AN ORDINANCE OF THE CITY OF THE VILLAGE, OKLAHOMA AMENDING CHAPTER 6, SECTIONS 6-161 AND 6-202; AND CHAPTER 24, SECTIONS 24-1 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; CREATING NEW SECTIONS 24-255 THROUGH 24-299 OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; CREATING NEW ARTICLES V AND VI OF CHAPTER 24 TO THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO BUILDING AND SITE DESIGN STANDARDS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE:

Section 1. That Chapter 6, Section 6-161 of the Code of Ordinances is hereby amended to read as follows:

Sec. 6-161. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building means a building customarily incidental and appropriate and subordinate to the principal use of land or buildings located upon the same premises. Accessory buildings include, but are not limited to, carports, storage buildings, temporary or portable buildings, detached garages, cabanas, gazebos, detached covered patios, and tornado shelters.

Accessory structure means anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground but shall not include any accessory building as defined herein which is subordinate to the principal use of the property upon which it is located. Accessory structures include, but are not limited to, wind generation towers or structures, alternative energy devices, radio or television transmission or reception towers, satellite reception antennas, swimming pools, flagpoles, basketball goals, and retaining walls.

Brick means a solid masonry unit, not less than seventy-five (75) percent solid. The word "brick" without qualification indicates its composition is primarily clay, shale or a mixture thereof and that these ingredients have been fixed together as a result of exposure to heat.
ORDINANCE 740

Carport means a permanent, roofed building, which is permanently open on at least two (2) sides and is designed for or occupied by private passenger vehicles.

Exposed aggregate means masonry-like material composed of roughly shaped stones, well bonded without regularity to panels or walls of a concrete-like material.

Front building line means a line extending from side property line to side property line and being the minimum horizontal distance between the front property line and the front of the main building or any projections thereof other than steps, unenclosed balconies or unenclosed porches.

Masonry shall have the same meaning provided in Chapter 24, Section 24-1 of this code.

Permittee means any person to whom an accessory structure permit or building permit has been duly issued, or the successor in title to the property on which a duly permitted accessory structure or building is located.

Temporary or portable building means a building not permanently attached to a concrete slab or foundation and not intended for residential occupancy but which is for accessory or incidental purposes.

Tile means a ceramic surface unit, made of clay or mixture of clay and other ceramic materials, having either glazed or unglazed surface.

Total land area of the lot means the land area sought to be improved or developed which is the subject of the building permit application.

**Section 2.** That Chapter 6, Section 6-202 of the Code of Ordinances is hereby amended to read as follows:

**Sec. 6-202. Building material requirements for exterior walls.**

Buildings shall be designed and constructed in accordance with applicable provisions of Chapter 24 of this code.

**Section 3.** That Chapter 24, Section 24-1 of the Code of Ordinances is hereby amended to read as provided on the attached Exhibit A to this Ordinance.
ORDINANCE 740

Section 4. That new Chapter 24, Sections 24-255 through 24-299 of the Code of Ordinances are hereby created to read as follows:

Secs. 24-255—24-299. Reserved.

Section 5. That a new Chapter 24, Article V of the Code of Ordinances is hereby created to read as provided on the attached Exhibit B to this Ordinance.

Section 6. That a new Chapter 24, Article VI of the Code of Ordinances is hereby created to read as provided on the attached Exhibit C to this Ordinance.

Section 7. Repealer Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 8. Severability Clause. If any section, subsection, sentence, clause, or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 9. Emergency Clause. WHEREAS, it being necessary for the preservation of the public health, peace, and safety of the City of The Village, Oklahoma, an emergency is declared to exist and by reason thereof this Ordinance shall take full force from and after its adoption.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA, this 15th day of October 2018, after compliance with the notice requirements of the Open Meeting Law (25 O.S. § 301, et seq.).

ATTEST:
Bruce K. Stone, City Clerk

SONNY WILKINSON, MAYOR

APPROVED AS TO FORM AND LEGALITY this 15th day of October 2018.

City Attorney
EXHIBIT A

[see following pages]
EXHIBIT B

[see following pages]
EXHIBIT C

[see following pages]
EXHIBIT A
REVISED CHAPTER 24, SECTION 24-1
THE VILLAGE CODE OF ORDINANCES

Sec. 24-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building means a building customarily incidental and appropriate and subordinate to the principal use of land or buildings located upon the same premises. Accessory buildings include, but are not limited to, carports, storage buildings, temporary or portable buildings, detached garages, cabanas, gazebos, detached covered patios, and tornado shelters.

Accessory use means a use customarily incidental, appropriate and subordinate to the principal use of land or buildings located upon the same premises.

Accessory structure means anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, but shall not include any accessory building as defined herein which is subordinate to the principal use of the property upon which it is located. Accessory structures include, but are not limited to, wind generation towers or structures, alternative energy devices, radio or television transmission or reception towers, satellite reception antennas, swimming pools, flag poles, basketball goals, and retaining walls.

Advertising sign or structure means any cloth, card, paper, metal, painted, glass, wooden, plastic, plaster, stone sign or other sign, device or structure of any character whatsoever, including statuary, placed outdoors for advertising purposes on the ground or on any tree, wall, bush, rock, fence, building or structure. The term "placed" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever. The area of an advertising structure other than a sign shall be determined as the area of the largest cross-section of such structure. Directional, warning or other signs posted by public officials in the course of their public duties or merchandise or materials being offered for sale shall not be construed as being advertising signs.

Alley means a public passage or way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

Apartment house means a multiple-family dwelling.

Arcade means a covered passageway, which may be exposed on one side. A series of disconnected canopies or awnings is not an arcade.
Area regulations means the provisions of this chapter that establish for each zoning district the regulations pertaining to the frontage, street access, front yard, side yard, rear yard, open space, intensity of use, lot area, lot width, and height as well as regulations pertaining to accessory buildings and accessory structures.

Automobile means a self-propelled mechanical vehicle designed for the use on streets and highways for the conveyance of goods and people including but not limited to, passenger cars, trucks, busses, motor scooters and motorcycles.

Automobile service station means any area of land, including any structure thereon, that is used primarily for the sale of automotive fuels (except butane or propane) and which may include facilities for the sale of automotive accessories or fluids, foods and beverages and other goods, as well as facilities for lubricating, washing, cleaning, or otherwise servicing automobiles, but not including the painting thereof.

Automobile wash or laundry means a structure designed primarily for washing automobiles either manually or using production line methods with a chain conveyor, blower, steam cleaner, high-pressure spray or other mechanical device.

Automobile wrecking or salvage yard means an area outside of a building where motor vehicles are disassembled, dismantled, junked or wrecked, or where motor vehicles not in operable condition or used parts of motor vehicles are stored.

Awning means a cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.
Basement means a story partly or wholly underground. For purposes of height measurement a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.

Billboard means any cloth, card, paper, metal, painted, glass, wooden, plastic, plaster, stone sign or other sign, device or structure of any character whatsoever, including statuary, placed outdoors for advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building or structure. The term "placed" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing, or making visible in any manner whatsoever. The area of an advertising structure other than a sign shall be determined as the area of the largest cross-section of such structure. Neither directional, warning or other signs posted by public officials in the course of their public duties nor merchandise or material being offered for sale shall be construed as advertising signs.

Building means any structure intended for shelter, housing or enclosure of persons, animals, or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate structure.

Building coverage means the percentage of the lot area covered by the building. The building area shall include all overhanging roofs.

Building height means the vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the deckline of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

Building, main means a building in which is conducted the principal use of the lot on which it is situated. In any residential district any detached dwelling shall be deemed to be the main building on the lot on which it is situated.

Building mass means the three-dimensional bulk of a building height, width, and depth.
Building site means a single parcel of land occupied or intended to be occupied by a building or structure.

Canopy means a roof structure constructed of rigid materials, attached to and supported by a building, or which is freestanding and supported by columns, poles, or braces extended to the ground.

Carport means a permanent roofed structure permanently open on at least two (2) sides, designed for or occupied by private passenger vehicles.

Childcare center shall mean any day childcare, nursery, nursery school, foster home, or preschool or any place, home or institution located in any residential or commercial district, which meets the requirements provided for same in Chapter 11 of this code.

Church means a building or buildings used for the gathering of people for the study or worship of religious beliefs, and/or fellowship, and provided it has (1) direct and primary means of ingress and egress from Britton Road, Hefner Road, May Avenue, or Pennsylvania Avenue, and (2) has a minimum lot size of two (2) acres. A synagogue, mosque, or temple shall be considered a church.

Clinic, dental or medical means a facility for the examination and treatment of ill and afflicted human out-patients; provided, however, that patients are not kept overnight except under emergency conditions, including but not limited to dental and doctor's offices.

Concrete masonry unit, or CMU, means manufactured architectural concrete masonry, split face block, split scored block, fluted, block, ribbed masonry units and ground face masonry units. These units are manufactured under controlled conditions in a variety of colors and combinations.

Convalescent home, rest home, nursing home means a health facility where persons are housed and furnished with meals and continuing nursing care for compensation.

Corbel means a bracket supporting a superincumbent object, or receiving the spring of an arch. A common form of corbel consists of courses of stones or T-1-11s, each projecting slightly beyond the next below it.
Corbel

Corbel

Cornice means a decorative overhang or molding located at the junction where a roof overhangs exterior walls.

Cornice

Court means an open unoccupied space, other than a yard on the same lot with a building or group of buildings and which is bordered on two (2) or more sides by such building or buildings.

Court, inner means a court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

Court, outer means a court in full width of which opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.

Detailing (architectural) means architectural or structural design elements that
focus on decorative elements of a small section of a comprehensive building design.

   District, zoning means any section of the city for which regulations governing use of buildings and premises or the height and area of buildings are uniform.

   Drive-in restaurant means any establishment where food, frozen dessert and/or beverage is sold to the consumer and where motor vehicle parking space is provided and where such food, frozen dessert and/or beverage is intended to be consumed in the motor vehicle parked upon the premises or anywhere on the premises outside of the building.

   Dry cleaning or laundry, self-service means any attended or unattended place, building or portion thereof, available to the general public for the purpose of washing, drying, extracting moisture from, or dry-cleaning wearing apparel, cloth, fabrics, and textiles of any kind by means of a mechanical appliance, which is operated primarily by the customer.

   Dwelling means any building, or portion thereof, which is designed or used as living quarters for one (1) or more families, but not including house trailers, mobile homes or travel trailers.

   Dwelling, attached means a dwelling having any portion of each of two (2) walls in common with adjoining dwellings.

   Dwelling, detached means a dwelling having open space on all sides.

   Dwelling, multiple-family means a dwelling designed for occupancy by three (3) or more families living independently of each other, exclusive of hotels or motels.

   Dwelling, row house or townhouse means three (3) or more dwelling units attached at the side or sides, each unit of which has a separate outdoor entrance and is designed to be occupied and may be owned by one (1) family.

   Dwelling, single-family means an attached dwelling designed to be occupied by one (1) family.

   Dwelling, two-family means a dwelling designed to be occupied by two (2) families living independently of each other.

   Eave means a roof edge that extends out past the exterior wall line.
Façade means the sides of a building that face a street, drive or other open space.

Façade, front means the front or principal face of a building, generally defined by the location of the majority of the public entrances into the building.

Family shall mean a number of persons in an immediate family who are either related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship and who are living together as a single housekeeping unit and share common living, sleeping, cooking and eating facilities. For the purposes of this section immediate family means spouse, parents and grandparents, children and grandchildren, brothers and sisters, mother in law and father in law, brothers in law and sisters in law, daughters in law and sons in law.

Fascia means a vertical surface that spans across the top of columns or across the top of a wall.
Fence means an accessory structure which constitutes a barrier that serves to enclose an area, and which may impede or partially impede a view, or impede or partially impede free movement from one property to another, or from one portion of a property to another, and which is constructed in conformance with specifications and restrictions provided for by this chapter and other applicable building codes. Code reference - Section 24-154(A)(g).

Fenestration means the arrangement and design of windows and doors in a building.

Floor area, gross means the sum of the gross horizontal areas of all of the floors of a building or buildings, measured from the exterior faces of exterior walls or from the center line of walls separating two (2) buildings, and including but not limited to, the following spaces:

1. Basements;
2. Elevator shafts and stairwells at each floor;
3. Floor space for mechanical equipment with structural headroom of seven (7) feet or more;
4. Penthouses;
5. Attic space providing headroom of seven (7) feet or more;
6. Interior balconies, mezzanines and enclosed porches and enclosed steps;
7. Accessory uses in enclosed covered space, but not including space used for off-street parking.

Floor area, net means the total floor area within a building devoted or intended to be devoted to a particular use, with structural headroom of seven (7) feet or more, whether above or below the finished lot grade, excluding:

1. Elevators, stairwells, hallways, walls and partitions, and
2. Floor space permanently devoted to a parking space or parking spaces, mechanical equipment, closets, washrooms, or other items permanently preventing the floor space from being occupied by persons while engaged in the use.

Floor area ratio means a mathematical expression determined by dividing the gross floor area of a building by the area of the lot on which it is located.

Front building line means a line extending from side property line to side property line and being the minimum horizontal distance between the front property
line and the front of the main building or any projections thereof other than steps, unenclosed balconies or unenclosed porches.

Garage, private means any accessory building or a part of a main building used for storage purposes only for automobiles used solely by the occupants and their guests of the building to which it is accessory.

Garage, public means any garage other than a private garage, available to the public, used for the care or servicing of automobiles where such vehicles are parked or stored for remuneration, hire or sale.

Garage, repair means a building in which are provided facilities for the care, servicing, repair or equipping of automobiles.

Gross floor area means the sum of the gross horizontal area of all the floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerline walls separating two (2) buildings, and including but not limited to the following spaces:

(1) Basements;
(2) Elevator shafts;
(3) Floor space and stairwells at each floor for mechanical equipment with structural headroom of seven (7) feet;
(4) Penthouses;
(5) Attic space providing headroom of seven (7) feet or more;
(6) Interior balconies, mezzanines and enclosed porches and enclosed steps;
(7) Accessory uses in enclosed covered space, but not including space used for off-street parking.

Home association means an incorporated non-profit organization operating under recorded land agreements through which:

(1) Each lot and/or home owner in a planned unit or other described land area is automatically a member; and
(2) Each lot is automatically subject to a charge for proportionate share of the expense for the organization's activities, such as maintaining of common property; and
(3) The charge if unpaid becomes a lien against the property.

Home occupation means an occupation or profession conducted in a residential dwelling by the lawful occupants thereof and which occupation is
carried out in conformance with all applicable codes and regulations provided for herein.

Hospital means an institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities and staff offices, which are an integral part of the facilities.

Kennel means any lot or premises on which four (4) or more dogs or cats, more than six (6) months of age are kept.

Lot means any plat of land occupied or intended to be occupied by one building, or a group of buildings, and the permitted accessory buildings, accessory structures and accessory uses, including such open spaces as required by laws or ordinance, and having its principal frontage on a street.

Lot area means the total horizontal area included within lot lines.

Lot, corner means a lot of which at least two (2) adjacent sides abut for their full lengths on a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five (135) degrees.

Lot, depth means an average distance from the street line of the lot to its rear line, measured in the general direction of the sidelines of the lot.

Lot, double frontage means a lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

Lot, frontage means that dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

Lot, interior means a lot other than a corner lot.

Lot lines means the lines bounding a lot.

Lot split means to divide a legally platted lot into one or more lots.

Masonry means construction composed of small units of bricks or blocks made from stone, clay, concrete, tile, and similar materials, and stone and cement-based products that match the appearance of natural stone. Masonry units are usually joined by cement mortar mixture. Masonry does not include Exterior Insulation Finishing System (EIFS), tilt-up/ precast concrete panels, or fiber-cement siding, but does include cement stucco.

Mixed use means the lawful use of land in which said land is used for more than one purpose or occupancy and where all such uses are permitted in the district in which the land is located.
Mobile home means a portable or mobile living unit used or designed for human occupancy on a permanent basis.

Mullion means a structural element that divides adjacent window units or panes.

Nonconformance means a lawful condition of a structure or land, which does not conform to the use, area, or other regulations of the district in which it is situated. This may include, but is not limited to, failure to conform to use, height, area, coverage or off-street parking requirements.

Nonconforming building means a lawful condition of a structure which does not conform to the area, height, off-street parking or other regulations of the district in which it is situated.

Nonconforming use means a structure or land lawfully occupied by a use, which is not, a use authorized by the district regulations in which is it situated.

Parapet means a lot wall or railing built along the edge or roof or a floor.

Parking space means a permanently surfaced area, enclosed or unenclosed, of sufficient size to store one (1) automobile together with a permanently surfaced driveway connecting the parking space with a street or alley and permitting ingress or egress of an automobile.

Pilaster means a square column, partly built into, but partly projecting from a wall.

Parapet wall topped by decorative brickwork and coping
Planned unit development means a development planned in accordance with the provisions of Article III, Division 4 of this chapter and includes cluster housing, planned residential and nonresidential development, community unit plan, and other zoning requirements which are designed to accomplish the objectives of a comprehensive plan and the zoning code provided herein through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

Plat means a survey made on behalf of any person intending to lay out an addition or subdivision to the city which describes and sets forth all streets, alleys, easements, common or public grounds, all lots and blocks, and fractional lots within or adjoining the land being platted and which gives their names, widths, courses, boundaries and extent.

Portico means a colonnade or covered ambulatory at the entrance to a building.

Residential sale means any sale of what is held out to be or is commonly known as a garage, porch, room, backyard or patio sale or any other type of general sale conducted from or on any premises not located in a zoning district which permits such
sales, where goods or articles of any type are held out for sale to the public. "Residential
sale" shall not include a situation where specific items are held out for sale and all
advertisement of such sale specifically names the items to be sold.

Retail business means a business where goods or commodities are offered for
sale to the ultimate consumer of such goods or commodities. For the purpose of this
chapter, restaurants, automobile dealerships, and automotive repair shops, shall not
be considered retail businesses.

Restaurant. Any place kept, used, maintained, or held out for the public
where meals or food is prepared, cooked, and served either on or off the
premises thereby emitting smoke, grease, odor, or vapors outside the premises
and requiring an appropriate ventilation device or system due to the use of grills,
stoves, ovens, broilers, fryers or other similar types of equipment.

Restaurant as herein defined shall not be deemed to be a retail use as herein
provided for.

Reveal means the side of an opening for a window, doorway, or the like, between
the door frame or window frame and the outer surface of the wall, or where the opening
is not filled with a door.

Sanatorium means an institution providing health facilities for inpatient medical
treatment or treatment and recuperation using natural therapeutic agents.

Seasonal sale means the sale, of merchandise such as, but not limited to,
Christmas Trees, pumpkins, and poinsettias by a charitable or nonprofit
organization for a limited period of time.

Setback means the minimum required yard depth measured from the lot line to
the main building.

Single-family dwelling means a dwelling where only one (1) family as defined
herein may lawfully reside provided that a maximum of four (4) persons who are
not members of a family as defined herein shall be permitted to reside in any single-
family dwelling and provided further that in no instance shall there be more than
one (1) occupant per two hundred (200) square feet of living area in any single family

Site development plan means a plan drawn at a scale of not less than
fifty (50) feet equals one (1) inch which shows the topographic characteristics of the
site at a contour interval of not less than one (1) foot; the location and dimensions of
buildings, yards, courts, landscape, pedestrian and vehicular circulation and
parking, fences and screening; service areas and courts and other features; the
use of each building and area; the height of buildings; adjacent streets, alleys,
utility drainage and other easements; and the relationship of the development to
adjacent areas which it may affect.
Special exception means the approval of a specific use of property that is not specifically authorized in the zoning district where such property is located and which is granted by the board of adjustment.

Specific Use means a use that is specifically listed as an authorized use within a zoning district and which may be authorized only through approval of a specific use permit. Any reference in this chapter to “special use” shall be construed to mean “specific use”.

Specific Use Permit means a permit for a use approved by the City Council pursuant to Section 24-25 and Section 24-26 of this chapter, and after notice and a hearing and preliminary review and recommendation of the Planning & Zoning Commission. Any reference in this chapter to “special use permit” shall be construed to mean “specific use permit”.

Story means that portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

Story, half means a space under a sloping roof, which has the line of intersections of roof decking and wall face not more than three (3) feet above the top floor level and in which space not more than two-thirds of floor area is finished off for use. A half-story containing independent apartment or living quarters shall be counted as a full story.

Street means any public or private thoroughfare, which affords the principal means of access to abutting property.

Street, intersecting means any street, which joins another street at an angle, whether or not it crosses the other.

Structural alterations means any change in the supporting members of building, such as bearing walls or partitions, columns, beams, girders, or any substantial change in the roof or in the exterior walls.

Structure means anything constructed or erected, the use of which requires location on the ground or attached to something having a location on the ground.

Trailer, hauling means a vehicle to be pulled behind an automobile or truck, which is designed for hauling animals, produce, goods or commodities, including boats.

Trailer, travel or camping means a portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place of residence of the occupants, and containing less than one hundred seventy-five (175) square feet of floor area.

Unit means any building or portion thereof, which is designed or used as living quarters for one family.
Variance means the waiving or altering of a specific zoning district area regulation, and which is granted by the board of adjustment.

Yard means an open space at grade between a main building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except where otherwise specifically provided in this chapter. In measuring for the purpose of determining the width of the side yard or the depth of a rear yard, the least horizontal distance between the lot line and the main building shall be used. In measuring for the purpose of determining the depth of a front yard, the depth shall vary depending on the distance between the front property line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches.

Yard, front means a yard located in front of the front elevation of a main building and extending across a lot between the side yard lines and being the horizontal distance between the front property line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches.

Yard, rear means a yard extending across the rear of a lot measured between the side yard lines and being the horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, side means a yard between the main building and sideline of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps, unenclosed balconies or unenclosed porches.
EXHIBIT B
NEW CHAPTER 24, ARTICLE V
THE VILLAGE CODE OF ORDINANCES

ARTICLE V. BUILDING DESIGN STANDARDS

DIVISION 1. SINGLE-, TWO-, THREE-, AND FOUR-FAMILY RESIDENTIAL BUILDINGS

Sec. 24-300. Intent.

Architecture is a major contributing factor to a community’s sense of place. Building design must contribute to The Village’s sense of place by using predominant materials, elements, features, color range and activity areas tailored specifically to the site and its context. Building design regulations are intended to promote quality architecture and preserve the City of The Village’s sense of place.

Sec. 24-301. Applicability.

The provisions of this Division apply to all single-family, two-family, three-family, and four-family residential buildings in all zoning districts.

Sec. 24-302. Façades.

Facades must be articulated by using color, arrangement, or change in materials to emphasize the façade elements. Exterior wall planes may be varied in height, depth, or direction. Design elements and detailing, including the presentation of windows and window treatments (for walls that face the public right-of-way), trim detailing, and exterior wall materials, must be continued completely around the structure. Doors and windows must be detailed to add visual interest to the façade.
Sec. 24-303. Repetitive Design.

Development of ten or more single-, two-, three-, or four-family residential buildings must have five or more different elevations, or a number of elevations equal to at least 10% of the number of lots in the development phase, whichever is more. (Different trim levels on houses with a nearly identical floor plan are not considered different elevations.) Houses of the same elevation, including those with identical, similar or mirrored floor plans, cannot be placed on adjacent lots or directly across the street from each other.

Sec. 24-304. Required Elements.

Single-, two-, three-, and four-family residential buildings must include at least one of the following elements:

(a) Either:

- Side, rear, or alley-loaded garage, or detached garage; or
- Front-loading garage comprising no more than 50% of the total length of the front façade and protrudes no more than 6 ft. from the longest front wall;

(b) Masonry wainscot at least 4 ft. on all exterior walls, if the side and rear walls are not constructed of those materials;

(c) Functional front porch at least 100 sq. ft. in size;

(d) One of the following green building certifications:

- National Association of Homebuilders National Green Building
Program: ANSI ICC 700-2008 National Green Building Standard, Bronze, Silver or Gold; or


Sec. 24-305. Mechanical Equipment Screening.

(a) Rooftop mechanical equipment is prohibited.

(b) Ground-mounted mechanical equipment (air conditioning units, utility boxes, etc.) must be hidden or screened with architecturally-integrated wing walls or living screening material that will grow to the same height as the equipment being screened, or placed where they are not visible from the public right-of-way.

(c) Solar panels are exempt from the mechanical equipment screening standards.

Sec. 24-306. Building Materials.

Predominant building exterior materials must be high quality, and used in their natural context and color. Masonry must be used as dominant (at least 50% of exterior surface area) exterior materials. Wood and fiber-cement siding are examples of appropriate secondary materials.

Secs. 24-307—24-324. Reserved.

DIVISION 2. MULTIFAMILY, COMMERCIAL, OFFICE, PUBLIC, INSTITUTIONAL, AND MIXED-USE BUILDINGS

Sec. 24-325. Intent.

Building design must contribute to The Village’s sense of place by using predominant materials, elements, features, color range and activity areas tailored specifically to the site and its context. Standard formula or prototype building designs must be modified if necessary to conform to these design standards. In multifamily housing, shopping and commercial centers, or multiple building developments, individual buildings must include predominant characteristics shared by all buildings in the development, so the development forms a cohesive place.

Sec. 24-326. Applicability.

The provisions of this Division apply to all commercial, office, public, institutional, and mixed-use buildings in all zoning districts.

Sec. 24-327. Architectural style.

(a) Distinct groups of buildings on a site must share a common, identifiable,
complementary design or style. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures.

(b) A building must have a single definitive, consistent style. Mixing of various architectural styles on the same building is discouraged.

Sec. 24-328. Form and mass.

A single, large, dominant building mass must be avoided in new buildings and projects involving changes to the mass of existing buildings. Changes in mass should be related to entrances, tenant spaces, the integral structure and/or the interior space organization and activities, and not just for cosmetic effect. Storefronts along a dominant mass and incorporating only changes in color and/or parapet treatment to distinguish each storefront are prohibited.

Sec. 24-329. Exterior walls.

(a) Base and top.

Façades and walls must have a recognizable base with (but not limited to):

- thicker walls, ledges or sills;
- integrally textured materials such as stone or other masonry;
- integrally colored and patterned materials such as smooth-finished stone;
- lighter or darker colored materials, mullions or panels; or
- planters;

and a recognizable top with (but not limited to):

- cornice treatments, other than colored stripes or bands alone, with integrally textured materials such as stone or other masonry or differently colored materials;
- sloping roof with overhangs and brackets; or
- stepped parapets.
(b) **Four-sided design.**

All walls must include materials and design characteristics consistent with those on the front.

(c) **Long walls and façades; projections and recesses.**

Walls at least 100 ft. long must include wall plane projections or recesses having at least 3% depth of the façade length, and extending at least 20% of the façade length.
(d) **Exterior walls.**

Exterior walls cannot have a blank, uninterrupted length greater than 30 ft. without including two or more of these features: change in plane, change in texture or masonry pattern, windows, or other equivalent element(s) that subdivide the wall into human scale proportions. Side or rear walls may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations, only when actual doors and windows are not possible because of the building use.

(e) **Primary building entrances.**

Primary building entrances must be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather.

(f) **Retail building entrances.**

Anchor stores, freestanding/single-use buildings, and at least 25% of the stores in a shopping center must have a clearly-defined, highly-visible customer entrance with
four or more of the following elements:

- Arcades
- Canopies or porticos
- Details such as tile work and moldings integrated into the building structure and design
- Display windows
- Integral planters or wing walls that include landscaped areas and/or places for sitting
- Outdoor patios
- Overhangs
- Peaked roof forms
- Raised corniced parapets over the door
- Recesses and/or projections

Additionally, at least 50% of the stores in a shopping center must have two or more of the elements listed above.
(g) **Awnings.**

Awnings may only be used in detached increments above individual windows, doors, entries, or retail frontages.

(h) **Transparency in commercial buildings.**

1. At ground level, buildings must have a high level of transparency. Façades and walls that face the street, pedestrian walkways, plazas and parking areas (excluding the building rear) must have windows or otherwise be transparent at least 50% of its surface area between ground level and 12 ft. above grade.

2. Side walls must have windows or otherwise be transparent at least 15% of its surface area between ground level and 12 ft. above grade.

3. Where the internal arrangement of a building makes it impossible to provide transparency along a portion of a wall, a combination of sculptural, mosaic, or bas-relief artwork and transparent window areas or displays may substitute for 50% of required transparent areas, except when fronting plaza areas.
(i) **Garage doors.**

(1) Garage bay doors must be segmented, with windows covering at least 50% of the garage surface. Garage doors must be recessed at least 2 ft. behind the building façade.

(2) Vehicle service areas and bays must be screened or sited so visibility from the public right-of-way is as low as possible.

(3) Garage bay doors must be integrated into the overall design of the site with color, texture, and windows.

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**Sec. 24-330. Building roofs.**

(a) **Roof form design.**

Roof forms must correspond to and denote building elements and functions such as entrances, arcades, and porches. Roof forms should relate to adjacent buildings or developments.
(b) **Required features.**

Sloping roofs must have one of the following features:

- Overhanging eaves, extending at least 1.5 ft. past the supporting walls.

- Sloping roofs that do not exceed the average height of the supporting walls, with an average slope of at least 1 ft. of vertical rise for every 3 ft. of horizontal run and no more than 1 ft. of vertical rise for every 1 ft. of horizontal run.

(c) **Roof lines.**

The continuous plane of a roof line must be no more than 100 ft.

(d) **Drive-through areas.**

Drive through areas must be architecturally integrated into the host structure.
Sec. 24-331. Canopies.

(a) **Architectural integration.**

Canopies must include design elements found on the main building, including color, materials and roof pitch.

(b) **Canopy support poles.**

Canopy support poles must include decorative corbels consistent with the overall architectural theme of the site, or pole covers at least 18 in. wide with a similar surface material and architectural treatments as the dominant material on the main structure.

(c) **Canopy fascias.**

Canopy fascias must be the same color as the dominant color of the main building. Striping and banding on canopies is prohibited.

Sec. 24-332. Materials and color.

(a) **Building materials.**

(1) Predominant building exterior materials must be high quality, and used in their natural context and color. Masonry (stone, brick, decorative CMU and similar materials) must be used as dominant (at least 50% of exterior surface area) exterior materials. Fiber-cement siding and textured concrete/EIFS are examples of appropriate secondary exterior materials.

(2) EIFS used as a secondary material may only consist of EIFS with Drainage and may only be used at least two (2) feet above ground elevation.

(3) Building-integrated photovoltaics (BIPV) may substitute for any
amount of predominant and secondary exterior materials.

(4) Smooth-faced concrete block, painted masonry, and tilt-up and precast concrete panels are prohibited.

(5) T-1-11 and other plywood-based siding materials are prohibited.

(6) Prefabricated and pre-engineered metal buildings and panels are prohibited.

(b) Roof materials.

(1) Roof materials must be high quality, durable and consistent with local architectural themes. Acceptable roof materials include concrete tile, clay tile, high profile asphalt shingles, metal shingles, flat seam metal roofing, masonry or other flat roofing materials, photovoltaic roof tiles and shingles, and solar panels.

(2) Green roofs are permitted and strongly encouraged.

(c) Material or color changes.

Material or color changes must occur only at a change of plane or reveal line. Material or color changes at outside corners, piecemeal embellishment, and frequent material changes are prohibited.

Sec. 24-333. Mechanical equipment screening.

(a) Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at least as high as the equipment to be screened. Makeshift equipment screens, such as wood or plastic fences, are prohibited.

(b) Ground mounted mechanical equipment must be hidden or screened with
architecturally integral wing walls and/or landscaping.

(c) Solar panels are exempt from mechanical equipment screening standards.

Examples of appropriate screening for rooftop mechanical equipment

Sec. 24-334. Utility equipment screening.

(a) Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location possible.

(b) Utility equipment must be painted or coated to match the color of the mounting surface.

(c) Utility equipment located in an area that may be frequently seen by the general public must be screened with a wing wall architecturally integrated into the host structure.

Secs. 24-335--24-349. Reserved.

DIVISION 3. INDUSTRIAL BUILDINGS

Sec. 24-350. Intent.

The public infrequently visits industrial sites. However, industrial buildings are
often quite visible to the city’s residents and visitors. Quality architectural design creates a professional environment that reflects positively on The Village and its businesses. This section shall not apply to industrial buildings or structures over 200,000 sq. ft. in area.

Sec. 24-351. Applicability.

The provisions of this Division apply to all industrial buildings in all zoning districts.

Sec. 24-352. Character and image.

(a) In industrial parks, each building must include predominant characteristics shared by all buildings in the development, so the development forms a cohesive place.

(b) Distinct groups of buildings on a site must share a common, identifiable, complementary design or style. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures.

Sec. 24-353. Form and mass.

A single, large, dominant building mass should be avoided in new buildings and, as much as possible, in projects involving changes to the mass of existing buildings. Changes in mass must be related to entrances, the integral structure and/or the organization of interior spaces and activities and not merely for cosmetic effect.

Sec. 24-354. Exterior walls and façades.

(a) Pattern.

Façades and walls must include a repeating pattern with an expression of architectural or structural bays through a change in plane, such as an offset, reveal, pilaster, projecting ribs, fenestration patterns, or piers; and any of the following elements:

- color change
- texture change
- material module change

All elements must repeat at intervals of no more than 30 ft.

(b) Four-sided design.

All façades and walls must include materials and design characteristics consistent with those on the front façade. Inferior or lesser quality materials for side
or rear walls are prohibited.

(c) **Garage doors.**

Bay doors must be screened using wing walls, carefully placed berms on the site, or other effective screening and site planning techniques, or otherwise sited so visibility from the public right-of-way is minimized. Bay doors must be integrated into the overall design theme of the site with color, texture, and windows. Segmented garage bay doors with windows are preferred to roll-up garage doors.

(d) **Primary building entrances.**

Primary building entrances must be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather.

**Sec. 24-355. Building roofs.**

(a) **Green roofs.**

Green roofs and solar panels are strongly encouraged.

**Sec. 24-356. Materials and color.**

(a) **Building materials.**

(1) Durable, high quality building materials must be used. Brick, stone, split-face CMU, EIFS with Drainage, detailed tilt-up concrete panels, and building-integrated photovoltaics (BIPV) are examples of appropriate building materials.

(2) T-1-11 and other plywood-based siding materials are prohibited.

(3) Prefabricated and pre-engineered metal buildings and panels are prohibited.

*Industrial building design: appropriate*
(b) **Material or color changes.**

Material or color changes must occur only at a change of plane or reveal line. Piecemeal embellishment and frequent material changes are prohibited.

**Sec. 24-357. Mechanical equipment screening.**

(a) Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at least as high as the equipment to be screened. Makeshift equipment screens, such as wooden or plastic fences, are prohibited.

(b) Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping.

(c) Solar panels are exempt from mechanical equipment screening standards.

**Sec. 24-358. Utility equipment screening.**

(a) Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location possible.

(b) Utility equipment must be painted or coated to match the color of the mounting surface.

(c) Utility equipment located in an area that may be frequently seen by the general public must be screened with a wing wall architecturally integrated into the host structure.

**Secs. 24-359--24-399. Reserved.**
ARTICLE VI. SITE DESIGN STANDARDS

Division 1. Nonresidential Sites

Sec. 24-400. Applicability.

The provisions of this Division apply to all non-residential development in all zoning districts.

Sec. 24-401. Siting and orientation.

(a) Orientation to streets.

(1) The primary façade and pedestrian entrance of a building must be oriented towards the public right-of-way when not facing an internal village street.

(2) In shopping and commercial centers, and developments with multiple buildings, buildings must be oriented towards either the perimeter streets, or an internal drive or road network that recreates a village street, rather than orientation only to internal parking lots.

(b) Orientation to walkways.

One main building entrance must open directly onto a connecting walkway with pedestrian frontage. Sides of a principal building facing a public street must have one or more customer entrances. When a principal building faces more than two public
streets, this requirement will apply only to two sides.

(c) **Plazas.**

Commercial buildings must be placed in a way that creates plazas and pedestrian gathering areas that are large enough to buffer pedestrians from traffic and circulation areas.

(d) **Views.**

Commercial buildings must be oriented to promote views through and into each commercial development.

(e) **Clustering.**

Clustering of buildings in larger master planned and multiple building projects is strongly encouraged.

(f) **Building perimeter wall spacing from driving surfaces.**

Building walls must be placed at least 10 ft. from drive aisles and parking areas around the entire building perimeter. This buffer area may be breached for loading areas, drive-through windows and garage access.

(g) **Solar orientation.**

When building orientation to the east and west is unavoidable, landscaping, canopies, arcades, roof overhangs, or similar features must be used to shade facades and walls that face into the sun for a large portion of the morning or afternoon.

Sec. 24-402. **Sidewalks.**

(a) **Sidewalks required.**

Sidewalks in conformance to Section 25-20 must be provided along public or private street frontages.
(b) **Sidewalks required for use change.**

Sidewalks in conformance to Section 25-20 must be constructed along the public right-of-way adjacent to any lot that changes use. A Certificate of Occupancy for new construction will not be issued until the sidewalk is constructed and accepted by the city.

**Sec. 24-403. Internal pedestrian circulation.**

(a) **Internal walkways.**

Internal walkways extending the full length of a building must be provided along all façades or walls featuring a customer entrance and along all façades abutting public parking areas. Internal walkways must be placed at least 6 ft. or more from the façade or wall along at least 30% of its length, to provide beds for foundation landscaping, outdoor seating and patios, and building articulation. Sidewalks are not required in service areas.

(b) **Pedestrian connectivity.**

Connecting walkways, at least 5 ft. wide must link sidewalks with building entries through parking areas, all points in the development, and buildings on adjacent parcels. Circulation patterns must be as obvious and simple as possible. All likely pedestrian routes must be considered in the design phase of a development to prevent shortcuts through parking and landscape areas. An internal pedestrian walkway at least 5 ft. wide must be provided from the perimeter public sidewalk to the primary public entrance.

(c) **Conflict points.**

Internal pedestrian walkways must be distinguished from driving surfaces by textured pavement, to emphasize conflict points and enhance pedestrian safety.
(d) **Aggregation of plazas.**

Pedestrian areas and plazas shall be aggregated, and not distributed in low impact areas such as building peripheries, areas behind structures, or where they are barely visible.

(e) **Orientation of plazas.**

Pedestrian areas and plazas shall be oriented to views of activities, architectural landmarks or distinctive natural land forms wherever possible.

**Sec. 24-404. Service areas.**

(a) **Orientation.**

(1) Service entrances, loading docks, waste disposal areas and similar uses must be oriented toward service roads and away from the public right-of-way and residential areas, unless adequately screened.

(2) Service areas cannot be placed where they will be readily visible from adjacent buildings or where they will harm important or identified view corridors.

(b) **Screening.**

Service entrances, loading docks, waste disposal areas and similar uses must be screened from public streets, pedestrian gathering areas and primary entrances with fencing, walls and/or landscaping, with design compatible with the architectural theme of the host building.

(c) **Coordination of service area locations.**

Service area location must be coordinated with adjacent developments wherever
possible, so shared service drives can be used.

(d) Access routes.

(1) Service circulation in a development must be designed to provide safe movement for anticipated vehicles.

(2) Fire lanes and routes for service, emergency and utility access must be clearly marked.

(e) Gas tank vent pipes.

Tank vent pipes must be screened, placed in an inconspicuous location and painted a dark color, or integrated into the building architecture.