

Article 1 – Administration and Enforcement

1.12A Public Hearing Procedures

Current: only has 3 subsections

Proposed: *added #4, Procedure for a Public Hearing*

4. Procedure for Holding a Public Hearing

a. A presentation by the applicant, staff, or Village consultants describing the nature of the request and scope of the project.

b. Opening of the public comment period by the acting Chair of the Commission or Council holding the hearing.

c. Receipt of verbal or written comments by the public at large. Verbal comments may be limited at the direction of the Chair of the meeting; such time limitation shall be applied equally to any member of the public wishing to submit comment.

d. Closing of the public comment period by the acting Chair of the Commission or Council holding the hearing.

Added section 1.12 C – Special Land Use Procedures. See article 17.

Article 2 – Zoning Districts

2.106 Central Business (C-1) District

Proposed: *Add the following sentence to the end of the last paragraph.*

Upper stories of buildings in this district are anticipated to be primarily residential in nature.

Article 3 - blank

Article 4 – Land Use Table

See attached

Article 5 - Dimensional Standards

See attached table

Add section 5.305 Driveway Entranceway

No structures, fences, landscaping, or other obstructions to visibility shall be higher than thirty inches (30”) measured from grade and must be setback twenty feet (20’) from Right-of-Way.

Article 6 – Design Standards for Specific Uses

Proposed:

Deleted section on Farm, Fish, Recreation or Landscaping Ponds

Deleted section on Greenhouses, Nurseries, Garden Centers and Feed Stores.

Deleted section on Produce Stands and Farm Markets

Deleted section on Riding Stables

Section 6.201 Accessory Apartments

Current: B. 3. A minimum of one thousand five hundred (1,500) square-feet of the gross floor area of the principal building shall be occupied by the owner of the property, and not more than twenty five percent (25%) of the principal building shall be occupied by accessory apartments.

4. Each accessory apartment shall have a minimum gross floor area of four hundred fifty (450) square-feet.

Proposed: B. 3. A minimum of one thousand five hundred (1,500) square-feet of the gross floor area of the principal building shall be occupied by the owner of the property, and not more than twenty five percent (25%) of the principal building shall be occupied by accessory apartments. Each accessory apartment shall have a *minimum gross floor area of six hundred (600) square-feet.*

Section 6.201 C – Accessory apartment – office or commercial use

Current: Accessory apartments shall be contained entirely within the primary building, and shall occupy no more than fifty percent (50%) of the gross floor area of the building. Each accessory apartment shall have separate kitchen, bath and toilet facilities and a private entrance (where there is more than one (1) accessory apartment in a building, such entrances may be provided from a common hallway)

Proposed: Accessory apartments shall not be located on the first floor of the building and shall not be located on any floor of the building on which a non-residential use is located. The first floor of a building with upper-level accessory apartments is intended for non-residential uses to encourage activity and provide goods and services to the community.

Section 6.204 Home Occupations

Section 6.204 C

Current: Customer or client visits to a home occupation are limited to between the hours of 8:00 am to 8:00 pm. A home occupation shall not generate more than twenty (20) customer or client visits per week, and no more than two (2) customers or clients may be present at any given time.

Proposed: Customer or client visits to a home occupation are limited to between the hours of 8:00 am to 8:00 pm. *Deleted sentence limiting the number of customers or clients allowed.*

Current: D. Permitted Uses. The following uses are permitted home occupations. Any home occupation not specifically listed may be permitted as a special approval use, subject to the requirements of Article 17 (Special Approval Uses).

1. Home offices for such professionals as architects, doctors, brokers, engineers, insurance agents, lawyers, realtors, accountants, writers, salespersons and similar occupations.
2. Personal services, including barber shops, beauty parlors, manicure and pedicure shops, grooming, catering, and chauffeuring services.
3. Home office for a massage therapists, subject to the standards of Section 6.304 (Massage Therapy).
4. Music, dance, art and craft classes, tutoring, and studios for artists, sculptors, musicians and photographers.
5. Workshops for tailors, dressmakers, milliners, and craft persons, including weaving, lapidary, jewelry making, cabinetry, and wood-working.
6. Repair services, limited to watches and clocks, small appliances, computers, electronic devices, and similar small devices.

Proposed: Permitted Uses. The following uses are permitted home occupations. Any home occupation not specifically listed may be permitted as a special approval use, subject to the requirements of Article 17 (Special Approval Uses).

1. Home offices for such professionals as architects, doctors, brokers, engineers, insurance agents, lawyers, realtors, accountants, writers, salespersons, *computer occupations* and similar occupations.
2. Personal services, including barber shops, beauty parlors, manicure and pedicure shops, grooming, catering, and chauffeuring services.
3. Home office for a massage therapists, subject to the standards of Section 6.304 (Massage Therapy).
4. Music, dance, art and craft classes, tutoring, and studios for artists, sculptors, musicians and photographers.
5. Workshops for tailors, dressmakers, milliners, and craft persons, including weaving, lapidary, jewelry making, cabinetry, and wood-working.
6. Repair services, limited to watches and clocks, small appliances, computers, electronic devices, and similar small devices.
7. *Internet Sales*

Section 6.206 Multiple-Family Dwellings and Developments

Current: B. Architectural Details. Walls visible from a street or other residential uses shall include windows and architectural features similar to the front facade of the building, including, but not limited to awnings, cornice work, edge detailing or other decorative finish materials. All buildings shall have pitched roofs, which may include functional dormer windows and varying lines customary with gable or hip style roofing. Standing seam metal roofing is prohibited.

Proposed: B. **Architectural Details.** Walls visible from a street or other residential uses shall include windows and architectural features similar to the front facade of the building, including, but not limited to awnings, cornice work, edge detailing or other decorative finish materials. All buildings shall have pitched roofs, which may include functional dormer windows and varying lines customary with gable or hip style roofing. *(deleted sentence about metal roofing)*

Current: D. Pedestrian Circulation. Minimum five-foot (5') wide concrete sidewalks shall be provided from parking areas, public sidewalks and recreation areas to all building entrances. Public sidewalks shall be provided along collector roads and streets with a minimum width of six feet (6').

Proposed: D. **Pedestrian Circulation.** Minimum five-foot (5') wide concrete sidewalks shall be provided from parking areas, public sidewalks and recreation areas to all building entrances. Public sidewalks shall be provided along collector roads and streets with a minimum width of six feet (6'), *or tapered to match the existing adjacent sidewalk.*

Section 6.209 Two Family Dwellings (Duplexes)

Current: The exterior of a two-family dwelling (or duplex) shall be designed, constructed and maintained in a manner that provides the appearance of a single-family dwelling as specified by Section 12.207 (Single-Family Dwellings, Detached). The addition of a separate exterior door on the front facade is prohibited. The primary entrance for the second dwelling unit may be located on a side wall, or both units may share a common entrance on the front façade

Proposed: The exterior of a two-family dwelling (or duplex) shall be designed, constructed and maintained in a manner that provides the appearance of a single-family dwelling as specified by Section 12.207 (Single-Family Dwellings, Detached). *(deleted sentences about exterior door). Two-family dwellings and façade entrances are permitted to be on a major street or corner lot.*

Section 6.307 Video Rental Establishments

Proposed: Delete whole section

Section 6.402 Golf Driving Ranges

Proposed: Delete whole section

Section 6.501 Automobile, Truck and other Motor Vehicle Service Centers (Minor Repair), Repair Stations (Major Repair) and Fueling (Gas) Stations.

Current: B. Access. Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings. The edge of any access drives shall be set back a minimum of fifty feet (50') from the intersections of two (2) street right-of-way lines. No more than one access drive curb opening shall be permitted per street.

Proposed: **B. Access.** Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings. The edge of any access drives shall be set back a minimum of fifty feet (50') from the intersections of two (2) street right-of-way lines. No more than one access drive curb opening shall be permitted per street, *unless there is 120-feet from center of driveway to center of driveway.*

Current: E. Repair and Service Use Limitations. All equipment and service bays shall be entirely within an enclosed building, and all repair work shall be conducted completely within an enclosed building. Repair stations shall not be permitted on sites immediately adjacent to any residential zoning district or use.

Proposed: E. **Repair and Service Use Limitations.** All equipment and service bays shall be entirely within an enclosed building, and all repair work shall be conducted completely within an enclosed building, *or in the rear of the building with a screened yard.* Repair stations shall not be permitted on sites immediately adjacent to any residential zoning district or use.

Current: I. Traffic Impacts and Pollution Prevention. A traffic impact study shall be provided in accordance with Section 10.04 (Traffic Impact Studies). The applicant shall submit a Pollution Incidence Protection Plan (PIPP) describing measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as special check valves, drain back catch basins and automatic shut off valves.

Proposed: I. **Traffic Impacts and Pollution Prevention.** A traffic impact study *may* be provided in accordance with Section 10.04 (Traffic Impact Studies). The applicant shall submit a Pollution Incidence Protection Plan (PIPP) describing measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as special check valves, drain back catch basins and automatic shut off valves.

Section 6.502 Car Washes

Current: A. Lot Size and Frontage. A self-service car wash shall have a minimum lot area of ten thousand (10,000) square feet, with a minimum of one hundred feet (100') of frontage along a major street. An automatic car wash shall have a minimum lot area of twenty thousand (20,000) square feet, with a minimum of one hundred fifty feet (150') of frontage along a major street.

Proposed: A. **Lot Size and Frontage.** A self-service car wash shall have a minimum lot area *of thirteen thousand (13,000) square feet*, with a minimum of one hundred *thirty feet (130')* of frontage along a major street. An automatic car wash shall have a minimum lot area of twenty thousand (20,000) square feet, with a minimum of one hundred fifty feet (150') of frontage along a major street.

Section 6.504 Hotels and Motels

Current: A. Access. All ingress and egress shall be directly to a major street. Secondary building entrances and exterior room entrances shall not face a residential district or use.

Proposed: A. **Access.** All ingress and egress shall be directly to a major street. Secondary building entrances and exterior room entrances shall not face a residential district or use. *Secondary building entrances may be separated from residential districts with screening.*

Section 6.506 Outdoor Sales or Display Area for Sales or Rentals of Goods, Products, Equipment, Machinery, Automobiles and Other Motor Vehicles, Recreational Vehicles, Boats, Building Supplies, Hardware and Other Items.

Current: A. Setback Requirements. Outdoor sales or display areas shall be set back a minimum of ten feet (10') from any parking area, driveway or access drive, and twenty feet (20') from any street right-of-way. No outdoor sales area shall be located within fifty feet (50') of any residential district or use.

Proposed: A. **Setback Requirements.** Outdoor sales or display areas shall be set back a minimum of ten feet (10') from any parking area, driveway or access drive, and twenty feet (20') from any street right-of-way. No outdoor sales area shall be located within fifty feet (50') of any residential district or use. *Screening may be used to separate sales from residential districts.*

Current: B. Sidewalk Standards. A minimum of six feet (6') of sidewalk width to the entrance of the establishment shall be maintained free for pedestrian circulation.

Proposed: B. **Sidewalk Standards.** A minimum of six feet (6') of sidewalk width *from the curb* to the entrance of the establishment shall be maintained free for pedestrian circulation.

Current: E. Surface. Sales and display areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water. All areas for display of automobiles, trucks, recreational vehicles, boats and similar items shall be paved.

Proposed: E. **Surface.** Sales and display areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water. All areas for display of automobiles, trucks, recreational vehicles, boats and similar items shall be paved *or gravel.*

Section 6.511 Theaters (Indoor), Motion Picture Cinemas, Auditoriums, Concert Halls and Playhouses

Current: B. Access and Traffic. A traffic impact study shall be submitted according to Section 10.04 (Traffic Impact Studies). Access shall be from a major street.

Proposed: B. **Access and Traffic.** A traffic impact study *may* be submitted according to Section 10.04 (Traffic Impact Studies). Access may be from a major street. **(Now 6.511B)**

Current Sections 6.601 Hazardous materials Storage and 6.602 Intensive Industrial Operations subject to SALU have been deleted.

Current Section 6.603, proposed Section 6.601 Outdoor Storage of Goods, Products, Equipment, Machinery, Lumber, Landscaping and Building Supplies or Similar Items

Current: C. Landscaping and Screening. Sites shall be visually screened from all adjoining properties and street rights-of-way by a greenbelt or buffer strip and a solid decorative masonry wall or fence at least six feet (6') and no more than eight feet (8') in height, in accordance with Section 11.04 (Methods of Screening and Buffering). No materials shall be stored above the height of the required wall or fence. No trailer, manufactured home or truck trailer shall be stored or used for storage

Proposed: C. **Landscaping and Screening.** Sites shall be visually screened from all adjoining properties and street rights-of-way by a greenbelt or buffer strip and a solid decorative fence or masonry wall at least six feet (6') and no more than eight feet (8') in height, in accordance with Section 11.04 (Methods of Screening and Buffering). *Screening is not necessary between industrial properties.* No materials shall be stored above the height of the required wall or fence. No trailer, manufactured home or truck trailer shall be stored or used for storage.

Current Section 6.604, proposed Section 6.602 Outdoor Storage, Dismantling or Recycling of Automobiles, Trucks, Recreational Vehicles, Boats and other Motor Vehicles, Manufactured Houses and Similar Items

Current: D. 1. Junk vehicles and scrap materials may not be stacked higher than the height of the screening wall. 2. Vehicles or vehicle bodies shall be stored in rows with a minimum twenty foot (20') wide continuous loop drive separating each row of vehicles

Proposed: D. 1. Junk vehicles and scrap materials may not be stacked higher than the height of the screening wall *and must be out of public sight.* 2. Vehicles or vehicle bodies shall be stored in rows with *a minimum twelve foot (12')* wide continuous loop drive separating each row of vehicles.

Current Section 6.605 Recycling Collection Facilities and Composting Centers deleted

Current Section 6.606 Self-Storage Warehouse changed to 6.603

Current: B. Minimum Lot Size and Setbacks. The minimum lot area shall be three (3) acres. The minimum building and parking setback shall be fifty feet (50') from any street right-of-way line, residential district or off-site residential use.

Proposed: B. **Minimum Lot Size and Setbacks.** The minimum lot area shall *be one (1)* acre, unless someone is living on site then three (3) acres are required. The minimum building and parking setback shall be fifty feet (50') from any street right-of-way line, residential district or off-site residential use.

Current: E. Storage. All storage shall be completely within enclosed structures

Proposed: E. **Storage.** All storage shall be completely within enclosed structures. *There are limitations on what can be stored on site.*

Section 8.101 Fences

A 6

Height and location requirements.

TYPE OF FENCE OR WALL	MAXIMUM HEIGHT (FEET)			MINIMUM FRONT YARD SETBACK (FEET)
	FRONT	SIDE	REAR	
Chain-link fence	3' 4'	4'	4'	5'
Living fence	no maximum			5'
Ornamental fence	3'-4'	6'	6'	5'
Privacy fence		6'	6'	
Rail fence	3'-4'	5'	5'	5'
Industrial fence	n/a	8'	8'	20'

WHY DID YOU CHANGE A LIVING FENCE? IT USED TO HAVE A MAXIMUM HEIGHT OF 3'

Proposed to add:

- a. **Fences along a driveway.** Fences located along a driveway shall be setback 20-ft with a maximum 3-feet in height, even living fence.
- b. **Fences in front yard.** Fences located in front yard must allow reasonable visibility into and out of a property to ensure the health, safety, and welfare of occupants and passersby.

8.101 C a

Current: **Repairs:** Repairs to an existing fence with no structural changes.

Proposed: **Repairs:** Repairs of less than 50% to an existing fence with no structural or material changes.

8.101 D

Current: **Removal of illegal or damaged fences.** Damaged or illegal fences shall be immediately repaired or removed by the property owner. Upon identification of a damaged or illegal fence, the Building Inspector shall order the property owner to remove the such fences or make necessary repairs within ten (10) days. Upon failure of the property owner to take such actions within ten (10) days, the Village may act to remove such fences at the expense of the property owner. The Village may then place a lien on the property, adding necessary removal expenses to the tax bill for the property.

Proposed: **Removal of illegal or damaged fences.** Damaged or illegal fences shall be immediately repaired or removed by the property owner. Upon identification of a damaged or illegal fence, the **Code Enforcer** shall order the property owner to remove such fences or make necessary repairs within ten (10) days. Upon failure of the property owner to take such actions within ten (10) days, the Village may act to

remove such fences at the expense of the property owner. The Village may then place a lien on the property, adding necessary removal expenses to the tax bill for the property.

8.102 Sidewalks and Pedestrian Facilities

Current: Sidewalks shall be required in all zoning districts along street rights-of-way, and to connect public sidewalks with building entrances. Sidewalks shall be designed and constructed in conformance with the current standards of the Village, to ensure reasonable accessibility by persons with a physical disability. Pedestrian facilities shall also be provided within the site to protect pedestrians in parking lots, and to connect developments with adjacent lots.

Proposed: Sidewalks shall be required in all zoning districts along street rights-of-way, and to connect public sidewalks with building entrances. Sidewalks shall be designed and constructed in conformance with the current standards of the Village, to ensure reasonable accessibility by persons with a physical disability. *Planning Commission may deviate requirements with an approved site plan.* Pedestrian facilities shall also be provided within the site to protect pedestrians in parking lots, and to connect developments with adjacent lots.

Section 8.103 Maintenance of Commonly-Owned Private Facilities

Current: The purpose of this Section is to insure the quality, construction, maintenance and replacement of commonly owned private facilities and land whether improved or unimproved. These facilities include, but are not limited to detention ponds, retention basins, lighting, open space, wetlands, signs, landscaping, fences, screening walls, drains, trails and sidewalks to which more than two (2) owners of lots or condominiums have rights of use or access or enjoyment; or which are owned in common by an association of owners. Failure by owners or an association to maintain commonly-owned private facilities shall be considered a threat to the public health, safety or welfare. The Building Inspector shall have the authority to undertake any of the following actions to remedy the violation:

Proposed: The purpose of this Section is to insure the quality, construction, maintenance and replacement of commonly owned private facilities and land whether improved or unimproved. These facilities include, but are not limited to detention ponds, retention basins, lighting, open space, wetlands, signs, landscaping, fences, screening walls, drains, trails and sidewalks to which more than two (2) owners of lots or condominiums have rights of use or access or enjoyment; or which are owned in common by an association of owners. Failure by owners or an association to maintain commonly-owned private facilities shall be considered a threat to the public health, safety or welfare. The *Code Enforcer* shall have the authority to undertake any of the following actions to remedy the violation:

8.204 Excavations or Holes

Current: When the Building Inspector has determined a nuisance to exist as herein defined, he shall notify the owner as shown on the latest tax rolls of such finding, and shall require the owner to abate such nuisance within a reasonable time not to exceed thirty days from the date of such notice. If the nuisance has not been abated, the Building Inspector cause such nuisance to be abated through fill, construction of a fence or other suitable means. The cost of such work may be placed as an assessment against said property on the next assessment roll.

Proposed: When the *Code Enforcer* has determined a nuisance to exist as herein defined, he shall notify the owner as shown on the latest tax rolls of such finding, and shall require the owner to abate such nuisance within a reasonable time not to exceed thirty days from the date of such notice. If the nuisance has not been abated, the *Code Enforcer* may cause such nuisance to be abated through fill, construction of a fence or other suitable means. The cost of such work may be placed as an assessment against said property on the next assessment roll.

Section 8.301 Performance Standards

Current:

ADJACENT USE	DECIBELS
Animal and Agricultural	55dB
Residential	55dB
Office and Service	55dB
Community	55dB
Commercial	65dB
Industrial	70dB

Proposed:

ADJACENT USE	DECIBELS
Animal and Agricultural	75dB
Residential	65dB
Office and Service	65dB
Community	65dB
Commercial	70dB
Industrial	70dB

SECTION 9 – NONE OF OUR SUGGESTIONS ARE IN CHART – DO YOU WANT CHANGES

Section 9.06 Design Requirements

D

Current: Landscaping. Landscaping, screening and buffering shall be provided for all parking and loading facilities in accordance with the provisions of Article 11 (Landscaping Screening and Buffering).

Proposed: Landscaping. Landscaping, screening and buffering shall be provided for all parking and loading facilities in accordance with the provisions of Article 11 (Landscaping, Screening and Buffering). *Planning Commission has the right to provide waivers or modifications to this requirement*

9.06 E

Current: **Curbing.** Parking lots shall be provided with concrete curbs and gutters for the protection of adjoining properties, streets, sidewalks and landscaped areas.

Proposed: **Curbing.** Parking lots shall be provided with concrete curbs and gutters for the protection of adjoining properties, streets, sidewalks and landscaped areas. *Planning Commission has the right to provide waivers or modifications to this requirement.*

9.06 G

Current: **Sidewalks.** In all cases where off-street parking spaces directly abut a sidewalk, the sidewalk shall be widened to at least seven feet (7') in width to accommodate vehicle encroachment.

Proposed: **Sidewalks.** In all cases where off-street parking spaces directly abut a sidewalk, the sidewalk shall be widened to at least seven feet (7') in width, *if applicable*, to accommodate vehicle encroachment.

9.06 I

Current: Not more than one (1) parking space may be provided on a driveway within the required front yard, and no parking shall be permitted on lawns or other unpaved areas of a residential lot. A maximum of one accessory driveway shall be permitted per dwelling, with a maximum width not to exceed twelve feet (12') or the total width of all accessory garage doors served by the driveway, whichever is greater.

Proposed: Not more than one (1) parking space may be provided on a driveway within the required front yard, and no parking shall be permitted on lawns or other unpaved areas *in the front yard* of a residential lot. *For this section only, a corner lot will only have one front yard; the one associated with its address.* A maximum of one accessory driveway shall be permitted per dwelling, with a maximum width not to exceed *20 ft.*

Section 9.08 Modification of Standards

9.08 D

Current: **Surface Materials:** When the applicant demonstrates to the satisfaction of the Planning Commission that alternative surface materials will not impact the aesthetic appearance or character of the site and surrounding neighborhood. The Planning Commission may permit alternative parking lot surface materials including open joined pavers, porous concrete/asphalt, and other methods of increasing stormwater infiltration. These methods may only be used when the permeable paving will have sufficient strength to bear expected vehicle loads for the parking area.

Proposed: **Surface Materials:** When the applicant demonstrates to the satisfaction of the Planning Commission that alternative surface materials will not impact the aesthetic appearance or character of the site and surrounding neighborhood. The Planning Commission may permit alternative parking lot surface materials including open joined pavers, porous concrete/asphalt, *stone-based*, and other methods of increasing stormwater infiltration. These methods may only be used when the permeable paving will have sufficient strength to bear expected vehicle loads for the parking area.

Section 13.05 Building-Mounted Signs for Non-Residential Uses – Permit Required

13.05 B

Current: **Window signs.** Temporary or permanent window signs shall be limited to the street level façade, except when second floor is occupied commercially. The total sign area of all window signs shall not exceed ten (10%) of the total surface area of the level of façade windows under consideration.

Proposed: **Window signs.** Temporary or permanent window signs shall be limited to the street level façade, except when second floor is occupied commercially. The total sign area of all window signs shall not exceed *thirty percent (30%)* of the total surface area of the level of façade windows under consideration.

Section 13.11 A2 Temporary Signs

Current: Number of permitted signs: One (1) temporary sign is permitted for every 50 feet of street frontage, or fraction thereof.

Proposed: **Number of permitted signs.** *Three (3)* temporary signs are permitted per parcel.

Section 17.01 Special Approval Uses

Current: Special approval uses serve an area, interest or purpose that extends beyond the borders of the Village, create particular problems of control in relation to adjoining uses or districts, have detrimental effects upon public health, safety or welfare, or possess other unique characteristics that prevent such uses from being permitted as principal uses in a particular zoning district.

Proposed: Special approval uses serve an area, interest or purpose that *has impact* beyond the borders of the Village, create particular problems of control in relation to adjoining uses or districts, have detrimental effects upon public health, safety or welfare, or possess other unique characteristics that prevent such uses from being permitted as principal uses in a particular zoning district.

Section 19.03 D Condominium Site Plan Review

Current: **Final condominium site plan review.** The final condominium site plan shall include all information required for the approved preliminary condominium site plan, any additional information required in the Village Subdivision Regulations for final approval of a preliminary subdivision plat, and evidence that all necessary state and county agency approvals have been obtained; including utilities, water supply, sewage disposal, drainage, wetlands and roads. Approval of the final condominium site plan shall be contingent upon approval of a development agreement in accordance with Section 19.04 of this Article.

Proposed: **Final condominium site plan review.** The final condominium site plan shall include all information required for the approved preliminary condominium site plan, any additional information required in the Village Subdivision Regulations for final approval of a preliminary subdivision plat, and evidence that all necessary state and county agency approvals have been obtained; including utilities, water supply, sewage disposal, drainage, wetlands and roads. Approval of the final condominium site plan shall be *approved by the Village Council and will be* contingent upon approval of a development agreement in accordance with Section 19.04 of this Article.

Section 20

Section 22.01 E Nonconformities

Current: **Establish classifications.** To recognize that certain nonconformities may not have a significant adverse impact upon nearby properties or the public health, safety and welfare. Accordingly, this Article establishes two classes of nonconforming structures and uses of land (Class A and Class B) ~~that distinguish between nonconformities that are not desirable and should be eliminated as rapidly as possible, and those that may be designated to be perpetuated and improved, subject to specific conditions designed to enhance the character of the neighborhood and protect adjacent properties.~~

Proposed: **Establish classifications.** To recognize that certain nonconformities may not have a significant adverse impact upon nearby properties or the public health, safety and welfare. Accordingly, this Article establishes two classes of nonconforming structures and uses of land; Class A and Class B.

Class A includes those nonconformities that may be designated to be perpetuated and improved, subject to specific conditions designed to enhance the character of the neighborhood and protect the adjacent properties. Class B includes those nonconformities that are undesirable and should be eliminated as rapidly as possible.

Section 23.02 A Village Planning Commission

Current: The Planning Commission shall consist of seven (7) members, one (1) of whom shall be a member of the Village Council to serve as a member ex-officio, and the remainder of whom shall be appointed by the Village President as provided in this Section. An appointment by the Village President shall be subject to ...

Proposed: The Planning Commission shall consist of *five (5)* members, one (1) of whom shall be a member of the Village Council to serve as a member ex-officio, and the remainder of whom shall be appointed by the Village President as provided in this Section. An appointment by the Village President shall be subject to ...

Section 23.02 B

Current: Membership of the Planning Commission shall be qualified electors of the Village, except that no more than two (2) members may be individuals who are not qualified electors.

Proposed: Membership of the Planning Commission shall be qualified electors of the Village, except that no more than *one (1)* member may be an individual who is not a qualified elector.

Section 24.01 Zoning Board of Appeals

Current: There is hereby established a Zoning Board of Appeals (herein referred to as the “Board”), which shall perform its duties and exercise its power as provided for in this Ordinance and the City and Village Zoning Act, Public Act 207 of 1921, as amended, in such a way that the objectives of this Ordinance shall be served, public health, safety and welfare protected and substantial justice done.

Proposed: There is hereby established a Zoning Board of Appeals (herein referred to as the “Board”), which shall perform its duties and exercise its power as provided for in this Ordinance and the City and Village Zoning Act, Public Act 207 of 1921, as amended by the Michigan Zoning Enabling Act, Act 110 of 2006, in such a way that the objectives of this Ordinance shall be served, public health, safety and welfare protected and substantial justice done.

The zoning board of appeals shall hear and decide questions that arise in the administration of the zoning ordinance and may adopt rules to govern its procedures sitting as a zoning board of appeals. The zoning board of appeals shall also hear and decide on matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass administrative order, requirement, decision or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this act with the exception of those restrictions specified in Section 23.14.

Section 24.02 Membership

24.02 A

Current: One (1) member may be a member of the Planning Commission, and one (1) member may be a member of the Village Council. An employee or contractor of the Village Council may not serve as a member.

Proposed: One (1) member *or alternate* may be a member of the Planning Commission, and one (1) member may be a member of the Village Council. An employee or contractor of the Village Council may not serve as a member.

24.02 B

Current: Members shall be selected from the electors of the Village and reside within the Village.

Proposed: Members *and alternates* shall be selected from the electors of the Village and reside within the Village.

24.04 C Organization

Current: The Board shall render decisions upon all matters within a reasonable time.

Proposed: The Board shall render decisions upon all matters within a reasonable time, *not to exceed sixty (60) days from the appeal being filed with the Village office.*

ARTICLE 4 LAND USE TABLES

Section 4.01 Key to Designations in Tables of Uses.

SYMBOL		KEY	
P	Permitted Uses	Principal Uses	
S		Special Approval Uses	
[Blank]	Prohibited Uses in the District		

Section 4.02 Table of Permitted Uses by District.

The uses of land in the following table have been organized, for ease of use and convenience, into use groups, based upon certain characteristics that the grouped uses may share. These use groups are described below:

- A. **ANIMAL AND AGRICULTURAL USES.** These uses primarily involve the keeping, breeding or use of animals, the production or distribution of produce and farm-related products, and similar associated uses of a rural character or intensity.
- B. **RESIDENTIAL USES.** These uses primarily involve housing of various types and densities, and associated uses typically found in a residential neighborhood.
- C. **OFFICE AND SERVICE USES.** These are generally private-owned or operated uses, or uses of a for-profit nature, that include personal service establishments, financial, executive, administrative, medical and professional offices, workshops and studios, and similar associated uses.
- D. **COMMUNITY USES.** These are generally public-owned or operated uses, or uses of a not-for-profit nature, that primarily involve benefits or services generally provided to a significant portion of the population, or are uses that serve as focal or gathering points for members of the community.
- E. **COMMERCIAL USES.** These are uses of a generally for-profit nature, and may include retail sales, food service, entertainment, repair services and similar associated uses.
- F. **INDUSTRIAL, RESEARCH AND LABORATORY USES.** These are uses that are generally of a light manufacturing, research, warehousing or wholesaling character, or that involve compounding, processing, packaging, assembly, storage or treatment of products or materials.
- G. **TEMPORARY, SPECIAL EVENT AND OTHER USES.** These are uses that, because of unusual character, intensity or nuisance factors, do not fit well into the preceding use groups.

Section 4.02 Table of Permitted Uses by District.

USES	KEY		DISTRICTS								SUPPLEMENTAL USE STANDARDS
	SYMBOL		R-1	R-M	O	C-1	C-2	I	P		
	P	S	Principal Use	Special Approval Use	Prohibited Use						
ANIMAL AND AGRICULTURAL USES											
Farm, Fish, Recreation or Landscaping Ponds	P										Section 6.101
Farms, Greenhouses and Nurseries	P										Section 6.102
Produce Stands, Farm Markets, Garden Centers and Feed Stores	S				S		P				Section 6.102 Section 6.104
Riding Stables	P										Section 6.105
Veterinary Clinics, Kennels and Animal Shelters	S		S				P	P			Section 6.103 Section 6.106

RESIDENTIAL USES											
Apartments, Accessory	S		P		P						Section 6.201
Adult Care Facility	S		S								
Adult Foster Care Family Home	P		P								
Adult Foster Care Facilities not otherwise listed in this table	S		S								
Bed and Breakfast Inns	S		S								Section 6.202
Boarding Houses	S		S								
Family Child Day Care Homes	P		P								Section 6.203
Group Child Day Care Homes	S		S								Section 6.203
Home Occupations listed in Section 6.204	P		P								Section 6.204
Home Occupations not listed in Section 6.204	S		S								Section 6.204
Manufactured Housing Parks			P								Section 6.205
Multiple-Family Dwellings and Developments			P								Section 6.206
Single Family Dwellings, Detached	P		P								Section 6.207
State-Licensed Residential Facilities	P		P								

Section 4.02 Table of Permitted Uses by District.

USES	KEY		DISTRICTS							SUPPLEMENTAL USE STANDARDS
	SYMBOL		R-1	R-M	O	C-1	C-2	I	P	
	P	S	Principal Use	Special Approval Use	Prohibited Use					
Townhouses and Stacked Flats				P						Section 6.208
Two-Family or Duplex Dwellings			S	P						Section 6.209
OFFICE AND SERVICE USES										
Banks and Financial Institutions					P	P	P	P	P	Section 6.504
Barber Shops, Beauty Salons and Nail Care					P	P	P	P		Section 6.301
Catering Facilities					S	S	P			Section 6.302
Funeral Parlors or Mortuaries			S	S	P		P			Section 6.303
Hospitals							P	P		
Medical, Osteopathic, Chiropractic and Dental Offices, Medical Clinics, Urgent Care or Rehabilitation Centers					P	P	P	P		
Massage Therapists					P	P	P	P		Section 6.304
Nursing and Convalescent Homes, Foster Care Group Homes, Assisted Living Facilities and Senior Housing			S	P	S		S			Section 6.305
Offices for Professional, Executive, or Administrative Uses, Attorneys, Accountants, Realtors, Architects, Insurance and Similar Occupations					P	P	P	P		Section 6.306
Tattoo Parlors and Body Piercing Salons							P			Section 6.307
Video-Rental Establishments						P	P			
Workshops, Showrooms, Studios or Offices of Photographers, Skilled Trades, Decorators, Artists, Upholsterers, Tailors, Taxidermists and Similar Businesses, or for Repair and Service of Bicycles, Electronics, Small Appliances, Furniture, Shoes, and Similar Items					P	P	P	P		

Section 4.02 Table of Permitted Uses by District.

USES	KEY		DISTRICTS								SUPPLEMENTAL USE STANDARDS
	SYMBOL		R-1	R-M	O	C-1	C-2	I	P		
	P	S	Principal Use	Special Approval Use	Prohibited Use						
COMMUNITY USES											
Auditoriums and Performing Arts Theaters					P	P	P				Section 6.512
Cemeteries	S		S	S	S						
Child Day Care Centers and Child Caring Institutions			S	S	S			P	S		
Churches, Temples and Other Places of Worship	S		P	P	P	S	S				Section 6.401
Colleges, Universities and Other Institutions of Higher Education, Business Colleges and Commercial or Technical Schools					P	P	P	P	P		
Colleges and Commercial or Technical Schools					P	P	P	P	P		
Fire and Police Stations	S		P	P	P	P	P	P	P		
Government Offices	S		P	P	P	P	P	P			
Halls for Civic Clubs and Membership Organizations	S		S	S	P	S	P	P			
Health Club or Fitness Center					P	P	P	P	P		
Libraries, Museums and Fine Art Centers	S		P	P	P	P	P	P			
Post Offices					S	P	P	P	P		
Public Utility and Essential Service Structures and Uses	S		S	S	P	P	P	P	P		Section 6.403
Public Works or Road Maintenance Yards	S		S	S				P	P		Section 6.403 Section 6.603
Recreation Facilities, Indoor - (such as tennis/racquet courts, swimming pools, roller/in-line and ice-skating rinks and fitness tracks)	S		P	P	P	S	P	P	S		Section 6.404
Recreation Facilities, Outdoor - (such as parks, playgrounds, athletic fields or courts, swimming pools, golf driving ranges, roller/in-line and ice-skating rinks, fitness tracks and similar facilities)	P		P	P	S	S	S	S	S		Section 6.402 Section 6.404 Section 7.03
Schools, Elementary	P		P	P	P						
Schools, Secondary	S		P	P	P						

Section 4.02 Table of Permitted Uses by District.

USES	KEY		DISTRICTS								SUPPLEMENTAL USE STANDARDS
	SYMBOL		R-1	R-M	O	C-1	C-2	I	P		
	P	S	Principal Use	Special Approval Use	Prohibited Use						
COMMERCIAL USES											
Antique Shops and Art Galleries						P	P				
Arcades and Indoor or Outdoor Amusement Centers, Miniature Golf, Golf Driving Ranges, Bowling Alleys, Batting Cages or Similar Facilities						S	P				Section 6.404
Auto Parts Stores (without repair services)						P	P				Section 6.510
Automobile, Truck and other Motor Vehicle Fueling Stations, Gas Stations and Similar Facilities						S	S	S			Section 6.501
Automobile, Truck and other Motor Vehicle Service Centers for minor repair, including but not limited to brakes, tires, shocks and struts, undercoating, mufflers, oil and fluid changes and detailing shops)							P	P	P		Section 6.501
Bakeries							P	P	S		
Car Washes, Automatic or Self-service								P	P	S	Section 6.502
Cinema or Motion Picture Complex; Outdoor or Indoor with 3 or More Theaters									S		Section 6.510
Cinema or Motion Picture Theater, Indoor							P	P			Section 6.510
Drive-In or Drive-Through Facilities								S			Section 6.503
Dry Cleaner Central Cleaning/Processing Facilities								S	P		
Florists, Gift Shops and Specialty Shops						P	P	P			
Gunsmiths and Licensed Firearms Dealers									S		
Hardware and Home Improvement Stores and Building Supply Yards (indoor)							P	P		S	Section 6.506 Section 6.510 Section 6.603
Hotels and Motels						S	P	P			Section 6.504
Laundromat and Dry Cleaning Customer Pick-up/Drop-Off Only							P	P	P	S	

Section 4.02 Table of Permitted Uses by District.

USES	KEY		DISTRICTS							SUPPLEMENTAL USE STANDARDS
	SYMBOL		R-1	R-M	O	C-1	C-2	I	P	
	P	S	Principal Use	Special Approval Use	Prohibited Use					
Manufactured Housing Sales				S			S	S		Section 6.205 Section 6.506
Outdoor Cafés and Eating Areas						\$P	\$P			Section 6.505
Outdoor Sales or Display Area for Sales or Rentals of Goods, Products, Equipment, Machinery, Automobiles, Recreational Vehicles, Boats, Building Supplies, Hardware or Other Items						S	S	S		Section 6.506
Package Liquor Stores						P	P	S		Section 6.507
Pawnshops							S			Section 6.508
Dealers of Second-Hand Merchandise						P	P	P		
Printing or Copy Centers						P	P	P	S	
Recording Studios					S	S	P	P		Section 6.509
Restaurants, Coffeehouses, Doughnut Shops or Delicatessens					P	P	P	P	S	Section 6.503
Retail Stores and COMMERCIAL USES with up to 10,000 square feet of total gross floor area.						P	P	P		
Retail Stores and COMMERCIAL USES with 10,000 to 40,000 square-feet of total gross floor area						S	P	P		
Retail Stores and COMMERCIAL USES with more than 40,000 square-feet of total gross floor area							S			Section 6.510
Showroom or Sales Office (dealer-only) for Sales or Rentals of Automobiles, Recreational Vehicles, Boats, Equipment, Machinery or Other Durable Goods						S	P	P		
Tavern, Pub, Brewpub, Cocktail Lounge or Night Club						S	P			Section 6.511
Tobacconist or Cigar/Cigarette Shop						P	\$P			Section 6.513

Section 4.02 Table of Permitted Uses by District.

USES	KEY		DISTRICTS							SUPPLEMENTAL USE STANDARDS	
	SYMBOL		R-1	R-M	O	C-1	C-2	I	P		
	P	S									
Brewery, Distillery or Winery								S	P		Section 6.602
Carpet and Rug Cleaning and Similar Cleaning Businesses								S	P		Section 6.602
Crematoriums									S		Section 6.602
Electroplating, Welding and Sheet Metal Shops, Paint Mixing and Spraying, Metal Casting, Smelting, Plating, Fabricating, Buffing, Stamping, Dyeing, Shearing or Punching, and Automatic Sewing Machines and Rolling Mills									S		Section 6.602
Fabrication or Repair of Manufactured Housing or Temporary Offices									S		Section 6.602
Light Industrial Activities, such as: <ul style="list-style-type: none"> • Warehousing and Bulk Indoor Storage Facilities • Assembly of Pre-manufactured Parts for Goods, Products, Equipment, Machinery, Hardware or Similar Items • Blacksmithing, Furniture or Cabinet Repair or Manufacture, Machine Shops and Welding Shops, Stone Finishing and Carving, Printing, Bookbinding, or Publishing, Woodworking Shops and Similar Uses • Manufacture of Products from Aluminum, Brass, Other Metals, Bone, Leather, Paper or Rubber • Manufacture of Artificial Flowers, Ornaments, Awnings, Tents, Bags, Cleaning or Polishing Preparations, Brooms and Brushes, Buttons and Novelties, Canvas Products, Clothing for Wholesale Trade, Basket Material, Bicycles, Shoes, Caskets, Brick, Clay, Glass, Shale, Tile Terra Cotta Products or Similar Items • Bottling Works, Feed or Flour Mills, Grain Elevators, Smoking, Curing or Packing Plants and similar Food Processing Uses 							S	P		Section 6.602	

Section 4.02 Table of Permitted Uses by District.

USES	KEY		DISTRICTS							SUPPLEMENTAL USE STANDARDS
	SYMBOL		R-1	R-M	O	C-1	C-2	I	P	
	P	S								
Manufacture or Assembly of Automobiles, Recreational Vehicles, Boats, Trucks or Tractors, Ball or Roller Bearings, Chemicals, Petroleum-based products; Electronic Machinery and Components and Similar Products								S		Section 6.602
Manufacture, Processing, Production or Wholesale Storage of Chemicals; Petroleum or Paper Products; Cement, Lime, Gypsum or Similar Items								S		Section 6.602
Outdoor Storage of Goods, Products, Equipment, Machinery, Lumber, Landscaping and Building Supplies or Similar Items								S	P	Section 6.603
Outdoor Storage, Dismantling or Recycling of Automobiles, Trucks, Recreational Vehicles, Boats and other Motor Vehicles, Manufactured Houses and Similar Items								S		Section 6.604
Power Plants, Hazardous Materials Storage or Waste-Tire Facilities								S		Section 6.601
Recycling Collection Facilities and Composting Centers								S		Section 6.605
Research and Development Facilities, Technical Centers and Laboratories					S			P		
Self-Storage Warehouses								S	P	Section 6.606
Slaughter Houses, Rendering Plants, Tanneries, Commercial Stockyards or Feeding Pens, Glue, Soap, Soda, Compound and Similar Factories, Salt or Potash Works, and Similar Uses								S		Section 6.602 Section 6.607
Automobile, Truck and other Motor Vehicle Repair Stations for major repair, including but not limited to body shops, painting, welding, and engine or transmission repair or replacement)								S	P	Section 6.501
Truck Terminals and Distribution Facilities, Wholesaling and Trucking Operations, and Truck Storage									S	Section 6.608

Section 4.02 Table of Permitted Uses by District.

USES	KEY			DISTRICTS								SUPPLEMENTAL USE STANDARDS
	SYMBOL	Principal Use	Special Approval Use	R-1	R-M	O	C-1	C-2	I	P		
	P	S	Prohibited Use									
TEMPORARY, SPECIAL EVENT AND OTHER USES												
Accessory / Off-Street Parking Lot for Private Passenger Automobiles	P	P		P	P	P	P	P	P	P	P	Article 9
Accessory Structures and Uses Customarily Incidental to any Permitted Use	P	P		P	P	P	P	P	P	P	P	Article 7
Adult Uses and Sexually-Oriented Businesses								S				Section 6.701
Circuses, Fairs, Carnivals and Similar Uses	S	S						S				Section 6.702
Construction Buildings and Uses	P	P		P	P	P	P	P	P	P	P	Section 6.706
Garage for Commercial Vehicles	S	S		S	S	S	S	P	P	P	P	Section 6.703
Garage Sales, Estate Sales and Private Auctions	P	P										Section 6.704
Mining and Extraction Uses											S	Section 6.705
Temporary Structures and Uses	S	S		S	S	S	S	S	S	S		Section 6.706

ARTICLE 5

DIMENSIONAL STANDARDS

CHAPTER I

TABLE OF DIMENSIONAL STANDARDS BY DISTRICT

Section 5.101 Table of Dimensional Standards by District.

STANDARDS	DISTRICTS								Supplemental Provisions & Exceptions	
	R-1	R-M	O	C-1	C-2	I	P			
BUILDING HEIGHT (feet)	Maximum	Feet	30'	35'	30'	40'	35'	40'	15'	Section 5.203
		Stories	2.5	3	2	3			1	
	Minimum	Stories	1	1	2	2	2	1		
		Minimum Width (feet)	70'	150'	60'	0'	60'	100'	60'	
LOT STANDARDS (per unit)	Minimum Depth (feet)		120'	150'						Section 22.04 (Nonconforming Lots of Record)
		Minimum Area (square-foot)	8400	4200 22500	7200	0'	7200	20000	7200	
	Maximum Coverage (%)		35%	25%	35%	100%	40%	50%	30%	
		Minimum	20'	20'	20'	0'	20'	25'	20'	
YARD or SETBACK STANDARDS (feet)	Front Yard	Maximum or Build-to-Line				10'				Section 5.201 Sections 5.302 – 5.304 Article 7 (Accessory Structures and Uses)
			Minimum	6'	20'	10'	0'	10'	20' 10'	
	Side Yard	Each Side Yard	16'	40'	20'	0'	20'	40' 20'	20' 10'	
		Total of Two								
Minimum Rear Yard		40'	40'	40'	0'	20'	20'	20'	Section 5.202 Section 5.204 Section 5.302	
MINIMUM BUILDING SEPARATION (feet)			10'	20'	20'	0'	20'	20'	10'	
MINIMUM GROSS FLOOR AREA (per unit - square-foot)			1100	450	1200					