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**Staff Report to the Board of Trustees**

**Land Development Code Amendment – Allow Outdoor Fireplaces in all Zoning Districts**

**Case Number:** 2025-0746

**Prepared:** 9/17/2025

**AMENDMENT SUMMARY**

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- Allow Outdoor Fireplaces in all zoning districts, which are currently prohibited in the BIZ General Business and VCD Village Center Zoning Districts.
- Update the Detached Accessory Structure table to reflect this change.

**AMENDMENT EXPLANATION**

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Currently, outdoor fireplaces are not permitted in the BIZ or VCD Districts in the Land Development Code despite being located at many restaurant patios and residential common areas or courtyards.

This amendment would permit outdoor fireplaces as accessory structures in all zoning districts, subject to being located in the rear yard, except as otherwise permitted for restaurant patios. In addition to complying with location, setback, and safety standards, all outdoor fireplaces are still subject to the International Building Code and International Fire Code regulations, and as amended in the Village Code.

**PLAN COMMISSION DISCUSSION**

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Present at the Plan Commission meeting were 6 Commissioners in person and 1 participating by phone, along with staff and one member of the public. Following the staff presentation, no public comments were made. The Commissioners expressed their support for simplifying the code to align with the Village’s goals, noting that the Village encourages outdoor seating areas at restaurants and outdoor spaces. One question was raised regarding safety requirements, and staff clarified that all outdoor fireplaces remain subject to the International Building Code and International Fire Code, and as amended in the Village Code.

The Plan Commission unanimously recommended approval of the Staff Recommended Motion with 7 ayes and 0 nays. This item is now before the Board of Trustees for consideration.

**PLAN COMMISSION RECOMMENDED ACTION**

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The Plan Commission recommends that the Board of Trustees approve the Land Development Code Amendment as presented in the Staff Report dated September 12, 2025.

**BOARD OF TRUSTEES RECOMMENDED MOTION**

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Regarding Case Number 2025-0746, also known as Land Development Code Amendment - Allow Outdoor Fireplaces in all Zoning Districts, I move to approve the Plan Recommended Action as presented for this case;

And

I move to adopt an Ordinance entitled: