

ORDINANCE NO. 14-34

**ORDINANCE ADOPTING TITLE 10 CHAPTER 15 RE MIXED USE ZONING**

**WHEREAS**, the Morton Municipal Code was duly adopted on March 2, 1970, and duly published in book form; and

**WHEREAS**, all applicable notices and public hearings have been accomplished as required by law; and

**WHEREAS**, the Plan Commission has duly transmitted its recommendations to the Board of Trustees.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON**, Tazewell County, Illinois, that Title 10, Chapter 15 is hereby added to the Morton Municipal Code, as follows:

10-15-1 **PURPOSE:**

The purpose of the downtown mixed use overlay district is to accommodate retail, service, and office including mixed-uses that enhance and revitalizes the downtown area.

10-15-2 **PERMITTED USES:**

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1. Home, regional, district, and branch offices not to include retailing, wholesaling, trucking, manufacturing, or advertising signs or displays.
2. Offices for educational, fraternal, professional and religious organizations.
3. Real estate and insurance company offices.
4. Offices of doctors, dentists, lawyers, architects, engineers and similar professions.
5. Offices for governmental agencies.
6. Medical and dental clinics, excluding animal clinics and animal hospitals.
7. Barber and beauty shops.

8. Churches, convents and monasteries.
9. Banks, savings and loans, and other financial institutions.
10. Book and stationary stores.
11. Camera and photographic supply stores.
12. Candy and ice cream stores, including stores where commodities are produced on premises for sale exclusively on the premises.
13. Carpet and rug stores.
14. China and glassware stores.
15. Department stores.
16. Drugstores.
17. Dry cleaning and laundry pick-up stations.
18. Dry food stores.
19. Electronic and household appliance stores, including radio and television sales and repair.
20. Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use.
21. Garden supply stores.
22. Gift shops.
23. Haberdashery.
24. Hardware stores.
25. Hobby shops for retail of items to be assembled or used away from the premises.
26. Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use.
27. Jewelry stores, including watch repairs.

28. Laboratories, medical, and dental research and testing.
29. Leather goods and luggage stores.
30. Libraries and reading rooms.
31. Liquor, beer and wine outlets.
32. Musical instruments, sales and repair facilities.
33. Paint and wallpaper stores.
34. Pet stores, but not including outdoor kennels or runways.
35. Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises.
36. Public meeting halls.
37. Restaurants, tea rooms, taverns and similar establishments serving alcoholic liquors with an outdoor eating, drinking or seating area, drive-in restaurants where food is provided to customers in cars are not permitted.
38. Sales and display rooms.
39. Shoe stores and shoe repair.
40. Sporting goods store.
41. Supermarkets and retail food stores.
42. Tailor and dressmaking shops.
43. Telegraph, telephone or utility offices.
44. Theaters (not drive-ins).
45. Toy shops.
46. Variety shops.
47. Restaurants, taverns, and similar establishments serving alcoholic liquors with and outdoor eating, drinking, or seating area.

10-15-3

**SPECIAL USE FOR MIXED USE:**

All mixed uses will be special use, and coordinated with permitted uses.

**10-15-4 MIXED USES/RESIDENTIAL**

- A. Residential uses on the second floor or additional floors provided the first floor is retail or office use.
- B. Residential uses on main floor provided sixty percent (60%) of main floor is used for retail, office or service and residential space is minimum of 800 square feet. Street or building frontage must be devoted to the retail component with residence behind.

**10-15-5 SPECIAL CONDITIONS**

- A. There shall be no outside storage of goods, materials or products. This does not prohibit the display of merchandise for sale.
- B. Drive thru's are prohibited except for banking facilities.
- C. All building permit applications are subject to site plan review.
- D. All provisions in the zoning code apply unless there is a specific provision in this chapter to the contrary.

**10-15-6 GENERAL REQUIREMENTS**

**Lot Coverage**

- A. Minimum lot area per dwelling unit shall be one thousand (1,000) square feet for mixed use buildings and one thousand five hundred (1,500) square feet for all other.
- B. Minimum Requirements:
  - Front: Zero (0) lot line minimum and no greater than ten (10) feet
  - Side: Zero (0) lot line minimum and no greater than twelve (12) feet
  - Rear: Ten (10) feet minimum

Height: No greater than three story or forty (40) feet

10-15-7 **GREEN SPACE**

One of the primary aspect of mixed use zoning is to allow greater density, while emphasizing existing community positives such as walking, bicycling and alternative modes of travel. To maximize space and use, the mixed-use overlay district require zero green space.

10-15-8 **BUILDING MATERIALS**

Materials used for construction, rehabilitation and remodel must all be consistent with the standards and requirements of the respective properties as fount in 10-4-6-9 decorative masonry.

10-15-09 **STREET TRAVEL TRANSPARENCY**

Non-residential buildings facing a street, will be at least thirty five percent (35%) transparent at street level allowing pedestrian viewing and daylight inside. Upper levels facing the street are encouraged to maximize windows wherever possible.

10-15-10 **SIGNS**

As per 10-09-06 – sign regulation within business districts.

10-15-12 **PARKING**

The design intent of mixed-use development is to encourage pedestrian and alternative methods of transportation. New mixed-use development shall maintain one to one ration of reserved parking for each residential unit offered in the development or site.

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and effect upon its passage, approval, and publication as may be required by law.

**PASSED AND APPROVED** at a regular meeting of the President and Board of Trustees of the Village of Morton this \_\_\_\_\_ day of \_\_\_\_\_, 2015; and upon roll call the vote was as follows:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAINING:**

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**President**

**ATTEST:**

\_\_\_\_\_  
**Village Clerk**