

DIVISION 10 - SPECIAL USE REGULATIONS

SEC. 15.10-1 PURPOSE. Recognized are certain uses of land which by their very nature and their unique characteristics cannot be permitted in a particular district or districts without special consideration being given to the characteristics of surrounding property, as well as the site itself and the impact such a use would have on adjoining or nearby property. The purpose of this section is to specify standards that shall be required to be met before the issuance of a special use permit. In addition to the underlying zoning district regulations and the general standards applicable to all Special Use requests, each Special Use shall meet the specific standards set forth for that particular use and any conditions imposed by the corporate authority in the ordinance granting the Special Use Permit.

Such Special Uses fall into two categories:

- A. Uses publicly operated or traditionally affected with a public interest.
- B. Uses entirely private in character, but of such a nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

SEC. 15.10-2 INITIATION OF SPECIAL USE APPLICATIONS. The Town Council; the Town Staff, at the direction of the Town Council; any person having a freehold interest in land, or a possessory interest entitled to exclusive possession; or a contractual interest which may become a freehold interest or an exclusive possessory interest; and which is specifically enforceable may request to use such land for one or more of the Special Uses provided for in this Code in the zoning district in which the land is located.

SEC. 15.10-3 PROCESSING.

- A. **Application for a Special Use.** All requests for Special Use Permits other than those initiated by the Town Council or by the Town Staff at the direction of the Town Council shall only be accepted when filed on the proper application forms furnished by the office of the Town Clerk of the Town of Normal, which application form shall conform to the submission requirements listed in **SEC. 15.14-5** of this Code and which shall generally require the submission of a sketch plan showing the location and dimensions of all existing and proposed buildings, structures, driveways, parking areas with spaces marked and numbered, light poles or fixtures, landscaping indicating that which is to be planted and such existing landscaping as is to be retained. Where such applications are required, the information requested on them is deemed to be a minimum and applicants may be required to supply additional information prior to hearings on their requests. Such forms shall be filed in duplicate as a prerequisite to the commencement of any action on the part of the Town except that if the site plan is filed on anything other than 8 1/2 x 11 inch paper, 18 copies rather than two (2) copies shall be submitted. The Town Clerk shall, at such times as she is in receipt of completed applications for Special Use Permits, forward a copy of said application to the Zoning Board of Appeals. (**Amended 1/20/04 by Ord. No. 4926**)

- B. Hearing on Application. Upon receipt in proper form of the application and supporting material referred to above, the Zoning Board of Appeals shall hold a least one (1) administrative public hearing on the proposed Special Use in the manner provided in SEC. 15.12-1©(3)(b). If variations to the bulk, sign and off-street parking and loading regulations of this Code would otherwise be necessary for the development proposal, such proposal shall be exempt from the administrative public hearing on the variation request and such review procedure shall be deemed to occur simultaneously with the Zoning Board of Appeals' administrative public hearing and recommendation on the Special Use Permit application.

SEC. 15.10-4 SPECIAL USE STANDARDS. The purpose of this Section is to specify standards that shall be required to have been met before the issuance of a Special Use Permit. In addition to the standards summarized in this Section, each Special Use applicant shall show that the Special Use requested conforms specifically, or by necessary implication, to the general standards for evaluation of a Special Use as stated in SEC. 15.10-5(A)(2) of this Code.

- A. Agricultural and Horticultural Fairs, Displays and Exhibits.
1. Minimum Fencing/Screening Required: In accordance with SEC.15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
 2. Minimum Lot Size.
 - a. Area: 25 Acres.
 - b. Width (ft.): 500.
 3. Required Yards (feet).
 - a. Front:
 - (1) Major Street: 150
 - (2) Collector Street: 150
 - (3) Minor Street: 150
 - b. Side: 100
 - c. Rear: 100
 4. Maximum Height (whichever is lower).
 - a. Feet: 50
 - b. Stories: 4

5. Additional Requirements: No motor vehicle racetrack shall be erected or operated. Off-street parking and loading spaces shall be provided for 30 percent of the peak daily attendance as adduced from testimony before the Zoning Board of Appeals. Access shall be located on a major or collector street or road and roadway shall have a minimum surface improvement of A-3. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures; proposed utilities showing size, types, locations and elevations (including water mains, valves, hydrants, sanitary and storm sewers); proposed sidewalks and pedestrian ways; parking plan and direction of traffic flow; landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; drainage plan, indicating direction of run-off flow, location of catch basins, storm sewers and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; location and dimensions of curb cuts (must be 150 feet from intersection and 150 feet for any other curb-cut serving facility); location and dimension of any other proposed physical improvements.

B. Antennas. See Telecommunication Antennas (Added 6/16/97 by Ord. No. 4456)

C. Asphalt Plant.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: Five (5) acres.
3. Required Yards (feet):
 - a. Front yard: 100 foot minimum
 - b. Side yard: 50 foot minimum
 - c. Corner side yard: 100 foot minimum
 - d. Rear yard: 50 foot minimum

4. Maximum Height (whichever is lower):
 - a. Feet: Same requirements as the zoning district in which proposed use is located; however, this height limit shall not apply to unoccupied structures used in asphalt production or storage.
 - b. Stories: Same requirements as the zoning district in which proposed use is located.

5. Additional Requirements:
 - a. The proposed facility shall comply with the current regulations set forth by the Illinois Environmental Protection Agency. All emissions from the proposed facility, including noise, smoke, and particulate matter, must meet standards set by the Illinois Environmental Protection Agency. The Town must receive confirmation from the IEPA that these standards are being met within 90 days of the Town granting an occupancy permit.
 - b. The facility shall have a hard surfaced driveway of at least 25 feet wide wherever any truck traffic is proposed. With the exception of equipment and material storage areas, all parking and traffic circulation areas shall be hard surfaced.
 - c. Hours of operation for loaded asphalt trucks entering and leaving the site are 6:00 a.m. until 7:30 p.m., Monday through Saturday.
 - d. Expanded hours and Sunday operation may be allowed on an occasional basis (no more than 12 projects per year) provided such operation is registered in advance with the Town of Normal. During expanded hours and Sunday operation, the City Manager may impose additional restrictions reasonably related to health, safety, and welfare.

Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures, proposed utilities, showing size, types location and elevations (including water mains, valves, hydrants, sanitary and storm sewers); landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; finished topography of site at two foot contour intervals; drainage plan, indicating direction of run-off flow, location of catch basins, storm sewers, and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; proposed location, dimensions and surface materials of all off-street parking, loading and driveway areas.

(Entire Section C Amended 8/20/07 by Ord. No. 5145)

D. Bed and Breakfast.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: 7000 sq. ft. plus 500 sq. ft. for each bed and breakfast room.
 - b. Width: 60 ft.
3. Required Yards: Same requirement as the zoning district in which proposed use is to be located.
4. Maximum Height: Same requirement as the zoning district in which proposed use is to be located.
5. Signs: One wall sign not to exceed 16 sq. ft. Design shall be compatible with building style and surrounding area.
6. Additional Requirements:
 - a. Any structure devoted to the bed and breakfast use must have: S-3 Historic/Cultural zoning and a Certificate of Appropriateness issued by the Normal Historic Preservation Commission.
 - b. Provide a maximum of five (5) guest rooms, for rent, limited to two adult guests per night.
 - c. Shall operate for more than ten (10) nights in a twelve (12) month period.
 - d. Twenty (20) copies of a site plan, drawn to scale, shall be submitted in accordance with SEC. 15.14-5 and shall generally include location and dimension of all existing and proposed structures, building setbacks, location and type of screening and fencing, location of parking area, access drives, and recreation areas. Dumpsters serving bed and breakfast must be screened by solid fence or plantings on all sides except that area that must remain unobstructed in order to allow garbage pick up. Location and types of landscaping materials. The lighting plan submission shall comply with SEC. 15.14-5. (Amended 1/20/04 by Ord. No. 4926)
 - e. Minimum of a one (1) inch water service line shall be installed.
 - f. Required to be licensed annually upon completion of an approved inspection by the Town's Housing Department. Annual license fee shall be \$50.00.

E. Cemeteries.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: 2 Acres.
 - b. Width (ft.): 150.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.
 - (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.
 - (3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.
 - b. Side: Same requirements as the zoning district in which proposed use is to be located.
 - c. Rear: Same requirements as the zoning district in which proposed use is to be located.
4. Maximum Height (whichever is lower):
 - a. Feet: 30.
 - b. Stories: 2.
5. Additional Requirements: Water shall be available within 400 feet of all gravesites. Trash receptacles shall be located adjacent to roadways and not more than 200 feet apart. All roadways shall be a minimum of 14 feet in width and shall have a minimum surface improvement of class A-3 or equivalent with an eight (8) inch crushed aggregate base. Any security lighting on premises shall be no greater than a residential street light (4,000 lumens) and shall have fixtures that direct light away from adjoining residential structures. Storage of any maintenance machinery or other equipment shall be within completely enclosed buildings. No rubbish shall be allowed to accumulate upon the site except within trash receptacles.

Identification sign shall be no greater than 24 square feet in area and shall not be illuminated. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures; proposed utilities showing size, types, location and elevations (including water mains, valves, hydrants, sanitary and storm sewers); landscaping plans; location of refuse storage (dumpsters must be screened); sign and lighting plan; finished topography of site at 2 foot contour intervals; drainage plan, indicating direction of run-off flow, location of catch basins, storm sewers, and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities.

F. Churches, and Other places of Public Worship.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: 2 Acres in R-1A; 1 Acre in all other districts where allowed.
 - b. Width (ft.): 200.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.
 - (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.
 - (3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.
 - b. Side: Same requirements as the zoning district in which proposed use is to be located.
 - c. Rear: Same requirements as the zoning district in which proposed use is to be located.
4. Maximum Height (whichever is lower):
 - a. Feet: 35.
 - b. Stories: 3.

5. Additional Requirements: Shall be located with access only from a major or collector street facility. Curb cuts must be located at least 150 feet from any intersection and 150 feet from any other curb cut serving facility. Twenty (20) copies of a site plan must be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, building schematics, streams, marshes, proposed location and dimensions of buildings and structures; proposed utilities showing size, types, locations and elevations (including water mains, valves, hydrants, sanitary and storm sewers); proposed sidewalks; parking plan and direction of traffic flow; location and dimension of curb cuts; landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; finished topography of site at 2 foot contour intervals; drainage plan, indicating direction of run-off flow, location of catch basins, storm sewers and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities.

G. Coal Storage.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: Five (5) acres.
 - b. Width (ft.): Two Hundred (200) feet.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.
 - (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.
 - (3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.
 - b. Side: Same requirements as the zoning district in which proposed use is to be located.
 - c. Rear: Same requirements as the zoning district in which proposed use is to be located.

4. Maximum Height (whichever is lower):
 - a. Feet: Same requirement as the zoning district in which the proposed use is to be located.
 - b. Stories: Same requirement as the zoning district in which the proposed use is to be located.

5. Additional Requirements: Shall be located on a major or collector street facility that has been improved to meet the standard for its classification. Shall have on-site drainage retention facility designed and built in such a manner that all run-off from the coal storage area is effectively prohibited from entering the ground water table or surface waterways. The facility shall have a hard surfaced driveway of at least 25 feet in width at all locations where vehicular traffic is proposed. All loaded trucks leaving the site shall exit the facility at a single access point. Hours of operation may be from 7:30 A.M. to 3:30 P.M., no more than six (6) days a week.

Twenty (20) copies of a site plan shall be submitted drawn to scale showing the graphic scale, north point, site size in acres, existing physical features such as drainage easements, streams, marches; proposed location and dimensions of buildings and structures; proposed utilities, showing size, types, locations and elevations (including watermains, valves, hydrants, sanitary and storm sewers); landscaping plan; screening plan, indicating height and type of screening materials to be used; location of refuse storage (dumpsters must be screened); sign and lighting plan; finished topography of site at two (2) foot contour intervals; drainage plan, indicating direction of run-off flow, location of catch basins, storm sewers, and retention area; land to be dedicated for streets and drainage right-of-way and easements for other utilities; proposed location, dimensions and surface materials of all off-street parking, loading and driveway areas.

H. College, University Classroom

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)

2. Minimum Lot Size:
 - a. Area: 10,000 square feet
 - b. Width: 75 feet

3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.

- (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.
 - (3) Minor Street: Same requirement as the zoning district in which proposed use is to be located.
 - b. Side: Same requirement as the zoning district in which proposed use is to be located.
 - c. Rear: Same requirement as the zoning district in which the proposed use is to be located.
4. Maximum Height (whichever is lower)
- a. Feet: Same requirement as the zoning district in which the proposed use is to be located.
 - b. Stories: Same requirement as the zoning district in which the proposed use is to be located.
5. Additional Requirements: Shall be located on a major or collector street facility. Twenty (20) copies of a site plan shall be submitted drawn to graphic scale and north point showing dimensions of lot, proposed location of buildings or structures, building schematics, proposed setbacks from front, side and rear lot lines, parking plan, direction of traffic flow, location of curb cuts, landscape, sign and lighting plan, and location of refuse storage (dumpsters must be screened on all sides).

(Entire Section (H) added 4/17/95 by Ord. No. 4308)

I. Concrete Batch Plant.

1. Minimum Fencing/Screening Required:

If lot coincides with the lot line of an adjacent residential district or is adjacent to an alley or street which separates such lot and residential district, screening shall be provided with densely planted evergreen trees at least five (5) feet at planting and maturing to at least twenty (20) feet. Planting shall be parallel to and within ten (10) feet of such lot line. If the lot is not adjacent to a residential district or to an alley or street which separates such lot and residential district, the lot must comply with Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)

2. Minimum Lot Size:

- a. Area: Three (3) acres.
- b. Width (ft): Two hundred (200) feet.

3. Required Yards (feet)

a. Front:

- (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.
- (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.

b. Side: Same requirements as the zoning district in which proposed use is to be located.

c. Rear: Same requirements as the zoning district in which proposed use is to be located.

4. Maximum Height (whichever is lower):

a. Feet: Same requirements as the zoning district in which proposed use is located.

b. Stories: Same requirements as the zoning district in which proposed use is located.

5. Additional Requirements:

Shall be located on a major or collector street facility that has been improved to meet the standard for its classification. The facility shall have a hard surfaced driveway of at least 25 feet wide wherever any truck traffic is proposed; all loaded trucks leaving the site shall exit the facility at a single access point. Operation shall meet all applicable E.P.A. requirements. Hours of operation may be from 6:00 a.m. to 7:30 p.m., no more than six days a week, Monday through Saturday. Expanded hours and Sunday operation may be allowed on an occasional basis (no more than 12 occurrences per year) provided such operation is registered with the Town of Normal.

Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures, proposed utilities, showing size, types location and elevations (including water mains, valves, hydrants, sanitary and storm sewers); landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; finished topography of site at two foot contour intervals; drainage

plan, indicating direction of run-off flow, location of catch basins, storm sewers and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; proposed location, dimensions and surface materials of all off-street parking, loading and driveway areas.

(Entire Section (I) added 6/19/95 by Ord. No. 4326)

J. Convenience Establishments within Multiple-Family Dwellings.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: Same requirements as the zoning district in which proposed use is to be located.
 - b. Width (ft.): Same requirements as the zoning district in which proposed use is to be located.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.
 - (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.
 - (3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.
 - b. Side: Same requirements as the zoning district in which proposed use is to be located.
 - c. Rear: Same requirements as the zoning district in which proposed use is to be located.
4. Maximum Height (whichever is lower):
 - a. Feet: Same requirement as the zoning district in which the proposed use is to be located.
 - b. Stories: Same requirement as the zoning district in which the proposed use is to be located.

5. Additional Requirements: No such individual establishment shall occupy more than 5,000 square feet of floor area and total floor area so occupied in any one building shall not exceed ten (10) percent of total, gross floor area of multiple-family dwelling in which located. No outdoor advertising or signs shall be allowed. Establishments shall not have direct customer access from exterior of building. Twenty (20) copies of interior building plans shall be submitted showing location, dimensions, use and customer and service entrances to establishments in sufficient detail to allow Town Staff to determine if proposed establishments meet above stipulations.

K. Country Clubs and Private Golf Course.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: 15 Acres for Par 3; 40 Acres for 9-hole regulations; 75 Acres, for 18-hole regulation.
 - b. Width (ft.): 500
3. Required Yards (feet).
 - a. Front:
 - (1) Major Street: 50
 - (2) Collector Street: 50
 - (3) Minor Street: 50
 - b. Side: 50
 - c. Rear: 50
4. Maximum Height (whichever is lower):
 - a. Feet: 35
 - b. Stories: 2

5. Additional Requirements: Where a public right-of-way or private property other than subject tract lies within fifty (50) feet of a golf green or within one hundred (100) feet of a fairway centerline, additional barriers may be required. Curb cut shall be located at least 150 feet from nearest intersection. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point; site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures; building schematics, proposed utilities showing size, types, locations and elevations (including water mains, valves, hydrants, sanitary and storm sewers); parking plan and direction of traffic flow; landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; drainage plan, indicating direction of runoff flow, location of catch basins, storm sewers and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; location and dimensions of curb cuts; finished topography of site at 2 foot contour intervals, restaurant and cocktail lounge may be allowed as accessory to club house facility provided no outdoor advertising and signs shall be allowed.

L. Day Care Centers.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. Children's outdoor play area must be enclosed by four (4) foot high fence. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: 10,000 square feet.
 - b. Width (ft.): 75
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: 70.
 - (2) Collector Street: 65.
 - (3) Minor Street: 55.
 - b. Side: Same requirements as zoning district in which proposed use is to be located.
 - c. Rear: Same requirements as the zoning district in which proposed use is to be located.

4. Maximum Height (whichever is lower):
 - a. Feet: 35
 - b. Stories: 2

5. Additional Requirements: Must be located on either a major or collector street facility. Shall have off-street area for loading and unloading children. Maneuvering room must be provided on tract for parking and loading area so as to preclude necessity of backing out onto public street facility. Twenty (20) copies of a site plan shall be submitted drawn to scale that shows location and dimension of all existing and proposed structures, location and type of screening and fencing, location of parking area, access drives and child loading/unloading area and location of playground areas. Dumpsters serving day care center must be screened by solid fence or plantings on all sides except that area that must remain unobstructed in order to allow garbage pick up.

M. Extraction, Loading, Storage, Washing and Hauling of Sand, Gravel or Topsoil.

1. Minimum Fencing/Screening Required: Six (6) foot wire mesh fence.

2. Minimum Lot Size:
 - a. Area: 3 Acres.
 - b. Width (ft.): None.

3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: 50.
 - (2) Collector Street: 50.
 - (3) Minor Street: 50.
 - b. Side: 50
 - c. Rear: 50

4. Maximum Height (whichever is lower):
 - a. Feet: 45
 - b. Stories: 4

5. Additional Requirements: Twenty (20) copies of site plan shall be submitted showing graphic scale and north point indicating existing topography (at 2 foot contour intervals), water courses and drainage ways through the site, area to be excavated and finished grade after excavation is completed (at 2 foot contour intervals), erosion and sediment control devices, proposed locations for sorting, grading, crushing, and similar operations, locations of vehicular access and egress, and any proposed lighting. A surety bond or other such reasonable requirement of assurance that such a reclamation project will be completed may be required by the Town Council. Plans shall also be submitted indicating proposed reclamation of the area after termination of extraction activities.

N. Gun Ranges, Indoor.

1. Minimum Fencing/Screening Required: Same requirement as the zoning district in which proposed use is to be located.
2. Minimum Lot Size: Same requirement as the zoning district in which proposed use is to be located.
3. Required Yards (feet):
 - a. Front: Same requirement as the zoning district in which proposed use is to be located.
 - b. Side: Same requirement as the zoning district in which proposed use is to be located.
 - c. Rear: Same requirement as the zoning district in which proposed use is to be located.
4. Maximum Height (whichever is lower):
 - a. Feet: Same requirement as the zoning district in which proposed use is to be located.
 - b. Stories: Same requirement as the zoning district in which proposed use is to be located.
5. Additional Requirements: Each applicant must submit plans and drawings signed by a design professional (licensed architect or engineer) that the range is designed to meet the standards listed in this Section.
 - a. Noise Abatement: The design must incorporate sound reduction techniques so that noise in an adjacent unit or adjacent property is not unreasonably disruptive.

- b. Ventilation: HEPA filters are required for exhaust fans. Exhaust vents must be located away from other air intakes, including neighboring property.
- c. Solid Lead: The application must provide a plan for the safe removal and disposal of lead and lead dust. Lead and lead dust may not be disposed of in either the storm or sanitary sewer system.
- d. Containment: Bullet traps, range walls, floors and ceilings must capture all bullets. Bullet traps, floors, walls and ceilings must all be sufficiently strong to prevent bullets from leaving the range.
- e. Security: The application must include a security plan which at a minimum contains a continuously operating video surveillance system located on all exterior entrances.

(Sub-Section N Added 6/17/13 by Ord. No. 5495)

O. High-Rise Buildings.

- 1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code, except that where a side or rear lot line in the B-1 or C-3 District coincides with a lot line of an adjacent residence district, a dense compact planting screen of not less than five feet in height shall be required along the lot line. (Amended 1/20/04 by Ord. No. 4926)
- 2. Required Yards (Feet):
 - a. Front:
 - (1) R-3B District. A minimum of 10 feet, except a minimum of 25 feet on a corner lot.
 - (2) B-2 District. No minimum requirement.
 - (3) B-1, C-1, C-3 Districts. A minimum of twenty-five feet.
 - b. Side:
 - (1) R-3B District. A minimum of 10 feet, except a minimum of 25 feet on a corner lot.
 - (2) B-1, B-2, C-1 and C-3 Districts. For all stories for residential use, a setback of 10 feet from the line is required, except that a minimum of 20 feet from a residential story wall to an adjacent high rise building wall must be maintained.

c. Rear:

- (1) R-3B District. A minimum of 20 feet.
- (2) B-2 District. No rear yard is required except a rear yard of 10 feet is required if any alley exists. A minimum of 20 feet from a residential story wall to an adjacent building wall must be maintained.
- (3) B-1, C-1 and C-3 Districts. A minimum of twenty-five feet.

3. Maximum Height (whichever is lower).

a. Feet: No maximum.

b. Stories: No maximum.

4. Additional Requirements: Permitted and Special Uses shall be the same as in the applicable zoning districts. In the B and C Districts all residential use must be above the ground level story. In cases of combined commercial and residential use, the residential use is permitted only in stories above the commercial use, except that a restaurant or club is permitted on the topmost story. A minimum ratio of two stories of residential use to one story of commercial use must be maintained. A structure of four or more stories in height designed for commercial or residential use, or both, must provide elevator service to tenants above ground level story. In any applicable district, a minimum of 500 square feet of floor area per dwelling unit shall be provided. An efficiency dwelling unit or a lodging room may be considered 0.75 dwelling unit in determining compliance. Shall be located on a major or collector street facility, curb cut shall be located at least one hundred fifty (150) feet from the nearest intersection and if more than one (1) curb cut, all such curb cuts shall be spaced a minimum distance of one hundred and fifty (150) feet. Sidewalks four (4) feet in width shall be installed on at least one (1) side of all roadways. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point; site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures; building schematics, proposed utilities showing size, types, locations and elevations (including water mains, valves, hydrants, sanitary and storm sewers); parking plan and direction of traffic flow; landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; drainage plan, indicating direction of run-off flow, location of catch basins, storm sewers and water impoundment area, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; location and dimensions of curb cuts; and finished topography of site at two (2) foot intervals.

P. Mobile Home Parks.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size.
 - a. Area: 10 Acres.
 - b. Width (ft.): 400.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: 75.
 - (2) Collector Street: 60.
 - (3) Minor Street: 50.
 - b. Side: Per Section 22.8-7(8)(a).
 - c. Rear: Per Section 22.8-7(8)(a).
4. Maximum Height (whichever is lower):
 - a. Feet: 25.
 - b. Stories: 2.
5. Additional Requirements: Shall be located on major or collector street facility. Curb cut shall be located at least 150 feet from nearest intersection; if more than one (1) curb cut, all such curb cuts shall be spaced a minimum distance of 150 feet. Sidewalks 4 feet in width shall be installed on at least one (1) side of all roadways. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; landscaping and buffering plan; finished topography of site at 2 foot contour intervals; location and dimension of curb cuts; land to be dedicated for streets and drainage right-of-way and easements for other utilities. Above information shall be required in addition to that required for a Mobile Home Park in SEC. 22.8-2(2). Dumpsters must be screened on all sides except that area that must remain unobstructed in order to allow garbage pick up.

Q. Multiple Family Dwelling in the B-1 General Business District.

1. Minimum Fencing/Screening Required: For lots adjacent to or within 100 feet of Single-Family Residence District a masonry wall at least six feet in height, or a decorative wood fence at least six feet in height must be maintained on the lot line between the multiple family dwellings and adjacent single family use.
2. Minimum Lot Size: one acre.
3. Required Yards:
 - a. For lots adjacent to or within 100 feet of Single-Family Residence District.: In accordance with the R-3A Medium Density Multiple Family Residence District standards.
 - b. For other lots: In accordance with the R-3B High Density Multiple Family Residence District standards.
4. Building Heights: The greater of the height allowed in the Parking Impact Zone (SEC. 15.7-4) or the following:
 - a. For lots adjacent to or within 100 feet of Single-Family Residence District: In accordance with the R-3A Medium Density Multiple Family Residence District standards.
 - b. For other lots: In accordance with the R-3B High Density Multiple Family Residence District standards.
5. Off-street Parking & Loading Regulations. Except as herein provided all off street parking shall conform to the requirements contained in Division 7 of this Code.
 - a. Parking shall be fully enclosed within a structure or comply with the following:
 - (1) Front and Corner Side Yard parking is prohibited unless provided in a parking deck or fully screened from public view.
 - (2) Side and Rear Yard Parking must be buffered with a five foot wide perimeter landscaped area.
 - (3) Surface Parking lots shall comply with Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)

- b. The following requirements apply to parking decks:
 - (1) The preferred location for parking decks is on the interior of lots.
 - (2) Decks fronting on a public street must contain retail space fronting the street. Street facades must be substantially similar to the facades illustrated in Appendix E.
- 6. Landscaping Plan. A landscaping plan shall be submitted in compliance with Town zoning code requirements.
- 7. Signs. All signs shall conform to the requirements contained in Division 13 of this Code for the R-3 zoning district except each commercial use shall be allowed a wall or building mounted sign not exceeding twenty-five square feet in total sign area
- 8. Lighting. All lighting must conform with the provisions set forth in Division 14 of this Code. A lighting plan must be submitted in accordance with SEC. 15.14-5 and shall include the following:
 - a. A foot candle calculation for the site and off-site light generated from the site.
 - b. Cutsheets for all luminaries, poles, and luminaire mounting arms.
 - c. Foot candle averages and maximum to minimum uniformity ratios.
 - d. All proposed light locations and mounting heights.
 - e. All light levels shall be shown as initial light levels.
 - f. All outdoor lighting shall have fixtures that are fully shielded from adjoining residential property and public rights of way.
 - g. All light level calculations must factor in existing light affecting the site from off-site lighting fixtures.

(Entire Sub-section 8 Amended 1/20/04 by Ord. No. 4926)
- 9. Appearance Review. All proposed development shall comply with the requirements of Division 14 of this Code, provided however where these special use standards are stricter than the requirements of Division 14, the special use standards shall control.

10. First Floor Commercial Use. Buildings shall be occupied by a “designated” B-1 use as follows: For buildings located on corner lots or through lots at least 50% of the total lineal building frontage on the street shall be occupied by a “designated” B-1 use. For buildings located on an interior lot 100 % of the total lineal building frontage on the street shall be occupied by a “designated” B-1 use. As used herein “designated” B-1 use means any use permitted in the B-1 zoning district except the following uses:
- a. Agriculture
 - b. Agricultural Implement, Sales & Repair
 - c. Agricultural Supply Store
 - d. Arena, Stadium
 - e. Auction House
 - f. Automobile Service Station
 - g. Automobile, Truck Sales
 - h. Boat Sales
 - i. Bus Passenger Terminal
 - j. Car Wash
 - k. Contractor’s Shop
 - l. Exhibition Hall, Exposition Hall
 - m. Food Locker Plants
 - n. Fur Store
 - o. Ice Rink
 - p. Lumberyard, Building Materials Storage
 - q. Mini-warehouse (with or without dwelling unit for superintendent)
 - r. Mobile Home, Recreational Vehicle Rental and Sales
 - s. Motor Vehicle Repairs, Paint Shop

- t. Motor Vehicle Sales
 - u. Motor Vehicle Storage
 - v. Parking Lot
 - w. Recreational Vehicle Sales
 - x. Retail Lumber Sales
 - y. Trailer Rental and Sales
 - z. Truck Freight Terminal
 - aa. Truck Stop
 - bb. Truck Terminal
 - cc. Warehouse; Mini (with or without dwelling unit for Superintendent)
 - dd. Wholesale Distributors
11. Parkland. Parkland dedication or a fee in lieu shall be required for the residential dwelling unit uses as if the property is zoned R-3B or R-3A based on the applicable bulk standards per Sections 3 and 4 above.
 12. School Land. School land dedication or a fee in lieu shall be required for the residential dwelling uses as if the property is zoned R-3B or R-3A based on the applicable bulk standards per Sections 3 and 4 above.
 13. Additional Requirements. 20 copies of a site plan shall be submitted, in accordance with SEC. 15.14-5, and shall be drawn to scale, showing the north point dimensions of lot, proposed location of buildings or structure, setbacks from front, side and rear lot lines, parking plan, direction of traffic flow, location and dimensions of curb cuts, lighting plan, sign plan, landscaping and/or screening plan and location of refuse storage dumpsters and the other matters required by the foregoing standards. (Amended 1/20/04 by Ord. No. 4926)

(Entire Letter Q – Multiple Family Dwelling in the B-1 General Business District Added 7/21/03 by Ord. No. 4881)

R. Nurseries and Greenhouses.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)

2. Minimum Lot Size:
 - a. Area: 2 Acres.
 - b. Width (ft.): 200.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: 100.
 - (2) Collector Street: 100.
 - (3) Minor Street: 50.
 - b. Side: 50.
 - c. Rear: 50.
4. Maximum Height (whichever is lower):
 - a. Feet: 25.
 - b. Stories: 2.
5. Additional Requirements. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures, off-street parking and loading areas, traffic circulation, proposed location and dimensions of curb cuts; location of refuse storage (dumpsters must be screened); sign and lighting plan; drainage plan for parking and loading areas indicating direction of run-off flow, location of catch basins, storm sewers, and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities. The propagation of plants, shrubs, and trees is permitted in the required front yard, provided that SEC. 15.4-5 (A)(6) of this Code is fully complied with.

S. Nursing and Retirement Homes.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: Ten Thousand (10,000) square feet.

b. Width: Sixty (60) feet.

3. Required Yards (feet):

a. Front:

(1) Major Street: 25.

(2) Collector Street: 25.

(3) Minor Street: 25.

b. Side yards: Ten (10) feet minimum. (Amended 11/20/95 by Ord. No. 4356)

c. Rear yard: Thirty (30) feet minimum. (Amended 11/20/95 by Ord. No. 4356)

4. Maximum Height (whichever is lower):

a. Feet: 35.

b. Stories: 2.

5. Additional Requirements. Twenty (20) copies of a plot plan shall be submitted drawn to scale and north point showing dimensions of lot, proposed location of buildings or structures, proposed setbacks, from front, side and rear lot lines, parking plan, direction of traffic flow, location and dimensions of curb-cut(s), lighting plan, landscaping and/or screening plan, and location of refuse storage (dumpsters must be screened). Shall not have access to parking facilities from an alley unless said alley is of an all-weather pavement surface and has been designated by the Town as one-way in direction. All parking and maneuvering room shall be provided on the subject property; Said parking shall be illuminated with lighting fixtures that direct the light away from adjoining residential property and shall not increase the intensity of light within ten (10) feet of a Residence District boundary line by more than one-half (1/2) foot candle. A minimum of a one (1) inch water service line shall be installed if the property is not served by one at the time of application.

T. Offices.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)

2. Minimum Lot Size:

a. Area: 10,000 square feet.

b. Width (ft.): 75.

3. Required Yards (feet):

a. Front:

(1) Major Street: Same requirement as the zoning district in which proposed use is to be located.

(2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.

(3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.

b. Side: Same requirements as the zoning district in which proposed use is to be located.

c. Rear: Same requirements as the zoning district in which proposed use is to be located.

4. Maximum Height (whichever is lower):

a. Feet: Same requirement as the zoning district in which the proposed use is to be located.

b. Stories: Same requirement as the zoning district in which the proposed use is to be located.

5. Additional Requirements: Shall be located adjacent to C-1, C-2, C-3, B-1 or B-2 district or adjacent to a conforming office structure. Shall be located on a major or collector street facility. Twenty (20) copies of a site plan shall be submitted drawn to graphic scale and north point showing dimensions of lot, proposed location of buildings or structures, building schematics, proposed setbacks from front, side and rear lot line, parking plan, direction of traffic flow, location and dimension of curbcuts, sign and lighting plan and location of refuse storage (dumpsters must be screened). The total floor area of all buildings on a lot shall not exceed thirty (30) percent of the net lot area. A minimum of twenty (20) percent of the net lot area shall be landscaped in accordance with SEC. 15.4-7(C)(2) and (3) of this Code.

U. Remote Controlled Racetracks.

1. Minimum Fencing/Screening Required: The racetrack shall be fully screened from public rights-of-way by dense landscaping. Such screening shall comply with SEC. 15.4-7(C) and Division 14 of this Code.

2. Required Yards: The front, side, corner, and rear yards shall be the same as required in the Zoning District in which the proposed use is to be located.
3. Additional Requirements: Twenty (20) copies of a Site Plan shall be submitted, drawn to graphic scale and north point showing dimensions of lot; proposed location of buildings or structures; building schematics; proposed setbacks from front, side, corner, and rear lot lines; a parking plan; direction of traffic flow; location and dimension of curb cuts, sign and lighting plan; landscaping plan; and location of any refuse storage areas. Additional requirements include the following:
 - a. If a viewing platform is proposed, the plans for such platform must be provided by a professional engineer or architect and shall include an occupant load to be posted on the platform. The platform shall be no more than twelve (12) feet in height. Barriers must be installed near the platform to protect the structure from any vehicular traffic when the structure is located in a parking lot. Only one (1) platform is permitted per racetrack.
 - b. No permanent signs shall be permitted.
 - c. One (1) parking space must be provided on site for fifty percent (50%) of the maximum platform occupant load. Such on site parking may not displace any Code required parking for other uses on the site.
 - d. The racetrack operation shall be limited to 7:00 a.m. until 9:00 p.m., Sunday through Thursday, and 7:00 a.m. until 10:00 p.m., on Friday and Saturday.
 - e. Erosion control plans and drainage plans shall be submitted meeting Town approval.
 - f. No sound amplification shall be allowed.
 - g. Public restrooms must be available within five hundred (500) feet of the racetrack.
 - h. All remote controlled racetrack improvements must be removed and the property restored with improvements and landscaping meeting Town Code within sixty (60) days following permanent cessation of racetrack operations.

(Sub-section U added 1/17/06 by Ord. No. 5047)

V. Riding Stables.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. (Amended 1/20/04 by Ord. No. 4926)

2. Minimum Lot Size:
 - a. Area: 5 Acres.
 - b. Width (ft.): 400.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: 100.
 - (2) Collector Street: 100.
 - (3) Minor Street: 100.
 - b. Side: 100.
 - c. Rear: 100.
4. Maximum Height (whichever is lower):
 - a. Feet: 25.
 - b. Stories: 2.
5. Additional Requirements. Riding paths or trails across a public street or right-of-way shall not be permitted. A caretaker's or supervisor's residence is permitted as an accessory use. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures; parking plan and direction of traffic flow; landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; drainage plan, indicating direction of run-off flow, location of catch basins, storm sewers and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; location and dimensions of curb cuts; finished topography of site at 2 foot contour intervals and location of proposed riding trails and rings.

W. Rooming House.

1. Minimum Fencing/Screening Required: Parking area shall comply with Division 14 of this Code and shall also be screened along the rear of the property. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:

- a. Area: Four hundred (400) square feet per roomer plus twenty-four hundred (2,400) square feet for supervisor's dwelling, if applicable.
- b. Width (ft.): Sixty (60) feet.

3. Required Yards (feet):

- a. Front:
 - (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.
 - (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.
 - (3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.
- b. Side: Same requirements as the zoning district in which proposed use is to be located.
- c. Rear: Same requirements as the zoning district in which proposed use is to be located.

4. Maximum Height (whichever is lower):

- a. Feet: Thirty-five (35).
- b. Stories: Two (2).

5. Additional Requirements. Twenty (20) copies of a plot plan shall be submitted drawn to scale and north point showing dimensions of lot, proposed location of buildings or structures, proposed setbacks from front, side and rear lot lines, parking plan, direction of traffic flow, location and dimensions of curb-cut(s), lighting plan, landscaping and/or screening plan, and location of refuse storage (dumpsters must be screened). Shall not have access to parking facilities from an alley unless said alley is of an all-weather pavement surface and has been designated by the Town as one-way in direction. All parking and maneuvering room shall be provided on the subject property; said parking shall be illuminated with lighting fixtures that direct the light away from adjoining residential property and shall not increase the intensity of light within ten (10) feet of a Residence District boundary line by more than one-half (1/2) foot candle. A minimum of a one (1) inch water service line shall be installed, if the property is not served by one at the time of application.

X. Telecommunication Antennas and Related Telecommunication Facilities.

As required in SEC. 15.15-6. (Added 6/16/97 by Ord. No. 4456)

Y. Therapeutic Care Homes.

1. Minimum Fencing/Screening Required. In accordance with SEC. 15.4-7(C) and Division 14 of this Code. Outdoor recreation and/or play area must be enclosed by four (4) foot high fence. (Amended 1/20/04 by Ord. No. 4926)

2. Minimum Lot Size.

a. Area: Four hundred (400) square feet per occupant plus twenty-four hundred (2,400) square feet for supervisor's dwelling, if applicable.

b. Width: Sixty (60) feet.

3. Required Yards (feet):

a. Front:

(1) Major Street: Same requirement as the zoning district in which proposed use is to be located.

(2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.

(3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.

b. Side: Same requirements as the zoning district in which proposed use is to be located.

c. Rear: Same requirements as the zoning district in which proposed use is to be located.

4. Maximum Height (whichever is lower):

a. Feet: Thirty-five (35).

b. Stories: Two (2).

5. Additional Requirements. Twenty (20) copies of a plot plan shall be submitted drawn to scale and north point showing dimensions of lot, proposed location of buildings or structures, setbacks from front, side, and rear lot lines, parking plan, direction of traffic flow, location and dimensions of curb-cut(s), lighting plan, landscaping and/or screening plan, and location of refuse storage (dumpsters must be screened). All parking and maneuvering room shall be provided on the subject property; said parking shall be illuminated with lighting fixtures that direct light away from adjoining residential property and shall not increase the intensity of light within ten (10) feet of a Residence District boundary line by more than one-half (1/2) foot candle. A minimum of a one (1) inch water service shall be installed, if the property is not served by one at the time of application.

Z. Tourist Cabins, Travel Trailer and Tourist Camps.

1. Minimum Fencing/Screening Required. Forty-two (42) inch high fence enclosing outdoor swimming area. Camping pads or cabins shall be screened along any boundary abutting a public right-of-way.
2. Minimum Lot Size.
 - a. Area: 1,200 square feet per cabin or camp site, exclusive of any common recreation area.
 - b. Width (ft.): Sixty (60) feet.
3. Required Yards (feet):
 - a. Front:
 - (1) Major Street: 75.
 - (2) Collector Street: 75.
 - (3) Minor Street: 75.
 - b. Side: 50.
 - c. Rear: 50.
4. Maximum Height (whichever is lower):
 - a. Feet: 15.
 - b. Stories: 1.

5. Additional Requirements. Shall be screened with natural plant materials along any boundary adjoining a residence district property line; transitional yard regulations shall also apply. Each trailer, cabin or recreation vehicle shall be spaced no less than twenty (20) feet apart. Office shall provide eight (8) parking spaces; said parking area shall also include adequate provisions for parking and maneuvering of recreation vehicles and cars towing trailers. Camping and cabin area shall be illuminated for security purposes but with fixtures that direct light away from campsites and/or cabins. Roadways may have an eight (8) inch crushed aggregate base and bituminous surface class A-3 or equivalent. Twenty (20) copies of a site plan shall be submitted showing graphic scale, north point, site size in acres; existing physical features such as drainage easements, streams, marshes; proposed location and dimensions of buildings and structures and campsites; proposed utilities showing size, types, locations and elevations (including watermains, valves, hydrants, sanitary and storm sewers); proposed sidewalks and pedestrian ways; parking plan and direction of traffic flow; landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; drainage plan indicating direction of run-off flow; location of catch basins, storm sewers and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; location and dimensions of curb cuts (must be located 150 feet from nearest intersection and 150 feet apart); and location and dimensions of any other proposed physical improvements.

AA. Veterinary Hospitals.

1. Minimum Fencing/Screening Required: In accordance with SEC. 15.4-7(C) and Division 14 of this Code. A six (6) foot mesh fence shall enclose outdoor animal areas. (Amended 1/20/04 by Ord. No. 4926)
2. Minimum Lot Size:
 - a. Area: One (1) Acre.
 - b. Width (ft.): Two hundred (200) feet.
3. Required Yards (feet).
 - a. Front:
 - (1) Major Street: Same requirement as the zoning district in which proposed use is to be located.
 - (2) Collector Street: Same requirement as the zoning district in which the proposed use is to be located.
 - (3) Minor Street: Same requirements as the zoning district in which proposed use is to be located.

- b. Side: 75.
- c. Rear: 75.
- 4. Maximum Height (whichever is lower):
 - a. Feet: 25.
 - b. Stories: Two (2).
- 5. Additional Requirements: Shall be located at least 660 feet from a residence district boundary line. Shall be located on a major or collector street facility. Twenty (20) copies of a site plan shall be submitted showing graphic scale and north point; proposed location and dimensions of buildings and structures; parking plan and direction of traffic flow; landscaping plan; location of refuse storage (dumpsters must be screened); sign and lighting plan; drainage plan for parking lot and other paved areas indicating direction of run-off flow, location of catch basins, storm sewers and water impoundment areas, if any; land to be dedicated for streets and drainage right-of-way and easements for other utilities; location and dimensions of curb cuts; location and dimensions of any other proposed physical improvements.

(Sections (H) through (U) relettered by Ord. No. 4326 on 6/19/95)(Sections (B) through (W) relettered by Ord. No. 4456 on 6/16/97)(Sections (E) through (X) relettered by Ord. No. 4606 on 7/19/99)(Sections (T) through (Z) relettered by Ord. No. 5047 on 1/17/06)(Sections (N) through (AA) relettered by Ord. No. 5495 on 6/17/13)

SEC. 15.10-5 DECISIONS.

A. Action by the Zoning Board of Appeals.

- 1. Findings of Fact. No Special Use Permit shall be recommended by the Zoning Board of Appeals until written Findings of Fact are made indicating:
 - a. The extent to which the specific special use standards specified in SEC. 15.10-4 are met;
 - b. The extent to which the general special use standards enumerated in this Section are met;
 - c. Recommendations, if any, of conditions deemed reasonably necessary to meet any or all of such general or specific special use permit standards.
- 2. General Standards. Standards applicable to all Special Use include the following:

- a. Ingress and egress to property and proposed structures shall be located and designed in a manner which will maximize automotive and pedestrian safety and convenience, facilitate traffic flow and control and provide easy and adequate access in case of fire or other catastrophe;
- b. Off-street parking and loading areas where required or provided, shall be located and designed in a manner which will maximize the items referred to in Paragraph (a) above and will minimize any adverse economic, noise, glare or odor effects of the special use on adjoining or nearby properties;
- c. Refuse and service areas, if provided, shall be located and designed in a manner so as to accomplish the objectives specified in Paragraphs (a) and (b) above;
- d. Utilities provided in connection with the special use shall be designed and located so as to encourage the efficient and economic utilization, extension and expansion of the public utility system;
- e. Screening and buffering materials shall be sufficient to insure that the proposed special use will have no greater impact on surrounding land uses than other uses authorized as a matter of right;
- f. Signs, if any, and proposed exterior lighting shall be located and designed to maximize traffic safety and compatibility and harmony with adjoining or nearby properties and so as to minimize glare, noise and adverse economic impact on surrounding properties or authorized land uses;
- g. Required yards and open spaces shall be sufficient to insure that the proposed special use will have no greater impact on surrounding land uses than other uses authorized as a matter of right;
- h. The site on which the special use is located shall be designed to make the proposed use generally compatible with adjoining or nearby properties;
- i. The special use shall in all other respects conform to the applicable regulations of the district in which it is located and of the entire municipal code, including but not limited to Division 14, except as such regulations may in each instance be modified by the President and Town Council pursuant to the recommendations of the Zoning Board of Appeals or as allowed for a Planned Unit Development. (Amended 1/20/04 by Ord. No. 4926)

3. Hearing on Application. Upon receipt in proper form of an application and supporting material, the Zoning Board of Appeals shall hold at least one (1) administrative public hearing on the application for a Special Use Permit, in the manner provided in SEC. 15.12-1(C)(3)(b).
 4. The President and Town Council must grant or deny any application for a Special Use Permit after receiving the report of findings and recommendation of the Zoning Board of Appeals including the recommended stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest.
- B. Protest. In case a written protest against any proposed special use permit signed and acknowledged by the owners of twenty (20) percent of the frontage to be altered; the owners of twenty (20) percent of the frontage directly opposite the frontage to be altered; or by the owners of twenty (20) percent of the frontage immediately adjoining or across the alley therefrom is filed with the Town Clerk, the Special Use Permit cannot be passed except on the favorable vote of two-thirds (2/3) of all members of the Town Council.
- C. Refiling Period. No application for a Special Use which has been denied wholly or in part by the President and Town Council shall be resubmitted for a period of one year from the date of said denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the President and Town Council.
- D. Minor Changes. Minor changes in the location, siting, and height of structures may be authorized by the Building Commissioner, however, no such change may involve a change in the character of the development, or a substantial increase in the intensity of use, reduction of parking spaces, or landscaping requirements.
- E. Non-Minor Changes. Decisions concerning non-minor changes in the location, siting and height of structures, any change in the character of the development or a substantial increase in the intensity of use, reduction of parking spaces, or landscaping shall be made by the Town Council, after the Zoning Board of Appeals conducts an additional administrative public hearing and submits a recommendation on such proposed changes or deviations. In all non-minor changes, the Zoning Board of Appeals and the Town Council shall apply the standards set forth in this Division for special uses. (Added by Ord. 3784, 6/20/88)(Amended by Ord. 3972, 4/15/91)(Amended by Ord. No. 4356, 11/20/95)