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## **§ 155.345 PURPOSE.**

The purpose of the Design Zone shall be to promote the orderly harmonious development of areas of the community adjacent to the town center, parks, or other buildings or areas of special interest to the public, and to insure that the appearance of the areas surrounding such facilities shall be maintained at a high standard. ('64 Code, § 49.00)

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## **§ 155.346 SUPERIMPOSED NATURE OF DESIGN ZONE.**

The Design Zone shall be in the nature of a superimposed zone. Land classified in the Design Zone shall also be classified in one or more other zones. Property so classified shall be delineated on the zoning map by a combination of the zone symbols (for example: ML-D). The regulations set forth in these sections on the Design Zone shall be in addition to the regulations set forth in the underlying zone. In the event the Design Zone is superimposed upon another superimposed zone, the provisions of the Design Zone shall control. ('64 Code, § 49.01)

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## **§ 155.347 PERMITTED, ACCESSORY AND CONDITIONAL USES.**

The principal permitted uses, accessory uses and conditional uses shall be the same as those set forth in the underlying zone. ('64 Code, § 49.02)

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## **§ 155.348 REGULATIONS.**

Development plan approval shall be required in the Design Zone for any of the following:

- (A) The erection of a structure.
- (B) The moving of a structure onto the property or within the property.
- (C) A structural alteration which would substantially change the exterior appearance of a structure.
- (D) The erection or substantial alteration of a sign, wall or fence.
- (E) The installation or alteration of outdoor lighting equipment which would substantially change the exterior appearance of the use or structure.
- (F) Wherever an outdoor use is established, enlarged or changed to another use.

('64 Code, § 49.03)

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## **§ 155.349 COMMISSION CONSIDERATION.**

In addition to other considerations in regard to development plan approval, the Planning Commission shall take into consideration the following criteria in studying the plans and elevations of proposed buildings and uses in the Design Zone:

- (A) The general exterior appearance of the buildings, including height, bulk, size and shape.
- (B) The color and texture of surface materials and exterior construction.

- (C) The size and spacing of windows, doors and other openings.
- (D) The type and pitch of roofs, towers, chimneys and other roof structures.
- (E) The relationship to existing buildings and structures in the area.
- (F) Consideration should also be given to probable future uses and structures in the area, based on the master plan, precise plans or redevelopment plans for the area.
- (G) The setbacks and landscaping of yard areas.
- (H) The design, size, type and location of all signs, walls, fences and outdoor storage.
- (I) The illumination of buildings, grounds, parking areas and signs.
- (J) Any other feature or item having a direct relationship to the general appearance of the buildings and premises.

('64 Code, § 49.04)

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### **§ 155.350 CONSULTATION.**

If the Commission desires, it may request the advice and consultation of a committee of qualified architects as set forth in the development plan approval procedure in §§ 155.735 through 155.747 of this chapter. ('64 Code, § 49.05)

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### **§ 155.351 COMMISSION'S ACTION.**

The Commission shall have the authority to disapprove any proposed use, building or structure or any change in an existing use, building or structure, which, in its opinion, would substantially affect the appearance and have a detrimental effect on the area under consideration. The Commission may require changes in the architectural treatment of buildings or structures and may require additional landscaping and development improvements. The Commission may impose such conditions of development as are necessary in its judgment to carry out the intent and purpose of the Design Zone. ('64 Code, § 49.06)

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### **§ 155.352 CONSULTATION WITH DEVELOPERS.**

In the event that the Planning Commission determines that changes or alterations are needed, the Commission or its designated representative shall confer with the developer in an endeavor to have the plans changed so that the structures and uses of the premises will be harmonious and attractive in appearance and at the same time fulfill the needs of the developer.

('64 Code, § 49.07)

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### **§ 155.353 UTILITIES.**

All utilities and utility installations shall be underground. However, the Planning Commission may waive this requirement when it is found that said requirement would be reasonable or impractical. ('64 Code, § 49.08) Penalty, see § 10.97

### **§ 155.354 NONCONFORMING STATUS.**

Existing structures and facilities in the Design Zone shall not be subject to any nonconforming use regulations if they are nonconforming only as to lack of development plan approval.

('64 Code, § 49.09)