

# Article 15

## NONCONFORMING USES OF LAND AND STRUCTURES

### **Section 15.01 INTENT AND PURPOSE**

It is recognized that there exists within the districts established by this ordinance or amendments that may later be adopted, lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance.

It is the intent of this ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other structures of uses prohibited elsewhere in the same district.

It is further recognized that certain nonconforming uses and structures do not significantly depress the value of nearby properties and are not contrary to the public health, safety and welfare and that such use or structure was lawful at the time of its inception and that no useful purpose would be served by the strict application of requirements for nonconformities under this ordinance and, therefore, two (2) classes of nonconforming use and structure are designated, being Class A and Class B.

### **Section 15.02 CLASS A NONCONFORMING USES OR STRUCTURES**

Those nonconforming uses or structures, which have been designated by the Planning Commission after a public hearing, shall be designated Class A providing findings that the following conditions exist with respect to the use or structure.

- A. The use or structure was lawful at its inception.
- B. Continuance of the use or structure does not significantly depress property values of nearby properties.
- C. Continuance of the use or structure would not be contrary to the public health, safety, or welfare of the spirit of the ordinance.
- D. No useful purpose would be served by strict application of the provisions of this ordinance with which the use or structure does not conform.

### **Section 15.03 CLASS A CONDITIONS**

The decision to grant a Class designation shall be made in writing setting forth the findings and reasons on which it is based. Conditions may be attached, including time limits where deemed necessary to assure the use or structure does not become contrary to the public health, safety, or welfare or the spirit and purpose of this ordinance and further to assure that at least the following standards are met.

- A. Screening and landscaping should be provided in keeping with community standards to provide compatibility with adjacent uses.
- B. Effects, which may have a negative impact such as lighting, noise, or visual impact, should be minimized.
- C. Where such use is in close proximity to homes, curbside parking shall not be allowed to an extent greater than the immediate property frontage of the nonconforming use.
- D. New signage should meet zoning district requirements. Existing nonconforming signs may be required to be eliminated or reduced in size and number as the Planning Commission may in its judgment, determine.



- E. The exterior building materials utilized in any alteration or rebuilding of the building shall be harmonious with materials on abutting properties whenever practical.
- F. Enlargement or replacement of a building may be allowed provided such enlargement or replacement does not create a more nonconforming yard setback condition, which would impact on conforming properties in the immediate vicinity.
- G. The Planning Commission may require such other safeguards and improvements, as it may deem necessary to protect conforming uses in the surrounding area.
- H. After the Planning Commission may require such other safeguards and improvements, as it may structure to the person, firm or partnership requesting the designation, said Class A designation shall be deemed temporary until Planning Commission has received written verification from the building official that the party requesting the Class A designation has complied with all the conditions set forth by the Planning Commission.
- I. After the Planning Commission has received written verification from the building official that the party requesting the Class A designation has complied with said conditions, the Class A designation shall become final, subject to other provisions of this ordinance as hereafter prescribed.
- J. No Class A nonconforming use or structure shall be resumed if it has been discontinued for six (6) consecutive months or eighteen (18) months in any three (3) year period. No Class A nonconforming use or structure shall be used, altered, or enlarged in violation of any conditions imposed in its designation.
- K. A temporary Class A nonconforming use or structure that has not met with all the conditions set forth by the Planning Commission within six (6) months from the date the nonconforming use or structure received a temporary Class A designation shall not receive final approval unless a request for extension of time, in which to fulfill all of the conditions set forth by the Planning Commission, is submitted in writing to the Planning Commission along with sufficient reasons as to why the temporary Class A designation should be extended.
- L. Upon a showing of good cause, the Planning Commission may extend the temporary Class A designation for the nonconforming use or structure for another six (6) months.

**Section 15.04 CLASS B NONCONFORMING LOTS**

All nonconforming uses or structures not designated Class A shall be Class B nonconforming uses or structures. Class B nonconforming uses and structures shall comply with all the provisions of this ordinance relative to nonconforming uses and structures.

**Section 15.05 NONCONFORMING LOTS**

In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record recorded with the Register of Deeds at or before the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions, setbacks and other requirements not involving area or width, or both, or the lot, shall conform to the regulations for the district in which such lot is located, unless a yard requirement variance is obtained through approval of the Zoning Board of Appeals. However, if two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or divided in a manner which diminishes compliance with lot width and area requirements established by this Ordinance.

### **Section 15.06 NONCONFORMING USES OF LAND**

Where, at the effective date of adoption or amendment of this Ordinance, a lawful use of land exists that is made no longer permissible under the terms of this Article as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

- A. No such nonconforming use shall be enlarged or increased, nor extended to occupy greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
- B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance.

### **Section 15.07 NONCONFORMING STRUCTURES**

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or location of the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions.

- A. No such structure may be enlarged or altered in a way which increases its nonconformity, but the use of a structure and/or the structure itself may be changed or altered to a use permitted in the district in which it is located, provided that all such changes are also in conformance with the requirements of the district in which it is located. Furthermore, any nonconforming use may be extended throughout any parts of a building, which were manifestly arranged or designed for such use, and which existed at the time for adoption or amendment of this Article, but no such use shall be extended to occupy any land outside such building.
- B. Should such structure be destroyed by any means to an extent of more than fifty (50) percent of its appraised replacement cost, exclusive of foundations, it shall not be reconstructed except in conformity with the provisions of this Ordinance, including the respective site development standards for the District in which it is located. The appraised replacement cost shall be determined by the Zoning Administrator according to any appraisal replacement cost shall be licensed building contractor, at the expense of the applicant. The Zoning Administrator shall report the appraised replacement cost to the Zoning Board of Appeals. The appraisal may be appealed to the Zoning Board of Appeals according to Section 4.03.
- C. Should such structure be moved for any reason for any distance, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- D. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter by resumed.
- E. Where nonconforming status applies to a structure and use in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land, and all subsequent uses and structures on the land shall conform to the applicable district regulations.

### **Section 15.08 CHANGE IN NONCONFORMING USES**

Irrespective of other requirements of this Article, if no structural alterations are made, any nonconforming use of a structure and premises may be changed to another nonconforming use of similar or less nonconformance, provided that the Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this Article. Where a nonconforming use, structure, or use and structure in combination is hereafter changed to a less nonconforming character, it shall not thereafter be changed to a greater nonconforming character.

### **Section 15.09 REPAIRS AND MAINTENANCE**

On any building devoted in whole or in part to any nonconforming use, work may be done in any period of Twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls,

fixtures, wiring or plumbing to an extent not exceeding twenty-five (25) percent of the building's replacement cost prior to the initiation of repairs, exclusive of foundations, provided that the cubic content of the building as it existed at the time of passage or amendment of this Article shall not be increased. Nothing in this Article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

**Section 15.10 CHANGE OF TENANCY OR OWNERSHIP**

A change of tenancy or ownership of a nonconforming use is allowed, any non-conforming aspects would need to be brought in conformance.

**Section 15.11 DISTRICT CHANGES**

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of another classification, the provisions of this Article shall also apply to any existing uses that become nonconforming as a result of the boundary changes.

**Section 15.12 CHANGES TO NONCONFORMING BUILDINGS OR STRUCTURES**

Nonconforming buildings or structures may be structurally changed, altered or enlarged with the approval of the Zoning Board of Appeals when the Zoning Board of Appeals finds that the request is a case in which failure to grant the relief requested would unreasonably restrict continued use of the property or would restrict valuable benefits that the public currently derives from the property as used in its nonconforming status, except that any approval for structural changes, alteration or enlargement may be granted only with a finding by the Zoning Board of Appeals that approval will not have an adverse effect on surrounding property and that it will be the minimum necessary to allow continued use of the property.

**Section 15.13 ILLEGAL NONCONFORMING USES**

Nonconforming uses of structures or land existing at the effective date of this Ordinance that were established without approval of zoning compliance or without a valid building permit, or those nonconforming uses, which cannot be proved conclusively as existing prior to the effective date of this Ordinance, shall be declared illegal nonconforming uses, and are not entitled to the status and rights accorded legally established nonconforming uses.

**Section 15.14 PERMITS**

Permits for construction of, expansion of, or substitution of nonconforming lots, uses or structures require a Zoning Permit pursuant to Section 3.05. Other permits and approvals may also be required.

**Section 15.15 APPEALS**

A person aggrieved of a decision on nonconforming uses under Section 208(2) of Act 110 of 2006 MCL 125.3208 may appeal to the circuit court.

# ARTICLE 16

## ACCESS CONTROLS AND PRIVATE ROADS

### Section 16.01 INTENT

The intent of this Article is to provide standards, which will facilitate safe and efficient traffic movement and vehicular access in the Village. The standards contained herein are intended to protect the public health, safety, and welfare, including minimizing congestion and potential for accidents, and better assuring accessibility to property under emergency conditions. The regulations and standards of this Article apply to all properties in the Village. The requirements and standards of this Article shall be applied in addition to the requirements of the Michigan Department of Transportation, Arenac County Road Commission, and other provisions of this Ordinance.

### Section 16.02 CURB CUTS AND DRIVEWAYS

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Curb cuts and driveways shall be located only upon the approval of the County Road Commission and appropriate state authorities as required by law; provided, however, such approval shall not be given where such curb cuts and driveways shall cause an unreasonable increase in traffic hazards, including but not limited to allowing adequate sight distance for ingress and egress.

- A. All plans for structures to be erected, altered, moved, or reconstructed, and use of premises within the Village shall contain a plan for the proposed driveway access to the premises, which shall be part of the site plan or site plan pursuant to Section 6.03. Said plan shall be approved by the Zoning Administrator, or the Planning Commission in the case of a site plan, prior to the issuance of a zoning permit. No such plan shall be approved unless such driveway access is onto a dedicated public street or private road easement. County Road Commission standards shall be consulted during this review. Driveways shall, at a minimum, meet the following standards.
1. Culverts shall be installed in line with and on the same grade as the road ditch.
  2. Drives shall enter perpendicular to the existing public street or private road.
  3. No portion of the driveway entrance within the right-of-way shall have a grade of greater than ten (10) percent (one (1) foot vertical rise in ten (10) feet of horizontal distance).
  4. The driveway shall meet clear vision standards of the County Road Commission.
  5. Residential driveways shall be a minimum of fifty (50) feet from the nearest right-of-way line of an intersecting road or street.
  6. Vehicle ingress and egress points shall not be closer than one hundred (100) feet to the intersection of any two (2) public streets, or closer than eighty (80) feet to an adjacent driveway within a Commercial or Industrial District.
  7. All driveways leading to dwellings, garages or accessory structures shall have a compacted surface and shall be designed to minimize erosion. Parking of motor vehicles on the front lawn/ or grass is prohibited.
  8. Residential driveways shall contain curves of no less than fifty (50) foot radius (measured from the driveway centerline) up to within one hundred (100) feet of the dwelling unit, and the length of which shall be constructed and maintained to permit emergency vehicle access. The complete width of the driveway, and a distance of fifteen (15) feet above the entire driveway width, shall be maintained in a clear condition to permit emergency vehicle access.
- B. The Zoning Administrator shall inspect the driveway as developed for compliance to the above Standards.

- C. New driveways shall align with existing or planned driveways, crossovers, turn lanes or other access features. This shall only be required if the resulting alignment provides safe access and if all requirements of this Ordinance and the Country Road Commission are met.
- D. The location of new driveways shall conform with road improvement plans or corridor plans that have been adopted by the Village or County Road Commission or Michigan Department of transportation.
- E. No driveway shall serve more than one (1) single-family dwelling or more than one (1) dwelling unit in a two-family dwelling.

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**Section 16.03 LOTS TO HAVE ACCESS**

- 1. All parcels or lots hereinafter created in the Village shall have frontage on a public street, or a private road easement, and take their lot access from such frontage so as to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking.
- 2. In a platted subdivision or condominium subdivision, corner lots shall take their access from an approved private road or approved public street. Wherever a corner lot exists at the intersection of two (2) major thoroughfares, then access shall be taken from the thoroughfare presenting the least hazard in the opinion of the County Road Commission.
- 3. Private road easements shall be a minimum of sixty-six (66) feet wide, contain curves of no less than fifty (50) foot radius (measured from the easement centerline), and be maintained to permit emergency vehicle access.
- 4. All public streets and private road easement locations shall be approved by the Planning Commission.

**Section 16.04 CLEAR VISION ZONE**

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The following regulations shall apply to all landscaping, fences, walls, screens, or similar devices at street intersections:

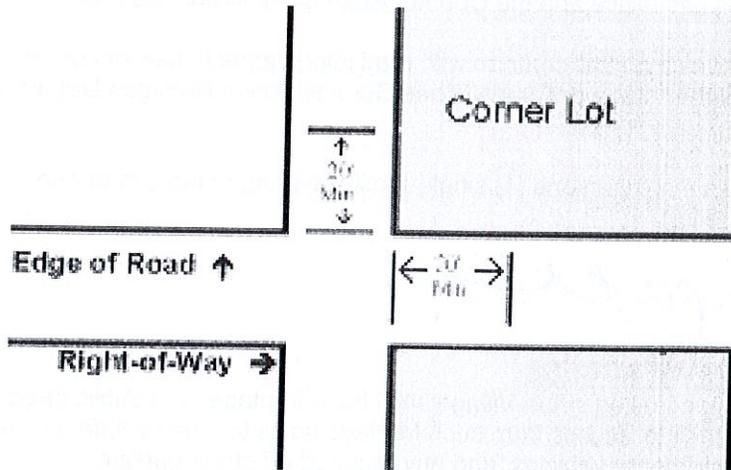
- A. No fence, wall, sign, or screen or any planting shall be erected or maintained in such a way as to obstruct vision or interfere with traffic visibility on a curve and/or driveway, or within twenty (20) feet of the right-of-way of a street (See Figure 20-1 and Figure 20.2).
- B. No structure, hazard or obstruction shall be placed or maintained in the right-of-way, except as may be approved by the County Road Commission.

**Section 16.05 DECELERATION LANES AND TAPERS**

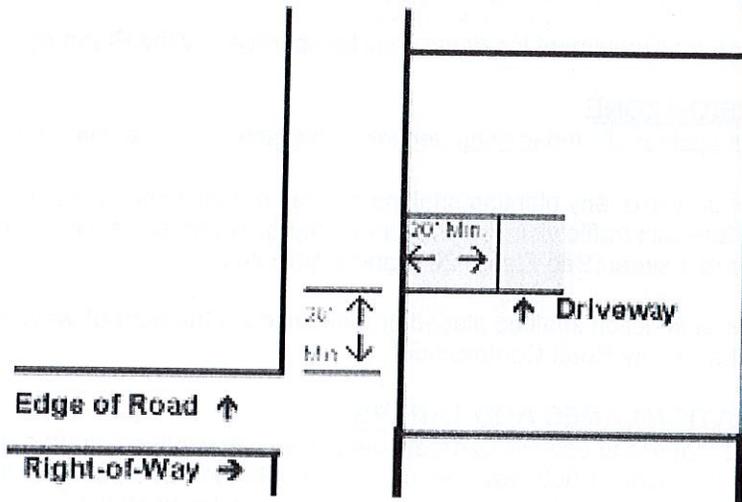
Where it can be demonstrated that a land use will generate daily driveway volumes along a major thoroughfare in excess of one thousand (1,000) vehicles per day, a right turn taper, deceleration lane and/or left turn bypass land may be required by the approving body. Such lanes shall be constructed to Michigan Department of Transportation standards, as published in Michigan Department of Transportation Design Guidelines VII-650C, or most current version thereof.

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**Figure 16 -1  
CLEAR VISION AREA ALONG PUBLIC ROAD**



**Figure 16 -2  
CLEAR VISION AREA FOR DRIVEWAYS**



# Article 17

## OFF-STREET PARKING AND LOADING

### **Section 17.01 INTENT OF PARKING PROVISIONS**

It is the intent of this Ordinance that parking spaces shall be provided and adequately maintained by each property owner in every zoning district for the off-street storage of motor vehicles for the use of occupants, employees and patrons of each building and premise constructed, altered, or enlarged under the provisions of this Ordinance. In order to prevent undue interference with public use of streets and alleys, every manufacturing, warehouse, wholesale store, retail store, hotel, hospital, laundry, mortuary, and other uses similarly and customarily receiving or distributing goods by motor vehicle shall provide space for such receiving or distributing.

### **Section 17.02 GENERAL REQUIREMENTS**

1. **Fractional Space:** When units of measurements determining the number of required parking spaces result in a fractional space, any fraction to and including one half (1/2) shall be disregarded and fractions over one half (1/2) shall require one (1) parking space.
2. **Requirements for a Use Not Mentioned:** In the case of a use not specifically mentioned, the requirements of off-street parking for a use which is mentioned, and which is most similar to the use not listed shall apply. The Planning Commission shall make this determination and a record of the rationale applied documented in a file established for that purpose. An appeal may be taken to the Zoning Board of Appeals.
3. **Use of Parking Areas:** No commercial repair work, servicing or selling of any kind shall be conducted in any parking area or parking garage. Parking space shall be used only for the parking of vehicles used to service the establishment to which it is accessory and by its patrons.
  1. No sign shall be erected in parking areas other than not more than one (1) directional sign at each point of ingress or egress, such sign may also bear the name of the enterprise the lot is intended to serve. Such signs shall not exceed three (3) feet in height and twelve (12) square feet in area and shall not project beyond the property line of the premises.
4. **Building Additions or Other Increases in Floor Area:** Whenever a use requiring off-street parking is increased in floor area, or when interior building modifications result in an increase in capacity for any premise use, additional parking shall be provided and maintained in the proper ratio to the increased floor area or capacity.
5. **Location and Joint Use of Parking Areas:** All off-street parking areas shall be located on the same lot, or on the adjacent premises in the same district as the use they are intended to serve. The joint use of parking facilities by two (2) or more uses may be granted by the Board of Appeals whenever such use is practical and satisfactory to each of the uses intended to be served, and when all site development requirements of Section 21.04 are met.
  - A. **Computing Capacities:** In computing capacities of any joint use, the total space requirement is the sum of the individual requirements that will occur at the same time. If space requirements for individual uses occur at distinctly different times, the total of such off-street parking facilities required for joint or collective use may be reduced below the sum total of the individual space requirements.
  - B. **Record of Agreement:** A copy of an agreement between joint users shall be filed with the application for a zoning permit and recorded with the Register of Deeds of the County. The agreement shall include a guarantee for continued use of the parking facility by each party.
6. **Queued Vehicles:** There must be sufficient on-site storage to accommodate at least two (2) queued vehicles waiting to park or exit the site without using any portion of the public street right-of-way or in any other way interfering with street traffic.

7. **Decrease in Parking Areas:** No off-street parking area or parking space, which exists at the time this Ordinance becomes effective or, which subsequent thereto is provided for the purpose of complying with this Ordinance, shall thereafter be relinquished, or reduced in any manner below the requirements established by this Ordinance unless additional parking area or space is provided sufficient to meet the requirements of this Article and Section 6.08.
8. **Permitted Vehicles in Residential Districts:** Parking of motor vehicles in Residential Districts shall be limited to passenger vehicles. One licensed commercial vehicle per dwelling not to exceed 2 axes.

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**Section 17.03 PARKING SPACE REQUIREMENTS**

The number of required off-street parking spaces in all districts, by land use type, shall be as follows:

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**A. Residential Uses:**

1. **One and Two-Family Dwellings:** Two (2) spaces for each single-family dwelling unit.
2. **Multiple Dwellings:** Two (2) spaces for each multiple family dwelling unit plus one (1) space per five (5) units for guest parking.
3. **Mobile Home Park:** Two (2) spaces for each mobile home site plus one (1) space per three (3) units for guest parking.
4. **Group Homes (adult foster care):** One (1) space per employee on the largest work shift, plus one (1) space for every three (3) residents of the home.

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**B. Commercial Uses:**

1. **Automotive Service and Repair Station:** Two (2) spaces for each repair and service stall (a service stall is not considered a parking space), plus one (1) space for every two (2) Employees.
2. **Barber Shops and Beauty Parlors:** Two (2) spaces for each beauty and/or barber chair.
3. **Bowling Alleys:** Two (2) spaces for each alley plus one (1) space for each employee on the largest shift.
4. **Clinics:** Two (2) spaces for each examination or treatment room, plus one (1) space for each doctor or dentist and other employees.
5. **Clothing, Furniture, Appliance, Hardware, Automobile, Machinery Sales, Shoe Repair, Personal Services (other than beauty and barber shops):** One (1) space per four hundred (400) feet of gross floor area.
6. **Commercial and Institutional Recreational Facilities:** One (1) space per three (3) patrons to the maximum capacity of the facility.
7. **Convalescent Homes, Convents or Similar Uses:** One (1) space for each six (6) beds plus one (1) space for every employee on the largest working shift.
8. **Dance Halls, Pool and Billiard Rooms:** One (1) space for every three (3) persons allowed within maximum capacity load.
9. **Drive-in Banks, Cleaners, Car Laundries, and Similar Businesses:** Stacking space for five (5) cars between the sidewalk area and one (1) space for each employee on the largest shift.
10. **Drive-in Restaurants or Fast-Food Restaurants:** One (1) space for every four (4) seats plus one (1) space for each employee on the largest shift, plus sufficient area for eight (8) stacking spaces for drive-in windows.

11. **Funeral Homes and Mortuaries:** One (1) space for every twenty-five (25) square feet of floor area of chapels and assembly rooms.
12. **Kennels:** One (1) space for each five (5) animals of the facility's capacity, plus one (1) space for every two (2) employees.
13. **Laundromat:** One (1) space for every three (3) washing or drying machines.
14. **Miniature or Par 3 Golf Courses:** Three (3) spaces for each hole plus one (1) space for each employee.
15. **Motels, Auto Courts, Tourist Homes:** One (1) space for each sleeping unit plus one (1) space for each employee on the largest shift.
16. **Private Recreational Facilities:** One (1) space for every six (6) potential members based on the capacity of the facility as determined by the fire marshal.
17. **Retail Stores, (except as otherwise specified herein):** One (1) space for every three hundred 300 square feet of gross floor area.
18. **Standard Restaurants, Cafeterias, Taverns, Bars:** One (1) space for every three (3) seats up to the capacity of the facility as determined by the fire marshal, plus one (1) space for each employee on the largest shift.
19. **Shooting Ranges:** One (1) space for each unit station plus one (1) space for each two (2) employees.
20. **Stables (commercial):** One (1) space for each five (5) animals of the facility's capacity, plus one (1) space for every two (2) employees.
21. **Supermarket, Self-Service Food Store:** One (1) space for every one hundred (100) square feet of gross floor area.
22. **Tanning Salons:** One (1) space for each tanning bed.

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**C. Offices Uses:**

1. **General Offices:** One (1) space for every two hundred square feet of gross floor area.
2. **Professional Offices and Banks:** One (1) space for every three hundred (300) square feet of gross floor area.

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**D. Industrial Uses:**

1. **Extraction Operations and Asphalt Batching Plants:** One (1) space for every three (3) employees on the largest shift.
2. **Industrial or Manufacturing Establishments:** One (1) space for every three (3) employees for industry's largest working shift.
3. **Junkyard:** One (1) space for every two employees.
4. **Wholesale Stores:** One (1) space for every six hundred (600) square feet of floor area.
5. **Warehouses:** Five (5) plus one (1) space for each employee.

**E. Institutional Uses:**

1. **Auditoriums (incidental to schools), Churches, Stadiums, Gyms, Theaters, and Buildings of Similar Use with Fixed Seats:** One (1) space for each four (4) seats plus one (1) space for every two (2) employees.
2. **Boarding and Lodging Houses, Fraternities:** One (1) space for each bedroom or each two (2) occupants of the structure, whichever is greater, plus one (1) additional space for the owner or operator.
3. **Day Care Facilities (day care center and group day care home, but not a family home Day care):** One (1) space for each employee, plus a paved, unobstructed stacking space for pick-up and drop-off, plus one (1) space per four (4) persons of licensed capacity.
4. **Elementary and Middle Schools:** One (1) space for every two (2) employees, plus one (1) space for every four (4) seats where the school contains an auditorium and/or stadium or gym.
5. **Golf Clubs, Swimming Pool Clubs, Tennis Clubs or Other similar Uses:** Four (4) spaces for each green, plus one (1) space for every two (2) employees on the largest shift, plus fifty (50) percent of the spaces otherwise required for any accessory uses (e.g., restaurant, pro shop, etc.)
6. **High Schools and Colleges:** One (1) space for every employee plus one (1) space for each five (5) students (based on the capacity of the facility as determined by the fire marshal), plus one (1) space for every four (4) seats where the school contains an auditorium and/or stadium or gym.
7. **Hospitals, Sanitariums:** One (1) space for each three (3) patient beds, plus one (1) space for each two (2) employees on the largest shift, plus one (1) space for each visiting doctor.
8. **Libraries, Museums, Post Offices:** One (1) space for every eight hundred (800) square feet of floor area plus one (1) space for every two (2) employees on the largest shift.

#### **Section 17.04 SITE DEVELOPMENT REQUIREMENTS**

All off-street parking areas shall be designed, constructed, and maintained in accordance with the following standards and requirements:

- A. **Marketing and Designation:** Parking areas shall be so designed and marked as to provide for orderly and safe movement and storage of vehicles.
- B. **Driveways:** Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.
  1. Except for parking space provided for single-family and two-family residential lots, drives for ingress and egress to the parking area shall be not less than thirty (30) feet wide and so located as to secure the most appropriate development of the individual property.
  2. Each entrance to and exit from an off-street parking area shall be at least twenty-five (25) feet from adjacent lot within a residential district.
- C. **Site Maneuverability:** Each parking space, within an off-street area, shall be provided with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited. The minimum width of required maneuvering lanes may vary depending upon the proposed parking pattern, as follows:
  1. For ninety (90) degree right angle parking patterns, the maneuvering lane width shall be a minimum of twenty-two (22) feet for a two-aisle and fifteen (15) feet for a one-way aisle.
  2. For sixty (60) degree parking patterns, the maneuvering lane width shall be a minimum of Eighteen (18) feet.

3. For forty-five (45) degree parking patterns, the maneuvering lane width shall be a minimum of eleven (11) feet.
  4. For parallel parking patterns, the maneuvering lane width shall be a minimum of twelve (12) feet for a one-way aisle and twenty-four (24) feet for a two-way aisle.
  5. All maneuvering lane widths shall permit one-way traffic movement only, except for ninety (90) degree and parallel parking patterns, which may provide for two-way traffic movement.
  6. All parking spaces shall be at least nine (9) feet wide and twenty (20) feet in length.
- D. **Surface:** Parking areas requiring a capacity of four (4) or more vehicles shall be surfaced with a material that shall provide a durable smooth and dustless surface and shall be graded and provided with adequate drainage.
- E. **Setback:** Unless otherwise permitted within this Ordinance, no off-street parking area shall be located within a required front, side, or rear yard setback. This shall not exclude parking on a driveway in residential districts.
- F. **Lighting:** Except for single-family and two-family residential lots, adequate lighting shall be provided throughout the hours when the facility or business requiring the parking area is in operation.
1. Lighting shall be designed and constructed so that:
    - a. Direct or directly reflected light is confined to the development site
    - b. All light sources and light lenses are shielded
    - c. Any light sources or light lenses are not directly visible from beyond the site boundary.
  2. Lighting fixtures shall be a down-type having one hundred (100) percent cut off. The light rays may not be emitted by the installed fixture at angles above the horizontal plans, as may be certified by photometric test.
  3. Outdoor lighting shall be a down type, and have light sources, which are one hundred (100) percent shielded with no protruding lenses. The applicant shall submit the specifications for the lights, poles, fixtures, and light sources to the Village of approval prior to installation. Unless as otherwise approved by the Planning Commission, light sources shall be high-pressure sodium. Approved exceptions shall use warm white or natural lamp colors.
  4. Recreation area and amusement area lighting shall be equipped with baffling or other devices to assure that the above requirements are achieved.

**Section 17.05 LOADING AND UNLOADING SPACE REQUIREMENTS**

1. **Additional Parking Space:** Loading space required under this Section shall be provided as area additional to off-street parking space as required under Section 21.03 and shall not be considered as supplying off-street parking space.
2. **Space Requirements:** There shall be provided an adequate space for standing, loading, and Unloading service adjacent to the building opening for loading and unloading of not less than twelve (12) feet in width, fifty-five (55) feet in length, and fifteen (15) feet in height, open or enclosed, and shall be provided according to the following table:

**Usable Floor Area (square feet)**

Commercial uses, such as:  
Retail Stores, Personal  
Services, Amusement,  
Automotive Service.

**Space Required**

First 2,000 sq. ft; none. Next 20,000 sq. ft. or fraction thereof, one (1) space. Each additional 20,000 sq. ft. or fraction thereof, one (1) space.

Hotels, Offices, Clinics	First 2,000 sq. ft.: none. Next 50,000, sq. ft. or fraction thereof; one (1) space. Each additional 100,000 sq. ft. or fraction thereof; one (1) space.
Wholesale and Storage Contractor's Yards	First 20,000 sq. ft.; one (1) space, including building. Each additional 20,000 sq. ft. or fraction thereof; one space.
Manufacturing Uses	First 20,000 sq. ft. or fraction thereof; one (1) space. Each additional 20,000 sq. ft. or fraction thereof; one (1) space.
Funeral Homes and Mortuaries	First 5,000 sq. ft. or fraction thereof; one (1) space. Each additional 10,000 sq. ft. or fraction thereof; one (1) space.
Hospitals	First 20,000 sq. ft.; one (1) space. Next 100,000 sq. ft. or fraction thereof; one (1) space. Each additional 200,000 sq. ft. Or fraction thereof; one (1) space.
Schools, Churches, Clubs, Public Assembly Buildings, Auditoriums, Boarding Houses, Convalescent Homes	For each building, one (1) space.

3. **Access:** Access to a truck standing, loading, and unloading space shall be provided directly from a public street or alley and such space shall be so arranged to provide sufficient off-street maneuvering space as well as adequate ingress and egress to and from a street or alley.
4. **Location:** A loading-unloading area shall not be located within any front yard nor within any required side or rear yard setback.