

**VILLAGE OF LITTLE CHUTE
ORDINANCE NO. 24, SERIES OF 2011**

**AN ORDINANCE AMENDING VILLAGE OF LITTLE CHUTE MUNICIPAL CODE
CHAPTER 44 ZONING, SECTION 50 CB – CENTRAL BUSINESS DISTRICT (a) PURPOSE
(2) AUTOMOBILE RELATED USES ARE PROHIBITED IN THIS DISTRICT; (b) PERMITTED
PRINCIPAL USES AND STRUCTURES; (d) SPECIAL EXEMPTION USES AND STRUCTURES;
(f) PERMITTED ACCESSORY SIGNS**

BE IT ORDAINED by the Village Board of Trustees, Village of Little Chute, Outagamie County, Wisconsin as follows:

Section 1. Village of Little Chute Municipal Code, Chapter 44 Zoning Code – Section 50 CB – Central Business District is amended as follows:

Sec. 44-50. CB central business district.

(a) *Purpose.*

(1) The CB central business district is intended to provide for a centrally located intensely developed core of commercial, service, and governmental uses. It is important that the area develop as a unit offering a convenient and attractive shopping environment. Therefore, permitted uses are limited to those which are compatible, mutually reinforcing, and conducive to common approaches to traffic and pedestrian circulation, parking, and promotion.

(2) Automobile related uses are prohibited in this district, such as but not limited to, the following:

- a. ~~Gas stations;~~
- b. ~~Convenience stores that sell fuel;~~
- c. Automobile wash facilities, automobile sales lots; and
- d. Automobile service or repair shops.

(3) Building Design Requirements. All plans for new buildings, additions, and exterior modifications except for roof resurfacing to existing buildings in this district shall be reviewed by the Design Review Board and approved prior to issuance of a building permit. All proposed construction shall be designed substantially in a manner functionally and aesthetically compatible with the Little Chute Design Manual as adopted by the Village Board.

a. Determinations of the Design Review Board in approving or denying of submitted plans are subject to appeal or variance to the Plan Commission under Sec. 44-521.

b. Determinations of the Plan Commission are subject to appeal to the Board of Appeals under Sec. 44-517.

(b) *Permitted principal uses and structures.* The following are permitted principal uses in CB central business districts:

(1) Retail outlets for sale of food, wearing apparel, home furnishings, and appliances (including repair strictly incidental to sales), office equipment, hardware, auto parts and accessories, toys, sundries, notions, books, stationery, leather goods, luggage, jewelry, art, cameras, photographic supplies (including camera repair), alcohol beverages for off-

premises consumption, sporting goods, hobby shops, pet shops, musical instruments, florist shops, gift shops, delicatessen, bake shop (but not wholesale bakery), drugs, and similar products.

(2) Service establishments such as barbershops and beauty shops, shoe repair, restaurant (except drive-in restaurants), interior decorator, photographic studios, dance or music studio, tailor and dressmaker, laundry or dry cleaner, radio or television repair shop, and similar uses.

(3) Banks and other financial institutions, employment offices, business offices, professional offices, and similar establishments.

(4) Commercial recreation facilities in completely enclosed buildings, including theaters, arcades, and amusement centers.

(5) Public offices, public and private clinics.

(6) Printing and publishing establishments.

(7) Clubs and organizations including museums, art galleries, public libraries and civic centers.

(8) Dwellings above or behind other principal uses so as to not interrupt business frontage.

(c) *Permitted accessory uses and structures.* Permitted accessory uses and structures in this district are uses and structures customarily accessory and clearly incidental to permissible principal uses and structures. Such accessory uses shall not be in conflict with subsection (a) of this section.

(d) *Special exception uses and structures.* The following are special exception uses and structures in the CB district:

(1) Public utility installations and offices.

(2) Drive-in banks and restaurants.

(3) Day care centers.

(4) Taverns, billiard parlors, and bowling alleys.

(5) Senior centers.

(6) Hotels.

(7) Mortuaries.

(8) Multifamily residences.

(9) Convenience stores and fuel stations.

(10) Automobile wash facilities when connected to convenience stores.

(11) Uses allowed under subsections (b)(1) through (89) and of this section, pertaining to permitted principal uses and structures and this subsection, pertaining to special exception uses when and if the proposed uses or structures do not meet the minimum requirements under subsections (e) or (g), pertaining to dimensional requirements or off-street parking requirements.

(e) *Dimensional requirements.* There are no minimum lot area or width requirements. Any lot adjacent to a residential district without any intervening street shall have a yard setback of at least 15 feet in width, if at the side or rear and shall be subject to the landscaped buffer requirements of section 44-193. A site plan pursuant to section 44-464 is required for all uses.

(f) *Permitted accessory signs.* Permitted accessory signs in the CB district are as follows:

(1) For each principal structure flat signs limited in aggregate area to ~~20~~ 10 percent of the wall area fronting on a street (total wall area including the window area). Flat signs and projecting signs are limited in aggregate area to ~~20~~ 10 percent of the rear wall fronting on a parking lot. For every 100 feet of lot frontage, one detached monument type sign limited to 100 square feet in area on each side, with a limit of two sides and 200 square feet and ~~30~~ 6 feet in height. The minimum distance between detached signs shall be 25 feet. Signs shall not be permitted on side walls unless fronting on a street. Signs shall not be located in any vision triangle area of 15 feet at street intersections.

(2) Temporary signs as provided in section 44-46(f)(2) of the RC district.

(3) Decorative awnings protruding from principal structures; provided the lettering on such awning is strictly descriptive of, or the name of, the businesses occupying said principal structure. No symbols or lettering on such awning shall be an advertisement of any product or brand name. Such awning and symbols or lettering shall have prior approval of the ~~village board of trustees~~ **Design Review Board** as to design and content. The awning shall be covered with an opaque material which will prevent backlighting from illuminating any attached symbols or lettering.

(4) Temporary detached signs are limited in area to 100 square feet on each side, with a limit of two sides and 200 square feet, and limited to 15 consecutive days and 90 total days per calendar year. Such signs shall not contain any flashing lights and shall not be located within 100 feet of any residential district.

(g) *Off-street parking requirements.* Required off-street parking may be served by adjacent or nearby private or public parking lots only when approved by the plan commission. In the CB district, the off-street parking requirements are as follow:

- (1) For retail, service (except restaurants), banks, offices, and clinics in this district one space per 300 square feet of floor space.
- (2) For restaurants and recreational establishments in this district one space per 100 square feet of floor space.
- (3) For theaters, clubs and organizations, and mortuaries in this district one space per three persons of maximum capacity.
- (4) For printing and publishing establishments in this district one space per employee.
- (5) For hotels in this district one space per sleeping room.
- (6) For other uses in this district sufficient off-street parking such that no public street shall be used for parking.

Section 2. Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or its applications.

Section 3. Effective Date. This Ordinance shall become effective on the date of passage and posting.

Date introduced: October 26, 2011

Approved and adopted: November 16, 2011

Public Hearing Date: November 16, 2011

VILLAGE OF LITTLE CHUTE

By: _____
Michael R. Vanden Berg, Village President

Attest: _____
Vicki Schneider, Village Clerk