

3.9.7 Downtown – Marion Street Overlay District

A. Purpose

The purpose of the Downtown – Marion Street Overlay District is to protect the unique and representative character of the existing Village streetscape and prevent the construction of buildings which would be disruptive and incompatible with the character of both the street and the Village.

B. Boundaries

The Downtown – Marion Street Overlay District shall include all properties adjacent to Marion Street between North Boulevard to the South and the alley just south of Lake Street to the north within the B-4 District. The boundaries of this District shall be depicted on the official Zoning Map as provided for in Section 3.3 of this ordinance.

C. Applicability

The standards contained in this section shall apply only to applications for development and/or building permits within the Downtown – Marion Street Overlay District. Applications shall be reviewed in accordance with the normal procedures of the Village and any decision-making authority. The Zoning Officer shall determine that the requirements of this section are complied with prior to the issuance of any approval or permits.

D. Relationship to Other Zoning Districts

The regulations of the District shall supplement those of the underlying Transit Related Retail Overlay District, Perimeter Overlay District and B-4 Downtown Business Zoning District that apply to properties within the District. In the case of any conflict or overlap, the regulations and standards of this section shall take precedence.

E. Bulk and Yard Regulations

1. Building Height

No building shall exceed 45 feet in height.

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2. All other bulk and yard regulations of the underlying Transit Related Retail Overlay District, Perimeter Overlay District and B-4 Downtown – Business zone district shall apply.

F. Use Restrictions

Land may be used and structures may be erected, altered, or enlarged for uses allowed in the underlying B-4 Downtown Business zone district, as modified by Section 3.9.3F.2 of the Transit Related Retail Overlay District and Section 3.9.2G, 3.9.2H of the Perimeter Overlay District.

G. Development Standards

All development shall meet the standards contained in this Ordinance, including the standards set forth in the Transit Related Retail Overlay District and Perimeter Overlay District.