

ARTICLE 5: "M-U" MIXED USE DEVELOPMENT DISTRICT

2-5.1. INTENT

The intent of this district is to provide for mixed use development including residential, storage, and noninvasive commercial properties. The goal of this district is to maintain a primarily residential feel through proper regulations, while allowing for mixed development.

2-5.2. PERMITTED USES

In District "M-U" no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

- A. Single-Family dwellings.
- B. Two-Family dwellings; duplexes.
- C. Multi-Family dwellings.
- D. Bed and Breakfast Homes.
- E. Boarding and Lodging Houses.
- F. Churches.
- G. Hospitals.
- H. Manufactured homes following requirements set forth in this Ordinance.
- I. Nursing or Convalescent Homes.
- J. Public parks, playgrounds, and schools.
- K. Short-term lodging.
- L. Accessory buildings and uses customarily incidental to the above uses.

2-5.3. CONDITIONAL USES

The following conditional uses may be permitted subject to approval procedures outlined in these regulations.

- A. Accessory buildings or uses larger than the sizes outlined within the M-U District requirements.
- B. Barndominium.
- C. Buildings used for storage (private or commercial, in nature).
- D. Campground, RV Park, camper pads, and associated uses.
- E. Child Care Centers.
- F. Condominiums.
- G. Group Homes.
- H. Home Occupations.
- I. Medical Clinics.
- J. Mortuaries.
- K. Non-profit institutions of an educational, philanthropic, or charitable nature, except for penal or mental institutions.
- L. Telephone exchanges, electric substations, or other similar public utilities.

2-5.4. SITE DEVELOPMENT REGULATIONS

REGULATOR	RESIDENTIAL Single-Family	RESIDENTIAL Two-Family	OTHER PERMITTED USES
Minimum Lot Area (sq. ft.)	5,800	2,900/dwelling unit	5,800
Minimum Lot Width (feet)	44	44/dwelling unit	44
Minimum Yards (feet)			
Front Yard	25	25	25
Side Yard	10	10*	10
Street Side Yard	25	25	25
Rear Yard	20	20	20
Maximum Height (feet)	35	35	35
Maximum Building Coverage	50%	50%	50%

* *The side yard setback between individual units of two-family dwellings may be reduced to zero, if a two-hour fire rated constructed common wall between units starting at the basement level and continuing through to the roof line is maintained.*

2-5.5. USE LIMITATIONS

The following are not permitted in the M-U zoning district:

- A. Communication Towers.
- B. Meteorological Towers.
- C. Non-Commercial Wind Energy Systems.
- D. Commercial Wind Energy Systems.

2-5.6. ACCESSORY BUILDINGS

All accessory buildings and structures within the M-U District shall comply with the following regulations:

- A. No accessory buildings or structures shall be erected in the defined street side yard. The front side of an accessory building or structure may be constructed to sit in front of the front side of the principle structure, but shall not extend any further than five (5) feet.
- B. Accessory buildings may be located in the rear yard and side yard, but shall not be closer than five (5) feet to the rear or side lot-line except that if the building has a vehicular alley entrance, the setback of the structure shall not be less than ten (10) feet from the alley line.
- C. No accessory structure shall be constructed upon a lot until the construction of the principle building has been started or be used for dwelling purposes.
- D. Any accessory building or use within the M-U District shall meet the following size standards. A larger building may be allowed, after a public hearing with the Planning Commission and Village Board, as a Conditional Use.
 - 1. The sum of all detached accessory buildings or uses shall not exceed two thousand (2,000) square feet in gross floor area for every fifty (50) feet in lot width. However, the sum of all detached accessory buildings or uses shall not exceed three thousand (3,000) square feet in gross floor area. A maximum of two (2) detached accessory structures or uses will be allowed per lot.
 - 2. The maximum peak height, measured from the finished floor to the peak line of the roof, shall not exceed twenty-five (25) feet in height for every fifty (50) feet in lot width. However, no building shall be taller than thirty-five (35) feet, measured to the top of the peak.
- E. Detached accessory buildings over 225 square feet shall be permanently anchored to a foundation. All detached accessory buildings under 225 square feet shall be firmly anchored to the ground or a foundation in accordance with local building codes.

- F. Any accessory building shall have a minimum vertical rise of three (3) inches in each twelve (12) inches of horizontal run and a building design that is harmonious with the character of the neighborhood.
- G. No Quonset type buildings shall be permitted. No portion of any accessory building shall be covered with unpainted or uncoated galvanized tin, "strong barn", imperial ribbed, corrugated sheets or panels, or any other similar-type material. For the safety of vehicular traffic, metal siding or roofing must be painted or coated with an unobtrusive, non-reflective color.

2-5.7. SIGNAGE

- A. Computation of Area of Individual Signs. The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly identical to the display itself.
- B. Computation of Height of Signs. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, parcel, or tract of land, whichever is lower. When a sign is placed on a berm, the height of the sign shall include the height of the berm above grade level at the base of the berm.

- C. Permitted Signage. Permitted signs and the maximum number of signs allowed per lot and the maximum surface area and maximum height of each signage type for the Mixed-Use Development District is outlined in the table below. Signs meeting the definition of “Abandoned Sign” must be removed at the expense of the owner.

TYPE OF SIGNAGE	P/NP/T	MAX. SURFACE AREA (sq. ft.)	MAXIMUM HEIGHT (ft.)	MAXIMUM NUMBER
Animated	NP	-	-	-
Announcement	P	15	4	1
Architectural Canopy	P	150	35	1 ¹
Banner	P	32	8	1
Changeable Copy	NP	-	-	-
Destination	P	16	8	1
Electronic Message Board	NP	-	-	-
Flashing	NP	-	-	-
Freestanding	T	32	4	1
Ground	P	100	10	-
Illuminated	NP	-	-	-
Marquee	NP	-	-	-
Nameplate	P	2	-	1
Off-Premises (Billboard)	NP	-	-	-
On-Premises (Billboard)	NP	-	-	-
Pennant	P	32	-	-
Pole	P	80	25	1
Portable	T	32	4	1
Projecting	P	12	10 ²	1
Roof	NP	-	-	-
Roof-Integrated	NP	-	-	-
Subdivision	P	100	10	1
Suspended	P	20	10	1
Temporary	P	50	8	2
Wall	P	135 ³	35	1
Window	P	135 ³	15	1
P = Permitted NP = Not Permitted T = Temporary				

¹ One Canopy per window – canopy shall meet all minimum height requirements for accessibility.

² Projecting signs shall maintain 80-inches of clear space, as measured from the bottom edge of the signs to the grade below.

³ Wall/Window signs shall not exceed 10 percent of the total wall area.

D. Signs, Special Conditions.

1. **Billboard Signs.** Billboards, signboards, and other similar signs shall be subject to the same height and location requirements as other structures within the district and shall also be subject to the following conditions and restrictions.
 - a. No billboard, signboard, or similar advertising signs shall be located at intersections so as to obstruct vision, hearing, or interfere with pedestrian or vehicular safety.
 - b. No billboard, signboard, or similar advertising signs shall be located within 50 feet of any lot in a residential district.
 - c. No billboard, signboard, or similar advertising signs shall be so constructed or located where it will unreasonably interfere with the use and enjoyment of adjoining property.
2. **Hanging Signs.** Signs hung from canopies and awnings shall maintain 80-inches of clear space, as measured from the bottom edge of the sign to the grade below.
3. **Temporary Signs.** Temporary signs may be for a continual period. Said temporary signs shall not be in place for more than four days prior to the event and shall be removed within 36 hours of the conclusion of said event.
4. **Signs on Public Property.** Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition, to other remedies hereunder, the Village shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.
5. **Signs Exempt from Regulation.** The following signs shall be exempt from regulation under this ordinance, except no sign in this provision shall create an obstruction to vision, of this Ordinance and/or a collision hazard to the public:
 - a. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;
 - b. Any religious symbol;
 - c. Construction signs on the construction site, visible from the public right-of-way, is removed at, or prior to, the end of the construction period;
 - d. Any sign identifying a public facility or public/civic event;
 - e. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zone lot or parcel on which such sign is located
 - f. Holiday lights and decorations with no commercial message;
 - g. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meets the Manual on Uniform Traffic Control Devices standards and which contain no commercial message of any sort; and
 - h. A political sign exhibited in a residential zone in conjunction with the election of political candidates. Such signs may not exceed six square feet in any zone. Only four political signs shall be allowed per zone lot at any one time. All such political signs shall not be erected more than 30 days before the election and shall be removed no later than 10 days after the election. Political signs shall not create an obstruction within the R.O.W.