

ARTICLE 8

BUSINESS DISTRICTS

Section 8.01 Statement of Purpose.

- 8.01.01 **OR, Office Restricted District:** The OR, Office Restricted District is designed to accommodate low-intensity office type professional and administrative services necessary for the normal conduct of community activities. A limited range of convenience and service businesses are permitted within larger office developments for the benefit of the office personnel and visitors, provided office remains the predominant use within the district. The districts may serve as a transition between residential and nonresidential districts, and provide transitions between major thoroughfares and residential districts.
- 8.01.02 **B-1, Central Business District:** The B-1, Central Business District is designed to promote continuation and enhancement of the historic, small-scale, pedestrian oriented, low vehicular traffic generating, retail environment of Downtown Dundee. Uses are intended to be limited to a size and scale that is compatible with the historic character of the downtown and the surrounding residential neighborhoods. The district allows for a mixture of uses with the intent of maintaining retail on the first floor, with residential and offices on upper floors. This mixture of uses is intended to create more vitality and strengthen the downtown. As the downtown is on both the federal and state Register of Historic Places, this district is further intended to protect the significant historic, architectural and cultural resources that are a major asset to the overall community.
- 8.01.03 **B-2, General Business District:** The B-2, General Business District is intended to provide for a variety of commercial and service uses, including more intensive commercial uses not permitted in the B-1, Central Business District and B-3, Tecumseh Street District. The B-2 district is intended to permit commercial establishments that cater to the convenience and comparison shopping needs of Village residents. Because of the variety of business types permitted in the district, special attention must be focused on site layout, building design, landscaping, vehicular circulation and coordination of site features between adjoining sites to ensure compatibility with the overall historic and high quality character of the Village. Furthermore, these uses are concentrated so as to avoid undue congestion to feeder streets by reducing the number of entrances and exits onto major thoroughfares to promote smooth traffic flow at freeway interchanges and major road intersections.
- 8.01.04 **B-3, Tecumseh Street District:** The Tecumseh Street District is intended to provide an appropriate mix of compatible uses along M-50 from the U.S. 23 interchange to the historic downtown area and from the east towards the downtown. The overall purpose of this District is to establish a mixed-use gateway into the downtown that provides a proper land use transition into the downtown and from adjacent residential neighborhoods. In addition to the establishment of permitted uses, regulations are in place to discourage strip or linear development and to encourage stable and desirable development in a cluster or planned pattern that minimizes impacts on the adjacent residential neighborhoods. Ensuring that all development and redevelopment will be in harmony with the overall residential character of the corridor and the historic character of the Village is also a key element of the district.
- 8.01.05 **B-4, Interchange Business District:** The B-4, Interchange Business District is designed to accommodate a wide variety of expressway related uses to meet the needs of the citizens and businesses in the Dundee area, and the needs of motorists along U.S. 23. Uses permitted in the B-4 district are generally characterized by those not considered appropriate for the B-1,

Central Business District, B-2, General Business District, or B-3, Tecumseh Street District, due to traffic generation, amount of parking required or areas and scale of buildings. Uses that are considered to generate particularly high traffic volumes or other external impacts are treated as uses permissible on special land use approval to ensure the requested locations are appropriate for those uses.

Section 8.02 Uses Permitted.

8.02.01 The following uses of land and structures shall be permitted in the various business districts as provided for in Table 8.01. A “P” in the table indicates that a use is permitted by right following approval by the Planning Commission in accordance with the procedures and requirements of Article 12, Site Plan Review Procedures and Requirements. An “S” in the table indicates that a use requires special land use approval by the Planning Commission in accordance with the procedures and requirements of Article 13, Special Land Uses along with those of Article 12, Site Plan Review Procedures and Requirements. A notation of “- -” indicates that the use is not permitted within the district. The final column includes additional conditions that apply to the use by either referencing a footnote to Table 8.01 or referring to an applicable Section in the Zoning Ordinance:

Table 8.01 Business Districts Schedule of Uses						
District Uses	OR	B-1	B-2	B-3	B-4	Conditions
OFFICE						
Banks, credit unions, savings and loan associations, and similar uses	P	P S	P	P	P	
Business service establishments, such as typing,, copying and printing	P	P	P	P	P	
Data processing and computer centers, including service and maintenance facilities	P	--	P	P	P	
Hospitals, health care centers or 24-hour med stations	S	--	S	--	S	(k, q)
Medical and dental offices, including clinics and laboratories	P	S	P	S	P	(k)
Office-type businesses related to executive, administrative, or professional occupations including, but not limited to, offices of a lawyer, accountant, tax consultant, financial advisor, insurance/real estate agent, architect, engineer and similar occupations.	P	P	P	P	P	
Veterinary hospitals and clinics, providing there is no on-site boarding of animals	S	--	P	--	P	(y)
RETAIL AND SERVICE						
Bars, taverns and/or lounges	--	P	S (d)	S (d)	S	(d)
Bed and breakfast inns	--	--	--	S		(e)
Child and adult day care facilities	S	--	S	S	P	(f)
Extended hour uses (open more than 18 continuous hours within any given 24 hour period)	--	S	S	S	S	(g)
Establishments of plumbers, heating contractors, decorators, electricians, or similar tradesman provided outdoor storage is limited to vehicles	--	--	P	--	P	
Funeral homes and mortuaries	S	S	S	--	--	(h)
Garden centers and nurseries	--	--	S	--	S	(i)
Hotels and motels	--	S (l)	S	--	P	
Kennels	--	--	S	--	--	(n)
Large scale retail and service uses (greater than 30,000 sq. ft. of gross floor area)	--	--	S	--	S	(o)
Open air business uses - as accessory	--	S	S	S	S	(g)

Table 8.01 Business Districts Schedule of Uses						
District Uses	OR	B-1	B-2	B-3	B-4	Conditions
Personal service establishments which perform services on the premises, such as, but not limited to: repair (watches, radio, television, shoe, etc.), tailor shops, beauty parlors, barber shops, interior decorators, photographers, and drycleaners	--	P	P	P	S	
Pet day care facilities, providing there is no on-site boarding of animals	--	--	S	--	S	
Pet grooming facilities, providing there is no on-site boarding of animals	S	--	S	--	S	
Restaurants: Sit Down	S	P	P	P	P	(v)
Restaurants: Drive-in, Drive-through, Fast Food	--	--	S	--	P	(v)
Restaurant: Carry-out, Open Front Window	--	S	P	S	P	(v)
Retail businesses in an enclosed building which supply commodities on the premises in a building of up to 30,000 square feet in gross floor area, and whose principal activity is the sale of merchandise such as, but not limited to: food, drugs, liquor, furniture, clothing, dry goods, notions, and hardware	--	P	P	S	P	
Tool and equipment rental establishments	--	--	S	--	S	
Video rental	--	P	P	S	P	
AUTOMOTIVE						
Auto sales (new) with used auto sales permitted only as accessory to new auto sales	--	--	S	--	S	(b)
Automobile service stations for sale of gasoline, oil (including oil change facilities), and minor accessories only	--	--	P	S	P	(b)
Automobile or truck rental	--	--	S	--	S	(b)
Automobile washes, self service and automatic	--	--	P	--	P	(c)
RECREATIONAL						
Artisan and farmers markets	--	S	--	--	--	(a)
Conference centers, banquet halls, assembly halls, dance halls, or similar places of assembly	S	S	S	--	P	
Health clubs and physical fitness centers	S	S	P	S	P	
Indoor recreation facilities such as a movie theater, skating rink, soccer complexes or bowling alley	--	S	P	--	P	(m)
Indoor shooting /archery ranges	--	--	S	--	S	(m)
Private service clubs, fraternal organizations, lodge halls and other similar organizations	S	S	P	--	S	(t)
Studios for professional work and/or teaching of music, dance, drama, photography or other similar activities	S	S	P	P	--	
PUBLIC, INSTITUTIONAL AND UTILITY						
Publicly owned buildings, governmental offices or other governmental uses, including public utility offices	P	P	P	S	P	(u)
Churches and other incidental facilities	P	P	P	--	--	
Transformer stations and pump stations for public utilities	P	S	P	P	P	
RESIDENTIAL						
Housing for the elderly and nursing / convalescent homes	--	S	S	S	--	(j)
Live / work units	--	P	--	S	--	(p)
One-family dwellings located above the first floor within a building containing another permitted use	--	P	--	P	--	(r)
Rowhouses (aka one-family attached dwellings)	--	--	--	S	--	(w)

MISCELLANEOUS						
Accessory structures and uses customarily incidental to the above permitted principal uses	P	P	P	P	P	Sec. 3.16
Hawkers and peddlers in accordance with General Ordinance Chapter 18, Article III,	--	P	--	--	--	
Permitted principal uses with a drive-through	S	--	S	S	P	(s)
Sidewalk café service operated by a restaurant which sells food for immediate consumption	--	P	--	S	--	(x)
Similar Uses in accordance with Section 3.04 General: Determination of "Similar Uses"	P/S	P/S	P/S	S	P/S	Sec. 3.04
Temporary uses, buildings and structures	P	S	P	S	--	Sec. 3.09

8.02.02 **Standards:** The following standards shall apply to the above noted uses:

(a) **Artisan and Farmers Markets:**

(1) The following are the types of vendors permitted at an artisan and/or farmers market:

- A. Farmers – raise agricultural products (i.e. fruits, vegetables, herbs, flowers or nursery crops from seed or purchased “starters”) that are personally cared for, cultivated, and harvested.
- B. Agricultural Processors – farmers who choose to process their agricultural products for pre-packaged sale (i.e. milk, cheese, oils, vinegars, meats, poultry, eggs, honey, soap and herbal preparations).
- C. Food Processors – sale of fresh food products that have been personally prepared (i.e. juice, baked goods, jams, etc.)
- D. Resellers – individuals who purchase produce from local farmers and then resell directly to the customer.
- E. Crafters – individuals who create craft objects made with their own hands and imagination from “raw” materials (i.e. wax, clay, wood, metal, leather, etc.)

(2) The hours of operation, parking, dimensional requirements, signage, lighting, etc. shall be evaluated as a part of the special land use request.

(b) **Automobile Filling Stations, Repair Garages, Service Stations and Dealerships:**
All such uses shall conform to the following regulations:

- (1) All activities related to automobile service and repair equipment shall be entirely enclosed within a building located not less than forty (40) feet from any street lot line, and not less than ten (10) feet from any side lot line.
- (2) The curb cuts for ingress and egress to a filling or service station shall not be permitted at any location that will tend to create traffic hazards on the streets immediately adjacent thereto. Entrances shall conform to specifications of the Village of Dundee engineering standards.

- (3) Outdoor storage of trash, including new or discarded vehicle parts, shall be contained within a solid, unpierced enclosure located within the rear of the property.
 - (4) Motorized vehicle sales shall not be permitted on the premises when the principle use is an automobile filling station, repair garage, service station, and automobile wash.
 - (5) Minimum lot area shall be ten thousand (10,000) square feet, and so arranged that ample space is available for motor vehicles that are required to wait.
 - (6) All such uses shall not be located nearer than one hundred (100) feet to a school, church, public park or auditorium, measured from the property line.
 - (7) All coverings of the service or filling station gasoline pumps shall be no taller than the principal structure and constructed of compatible materials. Such canopies shall not be lit internally for signage purposes. All proposed lighting shall be fully recessed.
 - (8) Gasoline pumps shall be located not less than fifteen (15) feet from any lot line, and shall be arranged so that motor vehicles do not park upon or overhang any public sidewalk, street or right-of-way while waiting for or receiving fuel service.
 - (9) A filling or service station shall have no more than eight (8) pump stations and two (2) enclosed stalls for servicing, lubricating, greasing and/or washing motor vehicles. An additional two (2) pump stations and/or one enclosed stall may be included for each additional two thousand (2,000) square feet of lot area above the minimum twenty thousand (20,000) square feet.
 - (10) A convenience store or restaurant, with or without a drive-through (see subsection (s)) may be located within the station providing it complies with the provisions for an accessory use (see Section 3.16).
- (c) **Automobile Wash Facilities:**
- (1) Coin-operated/Self-Service Establishments.
 - A. All buildings shall have a front yard setback of not less than thirty (30) feet.
 - B. All washing facilities shall be within an enclosed shelter.
 - C. Vacuuming and drying areas may be located outside the building, but shall not be closer than fifteen (15) feet to any residential district.
 - D. All cars required to wait for access to the facilities shall be provided space off the street right-of-way.

- E. Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets.
 - F. A five (5) foot completely obscuring brick, stone, or similar material wall shall be provided along the property line where abutting a residential district.
- (2) Full Service Establishments.
- A. All buildings shall have a front yard setback of not less than sixty (60) feet.
 - B. All washing facilities shall be within a completely enclosed building.
 - C. Vacuuming and drying areas may be located outside the building but shall not be closer than twenty-five (25) feet to any residential district.
 - D. All cars required to wait for access to the facilities shall be provided space off the street right-of-way.
 - E. Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets.
 - G. A five (5) foot completely obscuring brick, stone, or similar material wall shall be provided along the property line where abutting a residential district.
- (d) **Bars, Taverns and Lounges:** All such uses located within the B-2 and B-3 districts, as well as within the DDA, shall be exempt from the special land use requirements provided the use is accessory to another permitted principal use.
- (e) **Bed-and-Breakfast Inns:** Meals or other services provided on the premises shall only be available to residents, employees and overnight guests of the inn.
- (f) **Child and Adult Care Facilities:**
- (1) Adult day-care centers are subject to the following conditions:
 - A. The property is maintained in a manner that is consistent with the character of the area.
 - B. A separate drop-off and pick-up area shall be provided adjacent to the main building entrance, located off a public street and the parking access lane, and shall be of sufficient size so as to not create congestion on the site or within a public roadway.
 - C. Where outdoor activity areas are provided, they shall be enclosed by a fence that is at least four (4) feet in height but no higher than six (6) feet.

- (2) Child day-care centers are subject to the following conditions:
- A. The property is maintained in a manner that is consistent with the character of the area.
 - B. A separate drop-off and pick-up area shall be provided adjacent to the main building entrance, located off a public street and the parking access lane, and shall be of sufficient size so as to not create congestion on the site or within a public roadway.
 - C. There shall be an on-site outdoor play area of the greater of one thousand five hundred (1,500) square feet or seventy-five (75) square feet for each child. Said play area shall not be located within the front yard. This requirement may be waived by the Planning Commission if a public play area is available within five hundred (500) feet from the subject parcel.
 - D. All outdoor play areas shall be enclosed by a fence that is designed to discourage climbing and is at least four (4) feet in height, but no higher than six (6) feet.
 - E. For each child, a center shall have a minimum of fifty (50) square feet of indoor activity space for use by, and accessible to, the child, exclusive of all of the following: hallways, storage areas and cloakrooms, kitchens and reception and office areas.
 - F. Appropriate licenses with the State of Michigan shall be maintained.

(g) **Extended Hour Uses.**

- (1) **Setback.** All buildings, associated parking lots, maneuvering lanes, and drive-through lanes (if applicable) shall be setback no less than one hundred (100) feet from the lot line of a single family zoned and/or used parcel.
- (2) **Buffering.** All parcel perimeters that abut a single family zoned and/or used parcel shall have no less than a six (6) foot continuous buffer. The buffer may consist of a solid fence or wall, a double staggered row of evergreens and/or a combination of each.
- (3) **Noise.** Any noise associated with 18 hour operations shall not exceed sixty (60) decibels when measured at the property line. The noise shall also not be intermittent in nature, high frequency, or that which causes vibration.
- (4) **Lighting.** Any operation or activity that produces glare shall not cause illumination in excess of 0.3 foot-candles when measured along the lot line of a single family zoned and/or used parcel. Between dusk and dawn, the light levels shall be further reduced to 0.0 foot-candles when measured at the same property lines.

(h) **Funeral Homes and Mortuaries:** Funeral homes and mortuaries shall be subject to the following:

- (1) The funeral home shall be a licensed facility by the State of Michigan.
- (2) A funeral home may contain a dwelling unit for the owner and/or caretaker.

(i) **Garden Centers and Nurseries:**

- (1) Storage shall not be located within the required front yard. Stored materials shall not be located in any required parking or loading space(s). Storage of any kind shall not interfere with ingress and egress of fire and emergency vehicles and apparatus.
- (2) Open storage of building materials, sand, gravel, stone, lumber, open storage or construction contractor's equipment and supplies, provided such are enclosed within an obscuring wall on those sides abutting any residential district and on any front yard abutting a public thoroughfare. Storage shall be screened from the view of a public street and adjacent properties in accordance with the requirements of subsection 19.05.03.
- (3) The location and size of areas for storage, nature of items to be stored therein, and details of the enclosure, including a description of materials, height, and typical elevation of the enclosure, shall be provided as part of the information submitted under Article 12, Site Plan Review.
- (4) The loading and unloading of equipment shall be conducted entirely within the site and shall not be permitted within a public right-of-way.

(j) **Housing for the Elderly and Nursing/Convalescent Homes:**

(1) Housing for the elderly shall comply with the following conditions:

A. Independent Living for the Elderly. Dwellings may be provided for as one-family detached, two-family or multiple family units. The minimum site area requirements for purpose of calculating density shall be as follows:

<u>Dwelling Unit Size</u>	<u>Site Area/Unit (sq. ft.)</u>
Efficiency/One Bedroom	2,000
Two Bedroom	4,000
Each additional bedroom	500

B. Assisted Living for the Elderly. Where such facilities contain individual dwelling units with kitchen facilities, the density requirements set forth in subsection 5.03.01 shall apply. Where facilities do not contain kitchen facilities within individual dwelling units, the site area per bed shall be two hundred (200) square feet.

C. Both independent and assisted living facilities shall be contained within a building which does not exceed two hundred and fifty (250) feet in overall length, measured along the front line of connecting

units, inclusive of any architectural features which are attached to or connect the parts of the building together. The Planning Commission may permit buildings of greater length when it can be demonstrated that architectural design and natural and topographic features ensure that the building is in scale with the site and surrounding areas.

D. Building setbacks shall comply with the following:

- (i) Perimeter setbacks shall be no less than seventy-five (75) feet from the front property line and fifty (50) feet from all other property lines.
- (ii) Internal setbacks for one and two-family dwellings located on an individual lot shall be as follows:

Front	25 feet
Rear	35 feet
Least Side	7.5 feet
Total Side/Between Buildings	20 feet

- (iii) Internal setbacks for one and two-family dwellings not located on an individual lot shall be as follows:

	Multiple Family	One/Two-Family
Internal Drives/Streets	25	25
Side/Side Orientation	30	20
Side/Front, Side/Rear	30	35
Front/Front, Front/Rear, Rear/Rear	50	50

E. Minimum Floor Area. Each dwelling unit shall comply with the following minimum floor area requirements, excluding basements:

<u>Dwelling Type</u>	Floor Area (sq. ft.)	
	<u>Assisted Living Unit</u>	<u>Independent Living Unit</u>
Efficiency	400	500
One Bedroom	550	650
Two Bedroom	700	800
Additional bedroom	150 per	150 per

F. Building Height. The maximum height of a building shall comply with that of the zoning district.

G. Open Space/Recreation. Open space and recreation shall be provided in accordance with the following requirements:

- (i) Total open space required shall be a minimum of fifteen (15) percent of the site.

- (ii) Recreation facilities shall be appropriate and designed to meet the needs of the resident population. Active recreation shall be located conveniently in relation to the majority of dwelling units intended to be served.
 - H. Accessory Uses. Support uses offered solely to residents may be permitted provided they are contained within the principal building and are strictly accessory to the principal use as an elderly residential facility. Such support may include congregate dining; health care; personal services; and social, recreational, and educational facilities and programs.
- (2) Nursing homes and convalescent centers shall comply with the following conditions:
- A. Minimum lot size shall be based upon no less than two thousand (2,000) square feet per bed.
 - B. The site shall be so developed as to create a land-to-building ratio on the lot or parcel whereby for each bed in the nursing homes/convalescent centers there shall be provided not less than one thousand five hundred (1,500) square feet of open space. Such space shall provide for landscape setting, off-street parking, service drives, loading space, yard requirements, employee facilities and any space required for accessory uses. The one thousand five hundred (1,500) square foot requirement is over and above the building coverage area requirement.
 - C. No building shall be closer than forty (40) feet from a property line.
 - D. The lot location shall be such that at least one (1) property line abuts a collector street, secondary thoroughfare, or primary thoroughfare. More than one (1) point of vehicle ingress and egress shall be provided directly from said thoroughfare.
 - E. Area for access of emergency vehicles shall be provided for each primary building entrance.
- (k) **Hospitals:** Hospitals shall be subject to the following:
- (1) The lot shall have frontage along a major thoroughfare and access to the facility shall be from that street.
 - (2) Ambulance and emergency entrance areas shall be visually screened from the view of adjacent residential uses or residential zoning districts by a building or brick, stone, or similar material wall six (6) feet or more in height.
- (l) **Hotels and Motels in B-1:** Hotels and motels may be permitted in the B-1 Central Business District as a special land use provided that lodging rooms are not located on the ground floor level of the building.

- (m) **Indoor Recreational Facilities:** The building walls shall be at least one hundred (100) feet from the district boundary of any residential district, and no inflatable athletic domes shall be permitted.

- (n) **Kennels:** A kennel, licensed by the county and/or state, shall be subject to the following requirements:
 - (1) The minimum lot size shall be one and one-half (1.5) acres.
 - (2) Structures or pens shall not be located less than two hundred (200) feet from a public right-of-way or less than fifty (50) feet from a side or rear lot line.
 - (3) Kennels shall not be located less than three hundred (300) feet from any residential dwelling or Residential District.
 - (4) The kennel shall be established and maintained in accordance with the applicable County and Village sanitation regulations.

- (o) **Large Scale Retail and Service Uses.** These provisions are intended to regulate retail establishments of greater than 30,000 square feet of floor area, whether located as an individual use on a single site or as part of a shopping center with a grouping of attached and/or detached buildings. While it is recognized that large scale retail establishments may provide goods and services to Village residents, such stores are primarily focused on attracting consumers from a market area larger than the Village. Therefore, specific standards are required to ensure that large scale retail stores can be adequately served by, do not create an inordinate impact upon roads, utilities, storm drainage and police and fire services, and are subject to the following conditions:
 - (1) **Building Design Standards.**
 - A. **Facades and exterior walls:**
 - (i) Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate projections or recesses extending at least twenty (20%) percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.
 - (ii) Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than fifty (50%) percent of their horizontal length.
 - (iii) Building facades must include a repeating pattern that includes no less than two (2) of the following elements: color change; texture change; and an expression of architectural or structural bays through a change in plane no less than twelve (12) inches in width, including, but not limited to an offset, reveal or projecting rib.

- B. Roofs. Roofs shall have no less than two of the following features:
 - (i) Parapets concealing flat roofs and rooftop equipment including, but not limited to HVAC units from public view are required. Parapets shall not exceed 1/3 of the height of the supporting wall at any point. Such parapets shall feature three-dimensional cornice treatment;
 - (ii) Overhanging eaves, extending no less than three (3) feet past the supporting walls;
 - (iii) Sloping roofs with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run; and
 - (iv) Three (3) or more roof slope planes.
 - C. Materials and Colors.
 - (i) Predominant exterior building materials shall be high quality material, including, but not limited to, brick, stone, and integrally tinted/textured concrete masonry units.
 - (ii) Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
 - (iii) Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
 - (iv) Exterior building materials shall provide texture to at least fifty (50%) percent of the facade and shall not be completely made up of smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
 - D. Entryways. Each principal building on a site shall have clearly defined, highly visible customer entrances.
- (2) Site Design Standards.
- A. Parking lot location. No more than fifty (50%) percent of the off-street parking area devoted to the large scale retail establishment shall be located between the front facade of the principal building and the abutting streets.
 - B. Connectivity. The site design must provide direct connections and safe street crossings to adjacent land uses. Pavement/material changes at drive crossings should be installed where possible to better define pedestrian crosswalks.

- (3) Pedestrian circulation.
 - A. Internal pedestrian walkways, no less than six (6) feet in width, shall be provided connecting the public sidewalk to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity including, but not limited to transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flowerbeds, ground covers or other such materials for no less than 50% of the length of the walkway.
 - B. Sidewalks, no less than eight (8) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least ten (10) feet from the facade of the building to provide planting beds for foundation landscaping, except where features including, but not limited to arcades or entryways are part of the facade.
 - C. All internal pedestrian walkways which cross or are incorporated with vehicular driving surfaces shall be distinguished from such driving surfaces through the use of durable, low maintenance surface materials including, but not limited to pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Surface materials used for internal pedestrian walkway shall be designed to accommodate shopping carts.
- (4) Central features and community space. Each large scale retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two (2) of the following: patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkway, outdoor playground area, kiosk area, water feature, clock tower or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the Village, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network, and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.
- (5) Off-street loading, outdoor storage, refuse and recyclable containers.
 - A. Off-street loading shall be located in accordance with the standards set forth in Article 21.
 - B. Refuse and recyclable containers shall be located in accordance with the standards set forth in Section 3.23.
 - C. All screening shall be in accordance with the standards set forth in Sections 3.23 and 19.05.06.
 - D. Outdoor storage areas shall be prohibited.

(p) **Live/Work Units:**

- (1) Design and Development Standards. Live/work units shall be subject to the following criteria:
 - A. At the time of application approval and for the reasonable foreseeable future the commercial site and surrounding area are suitable for joint residential and commercial use.
 - B. The project is designed to provide flexible work space in conjunction with living areas that are conducive to work environment.
 - C. Residential and commercial uses are integrated in such a manner as to address noise, hazardous materials, and other health and safety issues onsite as well as offsite.
 - D. The project site must remain primarily in commercial use. At no time shall more than fifty (50%) percent of the combined floor area of buildings identified for re-use or new buildings constructed on a project site be dedicated or used for non-commercial use.
 - E. All designated work space shall be designed to accommodate commercial uses as evidenced by the provision of flooring, interior storage, ventilation, storefront windows, roll-up doors and/or other physical improvements of the type commonly found in exclusively commercial facilities used for the same work activity.
 - F. The living area of the live/work unit shall be at least five hundred (500) square feet and shall not be occupied so that each person residing therein shall have less than two hundred (200) square feet of living space.
 - G. The living area of the live/work unit shall be attached to or part of the primary building in which a business is normally operated.
- (2) Integration of Commercial and Living Space. The commercial use shall be the primary focus of the front of the building. Living space shall be physically integrated into the commercial space and shall not be separately rented, leased, or sold. Mezzanines and lofts within the unit may be used as living space subject to compliance, with the other provisions of this Section.
- (3) Parking Requirements. Live/work units shall comply with the parking standards set forth in Article 21. However, the Planning Commission may modify this requirement as appropriate to allow for the re-use of existing structures with limited parking or to accommodate authorized employees and/or customer or client visits.
- (4) Operating Requirements.
 - A. A live/work unit shall be occupied and used only by the owner of the business within the unit and his/her immediate family.

- B. Notice to occupants. The owner or developer of any structure containing live/work units shall provide written notice to all live/work occupants and users that the surrounding area may be subject to levels of dust, fumes, noise, or other effects associated with commercial uses at higher levels than would be expected in more typical residential areas.
 - C. An ongoing business must exist to allow residential occupancy of the live/work unit. If the business ceases to operate, the special land use permit shall end and the living area must be vacated within 6 months of the last day of business.
 - D. The business and residential areas must be maintained separately and no business activity inclusive of but not limited to storage of any inventory or servicing or maintenance of any product shall be allowed in the residential area.
- (q) **Medical Accessory Uses:** Accessory uses customarily related to a medical use such as a pharmacy; stores limited to corrective garments or bandages, optical company or restaurant may be permitted; provided, it is within the building to which it is accessory and does not have a separate, direct outside entrance for customers.
- (r) **One Family Dwellings Located Above the First Floor:**
- (1) All such dwelling shall comply with the accessory use provisions of the ordinance.
 - (2) The minimum floor area requirements for multiple family dwellings set forth in subsection 5.03.01 shall be met.
 - (3) The Planning Commission may impose reasonable conditions to ensure the health, safety and welfare of the occupants.
- (s) **Permitted Principal Use with a Drive-Through:** All drive through windows for facilities including, but not limited to restaurants, banks, etc. are restricted to the side or rear elevations of all structures that provide drive through services. The following shall also apply:
- (1) A setback of at least sixty (60) feet shall be maintained from an existing or proposed right-of-way.
 - (2) Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets measured from the road right-of-way lines.
 - (3) A five (5) foot high completely obscuring wall, fence, berm, landscaping, or combination thereof, compatible with the surrounding area shall be provided where abutting residential zoning districts.
- (t) **Private Service Clubs, Fraternal Organizations, And Lodge Halls.** Sites for private service clubs, fraternal organizations and lodge halls shall have at least one (1) property line abutting a major thoroughfare.

- (u) **Publicly Owned Buildings: Utility Uses:** Utility offices shall not include service or storage yards.
- (v) **Restaurants:** All food preparation shall be inside the establishment.
- (w) **Rowhouses/Single Family Attached Dwelling Units:** Rowhouses/single family attached dwelling units may be permitted in the B-3, Tecumseh Street District, subject to the following conditions:
 - (1) No less than three (3) contiguous two (2) or more story units shall be required.
 - (2) All parking shall be screened from M-50 (i.e. behind the building) and may be provided within a garage or within a surface lot.
 - (3) All structures shall be located at or near the front (Tecumseh Street) property line.
- (x) **Sidewalk Café Service:** A sidewalk cafe service operated by a restaurant or other food establishment that sells food for immediate consumption may be permitted in the B-1, Central Business District and B-3, Tecumseh Street District, subject to the following conditions:
 - (1) An outdoor cafe shall be allowed only during normal operating hours of the establishment.
 - (2) If a sidewalk cafe is located on a public sidewalk (only permitted in the B-1 zoning district), a minimum of five (5) feet of unobstructed, pedestrian access along the sidewalk shall be maintained. Otherwise all sidewalk cafes shall be located outside of the public sidewalk.
 - (3) All food preparation shall be inside the establishment.
 - (4) If alcoholic beverages are to be served, the current Liquor Control Commission Rules and Regulations must be abided.
 - (5) No music, intercom or other noise shall be permitted that impacts adjacent properties.
 - (6) Appropriate screening and/or fencing shall be provided as determined to be necessary and advisable by the Planning Commission in the course of its site plan review process.
 - (7) Cafe service areas shall comply with all regulations and provisions required for the establishment/building.
 - (8) The exterior of the premises, including the sidewalks, shall be kept clean, orderly and maintained or the permit may be revoked. All food preparation shall be inside of the premises.

- (9) The Village shall not be held liable or responsible for any type of damage, theft or personal injury that may occur as a result of a sidewalk cafe operation.

(y) Veterinary Hospitals and Clinics:

- (1) All activities (such as injections, examinations, surgeries, and other similar activities) must take place inside of a building.
- (2) For each Class II Animal to be served the following applies:
- A. One and a half (1.5) acres for the first animal.
 - B. One (1) additional acre for the second through tenth animal.
- (3) Ten (10) Class III animals equal one (1) Class II animal (chickens, ducks, rabbits).
- (4) Front, side and rear setbacks for veterinary hospitals or clinics serving Class II or Class III animals are as follows:
- A. Front Yard: No less than 25 feet, unless specific district require more.
 - B. Side Yards: Each side twenty (20) feet, unless specific district requires more.
 - C. Rear Yard: Thirty five (35) feet unless the specific district requires more.

Section 8.03 Area and Size Requirements.

8.03.01 Business Districts Schedule of Area and Bulk Requirements: No building or structure, nor the enlargement of any building of structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

Table 8.02 Business Districts Schedule of Area and Bulk Requirements							
Zoning Districts	Maximum Building Height		Setback Requirements (a, b, e)				
	In stories (c)	In feet	Front Yard (d)	Side Yard	Total Both Side Yards	Rear Yard	Natural Feature
OR, Office Restricted	2	30	25	8	20	35	25
B-1, Central Business District	4	60	--	--	--	--	25
B-2, General Business District	3	45	20	20	40	20	25
B-3, Tecumseh Street Overlay District (f, g)	3	50	--	--	--	10	25
B-4, Interchange Business District	6	90	25 10 w/no parking in front yard	20	50	20	25

Note: Footnotes provided on the following page.

8.03.02 **Footnotes:** The following footnotes apply to Table 8.02:

- (a) **Access drives in yards.** Access drives may be placed in the required front or side yards so as to provide access to rear yards or accessory or attached structures. These drives shall not be considered structural violations of the required front or side yards.
- (b) **Architectural projections into yards.** Architectural features, not including vertical projections, may extend or project into a required yard as permitted by Article 3 General Provisions, Section 3.26 Site: Projections into Yards
- (c) **Interior ceiling height.** The interior ceiling height of all usable space (see definition) of each story shall be as follows:

B-1 and B-3 Zoning Districts:

First Story of All Commercial Structures – between ten (10) and fourteen (14) feet.

Upper Stories and All Residential Structures – between nine (9) and twelve (12) feet.

B-2 and B-4 Zoning Districts:

First Story of all Structures (excluding hotels and residential) – between ten (10) and fourteen (14) feet.

Upper Stories of all Structures (excluding hotels and residential) – between nine (9) and twelve (12) feet.

First Story of Hotels and Residential Structures – between nine (9) and fourteen (14) feet.

Upper Stories of Hotels and Residential Structures – between eight (8) and twelve (12) feet.

- (d) **Parking in the front yard.** No more than one (1) single row of parking is permitted between the building and the front property line within the B-2 and B-4 zoning districts. Parking in the front yard is prohibited in the B-1 and B-3 zoning districts.
- (e) **U.S. 23 setback.** A fifty (50) foot landscaped greenbelt/setback shall be provided along the U.S. 23 right-of-way in accordance with Section 19.05.04, provided such greenbelt may be reduced to thirty (30) feet where there is no loading or parking within that yard or where existing landscaping is extensive.
- (f) **Dwelling unit floor area in B-3 district.** Residential uses in the B-3 district shall provide a minimum dwelling unit floor area of nine hundred (900) square feet for a two (2) bedroom unit and one thousand-one hundred (1,100) square feet for a three (3) bedroom unit.
- (g) **Building length.** No building within the B-3 district shall have a front building wall of more than 100 feet unless the structure incorporates recesses and projections of no less than ten (10) feet to minimize its mass.

Section 8.04 Design Standards.

- 8.04.01 **Architectural design and materials.** All buildings shall comply with the standards of Article 18, Building Design Standards.
- 8.04.02 **Pedestrian Circulation:** Sidewalks and pathways shall be provided in accordance with the provisions of Section 3.24, Site: Non-Motorized Circulation.
- 8.04.03 **Off-Street Parking And Loading Requirements:** Parking and loading shall be provided in accordance with the provisions of Article 21, Off- Street Parking and Loading Standards.
- 8.04.04 **Signs:** All signs shall be in accordance with Article 22, Sign Standards.
- 8.04.05 **Landscaping and Buffering:** Submission of a landscape plan to the Planning Commission for review and approval shall be required, based on requirements set forth in Article 19, Landscape Standards.
- 8.04.06.1 **General Provisions:** All site plans shall comply with the requirements of Article 3, General Provisions, including regulations for covered trash receptacles.
- 8.04.06.2 **Site Lighting:** All site plans shall comply with the requirements of Article 20, Lighting Standards.