for the building's landscaping are encouraged. The view through scuppers shall be screened.
- h. Building Composition. The following standards shall apply to all commercial buildings, including hotels and motels, with more than two stories:

- i. The composition of all commercial buildings, including hotels and motels, with more than two stories, shall present a clearly recognizable base, middle, and top, or a clearly-defined alternative building composition.
 - ii. A recognizable "base" may consist of, but is not limited to: thicker walls, ledges, or sills; Integrally-textured materials such as stone or other masonry; Integrally-colored and patterned materials such as smooth-finished stone or tile; Lighter or darker colored materials, mullions, or panels; or planters.
 - iii. A recognizable "top" may consist of, but is not limited to: Cornice treatments, other than just colored "stripes" or "bands," with integrally-textured materials such as stone or other masonry or differently colored materials; sloping roof with overhangs and brackets; Stepped parapets; or Horizontal rhythms, such as openings and articulations, shall logically align between levels.
- i. Building Materials/Colors. All commercial development shall comply with the following design guidelines and standards.
 - i. Achieve unity of design through compatible materials and colors throughout commercial developments; select building materials that are durable, attractive, and have low maintenance requirements; and utilize colors that reflect natural tones found in our regional native environment
 - ii. Applicants shall submit a color palette and building materials board as part of their development plan application.
 - iii. All primary buildings should be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including, but not limited to, natural or synthetic stone; brick; integrally-colored, textured, or glazed concrete masonry units.
 - iv. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used. Exterior building materials shall not include the following:
 - i. Split shakes, rough-sawn or board and batten wood; Vinyl siding; Smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels; Field-painted or pre-finished standard corrugated metal siding; Standard single- or double-tee concrete systems; or Barrier-type EIFS.
 - v. Exterior building material shall be continued down to within nine inches (9") of finished grade on any elevation. Exterior masonry materials shall be continued to the top of grade.
 - vi. In selecting exterior building materials, consideration should be given to the appropriateness of the materials to the scale of building proposed.
 - vii. Color schemes shall tie building elements together, relate separate (freestanding) buildings within the same development to each other, and shall be used to enhance the architectural form of a building.

- viii. Color schemes should utilize earth and other natural tones as found in the soil types and/or plant material found in that area immediately adjacent to the development site.
- ix. All building projections, including, but not limited to, chimneys, flues, vents, and gutters, shall match or complement in color the permanent color of the surface from which they project. Intense, bright, black, or fluorescent colors shall be used sparingly and only as accents; such colors shall not be used as the predominant color on any wall or roof of any building. Permitted sign areas shall be excluded from this standard.
- j. Customer Entrances. All commercial development shall comply with the following design guidelines and standards:
 - i. Each principal commercial building greater than 50,000 square feet (gross floor area) shall provide at least two (2) customer entrances, each of which shall be on separate building façades that are oriented to a public street.
 - ii. Principal commercial buildings smaller than 50,000 square feet (gross floor area) are encouraged to provide multiple customer entrances on sides of the building that face an abutting public street.
 - iii. Where additional stores will be located in the primary building, each such store may have an exterior customer entrance, which shall comply with the prominent entrance requirement below.
 - iv. Each primary building on a site, regardless of size, shall have clearly-defined, highly-visible customer entrances featuring no less than three (3) of the following: Canopies or porticos; Overhangs; Recesses/projections; Arcades; Raised corniced parapets over the door; Peaked roof forms; Arches; Outdoor patios; Display windows; Architectural detail such as tile work and moldings integrated into the building structure and design; or Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- k. Multiple Buildings. All Large and Small Commercial Centers, as defined in Section V. (Definitions) below, that contain multiple buildings, including pad sites, shall comply with the following design guidelines and standards:
 - i. In order to achieve unity between all buildings in a Commercial Center, all buildings in the center, including pad site buildings, shall be constructed of building materials from the color and materials palette approved for the center.
 - ii. A consistent architectural style or theme should be used throughout a Commercial Center, and in particular to tie outlying pad site buildings to the primary building.
 - iii. Building entrances are appropriate locations to express individual building character or identity.
- l. Roofs on Large Commercial Buildings All commercial buildings containing 50,000 square feet or more (gross floor area) shall comply with the following guidelines and standards:
 - i. All roof-top equipment must be screened.
 - ii. Roofs shall have no less than two (2) of the following features:
 - iii. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view are appropriate. The average height of such parapets shall not exceed fifteen percent (15%) of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.

- iv. Such parapets shall feature three dimensional cornice treatment; Overhanging eaves, extending no less than three feet (3') past the supporting walls; Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot (1') of vertical rise for every three feet (3') of horizontal run and less than or equal to one foot (1') of vertical rise for every one foot (1') of horizontal run; or iv. Three (3) or more roof slope planes.

R. Landscaping and Screening

- a. Landscaping must be an integral part of every commercial project, and not merely located in leftover portions of the site. Landscaping is intended to visually tie the entire development together, define major entryways and circulation (both vehicular and pedestrian) and parking patterns, and, where appropriate, help buffer less intensive adjacent land uses.
- b. Landscaping must incorporate 90 per cent (90%) plant species native to the region into the planting plan, and visually soften paved areas and buildings. Use and repeat native plant materials throughout the development to visually tie the commercial center together. Areas not covered in live material may be covered by woody mulch, other organic or inorganic mulch, rock mulch, or other natural materials other than exposed gravel and aggregate rock.
- c. Applicants are directed to the Bull Valley Tree Ordinance for a list of native and prohibited species of trees and the proper protection for existing trees during construction.
- d. Entryway landscaping announces and highlights entries into the development for the visiting public. Entryways shall be planted with native vegetation, massed and scaled as appropriate for the entryway size.
- e. Landscaping at intersections and driveway corners shall “pull back” to open view lines into the site and create corner features.
- f. The purpose of parking lot landscaping is to minimize the expansive appearance of parking lots, provide shaded parking areas, and mitigate any negative acoustic impacts of motor vehicles. The interior of all uncovered parking blocks containing ten (10) or more spaces shall be landscaped.
 - i. Each parking block (reference parking section) shall be separated from other parking blocks by a landscaped median or berm that is at least ten feet (10') wide, or by a pedestrian walkway or sidewalk within a landscaped median (minimum width of ten feet (10')), or by a low decorative fence or wall (maximum height three feet (3')) bordered by native landscaping on at least one side.
 - ii. The primary landscaping materials used in parking lots shall be trees, preferably natives that will provide shade in the future. Native shrubbery and other native planting materials may compliment but not replace the use of trees, except for their required use in vegetated swales to accommodate run off.
 - iii. Perimeter parking areas should be landscaped to provide an attractive, shaded environment along street edges that gives visual relief from continuous hard street edges, provides a visual cohesion along streets, helps buffer automobile traffic,

- focuses views for both pedestrians and motorists, and increases the sense of neighborhood scale and character.
- iv. The perimeter of all parking edges shall be screened from public streets and sidewalks, public open space and adjacent properties with landscaping continuous hedges or a low decorative masonry wall that is coordinated with the style and materials of the buildings, or any combination of these.
 - g. Building setback areas shall be landscaped with a minimum of one tree per forty feet of linear frontage. Building foundations shall be planted with native plant material massed and scaled as appropriate and replaced as necessary.
 - h. On-site service areas, such as loading docks, trash collection areas, outdoor storage and similar service areas must be screened from public rights-of-way and adjacent uses.
 - i. To the maximum extent possible these areas shall be oriented toward on-site service corridors, away from public sidewalks or internal pedestrian walkways.
 - ii. These areas shall be incorporated into the design of the buildings and screened with landscaping, walls or fences that coordinate and are consistent with the overall design and landscaping of the building, and not give the appearance of being “tacked on”.
 - iii. Materials stored behind the screening shall not be exceed the height of the screening.
 - iv. Roof top equipment and utilities shall be screened by the building parapet.
 - i. When a commercial development includes a fence or wall, the following guidelines and standards apply:
 - i. The maximum height of a fence or wall shall be eight feet (8’). Walls and fences shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, and wrought iron.
 - ii. Breaks in the length of a fence shall be made to provide for required pedestrian connections to the perimeter of a site or to adjacent development.
 - iii. The maximum length of continuous, unbroken, and un-interrupted fence or wall plane shall be fifty feet (50’). Breaks shall be provided through the use of columns, landscaping pockets, transparent sections, and/or a change to different materials.
 - iv. Fences and walls shall be set back from the property line to allow a landscape setback area. Such setback area shall be landscaped with a turf, shrubs, and/or trees, using a variety of species to provide seasonal color and plant variety.
 - v. Use of landscaping beyond the minimum required in these standards is strongly encouraged to soften the visual impact of fences and walls.

S. Lighting

- a. Appropriate lighting eliminate adverse impacts of light through spillover; provides attractive lighting fixtures and layout patterns that contributes to unified exterior lighting design of nonresidential developments. It promotes safe vehicular and pedestrian access to and within a development, while minimizing impacts on adjacent properties.
- b. Retail Planned Developments pursuant to Section 6.5 of the Village of Bull Valley Zoning Code shall be further subject to the Standards of Chapter 27 Outdoor Lighting,

of the Bull Valley Municipal Code. In the event of a conflict between the two sections the stricter rule shall apply.

- c. Applicants shall submit a unified lighting plan with final plan applications for all commercial developments subject to these lighting standards.
 - i. A point-by-point calculation to show compliance with the lighting standards is required. The calculations shall be measured at grade for lighting levels within the development site.
 - ii. A cut sheet of proposed fixtures, including a candlepower distribution curve, shall be submitted.
 - iii. A vertical plan foot-candle calculation shall be submitted for property lines abutting residential properties.
- d. General Lighting Standards
 - i. Pedestrian Walkway Lighting. Pedestrian-level, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on building or landscape walls shall be used to light pedestrian walkways.
 - ii. Lighting Height. Bollard-type lighting shall be no more than four feet (4') high. See subsection e below for lighting standards specific to parking areas.
 - iii. Lighting for Security.
 - i. Accent lighting on buildings is encouraged as a security feature.
 - ii. Interior and exterior lighting shall be uniform to allow for surveillance and avoid isolated areas.
 - iv. Illumination Levels. Pedestrian areas shall be illuminated to a minimum of one (1) foot-candle.
 - v. Design of Fixtures/Prevention of Spillover Glare. Light fixtures shall use cutoff lenses or hoods to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.
 - vi. Color of Light Source. Lighting fixtures should be color-correct types such as halogen or metal halide to ensure true-color at night and ensure visual comfort for pedestrians. Colors and intensities that do not disturb the natural circadian rhythm of nocturnal fauna are strongly preferred.
- e. Architectural Building-Mounted Lighting
 - i. Building-mounted lighting may be used only to highlight specific architectural features or primary customer or building entrances. General floodlighting of building façades is not permitted.
 - ii. Building-mounted neon lighting allowed only when recessed, or contained in a cap or architectural reveal.
- f. Parking Lot Lighting
 - i. Luminaire Fixture Height. The mounting height for luminaire fixtures shall not exceed twenty feet (20') as measured to the top of the fixture from grade.
 - ii. Average Maintained Foot-candles:
 - i. The maximum average maintained foot-candles for all parking lot lighting shall be three (3) foot-candles, the minimum average maintained foot-candles shall be one (1) foot-candle. For the purpose of this standard, the average maintained foot-candle shall be calculated at 0.8 of initial foot-candles.

- ii. The maximum maintained vertical foot-candle at an adjoining residential property line shall be 0.5 foot-candles, measured at five feet (5') above grade.
 - iii. Uniformity Ratios. Luminaire fixtures shall be arranged in order to provide uniform illumination throughout the parking lot of not more than a 6:1 ratio of average to minimum illumination, and not more than 15:1 ratio of maximum to minimum illumination.
- g. Canopy Lighting
 - i. Average Maintained Foot-candles. The maximum average maintained foot-candles under a canopy shall be 15 foot-candles. Areas outside the canopy shall be regulated by the standards in subsections c, d or e above as appropriate.
 - ii. Fixtures. Acceptable fixtures and methods of illumination include:
 - i. Recessed fixtures incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy.
 - ii. Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the canopy.

T. Signage

- a. Signage must be scaled appropriately to appeal to both pedestrians walking on the adjacent sidewalks and to vehicles driving at reduced speeds. The following sign guidelines and standards are intended to create aesthetically pleasing and cohesive sign standards that reinforce the context of the development as a whole.
- b. Design Guidelines and Standards All commercial developments shall comply with the signage requirements set forth in Chapter 14 of the Bull Valley Municipal Code.
- c. On all street frontages, signage material shall be integrated into the overall design of the building.
- d. Signs shall be located to complement the architectural features of a building such as above the building entrance, storefront opening, or other similar feature.