

Sec. 94-309. Special downtown district overlay zone.

(a) *Intent.* Because the village has many unique, historic characteristics such as zero lot line, multiuse, pedestrian oriented, human scale development that forms a traditional downtown, special provisions must regulate development in the downtown area. In order to preserve and enhance these valuable resources, the village has created the special downtown district. The following regulations provide a framework that allows existing and new development which conforms to traditional dimensions and standards. With the exception of the table and footnotes set out in subsection (c) of this section, all other regulations shall apply to uses located within the special downtown district.

(b) *Scope.* The regulations in subsection (c) of this section regarding lot sizes, yards, setbacks, building heights, and densities apply within the special downtown district as indicated, including the regulations contained in section 94-302, notes to schedule of regulations. No building shall be erected, nor shall an existing building be altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations hereby established for the district in which such building is located. No portion of a lot used in complying with the provisions of this chapter for yards, courts, lot area occupancy, in connection with an existing or projected building or structure, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

(c) *Schedule limiting height, bulk, density, and area.* The following regulations shall apply in the special downtown district overlay zone:

TABLE INSET:

Zoning district	Minimum size per zoning lot (1)		Maximum building height		Maximum building lot coverage	Minimum yard setback requirements per zoning lot in feet (2)			Minimum livable floor area per unit (in square feet)	Density
	Area	Width in feet	In stories	In feet		Front	Each side	Rear		
O-1, office(7)	--	22	3.0	40	--	0(5)	(1), (2)	(2)	350	--
B-2, central business(7)	--	22	3.0	40	--	0(5)	(1), (2)	(2)	350	--
B-3, general business(7)	--	22	3.0	40	--	0(5)	(1), (2)	(2)	350	--
I, industrial	2	150	--	45	--	(5)	25(3)	25	--	--

district	acres									
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Footnotes:

(1) No side yards are required along the interior side lot lines of the district, except as otherwise specified in the building code, provided that if walls of structures facing such interior side lot lines contain windows or other openings, side yards of not less than ten feet shall be provided.

(2) Where a lot zoned O-1, B-2 or B-3 abuts a residential district not separated by a street, the following minimum yard setbacks shall be provided along the property lines abutting a residential district: Side yard, ten feet; rear yard, 20 feet.

(3) Off-street parking shall be permitted in a required side yard setback, however, no less than a five-foot setback shall be provided between the nearest point of the parking area or drive and the side lot line in all districts except those in the special downtown district.

(4) Off-street parking for visitors, over and above the number of spaces required by section 94-339, may be permitted within the required front yard provided that such off-street parking is not located within 20 feet of the front lot line, and provided further that there shall be maintained a minimum unobstructed greenbelt buffer of ten feet between the nearest point of the visitor parking area, exclusive of access driveways, and the front lot line.

(5) In the special downtown district, the planning commission may modify the minimum required front yard to be not less than the smaller of the front yards of the two buildings adjacent, on either side of the proposed use, nor greater than ten feet from the right-of-way line. Any modification in the minimum required front yard shall be based upon a review of the site plan and/or the surrounding area, and a determination that the provision of a setback is physically and/or functionally practical to provide.

(6) The greenbelt required by section 94-302 permitting off-street parking to occupy a portion of the required front yard can be modified by the placement of a decorative fence, as described in section 94-2, in its place. A minimum of three feet of land between the fence and the property line or street right-of-way line shall conform to section 94-351(6), (7), and (8).

(d) Residential dwelling units as described in section 94-188(1) are allowed as a principal permitted use in the overlay district.