

Exhibit “A”
Title 8, Building Regulations
New Chapter 15

APPEARANCE CODE

I. OBJECTIVES

1. The fostering of:
 - a. Sound and harmonious design of new buildings and sites.
 - b. Greater interest in the development and redevelopment of business and industrial areas with an emphasis on appearance as it relates to each specific project, its surroundings and the community, by giving encouragement, guidance and direction.
 - c. Better maintenance of properties through encouragement of preservation, upkeep, protection and care.
 - d. Greater public interest and enthusiasm in overall community beauty, appearance, cleanliness and order.
2. Establish standards for new construction and development with respect to, but not limited to, buildings, streetscapes and landscapes.
3. Encourage creative non-monotonous community designs utilizing design professionals.

II. APPLICABILITY

1. The provisions of this code shall apply to:
 - a. building permits for new construction applied for after the execution of the Ordinance, and/or
 - b. building permits for additions to existing commercial or industrial buildings where the permit is applied for after the execution of the ordinance and where the cumulative addition(s) are equal to 10% of the floor area or 200 sq. ft., whichever is more and/or
 - c. The standards in this code shall be pro-rated when being applied to additions to all principal buildings or major re-construction (i.e., 25% of the façade is removed and/or different type of façade material is used and/or if the size of windows/doors are being modified by more than 25%) done to non-residential or attached single family or multi-family buildings

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- d. Additions and/or major façade work shall be assessed on a cumulative basis (i.e., if a 10 percent modification is conducted at one time and later another 10 percent modification is made, the cumulative impact is 20% and therefore, a 20% compliance ratio is expected.)
2. The provisions of this code shall not apply to:
 - a. This code shall not apply to industrial accessory structures. However, all accessory structures should compliment the main structure.
 - b. This code shall not apply to those buildings where siding is being replaced with similar siding materials.
 - c. Provisions of this Code shall not apply to any PUDs already approved prior to the adoption of this Code unless so stipulated in the PUD
 3. The provisions of this code shall be deferred until May 1, 2009, for lots located within the Fox Industrial Park.

III. PROCEDURES

1. The City Building Official, or his/her designee, shall review the plan and/or drawing of the exterior design of every building and site to be constructed in the City for compliance with this code, prior to the issuance of a building permit. Building permits shall only be issued upon authorization of the City Building Official.
2. Any appeals to this Code or the City Building Official's determination of compliance with this code, shall be made in writing and submitted to the City Building Official. The City Building Official shall direct such requests to the Façade Committee, who shall make a recommendation to the City Council. The City Council's decision shall be final.
3. The Façade Committee shall consider the following points prior to providing the City Council with a written recommendation:
 - a. Will the objectives outlines in Section I be met if the requested deviations are granted?
 - b. Is there a particular physical condition of the specific property and/or building(s) involved that would create a particular hardship to the owner, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out?
 - c. Will granting the requested deviation from these regulations be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located?

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- d. Will granting the requested deviation impair an adequate supply of light and air to buildings on the subject property or to the adjacent property?
- e. Will granting the requested deviation increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood?

IV. DEFINITIONS

- 1. Across the Street: A lot with a side yard property line, when projected across the street, intersects the front property line of the subject lot.
- 3. Adjacent To: defined as lots sharing a side yard property line.
- 4. Contiguous lot: Shares a common property line extended across the street with such lot.
- 5. Front Façade: the net surface area, excluding windows, doors and garages that faces a street and includes a main entry to the building.
- 6. Major Architectural Features: Covered porches, Boxed-out Bays/Projections; Decorative Dormers, Juliet Balconies, Metal Roofs. [10% credit for each]
- 6. Masonry Products: brick, stone, split face brick or architectural blocks.
- 7. Premium Siding Material: Masonry Products cultured stone, natural wood siding and synthetic stucco

V. CRITERIA FOR APPEARANCE

1. General

Creativity and ingenuity in applying the standards and guidelines listed in this Code are encouraged. Likewise, ingenuity and creativity, while considering deviations to the standards and guidelines of this Code, are encouraged.

2. Landscape and Site Treatment

- a. The provisions of the City of Yorkville's Landscape Ordinance shall apply.
- b. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness and brilliant colors avoided. Maximum illumination at the property line shall not exceed 0.1 footcandles and no glare shall spill onto adjacent properties or right-of-ways.

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- c. The provisions of the Ordinance in regards to bulk regulations, standards and off-street parking; relating to trees and shrubs; all other Ordinances, or portions of Ordinances, which directly affect appearance, shall be a part of the criteria of this sub-section.

3. Residential

a. Single-family detached and Duplexes

- (1) Unless stated otherwise within this ordinance, no residential dwellings shall be similar in appearance unless two or more buildings of dissimilar design separate the buildings.
- (2) A newly constructed residential building shall be dissimilar in appearance to another residential building across the street from, or adjacent to the newly constructed building.
- (3) A residential dwelling on a corner lot is not considered similar to one adjacent to it if the two dwellings face different streets.
- (4) On cul-de-sacs not more than two dwellings shall be similar in appearance on any lots having front lot lines contributing to the arc of the cul-de-sac.
- (5) For the purpose of this section, “similar in appearance” shall mean a residential building, which is identical to another, in combination with any four or more of the following architectural characteristics:
 - (a) Roof type (gable, hip mansard, gambrel, flat, combination).
 - (b) Height of roof ridge above finished grade of property.
 - (c) Dimensions (height and length) and shape of the facades facing the front lot line.
 - (d) Locations and sizes of windows, doors (including garage doors) and ornamental work on the façade facing a front lot line.
 - (e) Type of façade, materials (i.e., brick veneer, lapped horizontal siding, half timber, board and batten, shakes, etc.) on the façade facing a lot line.
 - (f) Porch Dimension and elevation treatment.
- (6) A building is considered dissimilar when less than four of the above characteristics exist among subject dwellings.

b. Single-family attached and Multiple-family

The intent of this Ordinance, specifically pertaining to single-family attached and multi-family buildings, is to create a “sense of community”. This can be achieved through careful site planning as well as thoughtful building design and color selections.

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- (1) The building footprint of single-family attached and multi-family buildings can be the same. However, the façade treatments must vary between buildings that are adjacent to one another. Façade variations may include building materials or colors in any one or more of the following:
 - (a) Siding
 - (b) Masonry
 - (c) Roof
 - (d) Paint/Stain
 - (e) Doors
- (2) Sites where requested setbacks and yards are less than the minimum zoning district requirements must provide an interesting relationship between buildings.
- (3) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms and other innovative means so as to largely screen parking areas from view from public ways.
- (4) The height and scale of each building shall be compatible with its site and adjoining buildings.
- (5) Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- (6) The architectural character of the building shall be in keeping with the topographical dictates of the site.
- (7) Masonry Products shall be incorporated on the front façade of at least 75% of the total buildings in the approved community, and shall incorporate a minimum of 50% Premium Siding material on the front facade. No less than half (25% of the total) of the minimum “Premium Siding” requirements must incorporate Masonry Products. Credit toward the remaining “Premium Siding” requirement can be earned via the use of Major Architectural Features. Each Major Architectural Feature used will earn a credit of 10% towards the calculation of the minimum Premium Siding Requirement.

Example: A building with 30% masonry on the front elevation will require the use of two “major architectural features” (10% + 10%=20%) to comply with the total “50% Premium Siding material on the front façade”.
- (8) Pedestrian features/amenities, such as covered walkways, street furniture, and bicycle rack facilities are encouraged.
- (9) Common open space and outdoor features are encouraged.

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4. Non-Residential

a. General Provisions

(1) Relationship of Buildings to Site

- (a) The site shall be planned to accomplish a desirable transition with the streetscape, and to provide for adequate planting, pedestrian movement, and parking area.
- (b) Site planning in which setbacks and yards are in excess of the minimum zoning district requirement is encouraged to provide an interesting relationship between buildings.
- (c) Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- (d) The architectural character of the building shall be in keeping with the topographical dictates of the site.
- (e) In relating buildings to the site, the provisions of the Zoning Ordinance in regard to bulk regulations, standards, and off-street parking shall be part of these criteria. This shall also apply to sub-section 2 which follows.

(2) Relationship of Site to Adjoining Area

- (a) Adjacent buildings of different architectural styles shall be made compatible by such means as screens, site breaks and materials.
- (b) Attractive landscape transition to adjoining properties shall be provided.
- (c) Harmony in texture, lines and masses is required.
- (d) The height and scale of each building shall be compatible with its site and adjoining buildings.

b. Building Design

(1) Commercial, Office and Institutional Uses

(a) Guidelines for sites that have existing buildings

- 1. When adding an addition, distinct color variation to an existing building is prohibited.

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2. When a site abuts a county, state or federal highway, and when an existing building is modified, the property owner shall be required, to the greatest extent possible, to meet the standards set forth below for the entire building.
3. If an additional building(s) is placed on the site, the additional building(s) shall, to the greatest extent possible, compliment the architectural style of the principal building.
4. Any additional building(s) placed on the site shall, to the greatest extent possible, compliment the materials and/or colors of the principal building on the site.

(b) Guidelines for unbuilt sites

- (1) Masonry Products or Pre-Cast shall be incorporated on at least 50% of the total building, as broken down as follows: The front façade shall itself incorporate Masonry Products or Pre-Cast concrete on at least 50% of the façade. Any other façade that abuts a street shall incorporate Masonry Products. The use Masonry Products or Pre-Cast concrete is encouraged on the remaining facades.
- (2) Creative layout and design of the buildings within the commercial, office or institutional development is encouraged. Use of windows or the impression of windows on all sides of the building and the utilization of a campus-style layout are encouraged. Creative layout and design will help to decrease the overall mass of the development, to prevent monotony, and to improve the aesthetic quality of the development.
- (3) The height and scale of each building shall be compatible with its site and adjoining buildings.
- (4) Outlots shall reflect the style, materials, and/or design elements of the main building. In cases where the main building does not meet the design guidelines and standards (i.e., in terms of visual design materials and layout of the building), new outlot development proposals will be reviewed using the guidelines and standards contained in this document.
- (5) Pedestrian scale features/amenities, such as solid-colored awnings, covered walkways, windows, street furniture; bicycle rack facilities and clearly defined entranceways are encouraged.
- (6) Common open space and outdoor seating areas are encouraged within commercial, office and institutional developments.

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- (7) The location of parking lots in a manner that is logical, safe and pedestrian friendly is encouraged. In this respect, the location of parking lots in the rear or side of a building is encouraged.
- (8) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms and other innovative means so as to largely screen parking areas from view of public ways.
- (9) The location of drive-through facilities, including drive-through lanes, bypass lanes, and service windows, adjacent to a public right-of-way are not desirable and are discouraged.
- (10) Loading bays for commercial and office uses shall not be located in the front of a building or in the area abutting a public right-of-way.

(c) Standards

- (1) All commercial, office and institutional buildings shall consist of solid and durable façade materials and be compatible with the character and scale of the surrounding area.
- (2) Masonry Products shall not be painted.
- (3) Trash enclosures shall be located in areas that are easily accessible by service vehicles, but minimally exposed to the public street. Screening these enclosures with a material that is compatible with the principal commercial, office or institutional building is required.
- (4) Rooftop mechanicals shall be screened and enclosed in a manner that masks the equipment from view from all sides and is of the same character and design as the structure. Architectural features such as parapet walls and varying rooflines, are encouraged. Ground level mechanicals shall be screened by landscaping and/or fencing, as appropriate and shall be maintained year round.
- (5) When loading bays are placed where they can be viewed from a County, State or Federal highway or from a City street designated on the Comprehensive Plan as an arterial or collector road, landscaping between the building and the street shall be such that within five (5) years of installing the landscaping, it can be reasonably assumed that the bay doors will be screened from the road.

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5. Industrial Uses

a. Guidelines

- (1) Masonry Products or Pre-Cast concrete shall be incorporated on at least 50% of the total building, as broken down as follows: The front façade (defined as that façade that faces a street that includes a main entry to the building) shall itself incorporate Masonry Products or Pre-Cast concrete on at least 50% of the façade. Any other façade that abuts a street shall incorporate Masonry Products or Pre-Cast concrete. The use of Masonry Products or Pre-Cast concrete is encouraged on the remaining facades. Where pre-cast concrete panels or split-face block is utilized, the use of colors, patterns, or other architectural features within these panels/blocks is encouraged.
- (2) Building entryways shall be clearly identified. Building components, such as windows, doors, eaves and parapets shall be in proportion to one another.
- (3) The location of parking lots in a manner that is logical, safe, and pedestrian friendly is encouraged. In this respect, the location of parking lots in the rear or side of a building is encouraged.
- (4) Loading bays for industrial uses may be placed along the front of the building or the side(s) abutting a public right-of-way when there is an industrial use across from that façade. Otherwise, loading bays for industrial uses shall be discouraged from being placed in the front of the building or in the area abutting a public right-of-way. When loading bays are placed where they can be viewed from a County, State or Federal highway or from a City street designated on the Comprehensive Plan as an arterial or collector road, landscaping between the building and the street shall be such that within five (5) years of installing the landscaping, it can be reasonably assumed that the bay doors will screened from the road.

b. Standards

- (1) Industrial buildings shall consist of solid and durable façade materials and be compatible with the character and scale of the surrounding area.

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- (2) Industrial buildings with facades greater than 100 feet in length shall incorporate recesses, projections, windows or other ornamental/architectural features along at least thirty percent (30%) of the length of the façade abutting a public street in an effort to break up the mass of the structure.
- (3) Trash enclosures shall be located in areas that are easily accessible by service vehicles but minimally exposed to the public street. Screening these enclosures with a material that is compatible with the principal industrial building is required.
 - (a) Rooftop mechanicals shall be screened and enclosed in a manner that masks the equipment from view from all sides and is of the same character and design as the structure. Architectural features such as parapet walls and varying rooflines are encouraged. Ground level mechanicals shall be screened by landscaping and/or fencing, as appropriate.

6. **Signs**

The provisions of this section are meant to supplement the City's Sign Code. All provisions of the Sign Code are in full force. Where conflicts between the two regulations may occur, the more stringent requirement will apply.

Wall signs shall be part of the architectural concept. Size, color, lettering, location and arrangement shall be harmonious with the building design, and shall be compatible with signs on adjoining buildings.