



AGENDA

BARTONVILLE PLANNING AND ZONING COMMISSION

Wednesday, April 11, 2018

BARTONVILLE TOWN HALL
1941 E. JETER ROAD, BARTONVILLE, TX 76226

7:00 P.M.

A. **CALL TO ORDER**

B. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

C. **CITIZENS PARTICIPATION:**

Please fill out a "Citizen Participation" form in order to address the Commission and turn the form in to the Town representative. Individual speaker's time shall be limited to three (3) minutes each and may be extended by an additional (3) minutes with the approval of a majority of the Commissioners present. A 20 minute time allotment is set for this section. The purpose of this item is to allow the public an opportunity to address the Planning and Zoning Commission on issues that are not the subject of a public hearing. Any item requiring a public hearing will allow the public to speak at the time that item appears on this agenda as indicated as a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling Town Hall at 817-693-5280 during business hours. **In accordance with the Open Meetings Act, the Commissioners may not discuss or take action on any item that has NOT been posted on the agenda. There will be no interaction with the members of the Planning and Zoning Commission.**

D. **APPROVAL OF MINUTES**

1. Discuss and consider approval of the February 7, 2018, meeting minutes.

E. **REGULAR ITEMS**

1. Discussion regarding restaurant drive-through facilities in Village Center (VC) zoning district.

F. **ADJOURNMENT**

Planning and Zoning Meeting Agenda
April 11, 2018

I do hereby certify that the Notice of Meeting was posted on the bulletin board at Town Hall of the Town of Bartonville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: April 6, 2018, at 3:25 pm, at least 72 hours prior to the time of said meeting.



Michael Montgomery, Town Administrator

The Planning and Zoning Commission reserves the right to adjourn into a closed meeting or executive session as authorized by Texas Government Code, Sections 551.001, et seq. (the Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.088 of the Texas Open Meetings Act. Any final action, decision, or vote on a matter deliberated in a closed meeting will only be taken in an open meeting that is held in compliance with Texas Government Code, Chapter 551.

THE BARTONVILLE PLANNING AND ZONING COMMISSION MEETING HELD ON THE 7th DAY OF FEBRUARY, 2018, AT BARTONVILLE TOWN HALL, 1941 E. JETER ROAD, BARTONVILLE, TX 76226, COUNTY OF DENTON, TEXAS AT 7:00 P.M.

The Planning and Zoning Commission met in a regular meeting with the following members present:

Ralph Arment, Chairman
Gloria McDonald, Vice-Chairman
Don Abernathy, Commissioner
Gregory Peck, Commissioner
Brenda Hoyt-Stenovitch, Alternate 1

With the following members absent:

Harry Otto, Commissioner

Also present:

Michael Montgomery, Town Administrator

There constituting a quorum, the following business took place:

A. CALL TO ORDER

Chairmen Arment called the meeting to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chairman Arment led the pledge of allegiance.

C. CITIZENS PARTICIPATION

No citizen participation.

D. APPROVAL OF MINUTES

1. Discuss and consider approval of the January 3, 2018, meeting minutes.

Commissioner Abernathy moved to approve the January 3, 2018, minutes. Commissioner Hoyt-Stenovitch seconded the motion.

VOTE ON THE MOTION

AYES: Abernathy, Arment, Hoyt-Stenovitch, Peck
NAYS: McDonald

VOTE: 4/1

E. REGULAR ITEMS

1. Public hearing to hear public comment and consider recommendations to the Town Council regarding an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A”, Article 14.02, Ordinance 361-05, Zoning regulations, by amending, Chapter 11, Article 11.2 Uses Permitted, for the Town of Bartonville, by granting a Conditional Use Permit to allow for the operation of a Restaurant and Retail Store located at 96 McMakin Road, Bartonville Texas. The property to be considered for the Conditional Use Permit is zoned Rural Business (RB) with Restaurant and Retail Store as a permitted use by Conditional Use Permit only.

Chairman Arment opened the public hearing at 7:05 p.m.

Tim House, the applicant, discussed that he met with several residents and decided to reapply for the conditional use permit.

No citizens spoke in favor or in opposition on the conditional use permit.

Chairman Arment closed the public hearing at 7:13 p.m.

Mr. Montgomery stated nine additional conditions for the Commission to consider.

Commissioner Peck moved to recommend to the Town Council approval of granting a Conditional Use Permit to allow for the operation of a Restaurant and Retail Store located at 96 McMakin, Bartonville, Texas, and recommend approval of the following exterior improvements and additions proposed by the applicant because they do not cause an improper expansion of a nonconforming use on this property:

- 1) Removal of the existing gas service island and canopy.
- 2) Repair the existing front sidewalk canopy, which extends six feet (6') from the east side of the building, and further extend same to a total depth not to exceed twelve feet (12').
- 3) Add rear (west) covered patio area of approximately forty feet (40') x twenty-four feet (24').
- 4) Adjust existing limits of parking area as may be needed to allow for new on-site septic system.
- 5) Allow food trucks, including a snow cone stand, to provide food service to customers in the restaurant and on site. A food truck will not stay on the premise any longer than 14 days at a time.
- 6) Outside music or other sound shall not exceed sixty (60) decibels measured at the property line, and if this condition is violated, the Town will cause the violation to come into immediate compliance. Additionally, should the Town receive complaints of excessive noise, as verified by the Town Administrator or his designee, the property shall cease all outdoor noise. Should the Town receive more than two complaints in a single

- calendar month, the property shall be prohibited from having outside music the rest of that calendar month plus the following calendar month.
- 7) Hours of operation shall be from 6:00 a.m. to 12:00 midnight. No outside business operations or outside activities shall occur after 10:00 p.m. on Friday and Saturday. No outside business operations or outside activities shall occur after 9:00 p.m. on Sundays through Thursdays.
 - 8) All food cooking operations and preparation shall be enclosed and inside the building, unless conducted with equipment approved by the Town Council that is non-offensive to the neighboring properties. All odors, smells and cooking emissions shall comply with state law air quality standards and will be enforced in accordance with state law by the Texas Commission on Environmental Quality and/or the Town.
 - 9) The Town Council shall review and approve improvements to the building elevations and building layout to ensure compliance with conditions set forth within the approved Conditional Use Permit.

Commissioner Abernathy seconded the motion.

VOTE ON THE MOTION

AYES: Abernathy, Arment, Hoyt-Stenovitch, Peck, McDonald
NAYS: None
VOTE: 5/0

2. Public hearing to hear public comment and consider recommendations to the Town Council regarding an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A”, Article 14.02, Ordinance 361-05, Zoning regulations, by amending, Chapter 4, Zoning Districts, Section 4.9 Area Standards for Nonresidential Districts, Chart 4.4 by amending the Village Center (VC) Side Yard Setbacks and Rear Yard Setbacks; and Section 4.10 Nonresidential Development Standards, Chart 4.5 by amending the Village Center (VC) Minimum Lot Width and Minimum Lot Depth; and by Amending Chapter 12, Village Center District (VC), Section 12.3 Development and Performance Standards, Chart 12.1 by amending the side yard setback; and by amending Sections (B) 4., Minimum Lot Width and (B) 5. Minimum Lot Depth.

Chairman Arment opened the public hearing at 7:16 p.m.

Mr. Montgomery presented the proposed changes to the lot width, lot depth, side yard setbacks and rear yard setbacks within the Village Center zoning district.

No citizens spoke in favor or in opposition on the zoning change.

Chairman Arment closed the public hearing at 7:26 p.m.

Commissioner Peck moved to recommend to the Town Council approval of the stated changes within the zoning ordinance. Commissioner Abernathy seconded the motion.

VOTE ON THE MOTION

AYES: Abernathy, Arment, Hoyt-Stenovitch, Peck, McDonald
NAYS: None
VOTE: 5/0

G. ADJOURN REGULAR MEETING

Chairman Arment adjourned the regular meeting at 7:28 p.m.

APPROVED this 11th day of April, 2018.

Approved:

Ralph Arment, Chairman

(Seal)

Attest:

Michael Montgomery, Town Administrator



Planning and Zoning Commission Meeting

DATE: April 11, 2018

FROM: Michael Montgomery, Town Administrator

ITEM: Discussion regarding restaurant drive-through facilities in Village Center (VC) zoning district.

Summary:

Drive-through facilities for restaurants within the Village Center (VC) zoning district are currently not defined within the Land Use table. Additionally, there are no provisions for restaurant drive-throughs within the Off-Street Parking And Loading Requirements within the zoning ordinance.

A discussion will be had about if the Commission wants to allow drive-through facilities for restaurants, and if so, under what conditions.

ATTACHMENTS:

- Land Use Table
- Off-Street Parking And Loading Requirements
- Village Center

EXHIBIT A ZONING ORDINANCE

**APPENDIX C
LAND USE TABLE**

Use	Zoning District									
	AG	RE-5	RE-2	R-1	RLI	RB	VC	GC	MH	P/SP
Accessory Buildings	P	P	P	P	P	P	P	P	P	P
Accessory Dwelling - 4-Acre Site or Larger	P	P	P	*	*	*	*	*	*	*
In-Law Quarters - 4-Acre Site or Larger	P	P	P	*	*	*	*	*	*	*
Servant Quarters - 4-Acre Site or Larger	P	P	P	*	*	*	*	*	*	*
Agricultural Uses	P	P	P	*	P	*	*	*	*	*
Alcoholic Beverages, Retail Sales	*	*	*	*	*	C	P	P	*	*
Alcoholic Beverages, Wholesale	*	*	*	*	*	*	P	P	*	*
Ambulance Service	*	*	*	*	*	*	P	P	*	P
Antennas (All Commercial and Private Antennas to be Addressed by Supplementary Zoning Standards)	Addressed by Zoning Ordinance (Chapter 22)									
Antique Stores	*	*	*	*	P	P	P	P	*	*
Appliance Repair Shop	*	*	*	*	P	C	P	P	*	*

Art Gallery	*	*	*	*	*	P	P	P	*	*
Artesian Well	P	P	P	P	P	P	P	P	P	*
Artist and/or Craftsman Store	*	*	*	*	*	P	P	P	*	*
Auto Body Repair	*	*	*	*	C	*	C	P	*	*
Auto Repair and Service, Major	*	*	*	*	C	*	C	P	*	*
Auto Repair and Service, Minor	*	*	*	*	C	*	P	P	*	*
Auto Parts Store, Retail	*	*	*	*	*	*	*	P	*	*
Bakery, Retail	*	*	*	*	*	C	P	P	*	*
Banks and Financial Institutions	*	*	*	*	*	P	P	P	*	*
Barber and Beauty Shop	*	*	*	*	P	P	P	P	*	*
Bed and Breakfast	C	C	C	C	C	P	*	*	*	*
Book or Stationery Store	*	*	*	*	*	P	P	P	*	*
Camera Store, Retail	*	*	*	*	*	C	P	P	*	*
Tobacco Store, Retail	*	*	*	*	*	*	P	P	*	*
Caterer	*	*	*	*	P	C	C	P	*	*
Caretaker's Quarters - 4-Acre Site or Larger	P	P	P	*	*	*	*	*	*	*
Ceramic Products, Retail	*	*	*	*	*	P	P	P	*	*

Church or Rectory	P	P	P	P	P	P	P	P	P	P
Cleaners - Drop Off and Pick Up Only, Less Than 3,000 S.F.	*	*	*	*	*	P	P	P	*	*
Clothing , Clothing Accessories Store	*	*	*	*	*	P	P	P	*	*
Commercial Amusement	*	*	*	*	*	*	C	P	*	*
Contractor's Yard	*	*	*	*	P	*	*	*	*	*
Convenience Store, Without Retail Gasoline Sales	*	*	*	*	*	C	P	P	*	*
Convenience Store, With Retail Gasoline Sales	*	*	*	*	*	C	P	P	*	*
Copy Shop	*	*	*	*	*	P	P	P	*	*
Crematorium	*	*	*	*	*	*	*	*	*	*
Dairies	*	*	*	*	*	*	*	*	*	*
Day Camp	C	*	*	*	C	*	*	*	*	*
Day Care Center	*	*	*	*	P	P	P	P	*	*
Department Store	*	*	*	*	*	*	P	P	*	*
Dog Kennels	C	C	*	*	C	*	*	*	*	*
Doughnut Store	*	*	*	*	C	C	P	P	*	*
Drugstore or Pharmacy, Retail (less than 2,500 sq ft)	*	*	*	*	*	C	P	P	*	*

Dwelling, Single-Family	P	P	P	P	*	*	*	*	P	*
Electrical Goods, Retail	*	*	*	*	*	C	P	P	*	*
Electrical Repairing (Computers and Household Appliances Without Outside Storage)	*	*	*	*	P	C	*	P	*	*
Equestrian Center	C	C	*	*	*	*	*	*	*	*
Exterminating Company, Retail	*	*	*	*	*	*	*	P	*	*
Farm General Livestock/Ranch/Crops	P	P	P	C	*	*	*	*	*	*
Feed Lot	*	*	*	*	*	*	*	*	*	*
Feed/Seed Store (less than 5,000 sq ft)	*	*	*	*	*	C	P	P	*	*
Film Developing and Printing, Retail	*	*	*	*	*	*	P	P	*	*
Fire station	P	P	P	P	P	P	P	P	P	P
Fix-It Shops, No Outside Storage	*	*	*	*	P	*	*	P	*	*
Florist, Retail	*	*	*	*	*	P	P	P	*	*
Funeral Home	*	*	*	*	*	*	*	*	*	*
Furniture Store, Retail	*	*	*	*	*	C	P	P	*	*
Golf Course - Miniature (Commercial Amusement)	*	*	*	*	*	*	*	P	*	*

Government Building	P	P	P	P	P	P	P	P	P	P
Grocery Store, Retail	*	*	*	*	*	*	P	P	*	*
Hardware Store, Retail	*	*	*	*	*	C	P	P	*	*
Hobby Shop	*	*	*	*	*	C	P	P	*	*
Home - Community	C	C	C	C	C	C	C	P	C	*
Home - Group	C	C	C	C	C	C	C	P	C	*
Home - Day Care	C	C	C	C	C	C	C	C	C	*
Home Occupations	P	P	P	P	P	*	*	*	P	*
Incinerator	*	*	*	*	*	*	*	*	*	*
Key Shop	*	*	*	*	P	*	P	P	*	*
Large Animal Breeding - 5-Acre Site or Larger	P	P	P	*	P	*	*	*	*	*
Light Manufacturing	*	*	*	*	P	*	*	*	*	*
Manufacturing	*	*	*	*	P	*	*	*	*	*
Manufactured Home	*	*	*	*	*	*	*	*	P	*
Meat/Seafood Market, Retail	*	*	*	*	*	*	P	P	*	*
Mini-Warehouse, Self-Storage	*	*	*	*	*	*	*	*	*	*
Mortuary	*	*	*	*	*	*	*	*	*	*

Motion Picture Theater, Indoor	*	*	*	*	*	*	P	P	*	*
Municipal Facility or Use	P	P	P	P	P	P	P	P	P	P
Nurseries, Retail	*	*	*	*	*	P	*	P	*	*
Nurseries, Wholesale	*	*	*	*	P	*	*	P	*	*
Offices, Professional and Administrative	*	*	*	*	P	P	P	P	*	*
Offices Medical and Dental	*	*	*	*	P	P	P	P	*	*
Oil or Gas Well Drilling Site (See Section 30.3 [Chapter 32])	P	C	*	*	*	*	*	*	*	*
Paint Shop, Retail	*	*	*	*	*	C	P	P	*	*
Park	P	P	P	P	P	P	P	P	P	P
Pawn Shop	*	*	*	*	*	*	*	P	*	*
Pet Grooming, No Outside Pens	*	*	*	*	*	P	P	P	*	*
Pet Shops, Retail With No Outside Pens	*	*	*	*	C	C	C	C	*	*
Pianos and Musical Instruments - Retail Sales and Service	*	*	*	*	*	C	P	P	*	*
Playgrounds	P	P	P	P	P	P	P	P	P	P
Printing Shop	*	*	*	*	P	C	P	P	*	*
Private Club, Type 1	*	*	*	*	*	*	P	P	*	*

Private Club, Type 2	*	*	*	*	*	*	C	C	*	*
Public Library	*	*	*	*	P	C	P	P	*	P
Public Museum	*	*	*	*	P	C	P	P	*	P
Publishing Company	*	*	*	*	P	C	P	P	*	*
Railway Right-of-way and Tracks	P	P	P	P	P	P	P	P	P	*
Riding Academy	C	C	*	*	*	*	*	*	*	*
Restaurants (sit-down), Cafeterias, Cafes - w/Out Drive- Through	*	*	*	*	*	C	P	P	*	*
Retail Store or Shop	*	*	*	*	C	C	P	P	*	*
Schools - Private	P	P	P	P	P	C	P	P	P	P
Schools - public kindergarten, elementary school, middle school or high school	P	P	P	P	P	C	P	P	P	P
Seamstress, Dressmaker or Tailor Shop	*	*	*	*	*	P	P	P	*	*
Sexually Oriented Businesses	*	*	*	*	*	*	P	P	*	*
Shoe Sales and Repair	*	*	*	*	*	C	P	P	*	*
Sporting Goods Sales, Retail	*	*	*	*	*	C	P	P	*	*
Stable, Commercial	C	C	C	*	*	*	*	*	*	*
Stable, Private	P	P	P	P	P	*	*	*	P	*

Studios, Art	*	*	*	*	*	C	P	P	*	*
Studios, Cloth and/or Draperies	*	*	*	*	*	C	P	P	*	*
Studios, Dance	*	*	*	*	*	C	P	P	*	*
Studios, Drama	*	*	*	*	*	C	P	P	*	*
Studios, Glass and/or China	*	*	*	*	*	C	P	P	*	*
Studios, Health Club or Athletic	*	*	*	*	*	C	P	P	*	*
Studios, Martial Arts	*	*	*	*	*	C	P	P	*	*
Studios, Music	*	*	*	*	*	C	P	P	*	*
Studios, Reducing	*	*	*	*	*	C	P	P	*	*
Studios, Therapeutic Massage	*	*	*	*	*	C	P	P	*	*
Swimming Pools - Private	P	P	P	P	P	C	P	P	P	*
Tennis Courts - Community	P	P	P	P	P	*	P	P	P	*
Tennis Courts - Private	P	P	P	P	P	*	P	P	P	*
Travel Agency	*	*	*	*	*	C	P	P	*	*
Truck Farm	*	*	*	*	P	*	*	*	*	*
Utility Regulating Stations	*	*	*	*	C	*	C	C	*	C
Veterinarian Hospital	C	*	*	*	C	C	C	P	*	*

Veterinarian, Large Animal	C	*	*	*	C	*	*	*	*	*
Veterinarian, Small Animal (Household Pet)	*	*	*	*	P	P	P	P	*	*
Water Pumping Plant	C	C	C	C	C	*	C	C	C	C
Water Supply Reservoir	C	C	C	C	C	*	C	C	C	C
Water Tower	C	C	C	C	C	*	C	C	C	C
Wedding Planning (no outdoor facilities or services)	*	*	*	*	*	C	P	P	*	*
Welding Shop	*	*	*	*	P	*	*	*	*	*

P - Permitted Use

* - Prohibited Use

C - Conditional Use Permit

See [Chapter 4.11](#) for interpretation of this Use Chart

(Ordinance 361-05 adopted 3/22/05; Ordinance 390-06, sec. 3, adopted 6/20/06; Ordinance 395-06 adopted 7/18/06; Ordinance 404-06, sec. 2, adopted 9/19/06; Ordinance 418-07, sec. 4, adopted 3/20/07; Ordinance 513-11, sec. 10, adopted 3/15/11; Ordinance 564-14, sec. 10, adopted 7/15/14; Ordinance 578-15, sec. 2, adopted 3/17/15)

DIVISION IV. SPECIAL REQUIREMENTS

CHAPTER 17. OFF-STREET PARKING AND LOADING REQUIREMENTS**17.1 PURPOSE**

To secure safety from fire, panic, and other dangers; to lessen congestion on public streets; to facilitate the adequate provision of transportation; to conserve the value of buildings; and to encourage the most appropriate use of land. Minimum off-street parking and loading shall be provided as set forth in the following schedules and provisions. (Ordinance 361-05 adopted 3/22/05)

17.2 RESIDENTIAL DISTRICTS - SPECIAL OFF-STREET PARKING PROVISIONS

- A. Required off-street parking shall be provided on the same lot/site as the use it is to serve.
- B. All vehicle parking areas shall be on an improved, dust-free surface installed to meet or exceed Town standards for paving, parking and on-site circulation. All driveways and approaches to parking spaces shall be similarly improved.
- C. No required parking space, garage, carport, or other motor vehicle storage space shall be used for the storage of any heavy load vehicle (see definitions for heavy load vehicle).

(Ordinance 361-05 adopted 3/22/05)

17.3 NONRESIDENTIAL DISTRICTS AND NONRESIDENTIAL USES IN RESIDENTIAL DISTRICTS - SPECIAL OFF-STREET PARKING PROVISIONS

- A. To prevent nuisance situations, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties and in accordance with the standards established in [Chapter 28](#).
- B. For safety and firefighting purposes and for public convenience, free mutual access through to adjacent nonresidential parking areas and properties shall be provided in accordance with [Section 17.10](#) (Fire Lanes).
- C. All off-street parking, maneuvering, fire lane, loading and storage areas shall be paved in accordance with the Town's current technical design standards.
- D. No paved parking space or area shall be designed such that a vehicle has to back up into a public street or across a public walkways, except for single-family dwellings, which are only allowed to egress onto a local street or residential collector street.
- E. All parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Non-permanent type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.
- F. Each standard off-street surface parking space size shall be in accordance with the design standards as shown in Illustration 2 [in [Appendix B](#)] for space design only. Specific parking space sizes, exclusive of aisles, driveways and maneuvering areas shall be in accordance with the following minimum sizes:

1. Standard: Ten feet (10') by twenty feet (20') - eighteen-foot (18') length is allowed provided that the parking space has a two-foot (2') clear bumper overhang area that does not encroach upon a public right-of-way, a sidewalk of less than six feet (6') in width, or adjacent property.
2. Compact: Eight feet (8') by sixteen feet (16'); must be clearly designated with appropriate signage and pavement markings. The use of compact spaces shall be limited to ten percent (10%) of the standard parking requirement.
3. Parallel: Eight feet (8') by twenty-two feet (22').

G. The perimeter of all parking lots and driveways shall be provided with concrete curbs or other means to control traffic. All parking and loading spaces, and vehicle sales areas on private property shall have a vehicle stopping device, such as a curb or wheel stop, installed so as to prevent parking of motor vehicles in any required landscaped areas, to prevent vehicles from hitting buildings, to protect public and/or private utility structures/facilities, and to prevent parked vehicles from overhanging a public right-of-way line or adjacent private property. An extra-wide walkway on private property may be permitted so as to allow encroachment of vehicle overhang while maintaining an unobstructed four-foot (4') minimum walkway width. Parking shall not be permitted to encroach upon the public right-of-way or upon neighboring property in any case. All vehicle maneuvering shall take place on-site. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot. All entrances into parking lots shall be at least twenty-four feet (24') in width, or a maximum of forty-five feet (45') in width (fifty feet for divided entrances). Divided entrances into parking lots shall have a minimum ingress lane of eighteen feet (18'); a minimum landscaped median width of five feet (5') for an unbroken distance of at least one hundred feet (100') into the site, and a minimum egress lane of twenty-two feet (22'). If the entrance is for a fire lane, then it shall have twenty-two foot (22') minimum ingress and egress lanes (same median standards as above).

H. Refuse storage facilities placed in a parking lot shall not be located in a designated parking or loading space. Each refuse facility shall be located so as to facilitate pickup by refuse collection agencies and ease of egress from the site without having to back up further than twenty feet (20') and without having to go the wrong way in a traffic aisle.

I. Parking space(s) for persons with disabilities and other associated provisions shall be provided according to building codes, State laws, and requirements of the Americans with Disabilities Act (ADA). Parking spaces for persons with disabilities shall be as close as possible to the main entrance of the building, and shall be appropriately and clearly marked.

J. In all nonresidential categories, designated parking and loading areas shall not be used for the repair, storage, dismantling or servicing of vehicles or equipment, or for the storage of materials or supplies, or for any other use in conflict with the designated parking and loading areas.

K. To ensure that all requirements set forth in this Section are carried forward, it will be the responsibility of the owner of the parking area to adequately maintain the facility. All off-street parking areas shall be kept free of trash, debris, vehicle repair operation or display and advertising uses. At no time after initial approval of the parking area layout can changes be made in the location and number of provided spaces without approval of a revised site plan (see [Chapter 3](#)).

L. Off-street stacking requirements for drive-through facilities:

1. A stacking space shall be an area on a site measuring eight feet (8') by twenty feet (20') with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area. An escape lane, of at least eight (8) feet in width and with negotiable

geometric design, must be provided to allow vehicles to get out of stacking lane in the event of a stalled vehicle, emergency, accidental entry, etc.

2. For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five (5) stacking spaces. One escape lane shall be provided.

3. For business operations other than those addressed by item 2. above and kiosks that provide drive-up service, a minimum of three (3) stacking spaces for each service window shall be provided.

4. For a full-service carwash, each vacuum or gas pump lane shall be provided with a minimum of four (4) stacking spaces. For the finish/drying area, adequate vehicle stacking and storage space must be provided to keep finished vehicles out of circulation aisles, access easements, fire lanes, streets, etc.

5. For each automated self-service (drive-through/rollover) carwash bay, a minimum of three (3) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-drying and other detailing.

6. For each wand-type self-service carwash bay, a minimum of two (2) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-drying and other detailing, unless a separate area/shade structure is provided (outside of circulation aisles) for these activities.

7. For motor vehicle quick-lube type facilities, a minimum of three (3) stacking spaces shall be provided for each service bay in addition to the service bay itself.

M. Dead-end parking areas shall be avoided if possible. If dead-end parking is necessary, then it shall be designed such that it is no more than three (3) parking spaces deep unless adequate turnaround space is provided. A minimum five-foot (5') deep hammerhead back-up space shall be provided at the end of any dead-end parking area.

N. All parking structures must conform to the construction and design standards of the zoning district in which they are located.

(Ordinance 361-05 adopted 3/22/05; Ordinance 451-08, sec. 2, adopted 5/20/08)

17.4 OFF-STREET LOADING SPACE - ALL DISTRICTS

A. All retail and other nonresidential structures shall provide and maintain off-street facilities for receiving and loading merchandise, supplies and materials within a building or on the lot or tract. All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks off-street. Each site shall provide a designated on-site maneuvering area for trucks (see Illustration 3 [in [Appendix B](#)]). Such off-street loading space may be adjacent to (but not any portion of) a public or private service drive, or it may consist of a truck berth within the structure. The minimum dimensions of a "regular" loading space shall be ten feet by thirty feet (10' x 30'), and a "large" loading space shall be at least ten feet by sixty-five feet (10' x 65'). Loading spaces or berths shall be provided in accordance with the following schedule:

1. Office and institutional uses, or portion(s) of building devoted to office/institutional uses:

0 to 19,999 square feet:	0 spaces
20,000 to 49,999 square feet:	1 regular space
50,000 to 149,999 square feet:	1 regular space and 1 large space
150,000+ square feet:	2 regular spaces and 1 large space

2. Retail/commercial and restaurant uses, or portion(s) of building devoted to retail/commercial and restaurant uses:

0 to 3,999 square feet:	0 spaces
4,000 to 9,999 square feet:	1 regular space
10,000 to 29,999 square feet:	1 regular space and 1 large space
30,000 to 99,999 square feet:	2 regular spaces and 1 large space
100,000 to 200,000 square feet:	2 regular spaces and 2 large spaces
Each additional 100,000 square feet, or portion thereof, over 200,000:	1 additional large space

B. Loading docks for any establishment which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m. and is located within one hundred (100) feet a residential use or district shall be designed and constructed so as to enclose the loading operation on at least three sides in order to reduce the effects of the noise of the operation on adjacent residences. Other screening/buffering alternatives may be approved on the site plan provided that the Town Council makes a finding that the alternative method of screening/buffering will be adequate to protect nearby residences.

C. Public, private, or parochial elementary and secondary schools shall provide one (1) paved off-street pedestrian loading and unloading space for an [a] motor vehicle on a through, "circular" drive for each ten (10) students cared for (excluding child care in a residence). An additional lane shall also be required to allow pass-by or through traffic to move while motor vehicles waiting or parked to pick up children occupy loading/unloading areas.

D. Loading spaces that are adjacent and easily accessible to several buildings or uses, including buildings and uses on separate lots, shall be allowed to satisfy the loading requirements for the individual buildings or uses, subject to the following:

1. Such arrangement(s) for loading spaces are approved by the Town Council after recommendation by the Planning and Zoning Commission;
2. Said consideration by the Planning and Zoning Commission and Town Council shall be based on the following criteria:
 - a. The number of spaces satisfies the requirements for the combined square footages for the buildings or uses in question;
 - b. Any off-site loading berths shall be located on an immediately contiguous lot or tract, or on a lot or tract within two hundred (200) feet of each building or use in which it will serve; and
 - c. A long-term remote loading lease agreement is provided upon approval of the Town as a condition of such use.

(Ordinance 361-05 adopted 3/22/05; Ordinance 451-08, sec. 1, adopted 5/20/08)

17.5 PARKING ACCESS FROM A PUBLIC STREET - ALL DISTRICTS

- A. In the approval of a site plan, design consideration shall be given to providing entrance/exit drives that extend into the site to provide adequate queuing of vehicles on the site.
- B. In all districts (except single-family), the site plan and paving plans shall provide for entrance/exit drive(s) appropriately designed and located to minimize traffic congestion or conflict within the site and with adjoining public streets. Based upon analysis by the Town, if projected volumes of traffic entering or leaving a development are likely to interfere with the projected peak traffic flow volumes on adjoining streets, additional right-of-way and/or street paving improvements in the form of a deceleration lane, a turn lane, or other roadway improvements may be required of a developer in order to reduce such interference and to help ensure traffic safety and efficiency. The dedication of additional right-of-way or street paving may also be required, and shall be determined at the time of site plan and construction plat approval.
- C. Vehicular access to nonresidential uses shall not be permitted from alleys serving residential areas, and shall not be configured as "head-in" parking spaces that are accessed directly from the street.
- D. Parking space configuration, location, arrangement, size and circulation in all districts shall be constructed according to Illustration 2 [in [Appendix B](#)].

(Ordinance 361-05 adopted 3/22/05)

17.6 PARKING REQUIREMENTS BASED UPON USE

- A. In all districts, there shall be provided at the time any building or structure is erected or structurally altered, or change of use, off-street parking spaces in accordance with the following requirements:
 1. Art gallery: Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one (1) space for each four (4) seats that it contains.

2. Bank, savings and loan, or similar institution: One (1) space per two hundred and fifty (250) square feet of gross floor area in addition to required stacking spaces (see Subsection 38.3 K. [17.3 L.]).
3. Bed and breakfast facility: One (1) space per guest room in addition to the requirements for a normal residential use.
4. Bowling alley or center: Six (6) parking spaces for each alley or lane.
5. Business or professional office (general): One (1) space per three hundred (300) square feet of gross floor area, except as otherwise specified herein.
6. Church, rectory, or other place of worship: One (1) parking space for each three (3) seats in the main auditorium/sanctuary.
7. Commercial amusement (indoor): One (1) space per one hundred (100) square feet of gross floor area, or as follows:
 - a. Racquetball or handball courts - Three (3) spaces for each court.
 - b. Indoor tennis courts - Six (6) spaces for each court.
 - c. Gymnasium, skating rinks, and martial arts schools - One (1) space for each three (3) seats at a maximum seating capacity (based upon maximum occupancy), plus one (1) space for each two hundred (200) square feet.
 - d. Swimming pool - One (1) space for each one hundred (100) square feet of gross water surface and deck area.
 - e. Weight lifting or exercise areas - One (1) space for each one hundred (100) square feet.
 - f. Indoor jogging or running tracks - One (1) space for each one hundred (100) linear feet.
 - g. Motion picture theaters (which do not include live performances): a) one (1) space per three and one-half (3.5) seats for single-screen theaters; b) one (1) space per five (5) seats for motion picture theaters with two (2) or more screens.
 - h. Amusement Center - One (1) space for each game table and one (1) space for each amusement device.
 - i. All areas for subsidiary uses not listed above or in other parts of this Section (such as restaurants, office, etc.), shall be calculated in with the minimum specified for those individual uses.
8. Commercial amusement (outdoor): Ten (10) spaces plus one (1) space for each five hundred (500) square feet over five thousand (5,000) square feet of building and recreational area.
9. Convenience store (with gasoline pumps): One (1) space per two hundred (200) square feet of floor area, plus one (1) parking space for each side of a gasoline pump unit (a unit may have up to six (6) nozzles for gasoline disbursement). Spaces within pump areas qualify as spaces for the parking requirement. If no gasoline sales are provided, then the parking requirements shall be the same as for a retail store. Adequate space shall be provided for waiting, stacking, and maneuvering motor vehicles for refueling.

10. Day nursery, day care center: One (1) space per ten (10) pupils (based upon maximum occupancy and/or licensing capacity), plus one (1) space per teacher, plus one (1) space for each bus or van stored on the property (and sized to accommodate the vehicle).
- 10a. Farmers' Market: One and one-half (1-1/2) spaces per designated booth space or one per one hundred (100) square feet of site area, whichever is greater.
11. Furniture or appliance store, hardware store, wholesale establishments, clothing or shoe repair or service: Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000) square feet.
12. Health club, health spa or exercise club: One (1) space per one hundred fifty (150) square feet of floor area.
13. Lodge or fraternal organization: One (1) space per two hundred (200) square feet.
14. Manufactured/mobile home or manufactured/mobile home park: Two (2) spaces for each manufactured/mobile home unit, plus visitor/supplemental parking equal to one-half space per lot, plus additional spaces as required herein for accessory uses.
15. Medical or dental office: One (1) space per one hundred and fifty (150) square feet of floor area. Facilities over 20,000 square feet shall use the parking standards set forth for hospitals.
16. Mini-warehouse: Four (4) spaces per establishment, plus two (2) spaces for an on-site manager's residence (if applicable), plus one (1) appropriately sized space for any type of vehicle to be stored on-site (e.g., rental trucks, boats, RVs, etc.).
17. Mortuary or funeral home: One (1) parking space for each two hundred (200) square feet of floor space in viewing rooms, parlors or individual funeral service rooms, or one (1) space for each three (3) seats in the auditorium/sanctuary, whichever is greater. Adequate on-site stacking spaces shall also be provided for the organization and forming of processions such that these activities do not cause excessive or extended traffic congestion/delays on a public roadway.
18. Motor vehicle or auto parts sales (indoors): One (1) space per five hundred (500) square feet of indoor floor area, plus one (1) space for each two thousand (2,000) square feet of outside sales area.
19. Office (administrative or professional): One (1) space for each three hundred (300) square feet of floor area.
20. Pawn shop: One (1) space for each two hundred (200) square feet of floor area.
21. Places of public assembly not listed: One (1) space for each three (3) seats provided (see Subsection 38.7 B. [17.7 B.]).
22. Real estate office: One (1) space for each two hundred (200) square feet.
23. Restaurant, private club, nightclub, cafe or similar recreation or amusement establishment: One (1) parking space for each one hundred (100) square feet of gross floor area (including indoor/outdoor play areas and patio dining areas), or one (1) space for every three (3) seats under maximum seating arrangement (i.e., occupancy),

whichever is greater; required parking spaces are in addition to any stacking spaces that may be needed/provided for drive-through or drive-in facilities.

24. Retail or personal service establishment, except as otherwise specified herein: One (1) space per two hundred (200) square feet of gross floor area in addition to any required stacking spaces for drive-through facilities.
25. Retirement housing for the elderly (independent living): One and one-half (1.5) spaces for each dwelling unit, plus any additional spaces for accessory retail, office, service or recreational uses.
26. School, elementary (grades K-6): One (1) parking space for each fifteen (15) students (design capacity).
27. School, secondary or middle (grades 7-8): One (1) parking space for each twelve (12) students (design capacity).
28. School, high school (grades 9-12): One space for each three (3) students, faculty and staff (design capacity).
29. Technical School, College, Junior College or University: One (1) space per three (3) students, based upon maximum enrollment or design capacity, whichever is greater.
30. Theater, indoor or outdoor (live performances), sports arena, stadium, gymnasium or auditorium (except school auditorium): One (1) parking space for each three (3) seats or bench seating spaces.
31. Veterinarian clinic: One (1) space per three hundred (300) square feet of gross floor space.

(Ordinance 361-05 adopted 3/22/05; Ordinance 418-07, sec. 2, adopted 3/20/07)

17.7 RULES FOR COMPUTING NUMBER OF PARKING SPACES AND MISCELLANEOUS OFF-STREET PARKING REQUIREMENTS

In computing the number of parking spaces required for each of the above uses, the following rules shall govern:

- A. "Floor Area" shall mean the gross floor area of the conditional use.
- B. "Seat" shall be interpreted as follows:
 1. For fixed (e.g., church pews, grandstands, benches, etc.) seating, one seat equals 1.75 feet of length; and
 2. For flexible (e.g., folding chairs, etc.) seating areas, one seat equals eight (8) square feet of floor area occupied by such seating area (includes aisles).
- C. Where fractional spaces result, the parking spaces required shall be construed to be the next higher whole number.
- D. The parking space requirements for a new or unlisted use not specifically mentioned herein shall be the same as required for a use of similar nature. If the proposed use is not similar to any of the uses listed herein, a determination shall be made by the Town Secretary, or his/her designee, in accordance with the requirements for the most closely related use specified in this Section. In the event the applicant disagrees with this

determination, then he/she may submit a request for determination by the Planning and Zoning Commission and the Town Council using the same process for classifying new and unlisted uses.

E. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. If a building or use that was in existence prior to the effective date of this Ordinance is enlarged by more than fifty percent (50%) in floor area, number of employees, number of dwelling units, seating capacity or otherwise, then said building or use shall be required to conform with the parking requirements herein for the entire building or use.

F. For buildings which have a combination of uses within the same structure or on the same premises (such as retail or office), the off-street parking requirement shall be calculated as the summation of the parking requirements for each use, and no parking space for one particular use shall be allowed to count toward the parking requirement for some other use on the premises except in the case of a shared parking arrangement (see Subsection G. below).

G. Shared parking may be allowed in the case of mixed uses (different buildings) under the following conditions: Up to fifty percent (50%) of the parking spaces required for a theater or other place of evening entertainment (after 6:00 p.m.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours. Shared parking must be on the same parking lot. Reduction due to shared parking shall only be allowed if approved on the site plan. To assure retention of the shared parking spaces, each property owner shall properly draw and execute an irrevocable mutual parking agreement document expressing the same, shall file this agreement with the County, and shall provide a copy of the filed agreement to the Town of Bartonville prior to issuance of a certificate of occupancy for any use that relies upon the parking agreement.

(Ordinance 361-05 adopted 3/22/05)

17.8 LOCATION OF PARKING SPACES

All parking spaces required herein shall be located on the same lot of the building or use served, except as follows:

A. Where an increase in the number of spaces is required by a change or enlargement of an existing use, or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required additional spaces may be located not to exceed three hundred (300) feet from any nonresidential building served.

B. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, approval by the Planning and Zoning Commission and the Town Council is required according to the following criteria:

1. Off-site parking may be permitted on an immediately contiguous lot or tract or on a lot or tract within two hundred feet (200') of such building or structure providing:

a. That a permanent, irrevocable easement of the parking facilities in favor of the premises to be benefited shall be dedicated and recorded as a condition of such use; or

- b. That a long-term remote parking lease agreement be provided upon approval by the Town as a condition of such use.

(Ordinance 361-05 adopted 3/22/05)

17.9 USE OF REQUIRED PARKING SPACES, NONRESIDENTIAL DISTRICTS

A. Required off-street parking and loading spaces shall be used only for these respective purposes and shall not be used for refuse containers, cart corrals, recycling kiosks, signs or sign support structures, telecommunications towers or support structures, storage or permanent display of boats, trailers, campers, motor vehicles or other goods, materials, or products for sale/lease/rent. (Ordinance 361-05 adopted 3/22/05)

17.10 FIRE LANES

A. Fire lanes shall be provided in all nonresidential developments (in all zoning districts), as required by the adopted Fire Code of the Town (also see the Development Ordinance for certain fire lane regulations). Fire lanes shall be a minimum width of twenty-four feet (24') of paving, and shall have a minimum inside turning radius at curves of twenty feet (20') or as required by the Fire Code of the Town of Bartonville, whichever is greater. The minimum overhead vertical clearance over fire lanes shall be fourteen feet (14') for a linear distance of fifty feet (50') on each side (i.e., in front of and behind, as a fire apparatus would traverse underneath) of any overhead structure (e.g., canopy, roof overhang, vertical height control device, etc.).

B. Whenever forty percent (40%) or more of an existing, nonconforming fire lane is replaced or resurfaced within a twelve (12) month period, the entire fire lane shall be replaced according to the Town's current paving standards.

(Ordinance 361-05 adopted 3/22/05)

CHAPTER 12. VILLAGE CENTER DISTRICT (VC)

12.1 PURPOSE

The Village Center (VC) district is intended to accommodate the existing village center development located on the western side of F.M. 407. VC district standards provide for development requirements that are consistent with the existing development and provides for local shopping establishments which provide retail business service and office facilities for the convenience of residents of the Town. No additional VC districts shall be mapped. The VC district corresponds to and implements the Village Center land use category as shown on [Chart 4.1](#) of this Ordinance. (Ordinance 361-05 adopted 3/22/05)

12.2 USES PERMITTED

A. Those uses listed for the VC district in Appendix C as “P” are permitted uses by right or as “C” are conditionally permitted uses through a Conditional Use Permit (CUP). CUPs (conditional uses) must be approved utilizing procedures set forth in [Chapter 16](#).

B. Accessory buildings and structures incidental to the operation of the retail business or service activities specified in Section 12.2 A. above shall be permitted, provided that the building or structure does not exceed four hundred (400) square feet, is located behind the primary structure, and is constructed with the same or similar building facade and material as the primary structure and pursuant to [Chapter 19](#).

C. Outside display incidental to the operation of the retail business or service activities specified in Appendix C shall be permitted. However, outside storage of goods, merchandise or equipment is prohibited. Except as otherwise permitted as a conditional use, no outside display may be located outside a rectangular area extending no more than fifteen feet (15') from the front face of the primary structure on the lot or tract and limited in to the width of the primary structure. The display must be stored or removed daily at the close of business hours.

(Ordinance 361-05 adopted 3/22/05)

12.3 DEVELOPMENT AND PERFORMANCE STANDARDS

A. Minimum development standards for nonresidential uses, where applicable, shall be those set forth in Chart 12.1, and by the Minimum Design Criteria in Subsection B. below, the Special Regulations Criteria in [Section 12.4](#), and the Special Requirements in [Division IV](#).

Chart 12.1

Development Standards

VC ZONING DISTRICT

DEVELOPMENT STANDARDS	VC DISTRICT
Front Yard Setback	50 feet (or as specified in B. below)

Side Yard Setback:		
	Standard	50 feet
	Adjacent to Residential District or Use	See B.1. below
Rear Yard Setback		
	Standard	50 feet
	Adjacent to Residential District or Use	See B.1. below
Maximum Height		35' ¹
Maximum Lot Coverage		50%
Maximum Floor Area Ratio		1.0:1.0

1. No building shall be more than two and one-half (2-1/2) stories in height.

B. Special Area Regulations:

1. Special Side and Rear Yard Setbacks - These special side and rear yard setbacks shall apply where a proposed nonresidential use is adjacent to a residential use, residential zoning district or a planned residential use as specified on the Town of Bartonville Land Use Plan, as amended.

- a. Nonresidential Structures equal to or less than fifteen (15) feet in height as measured from the finished grade to the tallest portion of the structure - Seventy-five (75) feet from a side or rear property line

- b. Nonresidential Structures more than fifteen (15) feet in height as measured from the finished grade to the tallest portion of the structure - One (1) foot for each five (5) feet in height but not less than seventy-five (75) feet

2. Minimum Lot Size - One (1) Acre
3. Maximum Impervious Surface - Ninety percent (90%) of total lot area
4. Minimum Lot Width - Three hundred feet (300')
5. Minimum Lot Depth - Five hundred feet (500')

C. Minimum Design Criteria:

1. Building Orientation:
 - a. Primary Entrances:

1. Primary entrances shall have a clearly defined, highly visible customer entrance with distinguishing features such as a canopy, portico or other prominent element of the architectural design.

2. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to primary entrances.

b. Loading Docks or Loading Areas:

1. Shall not be permitted to be visible from a street and shall not be accessed directly from a street.

2. Shall conform to the Special Requirements in [Division IV](#).

2. Exterior Construction/Design:

a. Exterior Materials:

1. All permanent structures shall be constructed with a minimum of ninety percent (90%) masonry material.

2. Said masonry material shall be limited to clay fired brick, Austin stone, cast stone or other such comparable masonry material as approved by the Town.

3. Prefinished metal wall panels, concrete blocks, halite blocks and stucco are prohibited.

4. For every sixty (60) feet of a building wall visible from a public street or a residentially zoned property, there shall be a change in the exterior masonry material for the full building elevation from the finished grade to the top of the structure.

b. Colors:

1. The primary exterior color of buildings shall be comprised of earth tones and shall be used on at least eighty-five percent (85%) of the building facade, exclusive of doors and windows.

2. Secondary accent color(s) may be used on a maximum of fifteen percent (15%) of the exterior facade, exclusive of doors and windows.

3. Trim colors shall complement the colors used to meet Subsection 2.a [b.1].

4. Colors shall be specifically approved on the building elevations submitted and approved with the mandatory General Site Plan or Administrative Site Plan.

c. Windows:

1. A maximum of forty percent (40%) of the building facade along the ground floor and adjacent to a public street shall consist of display areas, windows, or doorways.
2. The style of windows shall be consistent with the design and construction of the structure.

3. Design Features:

a. Archways:

1. Archways may be used in conjunction with doorways or windows and shall have an architectural style consistent with the design depicted in Exhibit "D" [[Appendix D](#)].

b. Exposed Columns (Structural or Decorative):

1. Exposed columns shall be constructed of or clad with a material that is of like and similar material to that of the primary structure.

c. Glass:

1. Glass curtain walls are prohibited.

[d. Reserved]

e. Awnings/Canopies:

1. The use of decorative awnings/canopies is permitted provided that all awnings/canopies are designed to be compatible with the structure in which they are located.
2. Awnings/canopies shall be of a consistent pattern, size, shape and material and shall be consistent or complementary to construction of the building and approved with site plan approval.
3. A minimum clearance of eight (8) feet must be maintained above all sidewalks and a minimum clearance of fourteen (14) feet must be maintained above the street pavement.

4. Roofs:

- a. Building walls shall extend to parapets that enclose the roof area. Said parapets shall be of a sufficient height to fully screen the roof and any mechanical equipment located on the roof.

5. Lighting:

a. Lighting may be used to accent architectural details, emphasize primary entrances, accent signs, illuminate sidewalks, and illuminate parking areas and service entrances for public safety concerns. Lighting should meet the following criteria:

1. Light fixtures and light standards visible from a public street or public right-of-way shall be of an architectural design that is consistent with the architectural design of the primary structure and with the designs depicted in [Appendix D](#).

2. A lamp that conveys the color spectrum that is similar to natural daylight is preferred. Metal halide and color-corrected sodium lamps are appropriate.

3. Installed light sources may not use the equivalent of more than 1,200 lumens per bulb and shall be installed in such a manner so as to be shielded from public view and mitigate glare and light spill.

4. There shall be no direct illumination of any residential use or zoning district adjacent to a proposed VC District development.

5. Lights shall be fully shielded to minimize light trespass onto any residential zoning district. "Fully shielded" means a technique or method of construction or manufacture that does not allow any light dispersion to shine above the horizontal plane from the lowest light-emitting point of the light fixture. Any structural part of the light fixture providing this shielding shall be permanently affixed to the light fixture.

6. Open Storage:

a. Open or outside storage is prohibited.

7. Outside Display:

a. Outside display of merchandise and seasonal items, such as Christmas trees and pumpkins, may be allowed by a Conditional Use Permit and shall be limited to the following:

1. Outside display areas shall not be placed or located more than thirty (30) feet from the main building.

2. Outside display areas shall not occupy any of the parking spaces that are required by this Ordinance for the primary use(s) of the property, except on a temporary basis only, which is a maximum of thirty (30) days per display and a maximum of two displays per calendar year.

3. Outside display areas shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on-site or off-site, in any way.

4. Outside display areas shall not extend into public right-of-way or onto adjacent property.

5. Outside display items shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.

8. Trash Storage Areas and Mechanical Equipment:

a. All mechanical equipment, trash storage areas, and satellite dishes shall be fully screened from public view. This shall include equipment on the roof, ground or otherwise attached to the building or located on the site. The following standards shall be met:

1. Mechanical Equipment Screening:

a. Ground-Mounted Mechanical Equipment:

1. Mechanical equipment and similar items shall be fully screened with a masonry screening wall constructed of like and similar materials to those of the primary structure.

b. Roof-Mounted Equipment:

1. Mechanical equipment and similar items mounted to the roof of a structure shall be fully screened on four sides to a height equal to or greater than that of the mechanical equipment.

2. The structural screen specified in Subsection 1. above shall be of a design consistent with that of the primary structure and shall be of like and similar materials to those of the primary structure.

3. Screening Elements Extending More than Five Feet (5') Above the Roof Elevation:

a. Portions of screening elements that extend more than five feet (5') above the roof elevation shall be set back one foot (1') of height for every one foot (1') of height they exceed the roof elevation.

2. Trash Receptacle Screening:

a. Trash receptacles shall not be placed between the primary structure and the street and shall not be located within a street yard.

b. Trash receptacles shall be fully screened by an eight-foot (8') screen constructed of masonry materials of like and similar materials

to those of the primary structure on three (3) sides and an opaque gate on one (1) side.

9. Loading and Service Areas:

- a. Loading and service areas shall be located at the side or rear of the primary structure.
- b. A minimum eight-foot (8') solid screening wall shall be required to screen views of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. The screening wall shall be provided adjacent to any property zoned or planned for residential use as specified on the Town of Bartonville Comprehensive Plan, as amended. The screening wall shall screen each entire loading dock or space. Screening materials shall be of masonry materials that are of like and similar materials to those of the primary structure.
- c. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of the screening required.
- d. Development shall comply with the on-site loading standards specified in [Chapter 17](#) of this Ordinance.

10. Parking:

- a. Development shall comply with the on-site parking standards specific in [Chapter 17](#) of this Ordinance.
- b. All parking shall be designed so as not to obstruct the passage of cars as well as emergency vehicles, delivery vehicles and service vehicles (i.e. garbage trucks).

11. Compatibility with Residential Uses:

a. Compatibility Buffer:

1. A landscape buffer shall be located on the site of the nonresidential use along all property lines adjacent to existing or proposed residential uses as specified on the Town of Bartonville Comprehensive Plan, as amended. Said landscape plan shall be subject to the following standards:

- a. A brick or masonry wall with stucco or mortar wash finish, both exterior finishes being the same, shall be constructed along the property line. Said wall shall be a minimum of six feet (6') in height, except that the first twenty-five feet (25') in from the street line may be stepped down to a minimum height of four feet (4').
- b. The landscaped setback shall consist of a minimum twenty-five foot (25') landscape buffer. Understory plants of species included in

the approved plant list contained in [Chapter 31](#) shall be provided in order to achieve a continuous dense six-foot (6') screen.

c. Native shade trees, a minimum of three inches (3") in trunk diameter as measured four feet (4') above the ground and of a species included in [Chapter 31](#) shall be provided at a ratio of one (1) tree per four hundred (400) square feet of buffer area. Native shade trees shall not be planted closer than thirty feet (30') on center.

(Ordinance 361-05 adopted 3/22/05; Ordinance 417-07, sec. 2, adopted 4/17/07)

12.4 SPECIAL REQUIREMENTS

A. Driveway Spacing (distance between driveways, measured edge-to-edge):

1. U.S. Highway 407 - One driveway per three hundred (300) linear feet of frontage.
2. Arterial street - One driveway per two hundred and fifty (250) linear feet of frontage.
3. Collector street - One driveway per one hundred (100) linear feet of frontage.
4. Local street - One driveway per fifty (50) linear feet of frontage.
5. Minimum distance from driveway to street corner - Fifty feet (50'), as measured from the street corner radius point of tangency.

B. Driveway Separation from Intersections (distance measured from the centerline of the rights-of-way to the pavement edge of the driveway):

1. U.S. Highway 407 intersection with another street - Three hundred feet (300').
2. Arterial street intersection with another street - Two hundred and fifty feet (250').
3. Collector street intersection with another street - One hundred feet (100').
4. Residential street intersection with another street - Fifty feet (50').

C. Site Plan Review - Review and approval of a site plan by the Planning and Zoning Commission and the Town Council (in accordance with [Chapter 3](#)) shall be required for any tract/lot within the RB district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the Town Council.

D. Landscaping Requirements - See [Chapter 18](#).

E. Screening Requirements - See [Chapter 20](#).

F. Outside display of merchandise and seasonal items shall be limited to the following:

1. Shall not be placed/located more than thirty feet (30') from the main building.
2. Shall not occupy any of the parking spaces that are required by this Ordinance for the primary use(s) of the property (except on a temporary basis only, which is a maximum of 30 days per display and a maximum of two displays per calendar year).
3. Shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on-site or off-site, in any way.
4. Shall not extend into public right-of-way or onto adjacent property.
5. All outside display items shall be removed at the end of business each day (except for large seasonal items such as Christmas trees).
6. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.

G. Open or outside storage is prohibited.

H. Building facade or elevation plans shall be submitted for review and approval along with the Site Plan. Facade plans shall clearly show how the building(s) will look, especially as viewed from the major thoroughfare upon which the property faces and/or sides, and will portray a reasonably accurate depiction of the materials and colors to be used. The Town may, as is deemed appropriate, require submission of additional information and materials such as actual samples of proposed exterior building materials during the Site Plan review process.

I. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.

J. Maintenance Requirements for Common Areas - A property owners' association is required for continued maintenance of any common land and facilities provided within the development (see the Development Ordinance for POA/HOA requirements).

K. Tents are not permitted on property unless there is maintained a permanent structure.

L. Other Regulations - As established in the Special Requirements in [Division IV](#).

(Ordinance 361-05 adopted 3/22/05; Ordinance 376-05, sec. 2, adopted 11/15/05)