

CHAPTER 4

Additional Designated Conditional Uses

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
16-4-1	Moderate Impact Uses	2006-11	11-21-06
16-4-2	Moderate Impact Use Criteria	2006-11 2008-04	11-21-06 07-01-08
16-4-3	Additional Submittal Required for Moderate Impact Uses	2006-11 2016-10	11-21-06 06/06/16

SEC. 16-4-1 MODERATE IMPACT USES.

Moderate Impact Uses meeting the criteria under Sec. 16-4-2 of this Chapter shall be considered conditional uses of property in the applicable zoning district regardless of the designation under Ch. 20 of the RCCO and shall make application for a conditional use permit as provided for in this Title and the RCCO. These conditional uses are in addition to any other use designated as a conditional use under Ch. 20 of the RCCO.

SEC. 16-4-2 MODERATE IMPACT USE CRITERIA.

Any use that exhibits one or more of the following characteristics shall be considered a Moderate Impact Use and thus a conditional use:

- (a) Any building or a combination of buildings totaling between two thousand (2,000) gross square feet and seventy thousand (70,000) gross square feet, except cold storage accessory buildings on commercially-zoned sites that are not principal structures and are not used for offices or other tenants and if located outside of Urban Service Area, as that term is defined under Sec. 16-2-1, and/or outside of the Village Centers as identified in the adopted land use plan and neighborhood plans;
- (b) Hours of operation greater than twelve (12) hours per day or uses that need/require hours of operation between 6:00 p.m. and 6:00 a.m.;
- (c) Any buildings with a height greater than 2 stories or twenty-five (25) feet high;
- (d) Uses that will generate greater than 100 motor vehicle trips per day;
- (e) Uses that need or require outside or overnight storage of equipment related to the business on the site; such uses would include landscaping yards and contractor's yards;
- (f) Uses that require a liquor license;
- (g) Uses that have truck delivery traffic generating greater than ten (10) truck trips per day (not including private or public mail delivery traffic); and
- (h) Any use designated as a conditional use under Ch. 20 of the RCCO.

SEC. 16-4-3 ADDITIONAL SUBMITTAL REQUIRED FOR MODERATE IMPACT USES.

In addition to all submittal requirements as set forth in Chapter 20 of the RCCO, the Applicant shall submit a written report demonstrating that the proposed use and overall development of the property is compatible with the Village’s adopted Comprehensive Plan, as amended from time-to-time and any Detailed Subarea Plans for the area (the “Compatibility and Impact Report”). The precise format, content, and submission procedures for the Compatibility and Impact Report are available from the Village Clerk. Among other elements, the Compatibility and Impact Report shall include:

- (1) A description of how the proposed development is compatible with adopted Village Plans, including the Village’s Comprehensive Plan, as amended from time to time detailed Subarea Plans and other plans officially adopted by the Village;
- (2) An analysis of traffic impacts;
- (3) An analysis of economic and fiscal impacts, including:
 - a. Identification and assessment of the impacts of proposed project, including positive, negative, and indirect impacts;
 - b. Proposed measures to mitigate adverse impacts and/or maximize positive impacts including provision of infrastructure or public services improvements;
 - c. The market and financial feasibility of the project including the market area for the project, any plans for phased construction, and any market studies prepared for the project;
 - d. Costs arising from increased demand for and required improvements to public services and infrastructure;
 - e. Value of improvements to public services and infrastructure to be provided by the project; and
 - f. Projected tax revenues to the Village to be generated by the project.