



VILLAGE OF SUTTONS BAY
PLANNING COMMISSION
REMOTE MEETING MINUTES OF AUGUST 11, 2021

The meeting was called to order by Chairperson Hetler, at 5:07 p.m.

Present: Danielson, Hetler, Hylwa, Ostrowski, Pontius, Smith and Suppes
Staff present: Fay and Sara Kopriva, Planner

Approval of Agenda

Suppes moved, Hylwa seconded, CARRIED, to approve the agenda as presented, with an affirmative unanimous roll call vote. Ayes: 7, No: 0.

Approval of Minutes

Hylwa moved, Suppes seconded, CARRIED, to approve the July 14, 2021 Planning Commission meeting minutes, with an affirmative unanimous roll call vote. Ayes: 7, No: 0.

Public Comment/Written Communications

Lois Bahle stated she expected a second draft of the Community survey at this meeting and asked where the business draft was, suggesting Commissioners move the surveys along.

Draft Community Survey – Discussion

Hetler stated a subcommittee had met and compiled Commissioner's comments/suggestions. The next step would be to incorporate the suggestions into the survey to the extent they are appropriate, neutral and relevant to the survey. Additional suggestions from Commissioners included:

- What school do your children attend?
- Adding questions from the Housing North checklist; such as, "What are people willing to accept in regards to work force housing?"
- Commissioners recommend the survey be distributed to property owners and ask that they forward to their long-term renters (residing six months or longer), if applicable.
- Add to question #8, "Online".

It was the consensus of Commissioners to have Sara Kopriva, Planner, take the next step and put together a second draft of the community survey.

Public Comment

Lois Bahle stated the Village is about to receive approximately \$55,000 in ARP funds and suggests the Planning Commission make a recommendation to Council on what their high priority is. Bahle advocates for housing as a critical recommendation.

Reports

The Zoning Administrator's report was submitted by Couturier and can be found in this meeting packet. Ostrowski asked why Couturier is focused on dumpsters in her report. Kopriva stated enclosing commercial dumpsters, when possible, is in the Zoning Ordinance. Hylwa stated the VI Grille used to have an enclosure around the dumpster pre-covid, and that the alley behind Streetside and the 45th Parallel is a pigsty. Pontius stated there is a substantial grease trail entering the drain system in the alley there as well. Hetler further stated the Zoning Administrator is not available for the 5:00 p.m. meeting time.

Manager's Report – Hetler stated the Manager's Plan can be found on the website in the August 5th Committee of the Whole packet. The Plan lists projects and project levels of priority. Danielson asked about the Manager's future attendance of the Planning Commission meetings. Hetler stated Larrea will not generally be attending but that Kopriva will be attending as Planning Consultant, working with the Commissioners as a group during the Planning Commission meetings. Kopriva will then work closely with the Manager. Commissioners' comments for Kopriva or otherwise can be sent to the Manager or the Clerk for forwarding.

Village Council updates – Suppes stated Council decided to continue Zoom meetings through the end of the year. The next Village Council meeting will be Monday, August 16th, at 5:30 p.m. Danielson asked if there was any data to substantiate the decision to continue remote meetings stating individuals who do not have internet access are unable to attend. Kopriva stated there is always the phone option to participate in the meetings.

Suppes left the meeting at 5:38 p.m.

Good of the Order

Hetler referred to the Master Planning two-page summary found in the packet which was taken out of The Master Planning Process book received at a workshop she and others attended, noting it as a valuable tool in the Master Plan process.

Kopriva referred back to the walking tour of the south gateway. Commissioners recommend Kopriva bring back a draft of the south gateway design standards confirming the preference of Commissioners was to go back to the old design standards such as the standards found at Hop Lot. Commissioners would like to look at both the old and new draft.

Ostrowski asked where we are at on the Parks and Rec Plan. Hetler stated mapping is being outsourced and that we were still waiting on the census data for the demographic section of the Parks and Rec Plan.

The next Planning Commission meeting will be held on September 8, 2021 at 5:00 p.m.

Adjournment

Danielson moved, Ostrowski seconded, CARRIED, to adjourn the meeting, with an affirmative unanimous roll call vote. The meeting adjourned at 5:44 p.m. Ayes: 6, No: 0.

Meeting minutes submitted by Shar Fay, Village Clerk.

To: Village of Suttons Bay Planning Commission

From: Sara Kopriva, AICP

Date: September 1, 2021 for September 9, 2021 Meeting

RE: Master Plan Survey

Background:

I have reviewed the Master Plan survey and suggested changes that the Planning Commission/Subcommittee provided. Attached is an updated survey based on my review.

Please review to determine if the direction and general content is acceptable. Keep in mind that the survey is intended to get broad, general policy questions answered. It is then up to the Planning Commission (or Council in some cases) to determine where and when these policy happen. You are the planning experts in the community so are the best individuals to determine how/where these policies get implemented.

Below are responses to the subcommittee recommendations when an explanation is needed.

Question 11: No change was made. "The Bay Life" encompasses beaches, water, recreation, all under one topic. Beaches is too limiting

Question 13: At this time, this needs to be kept broad.

Question 14: Incorporated in question 18 and re-worded. This is intended to see if new Village projects should use alternative energy, not if these uses should be allowed in the Village. For example, should the Village be looking at lighting that incorporates solar and wind similar to the lights at West End beach in TC.

Requested Outcome:

Approval

To: Village of Suttons Bay Planning Commission

From: Sara Kopriva, AICP

Date: September 1, 2021 for September 9, 2021 Meeting

RE: South Gateway Zoning Ordinance Language

Background:

Following the walking tour of the South Gateway by the Planning Commission, it was determined that the existing Zoning Ordinance language would not provide the results that the Planning Commission was looking for the South Gateway. In addition, it would make it difficult for new construction and reuse of existing buildings.

At the August meeting, the Planning Commission asked for copies of the existing language and the language from the past Zoning Ordinance. Both are attached. In addition, I have started to draft some language for a zoning amendment that would help the Planning Commission get the type of development which is similar to what exists in the South Gateway.

The proposed language is only for commercial development in the South Gateway. It encourages the rustic feeling of the preferred development in the South Gateway but also allows the Planning Commission to determine what this looks like during your review.

This is the first draft so during the Planning Commission review it is important to look at this language to see if it contains the general policy and direction that the Planning Commission would like to move forward with and provide guidance on overall policy that you would like to add. Try not to focus on formatting or word smithing at this point.

Outcome:

Agree with or provide guidance on general policy/direction for the Commercial South Gateway language.

Proposed Language

Section 5-7 South Gateway (Commercial Uses Only) Form Requirements

The reuse or redevelopment of residential structures or the construction of new residential appearing buildings for commercial uses are encouraged. This section ensures that a consistent architectural character is maintained for all new buildings. Further, as expressed by traditional architectural forms, defined building entrances, window openings, materials and heights, new structures can be designed to blend with existing homes and businesses, thereby enhancing the character of the zoning districts that serve as gateways to the CB district. The following requirements shall be required for new commercial buildings. Commercial change of use or building additions are encouraged to incorporate residential features into their development as reasonably practical with the design of the existing building. The Planning Commission shall determine if the intent of the residential character is being maintained during their review.

- A. *Facades.*
 - 1. Parallel to Street. The front building façade shall be parallel to the adjacent front street.
- B. *Vernacular.* All new commercial structures shall be designed as to reflect a rustic residential character that resembles that of a modern beam or timber frame construction.
- C. *Roofs.*
 - 1. Overhangs. Roof overhangs shall a minimum one (1) foot overhang at the eave and rake.
 - 2. Eaves. Simple eaves and exposed rafter tails are encouraged.
- D. *Windows.* Windows facing streets are subject to the following conditions:
 - 1. Type. Windows shall be designed with large windows to emphasize the front façade and resulting in an expansive windowed first floor.
- E. *Walls.*
 - 1. Materials. Exterior walls shall be clad in wood, brick or stone, or other comparable materials acceptable to the Administrator to reflect the residential character described in (b) above.
- F. *Accessory Structures.*
 - 1. Orientation. If an alley exists, accessory structures shall be oriented toward back alleys.
- G. *Trash Storage.* All trash storage shall be screened from view form the streets by means of fence or shrubbery that is a minimum of 4 ft in height.
- H. *Parking.* Parking areas shall be located to the side or rear of the buildings and screened from view from adjacent parcels and streets.
- I. *Loading* If no back alley exists, overhead doors are required to be rear-loaded or side-loaded.

Existing

Mixed Use Districts

Article
5

Section 5-1 Intent and Purpose

- A. *Central Business (CB)*. The CB district protects the traditional, small town character of the downtown and enhances a pedestrian-oriented environment. The district accommodates a mix of retail stores, offices, entertainment, civic spaces, residential uses and related activities that are mutually supporting and serve the needs of the Village. The intent of this district is to encourage a lively social environment and economically viable downtown with a wide variety of uses in a pedestrian oriented and unified setting.
- B. *North Gateway (NG)*. The NG district accommodates a mix of residential and commercial uses while maintaining residential neighborhood design characteristics to the north of the CBD.
- C. *South Gateway (SG)*. The SG district accommodates a mix of residential and commercial uses while maintaining residential neighborhood design characteristics to the south of the CBD.
- D. *Bay View (BV)*. The BV district is a mixed use district intended to accommodate residential use at a variety of densities, civic use, office space and retail, in addition to mixed use buildings.

Section 5-2 Table of Uses

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of *Table 5-2* may be used for the purposes denoted by the following abbreviations:

- A. *Permitted Use (P)*. The use may be established by right on land and/or within buildings in the applicable zoning district, subject to all other applicable provisions of this ordinance.
- B. *Special Land Use (SLU)*. The use is subject to discretionary review by the Planning Commission.
- C. *Specific Conditions*. Indicates requirements or conditions that are applicable to specific uses.

Table 5-2 Schedule of Uses: Mixed Use Districts					
Use	CB	NG	SG	BV	Specific Conditions
ACCESSORY					
Accessory dwelling		P	P	P	Section 9-2
Accessory building	P	P	P	P	Section 2-3
Accessory sidewalk cafés and sales	SLU	SLU	SLU	SLU	Section 9-3
Home occupation		P	P	P	Section 9-6
Primary caregiver		P	P	P	Section 9-10
ACCOMMODATIONS, HOSPITALITY, ENTERTAINMENT					
Banquet hall	P	SLU	SLU	P	
Bed and breakfast	P	P	P		Section 9-4
Ecotourism	P			P	
Hotel/motel	P			P	
Marina	P			P	
Restaurant	P	SLU	SLU	P	
Restaurant with micro-brewery, small distillery, or small winery	P	SLU	SLU	P	
Restaurant with accessory outdoor cooking, dining and entertainment	SLU	SLU	SLU	P	Section 9-3
Tavern	P				

Table 5-2 Schedule of Uses: Mixed Use Districts					
Use	CB	NG	SG	BV	Specific Conditions
Theater	P				
INDUSTRIAL, MANUFACTURING, ASSEMBLY					
Distillery, small	P	SLU	SLU		
Micro-brewery	P	SLU	SLU		
Winery, small	P	SLU	SLU		
INFRASTRUCTURE, TRANSPORTATION, COMMUNICATIONS					
Essential service	P	P	P	P	Section 2-7
INSTITUTIONAL/CIVIC					
Community oriented cultural facility	P	P	P		
Community public safety	P				
Meeting facility		P	P	P	
Parks, playgrounds, outdoor recreation areas	P			P	
Place of worship	P	P	P	P	
OFFICES AND SERVICES					
Animal services, animal clinic/hospital	P				
Child care center	P	SLU	SLU	P	
General offices and services	P	SLU	SLU	P	
RESIDENTIAL					
Day care (children), family day care home		P	P	P	
Day care (children), group day care home		SLU	SLU	SLU	
Dwellings, multi-family				P	Section 9-7
Dwellings, single-family detached		P	P	P	
Dwellings, two-family		P	P	P	
Dwellings, units on upper floors of buildings with non-residential uses at street level (single or multiple)	P	P	P	P	
Foster care home (adult), adult foster care family home		P	P	P	
Foster family home (children), foster family home		P	P	P	
Home, convalescent or nursing				P	
Housing, independent and assisted living				P	
RETAIL					
General retail (indoor), less than 5,000 SF	P	SLU	SLU	P	
General retail (indoor), 5,000 SF or greater				P	
OTHER					
Similar uses	SLU/ P	SLU/ P	SLU/ P	SLU/ P	Section 3-5

Section 5-3 Spatial Requirements

- A. *Spatial Requirements- Mixed Use Districts.* All lots shall meet the minimum area and width requirements of Table 5-3. New lots shall not be created, except in conformance with these requirements. All structures and their placement on a lot shall conform to the minimum dimensional requirements listed in Table 5-3.

Zoning District		CB	NG	SG	BV
Minimum Depth (ft.)		120	100	120	
Width (ft.)		25 min.	60 min., 120., max.	60 min., 120., max.	
Minimum Frontage		25	Equal to width	Equal to width	
Front Setback	Front/ Primary Street (ft.)	0 max. ¹	15 min.	15 min.	15 min.
	Front/ Secondary Street (ft.)	0 min., 5 max.	10 min.	15 min.	15 min.
Side Setback	Adjacent Commercial (ft.)	0 min.	10 min.	10 min.	5 min.
	Adjacent Residential (ft.)	10 max.	10 min.	10 min.	5 min.
Rear Setback	Alley (ft.)	0 min.	10 min.	10 min.	10 min.
	Lot (ft.)	10 min.	10 min.	10 min.	20 min.
	Secondary Street (ft.)	0 min., 20 max.	15 min.	15 min.	15 min.
	Lake Michigan(ft.)	50 min.	50 min.	50 min.	50 min.
Height- (ft.) ²	All buildings	15 min., 35 max.	35 max.	35 max.	35 max.
	Corner lot buildings	20 min. ³	35 max.	35 max.	35 max.
Stories- Maximum (number)		1 min., 3 max.	1 ½ min., 2 max.	1 ½ min., 2 ½ max.	1 ½ min., 2 ½ max.
Building Coverage Maximum (%)		-	40	40	-
Impervious Surface Maximum (%)		-	50	50	-
Front Parking Setback (ft.)		25 min.	-	-	-
Building Frontage Minimum (%)	Primary Street	80	-	-	-
	Side Street	50	-	-	-
	Secondary Street	50	-	-	-

¹ See Section 5-5 B for exceptions.

² Certain projections may exceed 35 feet. See Section 2-11 D.

³ Buildings on corner lots in the CB district may meet the minimum height requirement based on the method of measurement in Section 2-11 A or by a false second story or extended-height parapet wall.

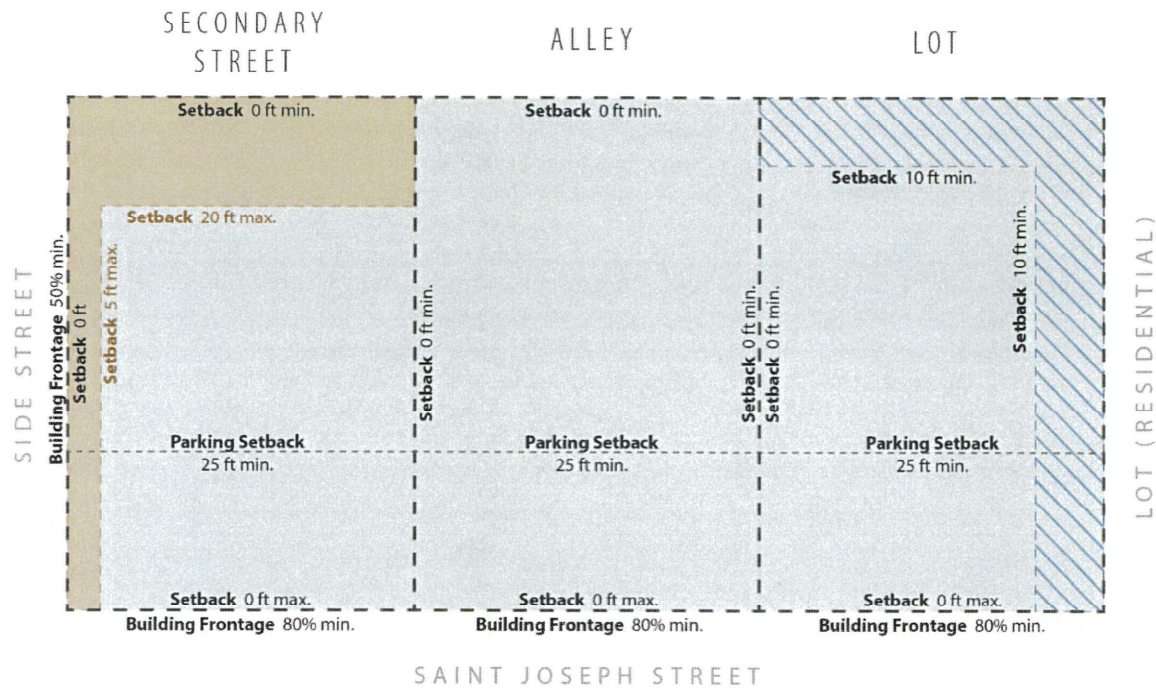


Figure 5-1 CB District Spatial Requirements

Section 5-4 Site Development Regulations

In addition to the requirements of this article, all development in the Mixed Use Districts shall meet the applicable requirements as listed elsewhere in this ordinance:

- A. *General Provisions.* Article 2, as applicable.
- B. *Specific Use Requirements.* Article 9, if noted in Table 5-2.
- C. *Off-Street Parking and Loading.* Article 10.
- D. *Landscaping and Lighting.* Article 11.
- E. *Signs.* Article 12.
- F. *Special Land Uses.* Article 13, if noted in Table 5-2.
- G. *General Review Procedures.* Article 14, as applicable.

Section 5-5 CB District Form Requirements- Commercial Buildings

The building siting requirements for the CB District support a compact, mixed-use development pattern to reinforce the significance of traditional main street design. These requirements emphasize walkable, pedestrian environments that promote a synergy between compatible land uses and strong ties between buildings and the public realm.

- A. *Building Frontage.* On interior and through lots, the minimum building frontage requirement shall apply to front facades that face a primary, side, or secondary street in accordance with this section. On corner lots, the minimum building frontage requirement shall apply to two (2) frontages. Building frontage minimums are as follows:
1. Primary Street Frontage. Building frontage shall extend at least 80 percent of the lot width (St. Joseph). Facades of buildings on lots that abut St. Joseph shall face St. Joseph.
 2. Side Street Frontage. Building frontage shall extend at least 50 percent of the lot width (east/west streets).
 3. Secondary Street Frontage. Building frontage shall extend at least 50 percent of the lot width (north/south streets, excluding Saint Joseph).
- B. *Exceptions to Front Setback Requirement.* Buildings are subject to a zero (0) foot maximum front setback and front building lines must be established at the right-of-way line. The following exceptions are permitted to accommodate different building designs (Figure 5-2):
1. Covered Porches. The front exterior wall of a structure may be separated from the right-of-way line by no more than 10 feet if a covered porch is incorporated into the building design that extends a minimum width of at least 80 percent of the building frontage. The front porch footings shall be subject to the zero (0) foot maximum front setback.
 2. Alcoves. Alcoves for public space, dining, outdoor entertainment, similar uses or a unique design element, shall be permitted for a maximum of 30 percent of the lot width. The rearward frontage is the exterior wall parallel to the primary street, subject to the exception, and it does not have a minimum or maximum setback. When measuring required street frontage, the forward frontage and rearward frontage shall be combined to meet the 80 percent building frontage requirement. Alcoves are limited to interior sides of lots.
 3. Combination. When combination of an alcove and front porch is incorporated into the building design, the covered porch minimum width is 80 percent of the forward frontage. The front porch footings shall be subject to the zero (0) foot maximum front setback.
 4. Arcade. A colonnade supporting a second floor is permitted along the primary street frontage or forward frontage, provided the footings are subject to the zero (0) foot maximum front setback.

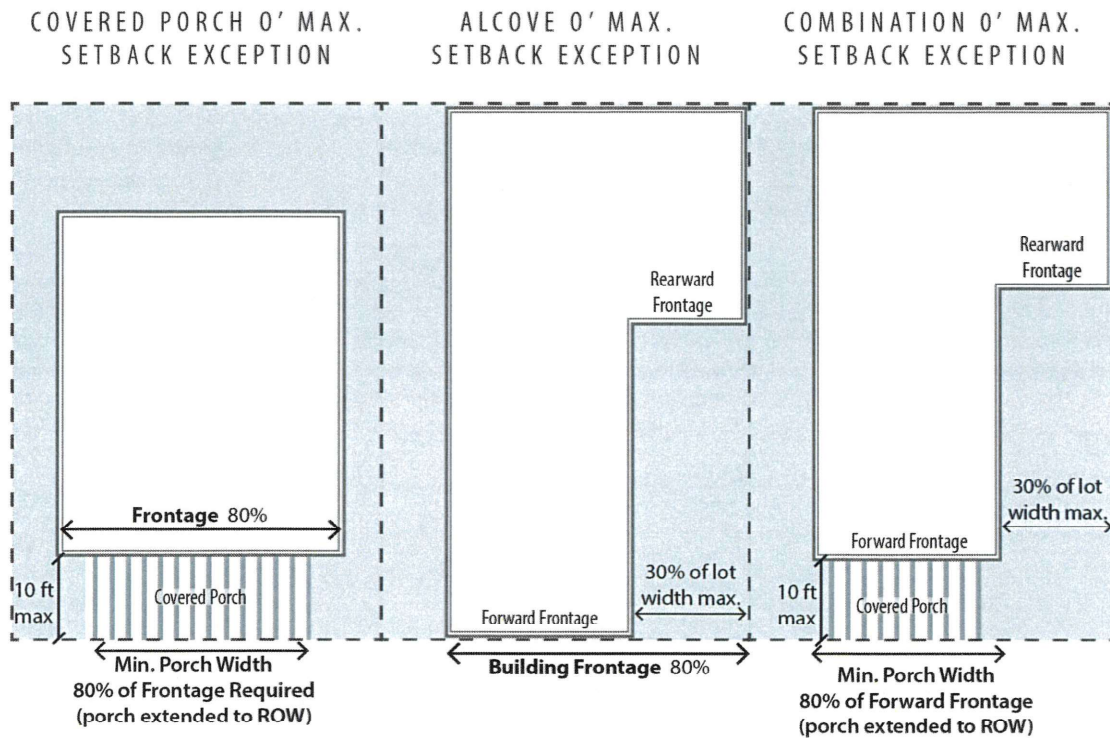


Figure 5-2 CB District Setback Exceptions

- C. *Architectural Articulation.*
1. Articulation. Long, uninterrupted façades on primary, side street and rear street frontages shall be avoided on first stories. Building bays, storefronts, entrances, columns, pilasters and other vertical elements shall be used in 15-foot increments to “break-up” the appearance of facades greater than 30 feet in width.
 2. Defined Stories. Cornice lines, stringcourses, and other architectural elements shall create a recognizable base, middle, and top to a building.
- D. *Storefronts.* Storefronts shall contain a ground floor that is visually distinct, as defined by traditional architectural elements, including display windows, a kick plate between the sidewalk and the base of a display window, a framed entry, piers/pilasters, awnings, transom windows or a sign band. Ground floors shall be designed with storefronts that have windows, doorways and sign panels that are integrally designed.
- E. *Projections.* Storefronts and building entrances may be enhanced by awnings or marquees, provided the following conditions are met:
1. Right-of-Way. No part of a building may project into the public right-of-way.
 2. Height and Projection. Projections shall maintain a clear height of at least eight (8) feet and project no less than three (3) feet and no more than six (6) feet from the building.
 3. Awnings. When incorporated into building design, awnings shall:
 - a. Be positioned immediately above ground floor windows and have a straight shed style that projects from the building. Cubed, curved or mansard style awnings are prohibited.

- b. Be constructed of durable materials such as canvas or steel that will not fade or tear easily. Plasticized, shiny or reflective materials are prohibited.
- c. Not be internally illuminated.

F. *Roofs.*

1. Flat Roofs. Flat roofs shall be enclosed by a parapet. Parapets may not extend horizontally beyond the plane of an exterior wall.
2. Mechanical Equipment. Mechanical equipment located on the roof shall be on the back half of the building and screened on all sides so it is not visible from the ground as observed from the sidewalk, or if no sidewalk exists, from the curb or pavement edge of the street.

G. *Windows and Doors.*

1. Transparency. Transparency requirements shall apply to the area of the façade between two (2) feet and 10 feet above the sidewalk regardless of where windows are located.
 - a. Only clear or lightly tinted, non-reflective glass in windows, doors, and display windows shall be considered transparent.
 - b. Ground floor windows shall contain displays that are meant for viewing from the outside, or shall be unobstructed for a depth of not less than four (4) feet into the building.
2. Amount of Windows and Doors.
 - a. Primary Street Ground Level. Minimum 70 percent.
 - b. Primary and Secondary Street Upper Levels. Minimum 20 percent.
 - c. Secondary Street Ground Level. Minimum 35 percent.
3. Window Design.
 - a. Ground floor window sills shall be at least two (2) feet above grade.
 - b. Window shape openings and panes on upper stories shall be taller than they are wide or be divided into segments that are taller than they are wide.
 - c. Windows should be proportionally distributed along second floor facades.

H. *Entrances.*

1. Recessed Entrance. Building entrances shall be recessed at least three (3) feet and at least one (1) main building entrance shall face a street. If recessed more than five (5) feet, a window display shall be provided between the doorway and the sidewalk. Angled entry walls are preferred to promote visibility of the entrance. Doorways shall not span more than one (1) story.
2. Identifiable Elements. A building entrance shall be clearly identifiable and reinforced by such architectural elements as awnings, pediments, pilasters, porte-cocheres, special paving, arches, changes in rooflines and planters.
3. Number. A building entrance is required for every 50 feet of frontage a building has on the primary street. There shall be at least one (1) usable building entrance along each street frontage.

- I. *Exterior Areas.*
 1. Outdoor Temporary Display Areas. Temporary outdoor display areas are permitted outside of public right-of-way, limited to the area within three (3) feet of the façade of the building to which it is accessory and shall not extend into adjoining sites. A minimum five (5) foot wide walking zone along the sidewalk and leading to the entrance to the establishment shall be maintained so that pedestrian circulation and access to the building is not impaired. Alternate locations may be approved where pedestrian circulation or entrances to building are not impaired.
 2. Public Amenities. Space for bike racks, benches and similar uses/activities may be permitted, provided a minimum five (5) foot sidewalk clear area is provided and that Michigan Department of Transportation approval is received, if proposed within the state right-of-way.
 3. Public Art. Public art is encouraged and may be located in appropriate areas without regard to setbacks, provided that clear vision at corners is maintained.

Section 5-6 Gateway Districts Form Requirements

The reuse or redevelopment of residential structures or the construction of residential style buildings is encouraged and a complementary residential development pattern that is based on traditional neighborhood design principles is outlined in this section. This section ensures that a consistent architectural character is maintained and the street is neither dominated nor defined by imposing garages, accessory structures or other architectural features that detract from the front façade of a building. Further, as expressed by traditional architectural forms, defined building entrances, window openings, materials and heights, new structures can be designed to blend with existing homes and businesses, thereby enhancing the character of the zoning districts that serve as gateways to the CB district.

- A. *Facades.*
 1. Parallel to Street. The front building façade shall be parallel to the adjacent front street.
 2. Porches. Principal buildings shall include front or side porches.
 - a. Front porch. A projecting covered porch shall be open on at least two (1) sides, one (1) being the front.
 - b. Side Yard Porch. A projecting covered side yard porch shall be open on at least two (2) sides, one (1) being the front, with a front building line of the porch no further back than five (5) feet from the front building line of the building façade.
- B. *Vernacular.* All buildings will be designed to reflect the historic local vernacular building tradition within the gateway districts (SG and NG), however, a mixture of housing and building types with common elements is encouraged. Building design and architecture shall be residential in character with articulation, massing, height and proportion similar to traditional American homes.
- C. *Roofs.*
 1. Type. Roofs shall be hip or gable. Shed roofs are permitted for additions or porches. Mansard, gambrel and flat roofs are prohibited.
 2. Overhangs. Roof overhangs shall a minimum one (1) foot overhang at the eave and rake.
 3. Eaves. Simple eaves and exposed rafter tails are encouraged.

4. Pitch. Roof pitch must be greater than or equal to 8/12.
- D. *Windows*. Windows facing streets are subject to the following conditions:
1. Type. Windows shall be double hung with first story windows equal to or taller than upper story windows.
 2. Proportion. Window openings shall have vertical proportions or shall be square.
 3. Sills. All windows fronting streets shall have sills.
 4. Shutters. When used, shutters shall be sized equal to half the width of the window and be the same height of the window.
- E. *Walls*.
1. Materials. 80 percent of exterior walls shall be clad in wood or cementitious siding. The remaining may be brick or stone, or other comparable materials acceptable to the Administrator.
 2. Style. Siding may be horizontal lap, ship-lap or vertical board and batten.
- F. *Garages*.
1. Orientation. If an alley exists, garages shall be oriented toward back alleys.
 2. Loading. If no back alley exists, garages are encouraged to be rear-loaded or side-loaded. If garage doors are oriented toward the primary street frontage, they must be positioned at least five (5) feet behind the primary façade of a house. The total width of garage door openings shall not exceed 40 percent of the total width of any street-facing elevation of the house. On a corner lot, a garage facing a secondary street may be flush with the secondary side elevation or behind.

Section 5-7 Central Business and Gateway Districts Review Procedures

- A. *Deviations*. Deviations from the form-based requirements in Sections 5-5 and 5-6 shall be reviewed and are subject to approval by the Planning Commission. In determining if a deviation is warranted, the Planning Commission shall consider the following:
1. Deviations may be permitted when an applicant demonstrates that the resulting design is superior in terms of compatibility with surrounding structures and better fits the character of the area than when it conforms to form-based requirements.
 2. The Planning Commission may also allow deviations when the applicant shows that conformance with the form-based requirements is impractical due to existing building or site layouts or on adjacent sites, where the deviation has no exterior effect, or where the deviation is necessary to meet other laws or regulations.
 3. The deviation shall be the least necessary to achieve the results in either subparagraphs 1 or 2, above, and the Planning Commission may grant a lesser deviation than requested.
 4. Cost, convenience or franchise/corporate design standards shall not, by themselves, be reasons for granting a deviation.
 5. When approving a deviation, the Planning Commission may attach conditions necessary to meet the requirements of this section and to uphold the intent of this article.

Article 49: South Gateway Area (SGA)

4901 Building Types Allowed by Right

Medium to large Single-**Family** residential appearing **Buildings** along with other **Buildings** and **Structures** that would normally be considered accessory to residential **Buildings**. (e.g. garages, storage sheds, etc.).

4902 Uses Allowed by Right

Single and/multi-**Family** residential, retail, professional and other service business (e.g. restaurants, medical offices, attorneys, insurance, design services, real estate, etc. (Sexually oriented businesses and **Drive Through** facilities are specifically excluded.)

(Annotation: Section amended by Village Ordinance No. 4 of 2011, effective August 4, 2011)

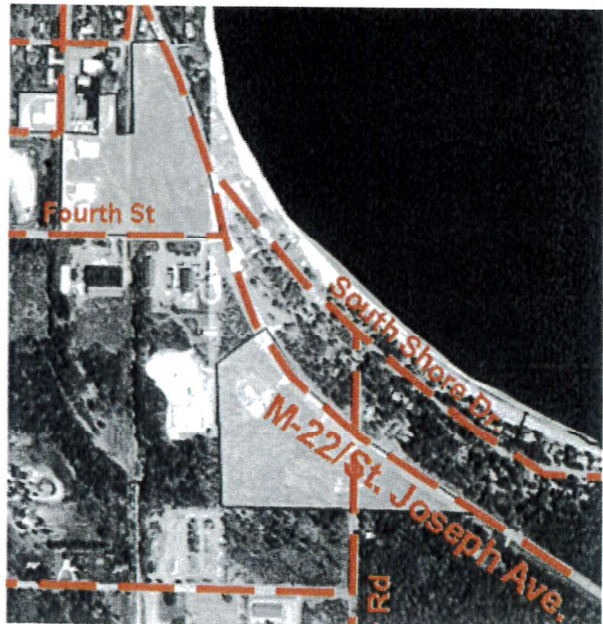
4903 Dimensional and Bulk Standards:

All **Buildings** shall meet all of the following dimensional and bulk standards:

(See illustrations to the right)

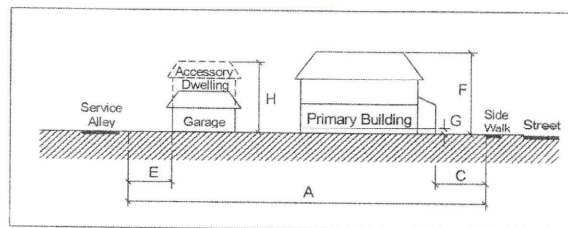
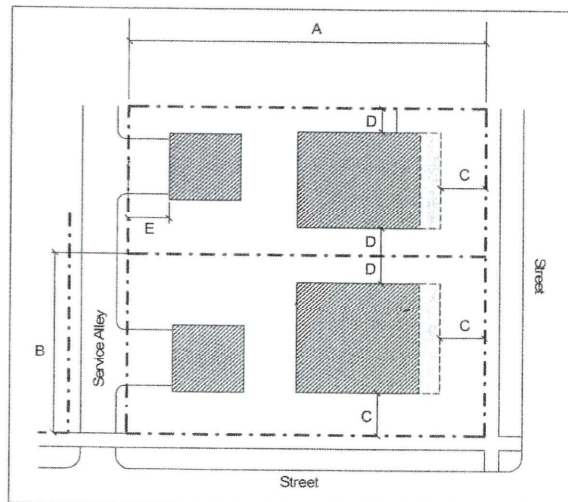
- A. **Parcel Depth (A)** - 120' min.
- B. **Parcel Width (B)** - 60' min. to 120' max.
- C. **Street Setback (C)** - 15' min.
- D. **Side Parcel, Setbacks (D)** - 10' min.
- E. **Service Alley Setback (E)** - 10' min.
- F. **Primary Building Height (F)** - 35' max with a minimum of 1½ stories to a maximum of 2 stories (2 ½ stories for **Buildings** with an 8/12 roof pitch or greater).
- G. **Street Facing Stoop Height (G)** - 18" min. (Non-**Street** facing areas may be at ground height.)
- H. **Accessory Building Height (H)** - 25' or the height of the primary **Building** whichever is less.
- I. **Maximum Building Coverage** - 40% of the gross **Parcel Area**.
- J. **Maximum Impervious Surface Coverage** - 50% of the gross **Parcel Area**. (**Impervious Surfaces** include all areas which prevent the free infiltration of water.)
- K. **Off-Street Parking** - All off/**Street** parking shall be located to the side or rear of the **Parcel** off of a service alley. For Single-**Family Dwellings**, 2 spaces plus 1 additional space if an Accessory **Dwelling** is constructed. For other **Uses** 1 space per employee and 1 space per apartment or hotel room.

(Annotation: Section amended by Village Ordinance No. 4 of 2011, effective August 4, 2011)



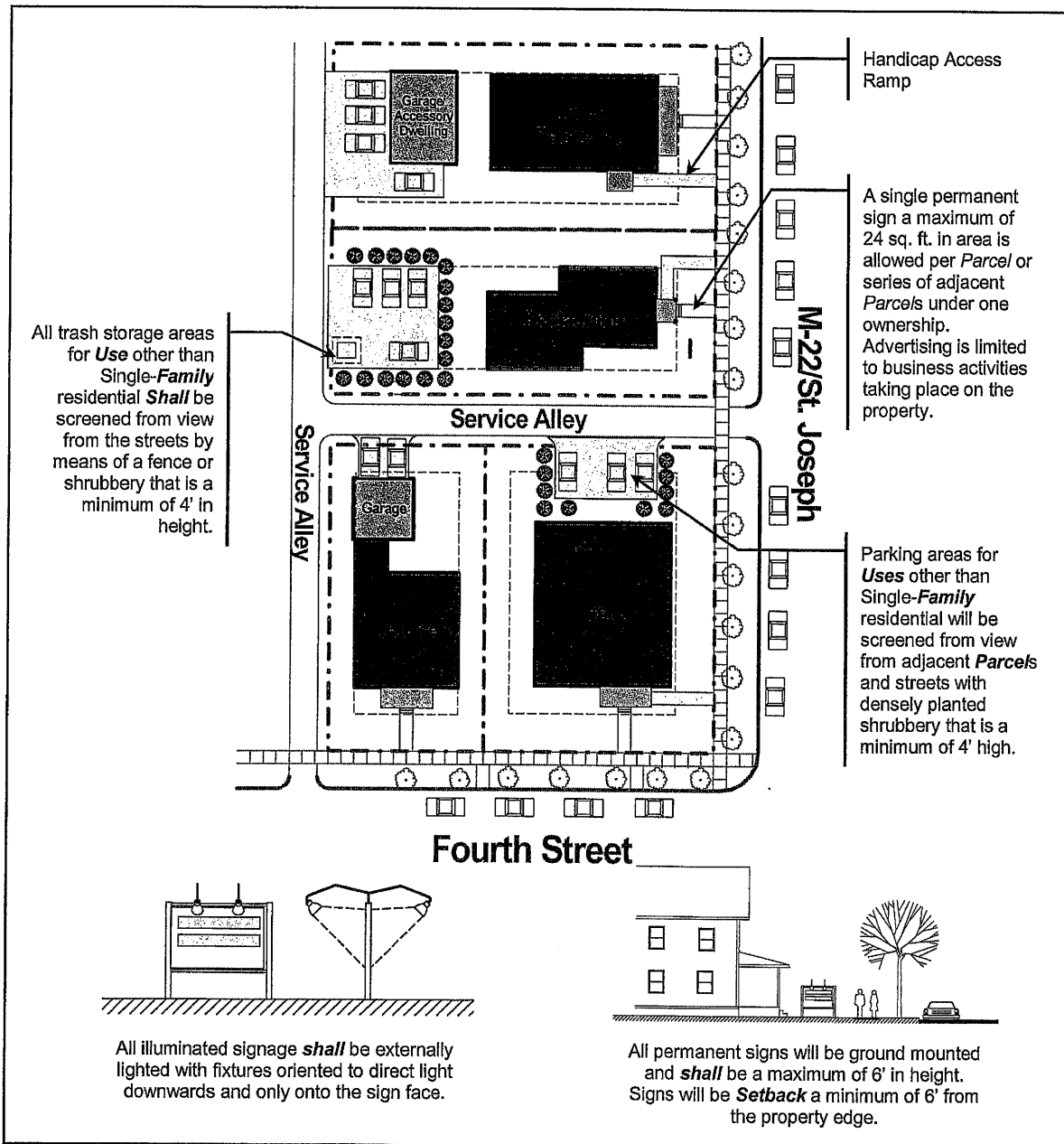
South Gateway Area

(Note: Unless otherwise stated, all area boundaries shall follow **Property Lines** or street/alley centerlines.)



Dimensional and Bulk Standards

4904 Additional Development Standards



*Developments within the South Gateway Area (SGA) shall meet all of the above development and siting standards

4905 Other Standards

In addition to the requirements of this **Article** the provisions of **Article 10** of this Ordinance shall also apply.

Bed and Breakfasts are allowed by right as a land use within a **Dwelling**, even if the **Dwelling**, building in which the **Dwelling** is located, or lot is nonconforming, when all of the following conditions are met:

A. The owner(s) of the **Bed and Breakfast** shall reside in the **Dwelling** during periods of operation;

B. Separate cooking facilities, such as stoves, hot plates, toaster ovens, microwaves, dishwashers, and sinks with running water not used in conjunction with a bathroom, are not allowed within a sleeping room in a **Bed and Breakfast**;

C. No part of the **Bed and Breakfast** operation may be conducted in an **Accessory Building**.
(Annotation: Section amended by Village Ordinance No. 4 of 2011, effective August 4, 2011)

(Annotation: Article amended by Village Ordinance No. 2 of 2010, effective June 2010)