

these planned unit development requirements and with the need to provide a variety of housing opportunities with regard to type and price.

(5) The area surrounding the planned unit development can be planned and zoned in coordination with, and in substantial compatibility with, the proposed development.

(6) The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.

1257.11 EFFECTIVE DATE OF AMENDMENTS; REFERENDUMS.

Council's approval of a proposed planned unit development district (PUD) shall become effective thirty-one days after the date of approval unless there is presented to the Clerk of Council a referendum petition in full accordance with the applicable referendum statutes at the time of the petition and certified to the Board of Elections. Once certified to the Board of Elections, the effective date of the zoning map amendment setting the planned unit development district in place shall become effective upon the passage of the voters and certification of the election by the Madison County Board of Elections.

1257.12 DURATION OF APPROVAL PERIOD FOR FINAL DEVELOPMENT PLANS

The approval of the final development plan for a PUD Planned Unit Development District shall be a period up to five years, in order to allow for the preparation and recording of any plat and development of the site. If no construction has begun within two years after the final approval by the Planning Commission, the approved final development plan for the PUD district shall be void and the zoning of the land shall revert to the district in which it was located as modified by any subsequent non-planned unit development rezoning that might have occurred in the interim.

### CHAPTER 1261 (B-1) COMMUNITY BUSINESS DISTRICT

1261.01 PURPOSE

1261.02 PERMITTED USES

1261.03 CONDITIONAL USES

1261.04 DEVELOPMENT STANDARDS

1261.01 PURPOSE

It is the purpose of the Community Business District to encourage and provide suitable areas for the orderly development of a broad range of commercial activity.

1261.02 PERMITTED USES

A. Car washes.

All required, off-street loading spaces shall have access to a public street or alley in such a manner that any vehicle leaving or entering the premises shall be traveling in a forward motion.

Driveway access for loading spaces shall be located so any vehicle entering or leaving the lot shall be clearly visible to any pedestrian or motorist approaching the access or driveway from a public or private street.

Nothing should project more than two-and-one-half (2 1/2) feet above the driveway grade within two (2), ten (10) foot triangles formed by the intersection of the driveway pavement edge and street right-of-way line.

#### 1275.05.04 Loading Space Surface

All required loading spaces, together with driveways, aisles and other circulation areas shall be surfaced with concrete or asphaltic concrete to provide a durable dust-free surface.

All loading spaces, together with driveways, aisles, and other circulation areas shall be constructed in accordance with the Village's standards and subject to review and approval of the Zoning Administrator. Loading areas shall be designed not to increase the rate of surface water onto adjacent properties, walkways or public streets.

#### 1275.05.05 Loading Area Lighting Requirements

Any loading area used during non-daylight hours shall be illuminated.

All lights used to illuminate a loading area shall be arranged to reflect the light away from adjoining properties.

#### 1275.05.06 Distance from an R District

No loading ramp, dock, door, or space, or any portion thereof, shall be located closer than fifty (50) feet from any lot zoned for any residential use.

#### 1275.05.07 Screening of Loading Areas

All loading areas shall be permanently screened from adjoining properties of a different zoning district by a solid fence or wall or an evergreen hedge at least six (6) feet in height.

Where loading areas occur adjacent to residential areas the plant material shall produce a sustained height of six (6) feet and have an opacity of not less than one hundred (100) percent.

- 1261.03      CONDITIONAL USE ~
- A. Greenhouses
- B. Veterinary Hospitals
- C. Temporary or seasonal outdoor sales lots having a maximum operation duration of three (3) months
- D. Residential use as part of a multi-business use building. ~
- E. Parks and playgrounds
- F. Public and Private schools
- G. Group residential facilities Class 1 and 2
- H. Home Furnishings, consisting of:
1. Paint and wallpaper sales
  2. Radio, television and music stores
  3. Interior decorating and upholstery shops
  4. Furniture, home furnishings and equipment stores
- I. Personal Services, consisting of:
1. Barber and beauty shops
  2. Shoe and garment repair
  3. Public and private parking areas
  4. Office of insurance agents and brokers
  5. Radio, television or small appliance repair
  6. On-premises duplicating and reproduction services
  7. Office or real estate agents, appraisers, brokers and managers
  8. Offices of professional services (accounting, architectural/landscape architectural, engineering, health care and legal)
- J. Retail Sales, consisting of:
1. Jewelry
  2. Florists
  3. Drug stores
  4. Optical goods
  5. Sporting goods
  6. Hardware stores
  7. Automobile parts
  8. Books and newspapers
  9. Gift or antique stores
  10. Other similar retail stores which conform to the purpose and intent of the District.

H. Day Care Facilities.

1261.04 DEVELOPMENT STANDARDS

In addition to the provisions of Chapter 1271, the following standards for the arrangement and development of land and buildings shall be required in the Community Business District.

1261.04.01 Minimum Lot Area

No minimum lot size is required. However, lot size shall be adequate to provide for parking and yard requirements.

1261.04.02 Minimum Lot Width

No minimum lot width is required. However, all lots shall about a street and have adequate width to provide yard space as required by these development standards.

1261.04.03 Minimum Front Yard Width

15 feet.

1261.04.04 Minimum Side Yard Width

A side yard shall be required adjacent to any zoning district where residences are a permitted use. Such side yard shall be of no less than twenty (20) feet, ten (10) feet of which shall be maintained as an unoccupied area of the lot. It shall be maintained at all times in suitable grass, trees, shrubs and plantings to effectively screen the use from adjacent residential uses.

1261.04.05 Minimum Rear Yard Depth

A rear yard shall be required adjacent to any zoning district where residences are a permitted use. Such required rear yards shall be no less than twenty (20) feet, ten (10) feet of which shall be maintained at all times in suitable grass, trees, shrubs and plantings to effectively screen the use from adjacent residential uses.

1261.04.06 Maximum Building Height

45 feet.

1261.04.07 Parking Requirements

Parking and loading requirements shall be as specified in Chapter 1277. In addition, parking areas shall be no closer to main structures than five (5) feet.

1161.04.08 Trash and Garbage Control

- B. Funeral homes.
- C. Garden centers.
- D. Self-service laundries.
- E. Medical clinics/offices.
- F. Gasoline service stations.
- G. Banks, savings & loans and credit agencies with or without drive-thru facilities.
- H. Equipment rental and leasing, provided all storage areas are screened or enclosed.
- I. Restaurants or eating establishments with or without drive-thru facilities.
- J. Lumber and home improvement sales, provided all storage areas are screened or enclosed.
- K. Churches, synagogues and other places of worship, provided the building is located on and has direct access to a through street.
- L. Similar uses, as determined by the Board of Zoning Appeals, in accordance with the provisions of Subsection 1243.02.05 of the Zoning Code.
- M. Commercial recreational facilities such as community and public swimming pools, skating rinks, bowling alleys and physical fitness/recreational centers.
- N. Automobile sales and/or service establishments, provided all operations except for display and sales be located completely within an enclosed building.
- O. Hotels and motels.
- P. Food sales, consisting of:
  - 1. Specialty food stores
  - 2. Dairy or bakery products
  - 3. Miscellaneous food stores
  - 4. Grocery, meat, fish, fruit and vegetable sales
- Q. General Merchandise, consisting of:
  - 1. Specialty shops
  - 2. Dry goods and general merchandise
  - 3. Miscellaneous apparel and accessory stores