

ARTICLE 2.1. RR: RURAL RESIDENTIAL DISTRICT

2.1 INTENT.

The RR: Rural Residential Districts are intended to provide for the development of single-family dwellings compatible with rural and agricultural environs. The development standards and range of permitted uses are designed to provide for residential living at a density of less than one-half dwelling unit per gross acre.

(Ord. 21-97, passed - -1997; Ord. 6-2003, passed 5-29-2003)

2.1A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) Primary uses. See Article 14.1 Land Use Matrix~~
- ~~—(2) Special exception uses. See Article 14.1 Land Use Matrix~~
- ~~—(3) Accessory uses. See Article IV.~~
- ~~—(4) Home occupations. See Article IV.~~
- ~~—(5) Temporary uses. See Article IV.~~

~~(Ord. 21-97, passed - -1997; Ord. 6-2003, passed 5-29-2003; Ord. 07-2020, passed 4-13-2020, Ord. 36-2022, passed 10-10-22)~~

2.1B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—(1) Minimum lot area. 65,000 square feet.~~
- ~~—(2) Minimum lot width. 150 feet.~~
- ~~—(3) Minimum lot frontage. 90 feet on a public street and gain direct access from said public street or an abutting alley.~~
- ~~—(4) Maximum lot coverage. 10%.~~
- ~~—(5) Maximum lot depth to width ratio. Three to one.~~
- ~~—(6) Minimum yards and building setbacks.~~
 - ~~—(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

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~~Collector street~~	~~30 ft.~~
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Interstate street	80 ft.
Local street/cul-de-sac street	30 ft.
Primary arterial street	60 ft.
Secondary arterial street	40 ft.

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~~—(b) *Side.* A minimum side yard of 30 feet shall be provided along all side lot lines.~~

~~—(c) *Aggregate side.* A minimum aggregate side yard of 75 feet shall be provided on all lots.~~

~~—(d) *Rear.* A minimum rear yard shall be provided along all rear lot lines as follows:~~

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Accessory building	20 ft.
Primary building	35 ft.

~~—(7) *Maximum building height.*~~

~~—(a) *Primary building.* 35 feet.~~

~~—(b) *Accessory building.* 25 feet.~~

~~—(8) *Minimum main floor area.* The minimum main floor area of the primary building, exclusive of garage, carport, deck, patio and open porches:~~

~~—(a) *One-story building.* 1,700 square feet; and~~

~~—(b) *Two or more story building.* 1,200 square feet, provided, that the total finished floor area shall be at least 1,700 square feet.~~

~~—(9) *Off-street parking.* Each dwelling unit shall be provided with at least two off-street parking spaces.~~

~~—(10) *Signs.* See Article VII.~~

~~(Ord. 21-97, passed --1997; Ord. 6-2003, passed 5-29-2003)~~

ARTICLE 2.2. R-1: LOW DENSITY RESIDENTIAL DISTRICT

2.2 INTENT.

The R-1: Low Density Residential Districts are intended to protect, promote and maintain areas that are developing or have been developed with single-family dwellings and limited public and institutional uses that are compatible with a low density residential neighborhood. The development standards and range of permitted uses are designed to provide for residential living at a density of approximately 0.5 to 2.0 dwelling units per gross acre.

(Ord. 21-97, passed - 1997; Ord. 6-2003, passed 5-29-2003)

2.2A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~(1) Primary uses. See Article 14.1 Land Use Matrix~~
- ~~— (2) Special exception uses. See Article 14.1 Land Use Matrix~~
- ~~— (3) Accessory uses. See Article IV.~~
- ~~— (4) Home occupations. See Article IV.~~
- ~~— (5) Temporary uses. See Article IV.~~

~~(Ord. 21-97, passed -- 1997; Ord. 6-2003, passed 5-29-2003; Ord. 07-2020, passed 4-13-2020; Ord 36-2022, passed 10-10-2022)~~

2.2B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~— (1) Minimum lot area. 30,000 square feet. Attachment to public or semi-public water and sanitary sewers facilities shall be mandatory for development in this District.~~
- ~~— (2) Minimum lot width. 100 feet.~~
- ~~— (3) Minimum lot frontage. 50 feet on a public street and gain direct access from said public street or an abutting alley.~~
- ~~— (4) Maximum lot coverage. 20%.~~
- ~~— (5) Minimum yards and building setbacks.~~
 - ~~— (a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

-

Collector street	30 ft.
Interstate street	80 ft.
Local street/cul-de-sac street	30 ft.
Primary arterial street	60 ft.
Secondary arterial street	40 ft.

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~~—(b) Side. A minimum side yard of ten feet shall be provided along all side lot lines.~~

~~—(c) Aggregate side. A minimum aggregate side yard of 25 feet shall be provided on all lots.~~

~~—(d) Rear. A minimum rear yard shall be provided along all rear lot lines as follows:~~

-

Accessory building	10 ft.
Primary building	25 ft.

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~~—(6) Maximum building height.~~

~~—(a) Primary building. 35 feet.~~

~~—(b) Accessory building. 25 feet.~~

~~—(7) Minimum main floor area. The minimum main floor area of the primary building, exclusive of garage, carport, deck, patio and open porches:~~

~~—(a) One-story building. 1,700 square feet; and~~

~~—(b) Two or more story building. 1,200 square feet, provided, that the total finished floor area shall be at least 1,700 square feet.~~

~~—(8) Off-street parking. Each dwelling unit shall be provided with at least two off-street parking spaces.~~

~~—(9) *Signs.* See Article VII.~~

~~(Ord. 21-97, passed 1997; Ord. 6-2003, passed 5-29-2003)~~

~~2.2C DEVELOPMENT INCENTIVES.~~

~~—Any proposed single-family dwelling subdivision located in the R-1 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed 1997; Ord. 6-2003, passed 5-29-2003)~~

ARTICLE 2.3. R-2: LOW DENSITY RESIDENTIAL DISTRICT

2.3 INTENT.

The R-2: Low Density Residential Districts are established to protect, promote and maintain the development of single-family dwellings and limited public and institutional uses that are compatible with the surrounding residential neighborhood. The development standards and range of permitted uses are designed to provide for residential living at a density of approximately 1.5 to 3.0 dwelling units per gross acre.

(Ord. 21-97, passed - -1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008)

2.3A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~

~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~

~~—(3) *Accessory uses.* See Article IV.~~

~~—(4) *Home occupations.* See Article IV.~~

~~—(5) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed 1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008; Ord. 07-2020, passed 4-13-2020; Ord. 36-2022, passed 10-10-2022)~~

2.3B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) For all lots in any subdivision which were included in a primary plat that received approval prior to January 1, 2007, and which were included in an approved, recorded secondary plat within three years of the date of primary plat approval, and if the subdivision is developed in more than one section, approval for each subsequent section shall be filed for within~~

~~three years of the approval of the prior section, the development standards set forth below shall be deemed to be modified to read as follows: the minimum lot width shall be 80 feet, the minimum side yard shall be eight feet, and the minimum aggregate side yard shall be 20 feet.~~

~~—(2) For lots in any subdivision approved after the dates or not meeting the requirements for the approval of subsequent section as specified above, the development standards set forth below shall apply:~~

~~—(a) Minimum lot area. 15,000 square feet. Attachment to public or semi-public water and sanitary sewer facilities shall be mandatory for development in this District.~~

~~—(b) Minimum lot width. 90 feet.~~

~~—(c) Minimum lot frontage. 40 feet on a public street and gain direct access from said public street or an abutting alley.~~

~~—(d) Maximum lot coverage. 35%.~~

~~—(e) Minimum yards and building setbacks.~~

~~—1. Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~-~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~80 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~60 ft.~~
~~Secondary arterial street~~	~~40 ft.~~

~~-~~

~~—2. Side. A minimum side yard of 12 feet shall be provided along all side lot lines.~~

~~—3. Aggregate side. A minimum aggregate side yard of 25 feet shall be provided on all lots.~~

~~—4. Rear. A minimum rear yard shall be provided along all rear lot lines as follows:~~

Accessory building	10 ft.
Primary building	25 ft.

~~(6) Maximum building height.~~

~~(a) Primary building. 35 feet.~~

~~(b) Accessory building. 25 feet.~~

~~(7) Minimum main floor area. The minimum main floor area of the primary building, exclusive of garage, carport, deck, patio and open porches:~~

~~(a) One-story building. 1,500 square feet.~~

~~(b) Two or more story building. 1,200 square feet, provided, that the total finished floor area shall be at least 1,500 square feet.~~

~~(8) Off-street parking. Each dwelling unit shall be provided with at least two off-street parking spaces.~~

~~(9) Signs. See Article VII.~~

~~(Ord. 21-97, passed 1-1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008)~~

~~2.3C DEVELOPMENT INCENTIVES.~~

~~Any proposed single-family dwelling subdivision located in the R-2 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed 1-1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008)~~

ARTICLE 2.4. R-3: MEDIUM DENSITY RESIDENTIAL DISTRICT

2.4 INTENT.

The R-3: Medium Density Residential Districts are established to promote and maintain the development of single-family dwellings and limited public and institutional

uses that are compatible with the surrounding residential neighborhood. The development standards and range of permitted uses are designed to provide for residential living at a slightly higher density of development than that of the R-2 District with a density of approximately 3.0 to 4.0 dwelling units per gross acre.

(Ord. 21-97, passed - -1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008)

2.4A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—— (1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—— (2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
- ~~—— (3) *Accessory uses.* See Article IV.~~
- ~~—— (4) *Home occupations.* See Article IV.~~
- ~~—— (5) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed — 1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008; Ord. 07-2020, passed 4-13-2020)~~

2.4B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—— (1) For all lots in any subdivision which were included in a primary plat that received approval prior to January 1, 2007, and which were included in an approved, recorded secondary plat within three years of the date of primary plat approval, and if the subdivision is developed in more than one section, approval for each subsequent section shall be filed for within three years of the approval of the prior section, the development standards set forth below shall be deemed to be modified to read as follows: the minimum lot width shall be 70 feet, the minimum side yard shall be six feet, and the minimum aggregate side yard shall be 15 feet.~~
- ~~—— (2) For lots in any subdivision approved after the dates or not meeting the requirements for the approval of subsequent section as specified above, the development standards set forth below shall apply:~~
 - ~~—— (a) *Minimum lot area.* 10,000 square feet. Attachment to public or semi-public water and sanitary sewer facilities shall be mandatory for development in this District.~~
 - ~~—— (b) *Minimum lot width.* 80 feet.~~

~~— (c) Minimum lot frontage. 35 feet on a public street and gain direct access from said public street or an abutting alley.~~

~~— (d) Maximum lot coverage. 35%.~~

~~— (e) Minimum yards and building setbacks.~~

~~— 1. Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~80 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~60 ft.~~
~~Secondary arterial street~~	~~40 ft.~~

~~— 2. Side. A minimum side yard of ten feet shall be provided along all side lot lines.~~

~~— 3. Aggregate side. A minimum aggregate side yard of 20 feet shall be provided on all lots.~~

~~— 4. Rear. A minimum rear yard shall be provided along all rear lot lines as follows:~~

~~Accessory building~~	~~5 ft.~~
~~Primary building~~	~~20 ft.~~

~~— (f) Maximum building height.~~

~~— 1. Primary building. 35 ft.~~

~~— 2. Accessory building. 25 ft.~~

~~—(g) *Minimum main floor area.* The minimum main floor area of the primary building, exclusive of garage, carport, deck, patio and open porches:~~

~~—1. *One-story building.* 1,300 square feet; and~~

~~—2. *Two or more story building.* 1,100 square feet, provided, that the total finished floor area shall be at least 1,300 square feet.~~

~~—(8) *Off-street parking.* Each dwelling unit shall be provided with at least two off-street parking spaces.~~

~~—(9) *Signs.* See Article VII.~~

~~(Ord. 21-97, passed -1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008)~~

~~2.4C DEVELOPMENT INCENTIVES.~~

~~—Any proposed single-family dwelling subdivision located in the R-3 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed -1997; Ord. 6-2003, passed 5-29-2003; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 28-2008, passed 11-24-2008)~~

ARTICLE 2.5. R-4: MEDIUM DENSITY RESIDENTIAL DISTRICT

2.5 INTENT.

The R-4: Medium Density Residential Districts are established to promote and maintain the development of single-family dwellings and limited public and institutional uses that are compatible with the surrounding residential neighborhood. The R-4 District is designed and intended for use primarily in the “Town Center Neighborhoods” as designated in the Town Center Plan. The use of the R-4 District outside of the “Town Center Neighborhoods” shall be justified in the larger context of the compatibility with Comprehensive Plan and surrounding development. The development standards and range of permitted uses in this District provides housing opportunities with a density of approximately 4.0 to 5.0 dwelling units per gross acre.

(Ord. 21-97, passed -1997; Ord. 6-2003, passed 5-29-2003; Ord. 11-2004, passed 6-14-2004; Ord. 28-2008, passed 11-24-2008; Ord. 04-2013, passed 2-25-2013)

2.5A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~

~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~

~~—(3) Accessory uses. See Article IV.~~

~~—(4) Home occupations. See Article IV.~~

~~—(5) Temporary uses. See Article IV.~~

~~(Ord. 21-97, passed 1997; Ord. 6-2003, passed 5-29-2003; Ord. 11-2004, passed 6-14-2004; Ord. 28-2008, passed 11-24-2008; Ord. 04-2013, passed 2-25-2013; Ord. 07-2020, passed 4-13-2020; Ord. 36-2022, passed 10-10-2022)~~

2.5B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) Minimum lot area. 6,000 square feet. Attachment to public or semi-public water and sanitary sewer facilities shall be mandatory for development in this District.~~

~~—(2) Minimum lot width. 60 feet.~~

~~—(3) Minimum lot frontage. 25 feet on a public street and gain direct access from said public street or an abutting alley.~~

~~—(4) Maximum lot coverage. 40%.~~

~~—(5) Minimum yards and building setbacks.~~

~~—(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~-~~

~~Interstate street~~	~~80 ft.~~
~~Primary arterial street~~	~~60 ft.~~
~~Secondary arterial street~~	~~40 ft.~~
~~Collector street~~	~~30 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~

~~-~~

~~—(b) Side. A minimum side yard of six feet shall be provided along all side lot lines.~~

~~—(c) Aggregate side. A minimum aggregate side yard of 12 feet shall be provided on all lots.~~

~~—(d) Rear. A minimum rear yard shall be provided along all rear lot lines as follows:~~

~~-~~

~~Accessory building~~	~~5 ft.~~
~~Primary building~~	~~20 ft.~~

~~-~~

~~—(6) Maximum building height.~~

~~—(a) Primary building. 35 ft.~~

~~—(b) Accessory building. 25 ft.~~

~~—(7) Minimum main floor area. The minimum main floor area of the primary building, exclusive of garage, carport, deck, patio and open porches:~~

~~—(a) One-story building. 1,200 square feet; and~~

~~—(b) Two or more story building. 900 square feet, provided, that the total finished floor area shall be at least 1,200 square feet.~~

~~—(8) Off-street parking. Each dwelling unit shall be provided with at least two off-street parking spaces.~~

~~—(9) Signs. See Article VII.~~

~~(Ord. 21-97, passed --1997; Ord. 6-2003, passed 5-29-2003; Ord. 11-2004, passed 6-14-2004; Ord. 28-2008, passed 11-24-2008; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.6. R-5: HIGH DENSITY RESIDENTIAL DISTRICT

2.6 INTENT.

The R-5: High Density Residential Districts are established to promote and maintain the development of a variety of housing types including single-family and two-family dwellings and limited public and institutional uses that are compatible with the surrounding residential neighborhood. The R-5 District is designed and intended for use primarily in the “Town Center Neighborhoods” as designated in the Town Center Plan. The use of the R-5 District outside of the “Town Center Neighborhoods” shall be

justified in the larger context of compatibility with the Comprehensive Plan and surrounding development. The development standards and range of permitted uses in this District provide for a mixture of housing opportunities similar in scale to single-family dwellings with a density of approximately 5.0 to 7.0 dwelling units per gross acre.

(Ord. 21-97, passed -1997; Ord. 6-2003, passed 5-29-2003; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013)

2.6A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
- ~~—(3) *Accessory uses.* See Article IV.~~
- ~~—(4) *Home occupations.* See Article IV.~~
- ~~—(5) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed -1997; Ord. 6-2003, passed 5-29-2003; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013; Ord. 07-2020, passed 4-13-2020; Ord. 36-2022, passed 10-10-2022)~~

2.6B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—(1) *Minimum lot area.*~~
 - ~~—(a) *Single-family dwelling.* 5,000 square feet.~~
 - ~~—(b) *Two-family dwelling.* 10,000 square feet. Attachment to public or semi-public water and sanitary sewer facilities shall be mandatory for development in this District.~~
- ~~—(2) *Minimum lot width.*~~
 - ~~—(a) *Single-family dwelling.* 50 feet.~~
 - ~~—(b) *Two-family dwelling.* 70 feet.~~
- ~~—(3) *Minimum lot frontage.* On a public street and gain direct access from said public street or an abutting alley.~~
 - ~~—(a) *Single-family dwelling.* 25 feet.~~
 - ~~—(b) *Two-family dwelling.* 35 feet.~~
- ~~—(4) *Maximum lot coverage.* 40%.~~

~~—(5) Minimum yards and building setbacks.~~

~~—(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~-~~

Collector street	30 ft.
Interstate street	80 ft.
Local street/cul-de-sac street	30 ft.
Primary arterial street	60 ft.
Secondary arterial street	40 ft.

~~-~~

~~—(b) Side. A minimum side yard of six feet shall be provided along all side lot lines.~~

~~—(c) Aggregate side. A minimum aggregate side yard of 12 feet shall be provided on all lots.~~

~~—(d) Rear. A minimum rear yard shall be provided along all rear lot lines as follows:~~

~~-~~

Accessory building	5 ft.
Primary building	20 ft.

~~-~~

~~—(6) Maximum building height.~~

~~—(a) Primary building. 35 ft.~~

~~—(b) Accessory building. 25 ft.~~

~~—(7) Minimum main floor area. The minimum main floor area of the primary building, exclusive of garage, carport, deck, patio and open porches:~~

~~—(a) One-story building. 1,000 square feet per dwelling unit; and~~

~~—(b) Two or more story building. 720 square feet per dwelling unit, provided, that the total finished floor area shall be at least 1,000 square feet.~~

~~—(8) Off-street parking. Each dwelling unit shall be provided with at least two off-street parking spaces.~~

~~—(9) Signs. See Article VII.~~

~~(Ord. 21-97, passed 1997; Ord. 6-2003, passed 5-29-2003; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.7. R-6: HIGH DENSITY RESIDENTIAL DISTRICT

2.7 INTENT.

The R-6: High Density Residential Districts are established to promote the development of multi-family dwellings and limited public and institutional uses that are compatible with the surrounding residential neighborhood. The development standards and range of permitted uses are designed to encourage clustering in order to promote establishing on-site amenities and to allow multi-family dwelling development with a density of up to 8.0 dwelling units per gross acre.

(Ord. 21-97, passed -1997; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013)

2.7A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~(1) Primary uses. See Article 14.1 Land Use Matrix~~

~~—(2) Special exception uses. See Article 14.1 Land Use Matrix~~

~~—(3) Accessory uses. See Article IV.~~

~~—(4) Home occupations. See Article IV.~~

~~—(5) Temporary uses. See Article IV.~~

~~(Ord. 21-97, passed 1997; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013; Ord. 07-2020, passed 4-13-2020, Ord. 36-2022, passed 10-10-2022)~~

2.7B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

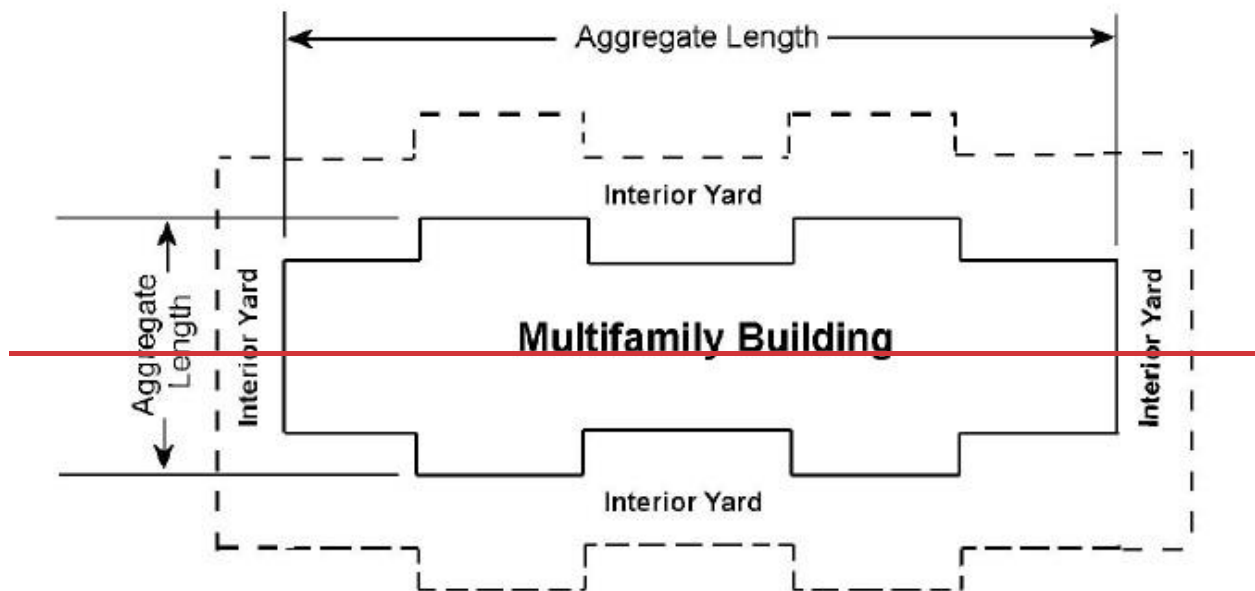
~~—All uses permitted in the R-6 District shall conform to the following development standards.~~

- ~~— (1) *Maximum project gross density.* Eight dwelling units per acre. Attachment to public or semi-public water and sanitary sewer facilities shall be mandatory for development in this District.~~
- ~~— (2) *Minimum project frontage.* 150 feet on a public street and gain access from said public street.~~
- ~~— (3) *Minimum setbacks and perimeter yard requirements.* A minimum setback and perimeter yard shall be provided along all property lines of the project as follows.~~
 - ~~— (a) *Front.* A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

Collector street	30 ft.
Interstate street	80 ft.
Local street/cul-de-sac street	30 ft.
Primary arterial street	60 ft.
Secondary arterial street	40 ft.

- ~~— (b) *Side yards.* 30 feet.~~
- ~~— (c) *Rear yards.* 30 feet.~~
- ~~— (4) *Use of minimum yards.* All minimum yards shall be landscaped in compliance with the requirements for perimeter yard landscaping as set forth in Article 4.7—Landscape Regulations of this ordinance and shall remain free from buildings or structures except where expressly permitted below or by other provisions of this ordinance:~~
 - ~~— (a) *Minimum front yards.* May include: driveways; walkways with a maximum width of up to six feet, or signs as regulated by Article 7.06—On-Premises Signs: Residential Districts of this ordinance, and shall otherwise be maintained as open space free from buildings or structures;~~
 - ~~— (b) *Minimum side yards.* Shall be maintained as open space free from buildings or structures; and~~

- ~~— (c) Minimum rear yards. Shall be maintained open space free from buildings or structures.~~
- ~~— (5) Minimum interior yards. In projects containing two or more buildings, interior yards shall be provided as follows:~~
 - ~~— (a) Around buildings containing dwelling units, the greater of:~~
 - ~~— 1. Fifteen feet; or~~
 - ~~— 2. Ten feet plus one additional foot for each ten feet of aggregate length of any wall of a building.~~
 - ~~— (b) Around accessory buildings or uses: five feet;~~
 - ~~— (c) The distance between buildings shall be the sum of each applicable minimum interior yard;~~
 - ~~— (d) Interior yards shall be measured perpendicular to the building or structure at all points; and~~
 - ~~— (e) Interior yards shall not overlap any required perimeter yards.~~



Interior Yards Around Buildings

~~—(6) Use of interior yards.~~

~~—(a) Required interior yards around buildings containing dwelling units may be used for:~~

- ~~—1. Individual interior access drives leading to attached garages serving individual dwelling units;~~
- ~~—2. Open space;~~
- ~~—3. Foundation landscaping;~~
- ~~—4. Walkways not exceeding six feet in width; or~~
- ~~—5. Interior access drives, parking areas, open balconies, uncovered porches and patios which do not project more than 50% into the required interior yard.~~

~~—(b) Required interior yards around accessory buildings or uses, may be used for:~~

- ~~—1. Open space;~~
- ~~—2. Foundation landscaping;~~
- ~~—3. Walkways not exceeding six feet in width; or~~
- ~~—4. Interior access drives leading to carports or overhead garage doors.~~

~~—(7) Maximum building height.~~

~~—(a) Primary building. 35 feet, but not to exceed two stories containing a dwelling unit.~~

~~—(b) Accessory buildings. 25 feet.~~

~~—(8) Minimum floor area. The minimum floor area of each multi-family dwelling unit, exclusive of garage, carport, deck, patio and open porches shall be:~~

- ~~—(a) Seven hundred and twenty square feet for dwelling units located on one story; and~~
- ~~—(b) Five hundred square feet per floor for dwelling units located on more than one floor.~~

~~—(9) Off-street parking. See Article IV.~~

~~—(10) Signs. See Article VII.~~

~~—(11) Landscaping and screening requirements. See Article IV.~~

~~—(12) Developed recreational open space requirements.~~

~~—(a) Developed recreational open space areas equal to, at a minimum, 10% of the total lot area of the project shall be required. Developed recreational open space may include, but not be limited to, such facilities as: playgrounds; tot lots; swimming pools; tennis, volleyball or basketball courts; and common recreational buildings. Developed recreational open space areas shall not overlap any required interior yards or perimeter yards.~~

~~—(b) If the project is located adjacent to any portion of the Greenway Plan as set forth in the Comprehensive Plan, a direct linkage to such greenway from the open space shall be provided.~~

~~—(13) Requirements for all private streets, interior access driveways, and interior access drives for multi-family dwelling projects. Individual buildings and dwelling units located within a multi-family dwelling project may be served by private streets, interior access driveways, and interior access drives developed in compliance with the standards set forth in Article IV of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013)~~

~~2.7C ARCHITECTURAL REVIEW.~~

~~—All multi-family dwelling projects located in the R-6 District shall be subject to the requirements for the filing of a development plan for architectural and site design review as set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013)~~

~~2.7D DEVELOPMENT INCENTIVES.~~

~~—Any proposed multi-family dwelling development located in the R-6 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 11-2004, passed 6-14-2004; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.8. TC: TOWN CENTER DISTRICT

2.8 INTENT.

TC: Town Center District is established to promote and maintain the commercial buildings of the original core of the town and to create a special mixed-use area of small-scale pedestrian oriented commercial, retail and office uses in the symbolic center of the town.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -; Ord. 32-2005, passed 5-9-2005; Ord. 28-2008, passed 11-24-2008; Ord. 04-2019, passed 1-14-2019)

2.8A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) Primary uses. See Article 14.1 Land Use Matrix~~
- ~~—(2) Special exception uses. See Article 14.1 Land Use Matrix~~
- ~~—(3) Accessory uses. See Article IV.~~
- ~~—(4) Home occupations. See Article IV.~~
- ~~—(5) Temporary uses. See Article IV.~~

~~(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -; Ord. 32-2005, passed 5-9-2005; Ord. 28-2008, passed 11-24-2008; Ord. 04-2019, passed 1-14-2019; Ord 22-2022, passed 6-13-2022, Ord. 36-2022, passed 10-10-2022)~~

2.8B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—(1) Minimum lot width and frontage. Each lot or integrated center shall have a minimum lot width and frontage on a public street of 25 feet.~~
- ~~—(2) Yards and building setbacks.~~
 - ~~—(a) Front. A front yard and building setback measured from the greater of the proposed right-of-way or existing right-of-way shall be provided as follows (see Article 5.6B(4) for additional regulations):~~

~~Collector street~~	~~0 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local/cul-de-sac street~~	~~0 ft.~~
~~Primary arterial street~~	~~0 ft.~~

Secondary arterial street	0 ft.
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~~(b) Minimum side yard and minimum rear yard.~~

~~1. Abutting an alley. Five feet.~~

~~2. Abutting a lot line. There shall be no minimum side or rear setback required, provided, however, if a side or rear setback is provided along any side or rear lot line not abutting an alley, such setback shall be not less than five feet.~~

~~(c) Minimum side bufferyard and minimum rear bufferyard. Five feet.~~

~~(3) Use of yards and bufferyards. All yards and bufferyards, when provided, shall be landscaped in compliance with the requirements set forth in Article 5.6B(4) and shall remain free from structures except where expressly permitted below:~~

~~(a) Minimum front yards.~~

~~1. Along all interstate streets. May include: parking areas, loading areas, interior access drives or interior access driveways, provided that no portion of such area may be located closer to the right-of-way than 15 feet; or signs as regulated by Article VII - Sign Regulations of this ordinance, and shall be otherwise maintained as open space free from buildings or structures; and~~

~~2. Along all primary arterial streets or secondary arterial streets, collector streets, local streets or cul-de-sac streets. May include: driveways; walkways from the sidewalk to a building entrance; or signs as regulated by Article VII - Sign Regulations of this ordinance, and shall otherwise be maintained as open space or plazas developed in compliance with Article 5.6B(4)(d).~~

~~(b) Minimum front bufferyards. May include: driveways; walkways from the sidewalk to a building entrance; or signs as regulated by Article VII - Sign Regulations of this ordinance, and shall otherwise be maintained as open space free from buildings or structures;~~

~~(c) Side yards and rear yards. If provided, may include driveways, interior access driveways, parking areas, loading areas, walkways or other pedestrian way connections to adjoining lots; and~~

- ~~—— (d) *Minimum side bufferyards and rear bufferyards.* May include walkways or other pedestrian way connections to adjoining residential areas provided that the remainder of said yards shall be landscaped and maintained as open space free from buildings or structures.~~
- ~~—— (4) *Maximum building height.*~~
 - ~~—— (a) *Primary structure.* 50 feet; not to exceed four stories.~~
 - ~~—— (b) *Accessory structure.* 25 feet.~~
- ~~—— (5) *Parking.* See Article 4.10 – Off-Street Parking Regulations~~
- ~~—— (6) *Loading.*~~
 - ~~—— (a) All off-street loading areas shall be located either on the lot served or within 50 feet of the lot served.~~
 - ~~—— (b) Each off-street loading area shall be designed and located in a manner which will not interfere with traffic movements and will not result in any vehicle, or part thereof, encroaching into any sidewalk, alley, street or public right-of-way.~~
 - ~~—— (c) Off-street loading facilities shall comply with the requirements of Article IV.~~
- ~~—— (7) *Signs.* See Article VII.~~
- ~~—— (8) *Landscaping.* All lots within the TC: Town Center District shall be landscaped in compliance with requirements of Article 5.6B(4).~~
- ~~—— (9) *Lighting.* See Article 4.9 – Lighting Standards.~~
- ~~—— (10) *Outdoor operations.*~~
 - ~~—— (a) Except for the following uses which may be conducted outdoors, all uses and operations in the TC District shall be conducted completely within enclosed buildings:~~
 - ~~—— 1. Off-street parking, off-street loading and delivery;~~
 - ~~—— 2. Walk-up customer service windows and drive-through customer service windows;~~
 - ~~—— 3. Outdoor seating and dining areas; and~~
 - ~~—— 4. Sidewalk sales of goods and merchandise.~~

- ~~—— (b) Provided, however, outdoor seating and dining areas or sidewalk sales areas shall:
 - ~~—— 1. Not reduce the useable sidewalk width in the public right-of-way to less than five feet at any point;~~
 - ~~—— 2. Be completely confined to the lot or retail space or the area immediately in front of the lot or retail space occupied by said use; and~~
 - ~~—— 3. If located in a public right-of-way, be subject to the approval of the applicable agency (i.e., Indiana Department of Transportation or the Town Engineer) for activity in a public right-of-way.~~~~
- ~~—— (10) *Development standards for multi-family dwellings.* Notwithstanding anything in this TC District to the contrary, a multi-family dwellings building which is not a mixed-use building shall be subject to the development standards of the R-U District.~~
- ~~—— (11) *Development standards for single-family dwellings.*
 - ~~—— (a) *On individual lots.* Notwithstanding anything in this TC District to the contrary, a single-family dwelling which is located on an individual lot shall be subject to the development standards of the R-4 District.~~
 - ~~—— (b) *Part of a larger multi-family dwelling project.* Notwithstanding anything in this TC District to the contrary, a single-family dwelling which is part of a larger multi-family dwelling project shall be subject to the development standards of the R-U District.~~~~
- ~~—— (12) *Development standards for two-family dwellings.*
 - ~~—— (a) *On individual lots.* Notwithstanding anything in this TC District to the contrary, a two-family dwelling which is located on an individual lot and which is not part of a larger multi-family dwelling project shall be subject to the development standards of the R-5 District applicable to a two-family dwelling.~~
 - ~~—— (b) *Part of a larger multi-family dwelling project.* Notwithstanding anything in this TC District to the contrary, a two-family dwelling which is part of a larger multi-family dwelling project shall be subject to the development standards of the R-U District.~~~~
- ~~—— (13) *Additional development standards for dwelling units in mixed-use buildings.* Dwelling units in mixed-use buildings in the TC: Town Center District shall be located on the upper stories of buildings, unless authorized by the approval of a development incentive.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --; Ord. 32-2005, passed 5-9-2005;
Ord. 28-2008, passed 11-24-2008; Ord. 04-2019, passed 1-14-2019)~~

~~2.8C ARCHITECTURAL REVIEW.~~

~~—All lots located in the TC: Town Center District shall be subject to the requirements for: the filing of a development plan for architectural and site design review; and compliance with the development requirements, both as set forth in Article V.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --; Ord. 32-2005, passed 5-9-2005;
Ord. 28-2008, passed 11-24-2008; Ord. 04-2019, passed 1-14-2019)~~

~~2.8D DEVELOPMENT INCENTIVES.~~

~~—Any proposed development located in the TC: Town Center District shall be eligible to utilize the development incentives set forth in Article 5.6 of this ordinance.~~

~~(Ord. 04-2019, passed 1-14-2019)~~

ARTICLE 2.9. NR: NEIGHBORHOOD RETAIL COMMERCIAL

2.9 INTENT.

The NR: Neighborhood Retail Commercial Districts are established to promote development of areas for convenience uses which tend to meet the daily needs of the residents of the immediate residential districts. Uses within the NR Districts are regulated in character to assure harmonious development with the residential districts served and are limited in size and scale to promote pedestrian access.

(Ord. 21-97, passed - -1997; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 04-2013, passed 2-25-2013)

2.9A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
- ~~—(3) *Accessory uses.* See Article IV.~~
- ~~—(4) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed --2007; Ord. 04-2013, passed 2-25-2013; Ord 36-2022, passed 10-10-2022)~~

2.9B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices and below.

~~—(1) Minimum lot width and frontage. Each lot or integrated center shall have a minimum lot width and frontage on a public street of 50 feet.~~

~~—(2) Minimum yards and building setbacks.~~

~~—(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~30 ft.~~
~~Secondary arterial street~~	~~30 ft.~~

~~—(b) Minimum side yard and setback. Shall be provided from the lot line as follows:~~

~~Minimum side bufferyard~~	~~15 ft.~~
~~Minimum side yard~~	~~10 ft.~~

~~—(c) Minimum rear yard and setback. Shall be provided from the lot line as follows:~~

~~Minimum rear yard~~	~~10 ft.~~
~~Minimum rear bufferyard~~	~~15 ft.~~

~~—(d) Minimum yards for out lots. Out lots within an integrated center shall provide a minimum yard of five feet along all lot lines in common~~

~~with other out lots or with the main portion of the integrated center. If any portion of an out lot abuts the perimeter of the integrated center, that portion of the out lot shall be required to comply with the applicable minimum front, side or rear yard requirements set forth above. The main portion of the integrated center shall not be required to provide a minimum yard along the lot line in common with an out lot.~~

~~—(3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) *Minimum front yards.* May include driveways and parking areas (provided that no portion of the parking area may be located closer to the right-of-way than ten feet; except for minimum front yards abutting the Ronald Reagan Parkway or a frontage street parallel to the Ronald Reagan Parkway, where parking areas shall be prohibited) and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) *Minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(c) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV; and~~

~~—(d) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(4) *Maximum building height.* 35 feet.~~

~~—(5) *Parking and loading.* See Article IV.~~

~~—(6) *Signs.* See Article VII.~~

~~—(7) *Outdoor operations.* All uses and operations (except off-street parking, off-street loading and delivery, walk-up customer service windows and drive-through customer service windows) shall be conducted~~

~~completely within enclosed buildings, except where expressly permitted below:~~

~~— (a) Outdoor seating shall not be located between a building line and a bufferyard;~~

~~— (b) Vending machines, provided that vending machines:~~

~~— 1. Shall abut the exterior wall of the building; and~~

~~— 2. Shall not be located in a required yard or required bufferyard.~~

~~— (c) Outdoor display or sales, provided that such display or sales shall:~~

~~— 1. Be accessory to the primary use;~~

~~— 2. Not exceed 1% of the gross floor area of each non-related and separately operated use;~~

~~— 3. Shall not be located in a required yard or required bufferyard; and~~

~~— 4. Shall not be located so as to interfere or conflict with walks, required parking areas, required loading areas, driveways, interior access drives, interior access driveways, perimeter landscape yards or foundation plantings.~~

~~— (d) Gasoline pumps, provided that no outdoor operations other than the dispensing or installation of gasoline, oil, antifreeze and other similar products and the performance of minor services for customers as related to said dispensing or installation are conducted on the site.~~

~~— (8) Landscape requirements. See Article IV.~~

(91) *Maximum gross floor area.*

(a) No single use, whether freestanding or contained in an integrated center, shall exceed 8,000 square feet of gross floor area.

(b) No integrated center shall exceed 24,000 square feet of total gross floor area.

(Ord. 21-97, passed - -1997; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 04-2013, passed 2-25-2013)

~~2.9C ARCHITECTURAL REVIEW.~~

~~—If any portion of a lot proposed for development is located in the NR District and within 600 feet of a residential district or Gateway Corridor, the entire proposed development on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

~~(Ord. 21-97, passed --1997; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed --2007; Ord. 04-2013, passed 2-25-2013)~~

~~2.9D DEVELOPMENT INCENTIVES.~~

~~—Any proposed development located in the NR District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed --2007; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.10. OD: OFFICE DISTRICT

2.10 INTENT.

OD: Office Districts are established to promote the development of areas where office uses, compatible office-type businesses, and some public and semi-public uses are developed in close proximity with commercial areas while serving as a buffer or transitional area between commercial areas and existing or future residential areas. Uses within the OD Districts are regulated in character to assure harmonious development with the residential districts which the OD Districts buffers from more intense commercial development.

(Ord. 21-97, passed - -1997; Ord. 39-2006, passed 10-9-2006; Ord. 04-2013, passed 2-25-2013)

2.10A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~

~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~

~~—(3) *Accessory uses.* See Article IV.~~

~~—(4) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 39-2006, passed 10-9-2006; Ord. 04-2013, passed 2-25-2013, Ord. 22-2022, passed 06-13-2022; Ord. 36-2022, passed 10-10-2022)~~

2.10B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) *Minimum lot width and frontage.* Each lot or integrated center shall have a minimum lot width and frontage on a public street of 50 feet.~~

~~— (2) Minimum yards and building setbacks.~~

~~— (a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~30 ft.~~
~~Secondary arterial street~~	~~30 ft.~~

~~— (b) Minimum side yard and setback. Shall be provided from the lot line as follows:~~

~~Minimum side bufferyard~~	~~15 ft.~~
~~Minimum side yard~~	~~10 ft.~~

~~— (c) Minimum rear yard and setback. Shall be provided from the lot line as follows:~~

~~Minimum rear bufferyard~~	~~15 ft.~~
~~Minimum rear yard~~	~~10 ft.~~

~~— (d) Minimum yards for out lots. Out lots within an integrated center shall provide a minimum yard of five feet along all lot lines in common with other out lots or with the main portion of the integrated center. If any portion of an out lot abuts the perimeter of the integrated center, that portion of the out lot shall be required to comply with the~~

~~applicable minimum front, side or rear yard requirements set forth above. The main portion of the integrated center shall not be required to provide a minimum yard along the lot line in common with an out lot.~~

~~—(3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) *Minimum front yards.* May include driveways and parking areas (provided that no portion of the parking area may be located closer to the right-of-way than the ten feet; except for minimum front yards abutting the Ronald Reagan Parkway or a frontage street parallel to the Ronald Reagan Parkway, where parking areas shall be prohibited) and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) *Minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(c) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV; and~~

~~—(d) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(4) *Maximum building height.* 35 feet.~~

~~—(5) *Parking and loading.* See Article IV.~~

~~—(6) *Signs.* See Article VII.~~

~~—(7) *Outdoor operations.* All uses and operations (except off-street parking, off-street loading and delivery, walk-up customer service windows and drive-through customer service windows) shall be conducted completely within enclosed buildings.~~

~~—(8) *Landscape requirements.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 39-2006, passed 10-9-2006; Ord. 04-2013, passed 2-25-2013)~~

~~2.10C ARCHITECTURAL REVIEW.~~

~~—If any portion of a lot proposed for development is located in the OD District and within 600 feet of a residential district or Gateway Corridor, the entire proposed development located on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

~~(Ord. 21-97, passed --1997; Ord. 39-2006, passed 10-9-2006; Ord. 04-2013, passed 2-25-2013)~~

~~2.10D DEVELOPMENT INCENTIVES.~~

~~—Any proposed development located in the OD District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 39-2006, passed 10-9-2006; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.11. GC: GENERAL COMMERCIAL

2.11 INTENT.

GC: General Commercial Districts are established to provide a location for higher volume and higher intensity commercial uses than the NR District. Activities in this District are often large space users located along a primary arterial street and the perimeter parkway and may include outdoor sales or operations.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord. 08-2018, passed 3-12-2018; Ord. 17-2020, passed 8-13-2020)

2.11A PERMITTED USES. See Article 14.1 Land Use Matrix and below.

~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~

~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~

~~—(3) *Accessory uses.* See Article IV.~~

~~—(4) *Temporary uses.* See Article IV.~~

~~(51)~~ *Certain existing uses in operation as of a specified date.* Any of the uses shown in subsection a: below that were legally conforming within this District as of August 10, 2020 shall remain in legal conformance subject to the provisions of subsection b; below. These provisions refer only refer to the use. Any other nonconformances will still remain nonconforming.

(a) *Uses.*

1. Automobile Sales, New or Used, including Showroom, On-Site Service Department, and Wash / Detail Facilities;
2. Automobile rental services;
3. Automobile repair - major;
4. Automobile repair - minor;
5. Automobile parts sales (new);
6. Car wash (automatic and self);
7. Motor cycle/scooter sales, service and repair;
8. Muffler repair shop;
9. Painting and customizing;
10. Quick lube facilities; and
11. Tire and auto service center.

(b) *Conditions.* The following conditions could cause the use to lose its conforming status.

1. Abandonment for any amount of time;
2. Discontinuance for more than six (6) months (except when government action impedes access to the premises); or
3. Change of use.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord. 08-2018, passed 3-12-2018; Ord. 17-2020, passed 8-13-2020, Ord. 22-2022, passed 06-13-2022, Ord. 36-2022, passed 10-10-2022)

2.11B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—(1) Minimum lot width and frontage. Each lot or integrated center shall have a minimum lot width and frontage on a public street of 50 feet.~~
- ~~—(2) Minimum yards and building setbacks.~~

~~— (a) *Front.* A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~30 ft.~~
~~Secondary arterial street~~	~~30 ft.~~

~~— (b) *Minimum side yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum side bufferyard~~	~~20 ft.~~
~~Minimum side yard~~	~~10 ft.~~

~~— (c) *Minimum rear yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum rear bufferyard~~	~~20 ft.~~
~~Minimum rear yard~~	~~10 ft.~~

~~— (d) *Minimum yards for out lots.* Out lots within an integrated center shall provide a minimum yard of five feet along all lot lines in common with other out lots or with the main portion of the integrated center. If any portion of an out lot abuts the perimeter of the integrated center, that portion of the out lot shall be required to comply with the applicable minimum front, side or rear yard requirements set forth~~

~~above. The main portion of the integrated center shall not be required to provide a minimum yard along the lot line in common with an out lot.~~

~~—(3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) *Minimum front yards.* May include driveways and parking areas (provided that no portion of the parking area may be located closer to the right-of-way than the ten feet; except for minimum front yards abutting the Ronald Reagan Parkway or a frontage street parallel to the Ronald Reagan Parkway, where parking areas shall be prohibited) and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) *Minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(c) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV; and~~

~~—(d) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees, or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(4) *Maximum building height.* 75 feet.~~

~~—(5) *Parking and loading.* See Article IV.~~

~~—(6) *Signs.* See Article VII.~~

~~—(7) *Outdoor operations.* Outdoor operations, including the display of goods or materials for sale, lease or rental may be conducted subject to the following regulations.~~

~~—(a) Outdoor operations shall not be located between a building line and a bufferyard.~~

~~——(b) Outdoor operations shall not be located in a required yard or required bufferyard.~~

~~——(c) Outdoor operations shall not be located so as to interfere or conflict with walks, required parking areas, required loading areas, driveways, interior access drives, interior access driveways, perimeter landscape yards or foundation plantings.~~

~~——(d) Vending machines shall abut the exterior wall of a building and shall not be located in a required yard or required bufferyard.~~

~~——(8) Landscape requirements. See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord. 08-2018, passed 3-12-2018)~~

~~2.11C ARCHITECTURAL REVIEW.~~

~~——If any portion of a lot proposed for development is located in the GC District and within 600 feet of a residential district or Gateway Corridor, the entire proposed development located on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord. 08-2018, passed 3-12-2018)~~

~~2.11D DEVELOPMENT INCENTIVES.~~

~~——Any proposed development located in the GC District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord. 08-2018, passed 3-12-2018)~~

ARTICLE 2.12. I-1: RESEARCH/OFFICE INDUSTRIAL

2.12 INTENT.

The Research/Office Industrial Districts are established to promote the development of research facilities, testing laboratories and administrative facilities that are office-like in physical appearance and service requirements. This district is used as a transitional use or buffer between residential areas and more intense industrial uses.

(Ord. 21-97, passed - -1997; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)

2.12A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
- ~~—(3) *Accessory uses.* See Article IV.~~
- ~~—(4) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord. 36-2022, passed 10-10-2022)~~

2.12B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—(1) *Minimum lot width and frontage.* Each lot, integrated center or industrial park shall have a minimum of 75 feet on a public street.~~
- ~~—(2) *Minimum yards and minimum building setbacks.*~~
 - ~~—(a) *Front.* A minimum front yard and minimum building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~30 ft.~~
~~Secondary arterial street~~	~~30 ft.~~

- ~~—(b) *Minimum side yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum side bufferyard~~	~~25 ft.~~
~~Minimum side yard~~	~~10 ft.~~

~~—(c) *Minimum rear yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum rear bufferyard~~	~~25 ft.~~
~~Minimum rear yard~~	~~10 ft.~~

~~—(3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) *Minimum front yards and minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV; and~~

~~—(c) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(4) *Maximum building height.* 35 feet.~~

~~—(5) *Parking and loading.* See Article IV.~~

~~—(6) *Signs.* See Article VII.~~

~~—(7) *Outside storage and operations.* All storage, servicing and operations, except for parking and loading, shall be conducted within completely enclosed buildings.~~

~~—(8) *Landscape requirements.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

~~2.12C ARCHITECTURAL REVIEW.~~

~~—If any portion of a lot proposed for development is located in the I-1 District and within 600 feet of a residential district or Gateway Corridor, the entire proposed development located on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

~~(Ord. 21-97, passed --1997; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

~~2.12D DEVELOPMENT INCENTIVES.~~

~~—Any proposed development located in the I-1 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.13. I-2: OFFICE/WAREHOUSE DISTRIBUTION

2.13 INTENT.

The I-2: Office/Warehouse Distribution Districts are established to encourage the development of office/warehouse, warehouse/distribution, wholesale and assembly business establishments which are: clean, quiet, free of hazardous or objectionable elements such as noise, odor, dust, smoke or glare; operated entirely within enclosed structures; and which require reasonable access to arterial streets or collector streets. This District is designed as a transitional use between manufacturing uses and other less intense business uses.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)

2.13A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~

~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix —(3) *Accessory uses.* See Article IV.~~

~~—(4) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord 36-2022, passed 10-10-2022)~~

2.13B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) *Minimum lot width and frontage.* Each lot, integrated center or industrial park shall have a minimum of 100 feet on a public street.~~

~~—(2) *Minimum yards and minimum building setbacks.*~~

~~—(a) *Front.* A minimum front yard and minimum building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~60 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~120 ft.~~
~~Secondary arterial street~~	~~90 ft.~~

~~—(b) *Minimum side yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum side bufferyard~~	~~50 ft.~~
~~Minimum side yard~~	~~10 ft.~~

~~—(c) *Minimum rear yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum rear bufferyard~~	~~50 ft.~~
~~Minimum rear yard~~	~~10 ft.~~

- ~~— (3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~
 - ~~— (a) *Minimum front yards and minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~
 - ~~— (b) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV; and~~
 - ~~— (c) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~
- ~~— (4) *Maximum building height.* 75 feet, provided however, that the setback for that portion of the building or structure which is in excess of 35 feet shall be increased by one foot each one foot of building or structural height above 35 feet until the ultimate height of 75 feet is allowed.~~
- ~~— (5) *Parking and loading.* See Article IV.~~
- ~~— (6) *Signs.* See Article VII.~~
- ~~— (7) *Outside storage and operations.*~~
 - ~~— (a) *Operations.* All operations, servicing and processing located within 600 feet of either a residential district boundary or Gateway Corridor (except outside storage, off-street parking and off-street loading) shall be conducted within completely enclosed buildings.~~
 - ~~— (b) *Storage.* All storage of materials or products within 600 feet of a residential district boundary or Gateway Corridor shall be either:~~
 - ~~— 1. Within completely enclosed buildings; or~~
 - ~~— 2. Effectively screened within a chain link, lattice or similar type fenced area, with ornamental, non-solid or chain link gates. The height of said fence shall be at least six feet and shall not exceed eight feet. Materials or products stored within the enclosure shall not exceed the height thereof. The storage area shall be~~

~~surrounded by landscaping installed in compliance with the provisions of Article IV for Level 3 Perimeter Landscape Requirements.~~

~~—(c) Amount of outside storage and operations. The total area devoted to outside storage and operations shall not exceed 10% of the gross floor area of enclosed structures or buildings on the lot.~~

~~—(8) Landscape requirements. See Article IV.~~

~~(Ord. 21-97, passed 1997; Ord. 3-2000, passed 2000; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

2.13C ARCHITECTURAL REVIEW.

~~—If any portion of a lot proposed for development is located in the I-2 District and within 600 feet of a residential district or Gateway Corridor, the entire proposed development located on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

~~(Ord. 21-97, passed 1997; Ord. 3-2000, passed 2000; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

2.13D DEVELOPMENT INCENTIVES.

~~—Any proposed development located in the I-2 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed 1997; Ord. 3-2000, passed 2000; Ord. 39-2006, passed 10-9-2006; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.14. I-3: LIGHT MANUFACTURING

2.14 INTENT.

The I-3: Light Manufacturing Districts are established to encourage development of manufacturing and processing facilities which may require limited amounts of outside storage. These activities require extensive community facilities, and excellent access to arterial streets or collector streets. Permitted uses in this District may have outdoor storage/service areas and may generate heavy traffic, but such operations shall be subject to specific development standards.

(Ord. 21-97, passed - 1997; Ord. 3-2000, passed - 2000; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)

2.14A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(1) Primary uses. See Article 14.1 Land Use Matrix—~~

~~(2) Special exception uses. See Article 14.1 Land Use Matrix~~

~~—(3) Accessory uses. See Article IV.~~

~~—(4) Temporary uses. See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013; Ord 36-2022, passed 10-10-2022)~~

2.14B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) Minimum lot width and frontage. Each lot, integrated center or industrial park shall have a minimum of 150 feet on a public street.~~

~~—(2) Minimum yards and minimum building setbacks.~~

~~—(a) Front. A minimum front yard and minimum building setback measured from the proposed right-of way shall be provided as follows:~~

~~-~~

~~Collector street~~	~~60 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~120 ft.~~
~~Secondary arterial street~~	~~90 ft.~~

~~-~~

~~—(b) Minimum side yard and setback. Shall be provided from the lot line as follows:~~

~~-~~

~~Minimum side bufferyard~~	~~100 ft.~~
~~Minimum side yard~~	~~10 ft.~~

~~-~~

~~—(c) *Minimum rear yard and setback.* Shall be provided from the lot line as follows:~~

~~-~~

~~Minimum rear bufferyard~~	~~100 ft.~~
~~Minimum rear yard~~	~~10 ft.~~

~~-~~

~~—(3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) *Minimum front yards and minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV; and~~

~~—(c) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(4) *Maximum building height.* Unlimited, provided however, that the setback for that portion of the building or structure which is in excess of 35 feet shall be increased by one foot each one foot of building or structural height above 35 feet until the ultimate height of building or structure is allowed.~~

~~—(5) *Parking and loading.* See Article IV.~~

~~—(6) *Signs.* See Article VII.~~

~~—(7) *Outside storage and operations.*~~

~~—(a) *Operations.* All operations, servicing and processing located within 600 feet of either a residential district boundary or Gateway Corridor~~

~~(except outside storage, off-street parking and off-street loading) shall be conducted within completely enclosed buildings.~~

~~—(b) *Storage.* All storage of materials or products within 600 feet of a residential district boundary or Gateway Corridor shall be either:~~

~~—1. Within completely enclosed buildings; or~~

~~—2. Effectively screened within a chain link, lattice or similar type fenced area, with ornamental, non-solid or chain link gates. The height of said fence shall be at least six feet and shall not exceed eight feet. Materials or products stored within the enclosure shall not exceed the height thereof. The storage area shall be surrounded by landscaping installed in compliance with the provisions of Article IV for Level 3 Perimeter Landscape Requirements.~~

~~—(c) *Amount of outside storage and operations.* The total area devoted to outside storage and operations shall not exceed 25% of the gross floor area of enclosed structures or buildings on the lot.~~

~~—(8) *Landscape requirements.* See Article IV.~~

~~(Ord. 21-97, passed 1997; Ord. 3-2000, passed 2000; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

~~2.14C ARCHITECTURAL REVIEW.~~

~~—If any portion of a lot proposed for development is located in the I-3 District and within 600 feet of a residential district or Gateway Corridor, the entire proposed development located on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

~~(Ord. 21-97, passed 1997; Ord. 3-2000, passed 2000; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

~~2.14D DEVELOPMENT INCENTIVES.~~

~~—Any proposed development located in the I-3 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed 1997; Ord. 3-2000, passed 2000; Ord. 18-2010, passed 11-22-2010; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.15. I-4: HEAVY MANUFACTURING

2.15 INTENT.

The I-4: Heavy Manufacturing Districts are established to encourage development of heavy manufacturing and processing facilities which may require substantial amounts of outside storage. These activities require extensive community facilities, and excellent access to arterial streets or collector streets. Permitted uses in this District may have extensive outdoor storage/service areas and may generate heavy traffic, but such operations shall be subject to specific development standards. The permitted uses provided for in this District should never be located in close proximity to residential areas.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 04-2013, passed 2-25-2013)

2.15A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~(1) Primary uses. See Article 14.1 Land Use Matrix~~
- ~~—(2) Special exception uses. See Article 14.1 Land Use Matrix~~
- ~~—(3) Accessory uses. See Article IV.~~
- ~~—(4) Temporary uses. See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 04-2013, passed 2-25-2013; Ord. 36-2022, passed 10-10-2022)~~

2.15B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—(1) Minimum lot width and frontage. Each lot, integrated center or industrial park shall have a minimum of 150 feet on a public street.~~
- ~~—(2) Minimum yards and minimum building setbacks.~~
 - ~~—(a) Front. A minimum front yard and minimum building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~60 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~120 ft.~~
~~Secondary arterial street~~	~~90 ft.~~

~~—(b) Minimum side yard and setback. Shall be provided from the lot line as follows:~~

~~Minimum side bufferyard~~	~~150 ft.~~
~~Minimum side yard~~	~~20 ft.~~

~~—(c) Minimum rear yard and setback. Shall be provided from the lot line as follows:~~

~~Minimum rear bufferyard~~	~~150 ft.~~
~~Minimum rear yard~~	~~20 ft.~~

~~—(3) Use of minimum yards and bufferyards. All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) Minimum front yards and minimum front bufferyards. May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) Minimum side and rear yards. Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV; and~~

~~—(c) Minimum side and rear bufferyards. Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(4) *Maximum building height.* Unlimited, provided however, that the setback for that portion of the building or structure which is in excess of 35 feet shall be increased by one foot each one foot of building or structural height above 35 feet until the ultimate height of building or structure is allowed.~~

~~—(5) *Parking and loading.* See Article IV.~~

~~—(6) *Signs.* See Article VII.~~

~~—(7) *Outside storage and operations.*~~

~~—(a) *Operations.* All operations, servicing and processing located within 600 feet of either a residential district boundary or Gateway Corridor (except outside storage, off-street parking and off-street loading) shall be conducted within completely enclosed buildings.~~

~~—(b) *Storage.* All storage of materials or products within 600 feet of a residential district boundary or Gateway Corridor shall be either:~~

~~—1. Within completely enclosed buildings; or~~

~~—2. Effectively screened within a chain link, lattice or similar type fenced area, with ornamental, non-solid or chain link gates. The height of said fence shall be at least six feet and shall not exceed eight feet. Materials or products stored within the enclosure shall not exceed the height thereof. The storage area shall be surrounded by landscaping installed in compliance with the provisions of Article IV for Level 4 Perimeter Landscape Requirements.~~

~~—(c) *Amount of outside storage and operations.* The total area devoted to outside storage and operations shall not exceed 50% of total lot area.~~

~~—(8) *Landscape requirements.* See Article IV.~~

~~(Ord. 21-97, passed 1997; Ord. 3-2000, passed 2000; Ord. 04-2013, passed 2-25-2013)~~

~~2.15C ARCHITECTURAL REVIEW.~~

~~—If any portion of a lot proposed for development is located in the I-4 District and within 600 feet of a residential district or Gateway Corridor, the entire proposed development located on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

~~{Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 04-2013, passed 2-25-2013}~~

~~2.15D DEVELOPMENT INCENTIVES.~~

~~—Any proposed development located in the I-4 District shall be eligible to utilize the development incentives set forth in Article V of this ordinance.~~

~~(Ord. 21-97, passed --1997; Ord. 3-2000, passed --2000; Ord. 04-2013, passed 2-25-2013)~~

ARTICLE 2.16. AG: AGRICULTURE DISTRICT

2.16 INTENT.

The AG: Agriculture Districts are established to include land being used for agricultural activities, floodplain and other rural uses, located near the periphery of the jurisdictional boundary, which is not expected to develop for intensive urban or suburban uses within the near future. It is the intent of this District to allow agricultural uses, to conserve the desirable characteristics of the land, to preserve prime agriculture land, and to protect the open area from the encroachment of scatter urban-type uses that may inhibit the overall development of the community in accordance with the Comprehensive Plan.

(Ord. 21-97, passed - -1997; Ord. 8-2001, passed 7-9-2001)

2.16A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
- ~~—(3) *Accessory uses.* See Article IV.~~
- ~~—(4) *Home occupations.* See Article IV.~~
- ~~—(5) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 8-2001, passed 7-9-2001; Ord. 07-2020, passed 4-13-2020; Ord 36-2022, passed 10-10-2022)~~

2.16B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~—(1) *Minimum lot area.* Five acres.~~
- ~~—(2) *Minimum lot width.* 300 feet.~~
- ~~—(3) *Minimum lot frontage.* 300 feet on a public street and gain direct access from said public street.~~

~~—(4) Maximum lot coverage. 10%.~~

~~—(5) Maximum lot depth to width ratio. Four to one.~~

~~—(6) Minimum yards and building setbacks.~~

~~—(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~80 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~60 ft.~~
~~Secondary arterial street~~	~~40 ft.~~

~~—(b) Side. A minimum side yard of 50 feet shall be provided along all side lot lines.~~

~~—(c) Rear. A minimum rear yard shall be provided along all rear lot lines as follows:~~

~~Agricultural building~~	~~150 ft.~~
~~Residential accessory building~~	~~50 ft.~~
~~Residential primary building~~	~~50 ft.~~

~~—(7) Maximum building height.~~

~~—(a) Primary building. 35 feet.~~

~~—(b) Accessory building. 25 feet.~~

- ~~—— (c) *Agricultural building.* Unlimited, provided that for each additional foot over 50 feet in height, one additional foot shall be added to the minimum yard and building setback requirements.~~
- ~~—— (8) *Minimum main floor area.* The minimum main floor area of the primary building, exclusive of garage, carport, deck, patio and open porches:~~
 - ~~—— (a) *One-story building.* 1,200 square feet; and~~
 - ~~—— (b) *Two or more story building.* 800 square feet, provided, that the total finished floor area shall be at least 1,200 square feet.~~
- ~~—— (9) *Off-street parking.* Each dwelling unit shall be provided with at least two off-street parking spaces.~~
- ~~—— (10) *Signs.* See Article VII.~~

~~(Ord. 21-97, passed --1997; Ord. 8-2001, passed 7-9-2001)~~

ARTICLE 2.17. R-U: URBAN RESIDENTIAL DISTRICT

2.17 INTENT.

The R-U: Urban Residential District is established to protect, promote and maintain the development of downtown, urban style dwellings and to provide for limited public and institutional uses that are compatible with a residential neighborhood. The development standards are designed to promote the establishment of residential dwelling projects (including single-family dwelling, two-family dwelling, apartment, townhouse or row house style developments) in developed areas near the Town Center or other appropriate “village” settings and which are served by a full range of public amenities.

~~(Ord. 21-97, passed - -1997; Ord. 32-2005, passed 5-9-2005)~~

2.17A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—— (1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—— (2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
 - ~~—— (3) *Accessory uses.* See Article IV.~~
 - ~~—— (4) *Home occupations.* See Article IV.~~
 - ~~—— (5) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed --1997; Ord. 32-2005, passed 5-9-2005; Ord. 07-2020, passed 4-13-2020; Ord 36-2022, passed 10-10-2022)~~

2.17B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

—All uses permitted in the R-U District shall conform to the following development standards:

- (1) ~~Utilities.~~ Connection to public water and public sanitary sewer facilities shall be mandatory for development in this District.
- (2) ~~Minimum project frontage.~~ 50 feet on a public street and gain access from said public street or an abutting alley.
- (3) ~~Minimum setbacks and perimeter yard requirements.~~ A minimum setback and perimeter yard shall be provided along all property lines of the project as follows:
 - (a) ~~Front.~~ A minimum front yard and minimum building setback measured from the greater of the proposed right-of-way or existing right-of-way shall be provided as follows:

	<i>Minimum</i>	<i>Maximum</i>
Collector street	5 ft.	25 ft.
Interstate street	60 ft.	NA
Local/cul-de-sac street	5 ft.	25 ft.
Primary arterial street	30 ft.	NA
Secondary arterial street	30 ft.	NA

- (b) ~~Side.~~ A minimum side yard shall be provided along all side lot lines as follows:

Accessory building	6 ft.
Nonresidential uses	15 ft.
Residential uses	6 ft.

~~—(c) *Rear.* A minimum rear yard shall be provided along all rear lot lines as follows:~~

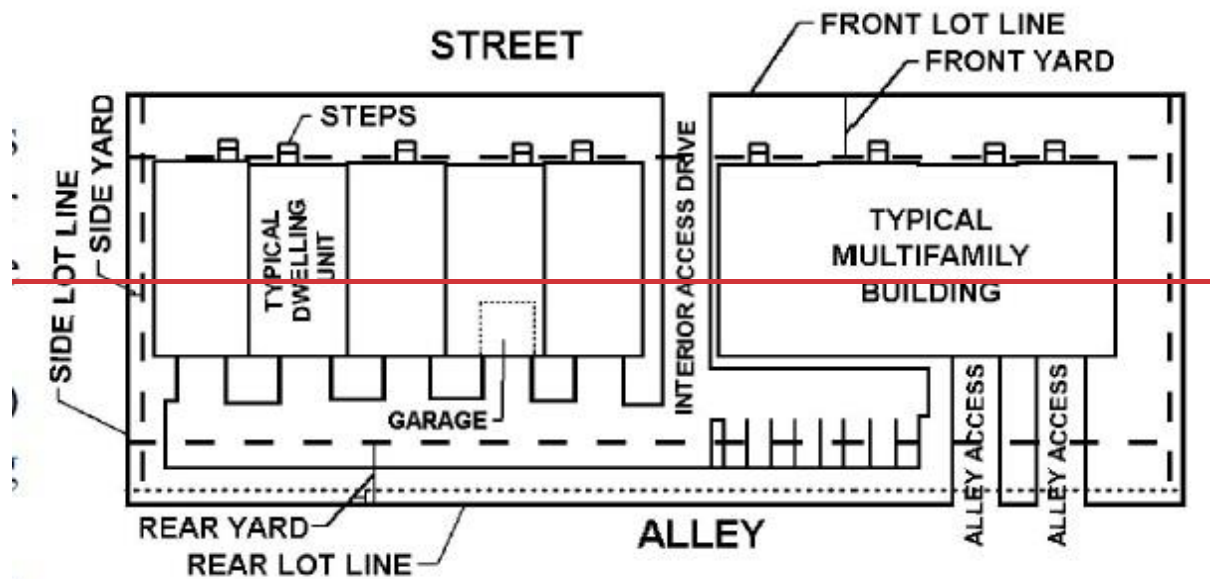
~~Accessory building~~	~~5 ft.~~
~~Primary building~~	~~25 ft.~~

~~—(4) *Use of minimum yards.* All minimum yards shall be landscaped in compliance with the requirements for perimeter yard landscaping as set forth in Article 4.7 - Landscape Provisions of this ordinance and shall remain free from buildings or structures except where expressly permitted below:~~

~~—(a) *Minimum front yards.* May include: driveways; walkways with a maximum width of up to six feet; or front stairs, stoops, patios or open balconies which project no more than ten feet from the building, but shall not encroach into any public right-of-way, and shall otherwise be maintained as open space free from buildings or structures;~~

~~—(b) *Minimum side yards.* Shall be maintained as open space free from buildings or structures; and~~

~~—(c) *Minimum rear yards.* May include: driveways; walkways; parking areas; interior access drives; and interior access driveways, and shall otherwise be maintained open space free from buildings or structures.~~



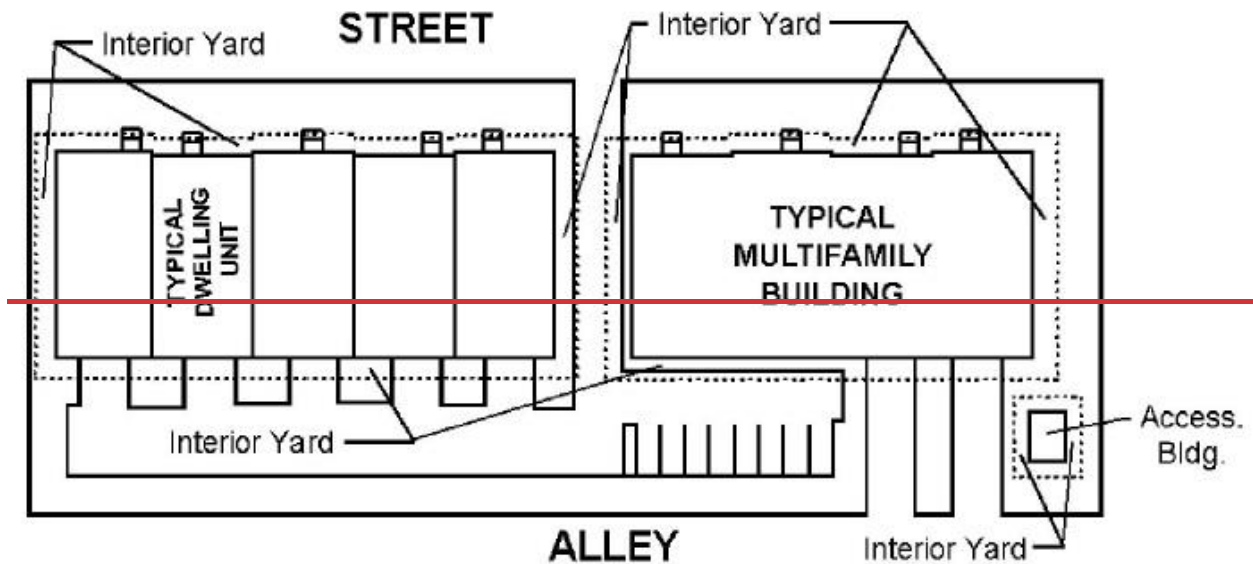
~~—(5) Minimum interior yards. In projects containing two or more buildings, interior yards between buildings shall be provided as follows:~~

- ~~—(a) Around buildings containing dwelling units: six feet;~~
- ~~—(b) Around accessory buildings, structures or uses: five feet;~~
- ~~—(c) Interior yards shall be measured perpendicular to the building or structure at all points;~~
- ~~—(d) The distance between buildings or structures shall be the sum of each applicable minimum interior yard; and~~
- ~~—(e) Interior yards shall not overlap any lot line.~~

~~—(6) Use of interior yards.~~

- ~~—(a) Around buildings containing dwelling units, required interior yards may be used for: open space; foundation landscaping; walkways with a maximum width of six feet; interior access drives leading to parking areas located between the rear lot line and the rear building line; interior access drives leading to overhead garage doors; or open balconies, uncovered porches and patios which do not project more than five feet into the required interior yard.~~
- ~~—(b) Around accessory buildings or uses, required interior yards may be used for: open space; foundation landscaping; walkways; or~~

~~interior access drives leading to parking spaces or overhead garage doors.~~



~~(7) Maximum building height.~~

~~(a) Primary building. 40 feet, but not to exceed three stories containing a dwelling unit.~~

~~(b) Accessory buildings or structures. The lesser of 25 feet or the height of the primary building.~~

~~(8) Landscaping. See Article 4.7 – Landscape Provisions.~~

~~(9) Lighting. See Article 4.9 – Lighting Standards.~~

~~(10) Signs. See Article VII – Sign Regulations.~~

~~(11) Parking. See Article 4.10 – Off-Street Parking Regulations.~~

~~(12) Loading. See Article 4.11 – Off-Street Loading Regulations.~~

~~(13) Greenway connection required. If the project abuts any portion of a greenway, a direct linkage from the project to such greenway shall be provided.~~

~~(14) Requirements for all private streets, interior access driveways and interior access drives for multi-family dwelling projects. Individual buildings~~

~~and dwelling units located within a multi-family dwelling project may be served by private streets, interior access driveways and interior access drives developed in compliance with the standards set forth in Article 4.13 -Requirements for All Private Streets and Private Alleys of this ordinance.~~

~~—(15) *Development standards for single-family dwellings.*~~

~~—(a) *On individual lots.* Notwithstanding anything in this R-U District to the contrary, a freestanding single-family dwelling which is located on an individual lot and which is not as part of a larger multi-family project shall be subject to the applicable development standards of the R-4 District.~~

~~—(b) *Part of a larger multi-family dwelling project.* Notwithstanding anything in this R-U District to the contrary, a single-family dwellings which is interspersed with and located as part of a larger multi-family project shall comply with all the development standards specified in this Article 2.17B -Development Standards.~~

~~—(16) *Development standards for two-family dwellings.*~~

~~—(a) *On individual lots.* Notwithstanding anything in this R-U District to the contrary, a freestanding two-family dwelling which is located on an individual lot and which is not as part of a larger multi-family project shall be subject to the applicable development standards of the R-5 District.~~

~~—(b) *Part of a larger multi-family dwelling project.* Notwithstanding anything in this R-U District to the contrary, a two-family dwelling which is interspersed with and located as part of a larger multi-family project shall comply with all the development standards specified in this Article 2.17B -Development Standards.~~

~~{Ord. 21-97, passed --1997; Ord. 32-2005, passed 5-9-2005}~~

~~**2.17C ARCHITECTURAL REVIEW.**~~

~~—(1) *Town Center Neighborhood.* All lots located in the R-U: Urban Residential District when located within the “Town Center Neighborhood” as designated in the Town Center Plan shall be subject to the requirements for: the filing of a development plan for architectural and site design review; and compliance with the development requirements, both as set forth in Article 5.6.~~

~~—(2) *All other locations.* Multi-family dwelling projects located on a lot located in the R-U: Urban Residential District in other areas of the town shall be subject to the requirements for: the filing of a development plan for architectural and site design review as set forth in Article 5.6.; and~~

~~compliance with the development requirements, as set forth in Article 5.6C(2) Multi-family.~~

~~(Ord. 21-97, passed 1997; Ord. 32-2005, passed 5-9-2005)~~

ARTICLE 2.18. MU: MIXED USE DISTRICT**RESERVED**

2.18 INTENT.

~~The MU Mixed Use District is established to promote the development of an urban environment. The regulations are intended to encourage mixed use development that includes low intensity retail/commercial or office uses adjacent to or in combination with residential uses. The development standards in this District are designed to: promote a residential friendly urban character of development; encourage the maintenance and renovation of historic structures; encourage a pedestrian oriented design throughout the District; and, maintain an appropriate pedestrian scale, massing and relationship between buildings and structures within the District.~~

~~(Ord. 21-97, passed 1997; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)~~

~~(Ord. 21-97, passed 1997; Ord. 32-2005, passed 5-9-2005)~~

2.18A PERMITTED USES. ~~(1) *Primary uses.* See Article 14.1 Land Use Matrix~~

~~(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~

~~(3) *Accessory uses.* See Article IV.~~

~~(4) *Home occupations.* See Article IV.~~

~~(5) *Temporary uses.* See Article IV.~~

~~(Ord. 21-97, passed 1997; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019; Ord. 07-2020, passed 4-13-2020; Ord 36-2022, passed 10-10-2022)~~

2.18B DEVELOPMENT STANDARDS.

~~(1) *Minimum lot width and frontage.* Each lot or integrated center shall have a minimum lot width and frontage on a public street of 30 feet.~~

~~(2) *Yards and building setbacks.*~~

~~(a) *Front.*~~

~~1. A front yard and building setback measured from the greater of the proposed right-of-way or existing right-of-way shall be~~

provided as follows (see Article 5.6C(3)(a) for additional regulations):

	<i>Minimum</i>	<i>Maximum</i>
Collector street	5 ft.	10 ft.
Interstate street	60 ft.	NA
Local/cul-de-sac street	5 ft.	10 ft.
Primary arterial street	30 ft.	NA
Secondary arterial street	30 ft.	NA

2. Provided, however, on all collector streets, local streets and cul-de-sac streets, parking areas and interior access drives shall not be located in front of the maximum setback.

(b) *Minimum side yard and setback.* The minimum side yard and setback for all integrated centers and single use sites shall be as follows:

Minimum side bufferyard	15 ft.
Minimum side yard	5 ft.

(c) *Minimum rear yard and setback.* The minimum rear yard and setback for all integrated centers and single use sites shall be as follows:

Minimum rear bufferyard	15 ft.
Minimum rear yard	10 ft.

- ~~—— (d) *Minimum yards for out lots.* All lots which are part of an integrated center shall be considered out lots. Out lots within an integrated center shall not be required to provide a minimum side yard or minimum rear yard along lot lines in common with other out lots. If any portion of an out lot abuts the perimeter of an integrated center, that portion of the out lot shall be required to comply with the applicable minimum front yard, minimum side yard or minimum rear yard requirements set forth above.~~
- ~~—— (3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped in compliance with the requirements for perimeter yard landscaping as set forth in Article 4.7 – Landscape Provisions of this ordinance and shall remain free from structures except where expressly permitted below.~~
 - ~~—— (a) *Minimum front yards.*~~
 - ~~—— 1. *Along all interstate streets, primary arterial streets or secondary arterial streets.* May include: parking areas, loading areas, interior access drives, or interior access driveways, provided that no portion of such area may be located closer to the right-of-way than 15 feet; or signs as regulated by Article VII – Sign Regulations of this ordinance, and shall be otherwise maintained as open space free from buildings or structures; and~~
 - ~~—— 2. *Along all collector streets, local streets or cul-de-sac streets.* May include: driveways; signs as regulated by Article VII – Sign Regulations of this ordinance; or plazas developed in compliance with Article 5.6C (3)(a).~~
 - ~~—— (b) *Minimum front bufferyards.* May include: driveways; or signs as regulated by Article VII – Sign Regulations of this ordinance, and shall otherwise be maintained as open space free from buildings or structures;~~
 - ~~—— (c) *Minimum side yards and rear yards.* May include driveways, interior access driveways, parking areas, loading areas, walkways or other pedestrian way connections to adjoining lots, provided that the remainder of said yards shall be maintained as opens space free from buildings or structures; and~~
 - ~~—— (d) *Minimum side bufferyards and rear bufferyards.* May include walkways or other pedestrian way connections to adjoining residential areas provided that the remainder of said yards shall otherwise be maintained as open space free from buildings or structures.~~
- ~~—— (4) *Maximum building height.* 40 feet; not to exceed three stories.~~

- ~~— (5) *Maximum gross floor area.* For any use listed under the following headings, no single use, whether freestanding or contained in an integrated center, shall exceed 5,000 square feet of gross floor area:
 - ~~— (a) Clothing service~~
 - ~~— (b) Food sales and service;~~
 - ~~— (c) Miscellaneous;~~
 - ~~— (d) Personal services;~~
 - ~~— (e) Recreation; and~~
 - ~~— (f) Retail.~~~~
- ~~— (6) *Landscaping.* See Article 4.7 – Landscape Provisions.~~
- ~~— (7) *Lighting.* See Article 4.9 – Lighting Standards.~~
- ~~— (8) *Signs.* See Article VII – Sign Regulations.~~
- ~~— (9) See Article 4.10 – Off-Street Parking Regulations~~
- ~~— (10) *Loading.* See Article 4.11 – Off-Street Loading Regulations.~~
- ~~— (11) *Non-Motorized Transportation and Access.* See Article 4.1H~~
- ~~— (12) *Outdoor operations.* All uses and operations (except off-street parking, off-street loading and delivery and walk-up customer service windows) shall be conducted completely within enclosed buildings, except where expressly permitted below:
 - ~~— (a) Outdoor seating for restaurants provided that such outdoor seating:
 - ~~— 1. Shall not be located in any street right-of-way;~~
 - ~~— 2. Shall be permitted only along the business' tenant bay or storefront facade; and~~
 - ~~— 3. Shall not block an entrance or exit to or from the business or building.~~~~
 - ~~— (b) Outdoor display or sales of merchandise:
 - ~~— 1. Shall not be located in any street right-of-way;~~
 - ~~— 2. Shall be located against the building facade;~~~~~~

- ~~———— 3. Shall be permitted only along the business' tenant bay or storefront facade;~~
- ~~———— 4. Shall not block an entrance or exit to or from the business or building;~~
- ~~———— 5. Shall not exceed 10% of the gross floor area of each non-related and separately operated use; and~~
- ~~———— 6. Shall be permitted only during the hours of operation of the business and shall be removed at the close of each business day.~~
- ~~———— (c) Walk-up customer service windows or automated teller machines (ATMs), provided that such facilities are not freestanding and are set flush with the facade of the building.~~
- ~~———— (d) Vending machines, provided that vending machines:~~
 - ~~———— 1. Shall abut the exterior wall of the building; and~~
 - ~~———— 2. Shall not be located in a required yard or required bufferyard.~~
- ~~———— (13) Development standards for single-family dwellings.~~
 - ~~———— (a) On individual lots. Notwithstanding anything in this MU District to the contrary, a single-family dwelling which is located on an individual lot shall be subject to the development standards of the R-4 District.~~
 - ~~———— (b) Part of a larger multi-family dwelling project. Notwithstanding anything in this MU District to the contrary, a single-family dwelling which is part of a larger multi-family dwelling project shall be subject to the development standards of the R-U District.~~
- ~~———— (14) Development standards for two-family dwellings.~~
 - ~~———— (a) On individual lots. Notwithstanding anything in this MU District to the contrary, a two-family dwelling which is located on an individual lot and which is not part of a larger multi-family dwelling project shall be subject to the development standards of the R-5 District applicable to a two-family dwelling.~~
 - ~~———— (b) Part of a larger multi-family dwelling project. Notwithstanding anything in this MU District to the contrary, a two-family dwelling which is part of a larger multi-family dwelling project shall be subject to the development standards of the R-U District.~~

~~—(15) Additional development standards for dwelling units in mixed-use buildings. Dwelling units in mixed-use buildings in the MU: Mixed Use District shall be located on the upper stories of buildings, or first floor with a business, unless authorized by the approval of a development incentive.~~

~~(Ord. 21-97, passed --1997; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)~~

~~2.18C ARCHITECTURAL REVIEW.~~

~~—All lots located in the MU: Mixed Use District when located within the “Town Center Neighborhood” as designated in the Town Center Plan shall be subject to the requirements for: the filing of a development plan for architectural and site design review; and compliance with the development requirements, both as set forth in Article V.~~

~~(Ord. 21-97, passed --1997; Ord. 32-2005, passed 5-9-2005)~~

~~2.18D DEVELOPMENT INCENTIVES.~~

~~—Any proposed development located in the MU: Mixed Use District shall be eligible to utilize the development incentives set forth in Article 5.6 of this ordinance.~~

~~(Ord. 04-2019, passed 1-14-2019)~~

ARTICLE 2.19. AC: AUTOMOTIVE COMMERCIAL

2.19 INTENT.

The AC Automotive Commercial Districts are established to provide a location for uses that cater to the needs of automobiles and automobile users. Activities in this District are often large space users located along a primary arterial street and the perimeter parkway.

(Ord. 08-2020, passed 4-13-2020)

2.19A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(A) Primary uses. See Article 14.1 Land Use Matrix~~

~~—(B) Special exception uses. See Article 14.1 Land Use Matrix~~

~~—(C) Accessory uses. See Article IV.~~

~~—(D) Temporary uses. See Article IV.~~

~~(Ord. 08-2020, passed 4-13-2020, Ord 22-2022, passed 6-13-2022; Ord 36-2022, passed 10-10-2022)~~

2.19B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices and below.

~~—(A) *Minimum lot width and frontage.* Each lot or integrated center shall have a minimum lot width and frontage on a public street of 50 feet.~~

~~—(B) *Minimum yards and building setbacks.*~~

~~—(1) *Front.* A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Interstate street~~	~~60 feet~~
~~Primary arterial street~~	~~30 feet~~
~~Secondary arterial street~~	~~30 feet~~
~~Collector street~~	~~30 feet~~
~~Local street / cul-de-sac street~~	~~30 feet~~

~~—(2) *Minimum side yard and setback.* Shall be provided from the lot line as follows:~~

~~—(a) *Minimum side yard.* Ten feet.~~

~~—(b) *Minimum side bufferyard.* Twenty feet.~~

~~—(3) *Minimum rear yard and setback.* Shall be provided from the lot line as follows:~~

~~—(a) *Minimum rear yard.* Ten feet.~~

~~—(b) *Minimum rear bufferyard.* Twenty feet.~~

~~—(4) *Minimum yards for out lots.* Out lots within an integrated center shall provide a minimum yard of five feet along all lot lines in common with other out lots or with the main portion of the integrated center. If any portion of an out lot abuts the perimeter of the integrated center, that portion of the out lot shall be required to comply with the applicable minimum front, side, or rear yard requirements set forth above. The main portion of the integrated center shall not be required to provide a minimum yard along the lot line in common with an out lot.~~

~~—(C) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery, or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(1) *Minimum front yards.* May include driveways and parking areas (provided that no portion of the parking area may be located closer to the right-of-way than ten feet; except for minimum front yards abutting the Ronald Reagan parkway or a frontage street parallel to the Ronald Reagan parkway, where parking areas shall be prohibited) and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(2) *Minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(3) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(4) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees, or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(D) *Maximum building height.* Seventy-five feet.~~

~~—(E) *Parking and loading.* See Article IV.~~

~~—(F) *Signs.* See Article VII.~~

~~—(G) *Outdoor operations.* Outdoor operations, including the display of goods or materials for sale, lease or rental may be conducted subject to the following regulations:~~

~~—(1) Outdoor operations shall not be located between a building line and a bufferyard.~~

~~—(2) Outdoor operations shall not be located in a required yard or required bufferyard.~~

~~—(3) Outdoor operations shall not be located so as to interfere or conflict with walks, required parking areas, required loading areas, driveways,~~

~~interior access drives, interior access driveways, perimeter landscape yards or foundation plantings.~~

~~—(4) Vending machines shall abut the exterior wall of a building and shall not be located in a required yard or required bufferyard.~~

~~—(H) Landscape requirements. See Article IV.~~

(1) *Lighting.* Maximum height of lighting fixtures is limited based upon abutting properties.

(1) If any lots zoned or utilized for residential are abutted: Fifteen feet.

(2) If no lot zoned or utilized for residential are abutted: Twenty feet.

(Ord. 08-2020, passed 4-13-2020)

~~2.19C ARCHITECTURAL REVIEW.~~

~~—If any portion of a lot proposed for development is located in the AC District and within 600 feet of a residential district or gateway corridor, the entire proposed development located on that lot shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

(Ord. 08-2020, passed 4-13-2020)

ARTICLE 2.20 RF: RESIDENTIAL FLEX

A. Intent. The RF: Residential Flex Districts are established to promote and maintain the ability to mix differing types of residential dwelling unit types within a cohesive development. The intent is not to create enclaves of these types of developments, rather to allow to exist in a more organic, traditional manner.

B. Permitted Uses. See Article 14.1: Land Use Matrix

C. Development Standards. See Article 14.2 Development Standards Matrices

D. Master Plan Requirements. See Article 6.2 and the following: Master Plan Petition must include the following documents:

1. Primary Plat that demonstrates that at least one (1) type of permitted use building that can be built on every lot without requiring relief from the Zoning Ordinance.
2. Listing of standards that have been modified or created in cases where such modification or creation is permitted.
3. Either a Development Plan for the areas without single family residential or a concept plan during the Master Plan Process with the requirement of a development plan approval.

ARTICLE 2.21 RI: RESIDENTIAL INFILL (MULTIFAMILY)

A. Intent. The RI: Residential Infill (Multifamily) Districts are established to allow for more urbanized, higher density residential uses in both infill lots and also areas where a more

spread out development pattern is not desirable. The intent is to create a more vertical development with emphasis placed on the relationship of the development to the built and natural environment.

B. Permitted Uses. See Article 14.1: Land Use Matrix

C. Development Standards. See Article 14.2 Development Standards Matrices

ARTICLE 3.1. NOISE OVERLAY DISTRICT

3.1A PURPOSE.

The purpose of this District is to establish a Noise Overlay Zoning District within the town.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1B SPECIAL DEFINITIONS. RESERVED

~~—As used in this Article only, the following terms shall be defined as set forth below. All other terms shall have the meaning set forth in Article XIII, Definitions.~~

~~—**DAY-NIGHT SOUND LEVEL (LDN).** A cumulative aircraft noise index which estimates the exposure to aircraft noise and relates the estimated exposure to an expected community response. The **DAY-NIGHT SOUND LEVEL** noise metric assesses a ten decibel (dB) penalty to all noise events occurring between 10:00 p.m. and 7:00 p.m.~~

~~—**LDN CONTOUR.** A line linking together a series of points of equal cumulative noise exposure based on the Ldn metric. **LDN CONTOURS** are developed based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft and typical runway usage patterns.~~

~~—**NAVIGABLE AIRSPACE.** The airspace above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, 101(24), 49 U.S.C. 11, including the airspace needed to ensure safety in the take-off and landing of aircraft.~~

(Ord. 21-97, passed --1997; Ord. 10-2010, passed 7-26-2010)

3.1C NOISE COMPATIBILITY ZONES ESTABLISHED.

Noise compatibility zones for the area around Indianapolis International Airport are hereby established based on the Ldn contours for aircraft noise developed for conditions forecast to exist in 1996 with noise abated operating conditions.

- (1) *N-1 Zone.* The N-1 Zone generally corresponds to the area between the 65 and 70 Ldn contours.

(2) *N-2 Zone*: The N-2 Zone generally corresponds to the area within the 70 Ldn contour.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1D NOISE OVERLAY ZONE BOUNDARIES.

The boundaries of the Noise Overlay Zones are shown on the official zoning map. The boundaries generally correspond to the 65 and 70 Ldn contours prepared as part of the Indianapolis International Airport Noise Compatibility Plan. The N-1 and N-2 Zones are based on the 65 and 70 Ldn contours, as shown on the official zoning map.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1E NOTIFICATION OF NOISE COMPATIBILITY ZONES.

The plat of any subdivision located within the noise compatibility boundaries as described in Article 3.1D, and approved after the effective date of this ordinance, shall contain the following statement:

This subdivision is located within a Noise Compatibility Zone determined pursuant to Federal Aviation Regulation Part 150 with respect to Indianapolis International Airport. This subdivision will experience aircraft overflights and relatively high levels of noise resulting from such overflights.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1F USES EXPRESSLY PROHIBITED.

Land uses prohibited in the Noise Overlay Zones are: mobile homes; mobile home parks; hospitals; nursing homes; public and private educational services; auditoriums; concert halls; outdoor music facilities; and amphitheaters.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1G USES AVAILABLE AS SPECIAL USES.

Land uses that are allowed in the Noise Overlay Zones only after application for and approval of a special exception in accordance with the requirements for a special exception as provided for in Article 10.3 of this ordinance are: resorts; group camps; and campgrounds, provide, however, that such land uses are indicated as either a permitted use or special exception use in the primary zoning district.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1H SOUNDPROOFING REQUIRED.

(A) Soundproofing shall be required for all new residential uses in each of the Noise Overlay Zones. Soundproofing is required and no building permit shall be issued for new single-family, two-family or multi-family dwellings until the builder has demonstrated that the building design is capable of achieving the noise level reduction required in Table 3.1-A, Land Use Compatibility Standards. This requirement can be met in one of two ways as described in the following divisions:

(1) *Design standards.* The builder may choose to use a design that incorporates the design standards described in Article 3.1I, and, if so, the design shall be considered to have met the required soundproofing standard; and

(2) *Performance standards.* The builder may choose to use design features other than those described in Article 3.1I, as long as the final design is capable of achieving the noise level reduction required in Table 3.1-A, Land Use Compatibility Standards. Such noise attenuation capability shall be certified on the building plans by a registered architect, structural engineer, or acoustician.

(B) These soundproofing requirements provided for in Articles 3.1H(1) and 3.1H(2) above are not applicable to buildings that have already been issued a building permit on the effective date of this ordinance nor to room additions, garages, storage buildings or commercial buildings.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1I SOUNDPROOFING DESIGN STANDARDS.

The construction methods and materials described in this section shall be considered to satisfy the noise level reduction standards set forth in Table 3.1-A, Land Use Compatibility Standards.

(1) *Noise level reduction of 25 decibels (dB).*

(a) If wood frame construction is used, all exterior stud walls shall have interior and exterior surfaces of an approved material at least as massive as one-half inch thick gypsum wallboard, and the intervening space shall contain fibrous thermal insulation at least three inches thick.

(b) The design for a habitable room shall be such that any exterior door or window can be kept closed when the room is in use. Means of ventilation shall be available to afford a minimum of two complete air changes per hour.

(c) Any air duct or connection to out-of-doors shall contain an interior sound absorbing lining acoustically equivalent at least to

fiberglass duct line one inch thick and length greater than five times the diameter of the duct.

(d) The ceiling below an attic space shall include gypsum board or plaster at least one-half inch thick; fibrous thermal insulation at least three inches thick shall be laid between the ceiling joists.

(e) A forced air circulation system shall be provided that will give a minimum of two complete air changes per hour, of which at least one-fifth is fresh air.

(f) A ceiling or exhaust duct shall be provided with a bend in the duct such that there is no direct line of sight through the duct from outside to inside. The bend shall be lined with the equivalent of fiberglass duct liner one inch thick.

(g) There shall be no direct openings, such as mail slots, from the interior to the exterior of the building. All chimneys shall be provided with well-fitted dampers.

(h) Exterior hinged doors shall be solid-core construction. Jalousie windows shall not be permitted. The total area of glass windows and of any exterior door to a sleeping space shall not exceed 20% of the floor area of a room.

(i) Workmanship on doors and operable windows shall be such that the doors and windows are as close fitting as possible or weather stripping seals shall be incorporated on all edges to eliminate gaps. Air gaps and ratting shall be prevented.

(j) Masonry walls, if used, shall be at least equivalent in weight to six inch lightweight concrete blocks, at least one surface of which is painted or plastered.

(k) The roof deck shall weigh at least seven pounds per square foot, containing a solid core at least one and one-half inches thick.

(2) *Noise level reduction 30 decibels (dB).*

(a) Window glass shall be set in an elastomer gasket. Double glazing shall be installed, with an air space of at least three inches between the two panes of glass. Windows or dome skylights shall not be permitted, unless they have a sound transmission class of at least 30.

(b) The top-floor ceiling construction shall consist of plaster or gypsum board at least five-eighths inch thick supported on resilient

clips or channels. A non-hardening caulking compound shall be provided around the entire perimeter of the suspended ceiling.

(c) The floor of the lowest room or area containing the uses to which those insulation requirements apply shall be a concrete slab, or should be similarly sealed otherwise against exterior noise.

(d) Masonry walls, if used, shall be at least equivalent in weight to eight inch lightweight concrete blocks, at least one surface of which shall be painted or plastered.

(e) The roof deck shall weigh at least 12 pounds per square foot. Wood roof sheathing shall be continuous and at least three-quarters inch thick.

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

3.1J LAND-USE COMPATIBILITY STANDARDS.

Table 3.1-A presents the levels of Day-Night Sound Level (Ldn) for the N-1 and N-2 Noise Overlay Zones:

Table 3.1-A Land-Use Compatibility Standards			
SLUCM No.	Land-Use Name	Noise Overlay Zones/Levels in Ldn	
		N-1 65-70	N-2 70+
10	Residential	25 (1)	30 (1)
11	Household units	25 (1)	30 (1)
11.11	Single units - detached	25 (1)	30 (1)
11.12	Single units - semi-attached	25 (1)	30 (1)
11.13	Single units - attached row	25 (1)	30 (1)
11.21	Two units - side by side	25 (1)	30 (1)
11.22	Two units - over-under	25 (1)	30 (1)

11.31	Apartments - walk up	25 (1)	30 (1)
11.32	Apartments - elevator	25 (1)	30 (1)
12	Group quarters	25 (1)	30 (1)
13	Residential quarters	25 (1)	30 (1)
15	Transient lodgings, hotels, motels	Y (2)	Y (3)
16	Other residential	25 (1)	30 (1)
Notes:			
1. All residences in the N-1 Noise Overlay Zone are marginally noise compatible and shall be soundproofed to achieve a 25 dB reduction from outdoor noise levels (NLR). All residences in the N-2 Noise Overlay Zone are marginally noise compatible and shall be soundproofed to achieve a 30 dB NLR. Soundproofing will not eliminate outdoor noise problems. However, building location and site planning, design and use of berms and barriers can help mitigate outdoor noise exposure particularly from ground level sources. Measures that reduce noise at a site should be used wherever practical in preference to measures which only protect interior spaces.			
2. Measures to achieve NLR of 30 shall be incorporated into the design and construction of portions of the following buildings where the public is received: office areas; noise sensitive areas; or where the normal noise level is low.			
Key to Table:			
SLUCM - Standards Land-Use Coding Manual, U.S. Urban Renewal Administration and Bureau of Public Roads, 1965			
Y (Yes) - Land use and related structures compatible without restrictions			
N (No) - Land use and related structures are not compatible and should be prohibited			
NLR - Noise level reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure			

25 or 30 - Land use and related structures are generally compatible; measures to achieve NLR of 25 or 30 dB must be incorporated into design and construction of the structure

(Ord. 21-97, passed - -1997; Ord. 10-2010, passed 7-26-2010)

ARTICLE 3.2. P: PARK DISTRICT

3.2 INTENT.

The P: Park Districts are established to promote and maintain the development of recreational opportunities within the town. The development of new parks or the major expansion of existing parks within the P: Park Districts shall be subject to the approval of a Park Master Plan to assure that the development of a particular park, whether proposed for active or passive recreational opportunities, is compatible with nearby residential neighborhoods.

(Ord. 21-97, passed - -1997; Ord. 6-2004, passed 4-12-2004)

3.2A PERMITTED USES. See Article 14.1 Land Use Matrix

- ~~— (1) Primary uses. See Article 14.1 Land Use Matrix~~
 - ~~— (2) Special exception uses. See Article 14.1 Land Use Matrix~~
 - ~~— (3) Accessory uses. Subject to the provisions of Article 4.1: Accessory Uses, the following Accessory Uses are permitted:~~
 - ~~(a) Uses specified in an approved Master Plan~~
 - ~~(b) Uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting.~~
 - ~~— (4) Temporary uses. Subject to the provisions of Article 4.2: Temporary Uses, Structures, and Buildings, the following Temporary Uses, Structures, and Buildings Uses are permitted:~~
 - ~~(a) Temporary uses specified in an approved Master Plan~~
- ~~Temporary uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting.~~ (Ord. 21-97, passed —1997; Ord. 6-2004, passed 4-12-2004; Ord. 36-2022, passed 10-10-2022)

3.2B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) Minimum lot area. The greater of: 5,000 square feet; or the minimum lot area of any abutting R-1, R-2, R-3, R-4 or R-5 District, if any.~~

~~—(2) Minimum lot width. 50 feet.~~

~~—(3) Minimum lot frontage. 30 feet on a public street.~~

~~—(4) Maximum lot coverage. Not applicable.~~

~~—(5) Minimum yards and building setbacks.~~

~~—(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~80 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~60 ft.~~
~~Secondary arterial street~~	~~40 ft.~~

~~—(b) Side yard and rear yard. A minimum side yard and a minimum rear yard shall be provided along all side lot lines and rear lot lines as follows:~~

~~Accessory buildings or structures~~	~~20 ft.~~
~~Designated or improved grade-level activity areas (i.e., dirt, grass or bark trails; grass play areas and the like) excluding any hard surfaced recreation area~~	~~5 ft.~~
~~Play fields, ball fields, ball courts, game courts, spray or wading pools, outdoor swimming pool, ice or roller skating rink, skateboard facility or any other hard surfaced recreation area~~	~~20 ft.~~
~~Primary building~~	~~20 ft.~~

Recreational equipment/playground apparatus	20 ft.
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~~—(6) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where specifically permitted below:~~

~~—(a) *Minimum front yards and front bufferyards.* May include: driveways; greenways; trails; or any outdoor recreational improvement which is comprised primarily of live vegetation (i.e., botanical gardens, arboreta and the like), and shall otherwise be maintained as open space free from buildings or structures; and~~

~~—(b) *Minimum side yards, minimum rear yards, minimum side bufferyards and minimum rear bufferyards.* May include: interior access driveways; or greenways, trails, or walkways connecting to adjoining projects or subdivisions, provided the remainder of said yards or bufferyards shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained as open space free from buildings or structures.~~

~~—(7) *Maximum building height.*~~

~~—(a) *Primary building.* 35 feet, unless a greater height is specified in an approved Park Master Plan.~~

~~—(b) *Accessory building or structures.* 22 feet, unless a greater height is specified in an approved Park Master Plan.~~

~~—(8) *Minimum main floor area.* Not applicable.~~

~~—(9) *Off-street parking.* See Article 4.10 – Off-Street Parking Regulations.~~

~~—(10) *Signs.* See Article 7.8. Signs in a Master Plan District.~~

~~(Ord. 21-97, passed – 1997; Ord. 6-2004, passed 4-12-2004)~~

3.2C PARK MASTER PLAN APPROVALS. See Article 6.2.

(Ord. 21-97, passed - 1997; Ord. 6-2004, passed 4-12-2004; Ord. 46-2022, passed 11-14-2022)

ARTICLE 3.3. S: SCHOOL DISTRICTS

3.3 INTENT.

The S: School Districts are established to promote and maintain the development of public or private school facilities to provide for the education of students within the town. The development of new schools or the major expansion of existing schools within the S: School Districts shall be subject to the approval of a School Master Plan, as provided for in Article 3.3C below, to assure that the development of a particular school and related facilities, is compatible with nearby residential neighborhoods.

(Ord. 21-97, passed - -1997; Ord. 04-2005, passed 2-28-2005; Ord. 04-2013, passed 2-25-2013)

3.3A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(1) Primary uses. See Article 14.1 Land Use Matrix~~

~~—(2) Special exception uses. See Article 14.1 Land Use Matrix~~

~~(3) Accessory uses. Subject to the provisions of Article 4.1: Accessory Uses, the following Accessory Uses are permitted:~~

~~(a) Uses specified in an approved Master Plan~~

~~Uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting. —(4) Temporary uses.~~

~~Subject to the provisions of Article 4.2: Temporary Uses, Structures, and Buildings, the following Temporary Uses, Structures, and Buildings Uses are permitted:~~

~~(a) Temporary uses specified in an approved Master Plan~~

~~Temporary uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting.~~

(Ord. 21-97, passed - -1997; Ord. 04-2013, passed 2-25-2013, Ord. 36-2022, passed 10-10-2022)

3.3B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) Minimum lot area. There shall be no minimum lot area requirement provided sufficient land area is available for all buildings, parking areas, other improvements and landscaping as appropriate for the site.~~

~~—(2) Minimum lot width. 100 feet.~~

~~—(3) Minimum lot frontage. 100 feet on a public street.~~

~~—(4) Maximum lot coverage. Not applicable.~~

~~— (5) Minimum yards and building setbacks.~~

~~— (a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows, unless an alternate standard is specified in an approved School Master Plan:~~

Collector street	30 ft.
Interstate street	60 ft.
Local street/cul-de-sac street	30 ft.
Primary arterial street	30 ft.
Secondary arterial street	30 ft.

~~— (b) Side yard and rear yard. A minimum side yard and a minimum rear yard shall be provided along all side lot lines and rear lot lines as follows:~~

Accessory buildings or structures	20 ft.
Primary building	20 ft.

~~— (6) Use of minimum yards and bufferyards. All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where specifically permitted below:~~

~~— (a) Minimum front yards and front bufferyards. May include: driveways; greenways; trails, or walkways and shall otherwise be maintained as open space free from buildings or structures; and~~

~~— (b) Minimum side yards, minimum rear yards, minimum side bufferyards and minimum rear bufferyards. May include: interior access driveways; or greenways, trails, or walkways connecting to adjoining projects or subdivisions, provided the remainder of said yards or bufferyards shall be landscaped with grass and shrubbery, trees, or hedge, or in combination with other suitable ground cover materials and maintained as open space free from buildings or structures.~~

- ~~—(7) *Maximum building height.*~~
 - ~~—(a) *Primary building.* 35 feet, unless a greater height is specified in an approved School Master Plan.~~
 - ~~—(b) *Accessory building or structures.* 22 feet, unless a greater height is specified in an approved School Master Plan.~~
- ~~—(8) *Minimum main floor area.* Not applicable.~~
- ~~—(9) *Off-street parking.* See Article 4.10—Off-Street Parking Regulations.~~
- ~~—(10) *Signs.* See Article 7.8. Signs in a Master Plan District.~~
- ~~—(11) *Landscape requirements.* Landscaping shall comply with the provisions of Article IV regarding landscaping for Office District developments, unless an alternate standard is specified in an approved School Master Plan.~~
- ~~—(12) *Lighting requirements.* See Article IV and Article 5.5C(6), provided however, athletic field and stadium lighting (i.e., lighting for baseball, softball, football, rugby, soccer and the like) shall comply with the following requirements, unless an alternate standard is specified in an approved School Master Plan:~~
 - ~~—(a) Shall not exceed 110 feet in height above grade, provided, however, that for any outdoor light fixture located at a height of 80 feet above grade or higher, the applicant shall demonstrate that the additional height is necessary to reduce spill and glare;~~
 - ~~—(b) Shall be of a type and manufacturer that offers a spill and glare control package and shall be fitted with the manufacturer's spill and glare control package;~~
 - ~~—(c) Shall not exceed 0.3 horizontal maintained footcandles at the lot line;~~
 - ~~—(d) Shall be extinguished no later than one hour after the end of the event; and~~
 - ~~—(e) May exceed the maximum lighting level set forth in this Article, subject to such light levels being specified in an approved School Master Plan.~~
- ~~—(13) *Building materials.* The following provisions of Article 5.5 shall be applicable to all school buildings and other permanent buildings, unless an alternative standard is specified in an approved School Master Plan.~~

~~——(a) New construction. See Article 5.5C(3)(a)2., Commercial Districts.~~

~~——(b) Additions to existing buildings. See Article 5.5C(3)(b).~~

~~——(c) Exterior building facade renovations with no building additions or minor building additions. See Article 5.5C(3)(c).~~

~~——(d) Exterior building facade renovations with major building additions. See Article 5.5C(3)(d).~~

~~{Ord. 21-97, passed -1997; Ord. 04-2013, passed 2-25-2013}~~

3.3C SCHOOL MASTER PLAN APPROVALS. See Article 6.2.

(Ord. 21-97, passed -1997; Ord. 04-2013, passed 2-25-2013, Ord 46-2022, enacted 11/14/2022)

ARTICLE 3.4. REL: RELIGIOUS USE DISTRICT

3.4 INTENT.

The REL: Religious Use Districts are established to promote and maintain the development facilities for divine worship within the town. The development of religious facilities or the major expansion of existing religious within the REL: Religious Use Districts shall be subject to the approval of a Religious Use Master Plan, as provided for in Article 3.4C below, to assure that the development of a particular worship hall and related facilities, is compatible with nearby residential neighborhoods.

(Ord. 21-97, passed -1997; Ord. 51-2005, passed 10-10-2005; Ord. 27-2007, passed -2007)

3.4A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~——(1) Primary uses. See Article 14.1 Land Use Matrix~~

~~——(2) Special exception uses. See Article 14.1 Land Use Matrix~~

~~——(3) Accessory uses. Subject to the provisions of Article 4.1: Accessory Uses, the following Accessory Uses are permitted:~~

~~(a) Uses specified in an approved Master Plan~~

~~Uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting.——(4) Temporary uses.~~

~~Subject to the provisions of Article 4.2: Temporary Uses, Structures, and~~

~~Buildings, the following Temporary Uses, Structures, and Buildings Uses are permitted:~~

- ~~(a) Temporary uses specified in an approved Master Plan~~

~~Temporary uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting. (Ord. 21-97, passed 1997; Ord. 51-2005, passed 10-10-2005; Ord. 27-2007, passed 2007; Ord. 36-2022, passed 10-10-2022)~~

3.4B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

- ~~(1) Minimum lot area. There shall be no minimum lot area requirement provided sufficient land area is available for all buildings, parking areas, other improvements and landscaping as appropriate for the site.~~
- ~~(2) Minimum lot width. 100 feet.~~
- ~~(3) Minimum lot frontage. 100 feet on a public street.~~
- ~~(4) Maximum lot coverage. Not applicable.~~
- ~~(5) Minimum yards and building setbacks.~~
- ~~(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows, unless an alternate standard is specified in an approved Religious Use Master Plan:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~30 ft.~~
~~Secondary arterial street~~	~~30 ft.~~

- ~~(b) Side yard and rear yard. A minimum side yard and a minimum rear yard shall be provided along all side lot lines and rear lot lines as follows:~~

~~Accessory buildings or structures~~	~~20 ft.~~
~~Primary building~~	~~20 ft.~~

- ~~— (6) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where specifically permitted below:~~
 - ~~— (a) *Minimum front yards and front bufferyards.* May include: driveways; greenways; trails or walkways and shall otherwise be maintained as open space free from buildings or structures; and~~
 - ~~— (b) *Minimum side yards, minimum rear yards, minimum side bufferyards and minimum rear bufferyards.* May include: interior access driveways; or greenways, trails or walkways connecting to adjoining projects or subdivisions, provided the remainder of said yards or bufferyards shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained as open space free from buildings or structures.~~
- ~~— (7) *Maximum building height.*~~
 - ~~— (a) *Primary building.* 35 feet, unless a greater height is specified in an approved Religious Use Master Plan.~~
 - ~~— (b) *Primary building exception.* A steeple, copula, turret or other architectural embellishment may be added to the main roof line to a maximum height to the top of such steeple, copula, turret or other architectural embellishment not to exceed 50 feet above grade, unless a greater height is specified in an approved Religious Use Master Plan.~~
 - ~~— (c) *Accessory building or structures.* 22 feet, unless a greater height is specified in an approved Religious Use Master Plan.~~
- ~~— (8) *Minimum main floor area.* Not applicable.~~
- ~~— (9) *Off-street parking.* See Article 4.10 Off-Street Parking Regulations.~~
- ~~— (10) *Signs.* See Article 7.8. Signs in a Master Plan District.~~
- ~~— (11) *Landscape requirements.* Landscaping shall comply with the provisions of Article IV regarding landscaping for Office District~~

~~developments, unless an alternate standard is specified in an approved Religious Use Master Plan.~~

~~—(12) *Lighting requirements.* See Article IV and Article 5.5C(6), unless an alternate standard is specified in an approved Religious Use Master Plan for any outdoor lighting fixture, including lighting fixtures for parking areas, athletic fields or stadium lighting (i.e., lighting for baseball, softball, football, rugby, soccer and the like).~~

~~—(13) *Building materials.* The following provisions of Article 5.5 shall be applicable to all buildings, unless an alternative standard is specified in an approved Religious Use Master Plan.~~

~~—(a) *New construction.* See Article 5.5C(3)(a)2. Commercial Districts.~~

~~—(b) *Additions to existing buildings.* See Article 5.5C(3)(b).~~

~~—(c) *Exterior building facade renovations with no building additions or minor building additions.* See Article 5.5C(3)(c).~~

~~—(d) *Exterior building facade renovations with major building additions.* See Article 5.5C(3)(d).~~

~~(Ord. 21-97, passed -1997; Ord. 51-2005, passed 10-10-2005; Ord. 27-2007, passed -2007)~~

3.4C RELIGIOUS USE MASTER PLAN APPROVALS. See Article 6.2.

(Ord. 21-97, passed -1997; Ord. 51-2005, passed 10-10-2005; Ord. 27-2007, passed -2007; Ord 46-2022, passed 11/14/2022)

ARTICLE 3.5. C-I: COMMERCIAL-INDUSTRIAL DISTRICT

3.5 INTENT.

The C-I: Commercial-Industrial Districts are established to promote and maintain: gateway developments into the major industrial parks within the town; and the development of support facilities necessary for the effective operation of the industrial parks within the town. The C-I: Commercial- Industrial District provides for a full range of support commercial and industrial operations including service, retail, assembly and manufacturing uses. In order to fulfill the intent of providing a gateway quality development, all sites are required to comply with all architectural and site design regulations of Article 5.5 and all processing, servicing and storage functions shall be located within completely enclosed buildings.

(Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006)

3.5A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
- ~~—(3) *Accessory uses.* See Article IV.~~
- ~~—(4) *Temporary uses.* See Article IV.~~

~~(Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord 36-2022, passed 10-10-2022)~~

3.5B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices and below.

- ~~—(1) *Minimum lot width and frontage.* Each lot or integrated center shall have a minimum of 75 feet on a public street.~~
- ~~—(2) *Minimum yards and minimum building setbacks.*~~
 - ~~—(a) *Front.* A minimum front yard and minimum building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Collector street~~	~~30 ft.~~
~~Interstate street~~	~~60 ft.~~
~~Local street/cul-de-sac street~~	~~30 ft.~~
~~Primary arterial street~~	~~30 ft.~~
~~Secondary arterial street~~	~~30 ft.~~

- ~~—(b) *Minimum side yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum side bufferyard~~	~~25 ft.~~
~~Minimum side yard~~	~~10 ft.~~

~~—(c) *Minimum rear yard and setback.* Shall be provided from the lot line as follows:~~

~~Minimum rear yard~~	~~10 ft.~~
~~Minimum rear bufferyard~~	~~25 ft.~~

~~—(3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) *Minimum front yards.* May include driveways and parking areas (provided that no portion of the parking area may be located closer to the right-of-way than the ten feet; except for minimum front yards abutting the Ronald Reagan Parkway or a frontage street parallel to the Ronald Reagan Parkway, where parking areas shall be prohibited) and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) *Minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(c) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(d) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(e) *Minimum yards for out lots.*~~

~~—1. Out lots within an integrated center shall provide a minimum yard of five feet along all lot lines in common with other~~

~~out lots or with the main portion of the integrated center. If any portion of an out lot abuts the perimeter of the integrated center, that portion of the out lot shall be required to comply with the applicable minimum front, side or rear yard requirements set forth above. The main portion of the integrated center shall not be required to provide a minimum yard along the lot line in common with an out lot.~~

~~2. Provided, however, the minimum yards for out lots along all lot lines in common with other out lots may be used for parking areas, loading areas, interior drives or interior access drives provided that:~~

~~a. The area of each such minimum yard that would have been devoted to landscaping and the amount of landscape material that would have been required to be installed in each such minimum yard, if not complying with the special provisions of this division, are provided elsewhere on each of the affected out lots as either additional foundation landscaping area or additional interior parking area landscaping; and~~

~~b. Documentary assurances are provided on the secondary plat or by other legally binding instrument which binds the adjoining lots to be developed in compliance with the special provisions of this division allowing such minimum yards to be used for parking areas, loading areas, interior drives or interior access drives subject to the provision of such additional foundation landscaping area or additional interior parking area landscaping.~~

~~(4) Maximum building height. 50 feet.~~

~~(5) Parking and loading. See Article IV.~~

~~(6) Signs. All signs shall comply with the provision of Article VII regarding signs for commercial or industrial districts.~~

~~(7) Outside storage and operations. All storage, servicing and operations, except for parking and loading, shall be conducted within completely enclosed buildings.~~

~~(8) Landscape requirements. Landscape requirements within the C-1 District shall comply with the provisions of Article 4.7 Landscape Provisions as applicable to the I-1 District, provided that the basic requirement for landscaping of required front yards shall be a Level 2 and the basic requirement for landscaping of required front bufferyards shall be a Level 4.~~

(91) *Maximum gross floor area.*

(a) *General.* No single use, whether freestanding, a part of a multi-tenant building, shall exceed 50,000 square feet of gross floor area.

(b) *General.* No multi-tenant building shall exceed 150,000 square feet of gross floor area.

~~—(c) *Asterisks.* All “Manufacture, Assembly or Repair” and Certain “Miscellaneous” Uses as identified with an “*” in the permitted use listing contained in Article 3.5A shall be subject to the following additional limitations:~~

~~——— 1. No “Manufacture, Assembly or Repair” use or specified “Miscellaneous” use shall exceed 25,000 square feet in gross floor area; and~~

~~——— 2. All “Manufacture, Assembly or Repair” use or specified “Miscellaneous” use shall include a minimum of 10% of the gross floor area of such use as office, retail, showroom or other finished space.~~

(Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006)

~~3.5C ARCHITECTURAL REVIEW.~~

~~—Notwithstanding anything in Article V to the contrary, all development located in the C-I District, regardless of location or proximity to residential districts, shall be subject to the requirements for the filing of a development plan for architectural and site design review as set forth in Article V for development within commercial districts.~~

~~(Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006)~~

~~3.5D DEVELOPMENT INCENTIVES.~~

~~—Development incentives shall not be available in the C-I District.~~

~~(Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006)~~

3.5E MASTER PLANS. See Article 6.2.

(Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord 46-2022, passed 11-14-2022)

ARTICLE 3.6. G: GOLF

3.6 INTENT.

The G: Golf District is established to specify a land use district applicable and consistent with a public or private golf course and related activities within the town.

(Ord. 13-2007, passed 6-11-2007)

3.6A PERMITTED USES. See Article 14.1 Land Use Matrix.

- ~~—(1) *Primary uses.* See Article 14.1 Land Use Matrix~~
- ~~—(2) *Special exception uses.* See Article 14.1 Land Use Matrix~~
- ~~—(3) *Accessory uses.* Subject to the provisions of Article 4.1: Accessory Uses, the following Accessory Uses are permitted:~~
 - ~~(a) *Uses specified in an approved Master Plan*~~

~~Uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting. —(4) *Temporary uses.* Subject to the provisions of Article 4.2: Temporary Uses, Structures, and Buildings, the following Temporary Uses, Structures, and Buildings Uses are permitted:~~

- ~~(a) *Temporary uses specified in an approved Master Plan*~~

~~Temporary uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting. (Ord. 13-2007, passed 6-11-2007; Ord 36-2022, passed 10-10-2022)~~

3.6B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices and below.

- ~~—(1) *Minimum lot area.* 43,560 square feet.~~
- ~~—(2) *Minimum lot width.* 50 feet.~~
- ~~—(3) *Minimum lot frontage.* 30 feet on a public street.~~
- ~~—(4) *Maximum lot coverage.* Not applicable.~~
- ~~—(5) *Minimum yards and building setbacks.*~~
 - ~~(a) *Front.* A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

Collector street	30 ft.
Interstate street	80 ft.
Local street/cul-de-sac street	30 ft.
Primary arterial street	60 ft.
Secondary arterial street	40 ft.

~~(b) *Side yard and rear yard.* A minimum side yard and a minimum rear yard shall be provided along all side lot lines and rear lot lines as follows:~~

Accessory buildings or structures	20 ft.
Designated or improved grade level activity areas (i.e., dirt, grass or bark trails; grass play areas; and the like) excluding any hard surfaced recreation area	5 ft.
Parking lot, outdoor swimming pool, tennis courts, driving range, practice green, practice area, ball courts or any other hard surfaced recreation area	20 ft.
Primary building	20 ft.
Recreational equipment/playground apparatus	20 ft.

~~(6) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where specifically permitted below:~~

~~(a) *Minimum front yards and front bufferyards.* May include: driveways; greenways; golf cart paths; fences; tee boxes; ball washers; greens and fairways; trails, maintenance pathways; or any outdoor recreational improvement which is comprised primarily of live vegetation (i.e., botanical gardens, arboreta and the like), and shall~~

~~otherwise be maintained as open space free from buildings or structures; and~~

- ~~—— (b) *Minimum side yards, minimum rear yards, minimum side bufferyards and minimum rear bufferyards.* May include: interior access drive; or greenways, golf cart paths, fences; tee boxes, ball washers, greens and fairways, trails, maintenance pathways, or walkways connecting to adjoining projects or subdivisions, provided the remainder of said yards or bufferyards shall be landscaped with grass and shrubbery, trees, or hedge, or in combination with other suitable ground cover materials and maintained as open space free from buildings or structures.~~
- ~~—— (7) *Maximum building height.*~~
 - ~~—— (a) *Primary building.* 35 feet, unless a greater height is specified in an approved Golf Course Master Plan.~~
 - ~~—— (b) *Accessory building or structures.* 25 feet, unless a greater height is specified in an approved Golf Course Master Plan.~~
- ~~—— (8) *Minimum main floor area.* Not applicable.~~
- ~~—— (9) *Off-street parking.* Off-street parking shall be sufficient to accommodate the uses of the property in the Golf District, as set forth in an approved Golf Course Master Plan. Parking surface may be paved or gravel.~~
- ~~—— (10) *Signs.* See Article 7.8. Signs in a Master Plan District.~~
- ~~—— (11) *Landscape requirements.* Landscaping shall comply with the provisions of Article IV regarding landscaping for Office District development, unless an alternative standard is specified in an approved Golf Course Master Plan.~~
- ~~—— (12) *Lighting requirements.* See Article IV and Article 5.5C(6), unless an alternate standard is specified in an approved Golf Course Master Plan for any outdoor lighting fixture, including lighting fixtures for parking areas, driving range, practice areas, tennis courts or swimming pools and the like.~~
- ~~—— (13) *Building materials for primary building(s).* The following provisions of Article 5.5 shall be applicable to all primary building(s), unless an alternative standard is specified in an approved Golf Course Master Plan.~~
 - ~~—— (a) *New construction.* See Article 5.5C(3)(a)2. Commercial Districts.~~

- ~~——(b) Additions to existing buildings. See Article 5.5C(3)(b).~~
- ~~——(c) Exterior building facade renovations with no building additions or minor building additions. See Article 5.5C(3)(c).~~
- ~~——(d) Exterior building facade renovations with major building additions. See Article 5.5C(3)(d).~~
- ~~——(14) Building materials for accessory buildings and structures. Building material for accessory buildings or structures may be as specified in an approved Golf Course Master Plan.~~

(151) *On-site sewage treatment system.* The Golf Course and its improvements, including, but not limited to, clubhouses, lodge houses and private club facilities, may utilize an on-site sewage waste treatment system that complies with state regulations governing such.

(162) *On-site water/well system.* The golf course and its improvements may utilize an on-site water/well system of non-potable water for irrigation purposes that complies with state regulations governing such.

(Ord. 13-2007, passed 6-11-2007)

3.6C GOLF COURSE MASTER PLAN APPROVALS. See Article 6.2.

(Ord. 13-2007, passed 6-11-2007; Ord 46-2022, passed 11-14-2022)

ARTICLE 3.7. A: AIRSPACE OVERLAY DISTRICT

3.7 INTENT.

An Airspace Overlay District, a secondary zoning district is established to enhance and promote the safe operations of the Indianapolis International Airport. The Airspace Overlay District consists of airport instrument approach surface areas, airport transitional surface areas, airport horizontal surface areas and airport conical surface areas as defined below in this Article 3.7 and indicated on the Airspace Overlay District Map.

(Ord. 29-2007, passed 1-14-2008)

3.7A AIRSPACE OVERLAY DISTRICT REGULATIONS.

The following regulations shall apply to all land within the Airspace Overlay District. These regulations shall be in addition to all other primary or secondary zoning district regulations applicable to such land. In case of conflict between these regulations and the regulations of any other primary or secondary zoning district, the provisions which impose the greater or higher or more restrictive standard of performance shall control.

(1) *Prohibited uses.* Within that part of the airport instrument approach surface areas and airport transitional surface areas, which extend 10,200 feet from each end of a runway measured horizontally along the extended centerline of such runway, no building, structure or premises shall be erected, relocated or converted for use as a:

- (a) Amusement park;
- (b) Assembly hall;
- (c) Carnival;
- (d) Child caring institution;
- (e) Correctional institution;
- (f) Hospital;
- (g) Public auditorium;
- (h) Public swimming pool;
- (i) School;
- (j) Religious use;
- (k) Residential primary plat;
- (l) Sports arena;
- (m) Stadium; or
- (n) Theater.

(2) *Height limits.* Except as otherwise provided herein, no structure or tree shall be erected, altered, allowed to grow or be maintained within the Airspace Overlay District to a height in excess of the following height limits herein established for the airport instrument approach surface area, airport transitional surface area, airport horizontal surface area and airport conical surface area, as defined below and designated on the official zoning map. (Such height limits shall be computed from the applicable runway elevation or airport elevation as designated on the Airspace Overlay District Map).

- (a) Height limits for the airport instrument approach surface area shall be: one foot in height for each 100 feet in horizontal distance beginning at a point 200 feet from the end of the instrument runway and extending to a distance of 10,200 feet from the end of the runway;

thence one foot in height for each 50 feet in horizontal distance to a point 50,200 feet from the end of the runway.

(b) Height limits for the airport transitional surface area shall be: one foot vertical height for each seven feet of horizontal distance measured from the outer lines of all airport instrument approach surface areas for the entire length of such airport instrument approach surface areas, extending to their intersection with the outer line of the airport conical surface area; and beyond such points of intersection, beginning at the outer lines of all airport instrument approach surface areas and extending a horizontal distance to 5,000 feet therefrom, measured at right angles to the continuation of the runway centerline, one foot vertical height for each seven feet of horizontal distance.

(c) Height limit for the airport horizontal surface area shall be: 150 feet above the established airport elevation as indicated on the Airspace Overlay District Map.

(d) Height limit for the airport conical surface area shall be: one foot in height for each 20 feet of horizontal distance beginning at the periphery of the airport horizontal surface area and measured perpendicularly to the periphery of the airport horizontal surface area to a height of 350 feet above the airport elevation. Provided, however, if any area is subject to more than one of the above height limitations, the more restrictive limitation shall control. Provided, further, however, nothing in this Article shall be construed as prohibiting the erection, construction, growth or maintenance of any structure or tree to a height of 50 feet or less above the surface of the land.

(3) *Performance standards within the airport conical surface area.* The following performance standards shall apply to all land within the perimeter of the airport conical surface area as defined below and indicated on the Airspace Overlay District Map.

(a) *Interference with communications.* No use shall create interference with any form of communication, the primary purpose of which is for air navigation.

(b) *Glare; marking and lighting of airspace hazards.*

1. All lights shall be located or shielded in such a manner that they do not interfere with runway, taxi, tower or any other airport lights or result in glare which may interfere with the use of the airport in landing, taking-off or maneuvering of aircraft.

2. Such markers and lights as may be required by the Indianapolis Airport Authority to indicate to air crews the presence

of structures or trees constituting airspace hazards shall be permitted.

(c) *Smoke, dust, particulate matter.*

1. Open burning shall be prohibited.

2. No use shall cause smoke, dust, particulate matter or airborne material of any kind to escape beyond the lot lines in a manner detrimental to or endangering the visibility of air crews using the airport in landing, taking-off or maneuvering of aircraft.

(Ord. 29-2007, passed 1-14-2008)

3.7B CONSTRUCTION OF LANGUAGE AND DEFINITIONS. RESERVED

~~—(1) Construction of language. The language of this Article 3.7 shall be interpreted in accordance with the following regulations:~~

~~—(a) The particular shall control the general.~~

~~—(b) In the case of any difference of meaning or implication between the text of this Article and any illustration or diagram, the text shall control.~~

~~—(c) The word “shall” is always mandatory and not discretionary. The word “may” is permissive.~~

~~—(d) Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.~~

~~—(e) A “building” or “structure” includes any part thereof.~~

~~—(f) The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for”, or “occupied for”.~~

~~—(g) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, or “either . . . or”, the conjunction shall be interpreted as follows:~~

~~—1. “And” indicates that all the connected items, conditions, provisions or events shall apply.~~

~~—2. “Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination.~~

~~3. “Either . . . or” indicates that all the connected items, conditions, provisions or events shall apply singly but not in combination.~~

~~(2) Definitions. For the purpose of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~**AIRPORT CONICAL SURFACE AREA.** The land area beginning at the periphery of the airport horizontal surface area and thence extending outwardly a distance of 4,000 feet. Such **AIRPORT CONICAL SURFACE AREA** does not include, however, the airport instrument approach surface areas and airport transitional surface area.~~

~~**AIRPORT HORIZONTAL SURFACE AREA.** The land area, the perimeter of which is determined by projecting arcs from the center of the inner line of each airport instrument approach surface area with the dimension of such arcs for instrument approach surface areas being 10,000 feet. Such **AIRPORT HORIZONTAL SURFACE AREA** does not include, however, the airport instrument approach surface area and airport transitional surface area.~~

~~**AIRPORT INSTRUMENT APPROACH SURFACE AREA.** The land area located at each end of each instrument runway for landings and take-offs. Such **AIRPORT INSTRUMENT APPROACH SURFACE AREA** having a width of 1,000 feet at a horizontal distance of 200 feet beyond each end of the runway and widening thereafter uniformly to a width of 16,000 feet at a horizontal distance of 50,200 feet beyond each end of the runway, its centerline being the continuation of the runway centerline.~~

~~**AIRPORT LANDING AREA.** The area of the airport used for the landing, taking-off or taxiing of aircraft.~~

~~**AIRPORT TRANSITIONAL SURFACE AREA.** The land area located adjacent to each instrument runway. Such **AIRPORT TRANSITIONAL SURFACE AREA** extending outward as indicated on the official zoning map from a line 500 feet of either side of the centerline of an instrument runway plus 200 feet at each end thereof, to the inner line of the airport horizontal surface area; further symmetrically located adjacent to each instrument runway airport instrument approach surface area, on each side thereof, having variable widths, as indicated on the official zoning map, and extending the entire length of such airport instrument approach surface area to their intersection with the outline of the airport conical surface area; and further located beyond such points of intersection, beginning at the out lines of the airport instrument approach surface area and extending a horizontal distance of 5,000 feet therefrom, measured at right angles to the continuation of the runway centerline, as indicated on the Airspace Overlay District map.~~

~~**AIRSPACE HAZARD.** Any structure, tree, object or use of land which obstructs the airspace or is otherwise hazardous to the flight of aircraft in landing or taking off at a public airport or heliport, as determined to constitute an “airspace” or “airport”~~

~~—— **INSTRUMENT RUNWAY.** A runway equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.~~

~~—— **OPEN BURNING.** Any burning of combustible matter where the products of combustion are emitted directly into the outside air without passing through a stack or chimney.~~

~~—— **PUBLIC AIRPORT.** An airport publicly owned or operated, designated as a **PUBLIC AIRPORT** on the official zoning map, for which an Airspace District is established by this Article.~~

~~—— **RUNWAY.** The surface of the airport used for landing and taking-off of aircraft.~~

~~—— **STRUCTURE.** An object constructed or installed by humans, including, but without limitation, buildings, towers, smokestacks and overhead transmission lines.~~

(Ord. 29-2007, passed 1-14-2008)

ARTICLE 3.8. ~~MUN: MUNICIPAL USE DISTRICT~~IG: INSTITUTIONAL (GOVERNMENT)

3.8 INTENT.

The ~~MUN: Municipal Use~~IG: Institutional (Government) Districts are established to promote and maintain the development facilities for municipal, township, county, state, and federal land uses within the town. The development of ~~municipal~~these facilities or the major expansion of existing ~~municipal~~ facilities within the IG: Institutional (Government)~~MUN: Municipal Use~~ Districts shall be subject to the approval of a ~~Municipal Use~~ Master Plan, as provided for in Article ~~3.8C below~~6.2 (except where pre-empted by other statutes or laws), to assure that the development of a particular ~~municipal~~ use and related facilities, is compatible with nearby residential neighborhoods.

(Ord. 06-2010, passed - -2010; Ord. 10-2010, passed 7-26-2010; Ord. 04-2013, passed 2-25-2013; Ord. 26-2019, passed 10-14-2019)

3.8A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—— (1) *Primary uses.* See Article 14.1 Land Use Matrix~~

~~—— (2) *Special exception uses.* See Article 14.1 Land Use Matrix~~

~~—— (3) *Accessory uses.* Subject to the provisions of Article 4.1: Accessory Uses, the following Accessory Uses are permitted:~~

~~(a) — Uses specified in an approved Master Plan~~

~~Uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting. (4) Temporary uses. Subject to the provisions of Article 4.2: Temporary Uses, Structures, and Buildings, the following Temporary Uses, Structures, and Buildings Uses are permitted:~~

~~(a) Temporary uses specified in an approved Master Plan~~

~~Temporary uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting. (Ord. 06-2010, passed 2-25-2010; Ord. 10-2010, passed 7-26-2010; Ord. 04-2013, passed 2-25-2013; Ord. 26-2019, passed 10-14-2019; Ord 36-2022, passed 10-10-2022)~~

3.8B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~(1) Minimum lot area. There shall be no minimum lot area requirement provided sufficient land area is available for all buildings, parking areas, other improvements and landscaping as appropriate for the site.~~

~~(2) Minimum lot width. 100 feet.~~

~~(3) Minimum lot frontage. 100 feet on a public street.~~

~~(4) Maximum lot coverage. Not applicable.~~

~~(5) Minimum yards and building setbacks.~~

~~(a) Front. A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows, unless an alternate standard is specified in an approved Municipal Use Master Plan:~~

Collector street	30 ft.
Interstate street	60 ft.
Local street/cul-de-sac street	30 ft.
Primary arterial street	30 ft.
Secondary arterial street	30 ft.

~~(b) Side yard and rear yard. A minimum side yard and a minimum rear yard shall be provided along all side lot lines and rear lot lines as follows, unless an alternate standard is specified in an approved Municipal Use Master Plan:~~

~~Accessory buildings or structures~~	~~10 ft.~~
~~Primary building~~	~~10 ft.~~

~~(c) Side and rear bufferyard. A minimum 25-foot side and rear bufferyard shall be provided along all side and rear lot lines for the following uses:~~

- ~~1. Electric relay station;~~
- ~~2. Public utility substations;~~
- ~~3. Pumping station;~~
- ~~4. Water towers;~~
- ~~5. Water treatment plant;~~
- ~~6. Municipal/state maintenance facility;~~
- ~~7. Storage tanks (non-hazardous);~~
- ~~8. Penal or correctional institution;~~
- ~~9. Neighborhood recycling point;~~
- ~~10. Recycling facility; and~~
- ~~11. Resource recovery facility.~~

~~(6) Use of minimum yards and bufferyards. All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery, or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where specifically permitted below, unless an alternate standard is specified in an approved Municipal Use Master Plan:~~

- ~~—— (a) *Minimum front yards and front bufferyards.* May include: driveways, greenways, trails or walkways and shall otherwise be maintained as open space free from buildings or structures; and~~
- ~~—— (b) *Minimum side yards, minimum rear yards, minimum side bufferyards and minimum rear bufferyards.* May include: interior access driveways, or greenways, trails or walkways connecting to adjoining projects or subdivisions, provided the remainder of said yards or bufferyards shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained as open space free from buildings or structures.~~
- ~~—— (7) *Maximum building height.*~~
 - ~~—— (a) *Primary building.* 35 feet, unless a greater height is specified in an approved Municipal Use Master Plan.~~
 - ~~—— (b) *Accessory building or structures.* 25 feet, unless a greater height is specified in an approved Municipal Use Master Plan.~~
- ~~—— (8) *Minimum main floor area.* Not applicable.~~
- ~~—— (9) *Off-street parking.* See Article 4.10 Off-Street Parking Regulations, unless an alternate standard is specified in an approved Municipal Use Master Plan.~~
- ~~—— (10) *Signs.* See Article 7.8. Signs in a Master Plan District.~~
- ~~—— (11) *Landscape requirements.* Landscaping shall comply with the provisions of Article IV regarding landscaping for OD – Office District or I-2 – Office Warehouse Industrial District developments where bufferyards are required, unless an alternate standard is specified in an approved Municipal Use Master Plan.~~
- ~~—— (12) *Lighting requirements.* See Article IV and Article 5.5C(6), unless an alternate standard is specified in an approved Municipal Use Master Plan for any outdoor lighting fixture, including lighting fixtures for parking areas.~~
- ~~—— (13) *Building materials.* The following provisions of Article 5.5 shall be applicable to all buildings, unless an alternative standard is specified in an approved Municipal Use Master Plan.~~
 - ~~—— (a) *New construction.* See Article 5.5C(3)(a)2 – Commercial Districts.~~
 - ~~—— (b) *Additions to existing buildings.* See Article 5.5C(3)(b).~~

~~—(c) Exterior building facade renovations with no building additions or minor building additions. See Article 5.5C(3)(c).~~

~~—(d) Exterior building facade renovations with major building additions. See Article 5.5C(3)(d).~~

~~(Ord. 06-2010, passed --2010; Ord. 10-2010, passed 7-26-2010; Ord. 04-2013, passed 2-25-2013; Ord. 26-2019, passed 10-14-2019)~~

3.8C ~~MUNICIPAL USE~~ MASTER PLAN APPROVALS. See Article 6.2.

(Ord. 06-2010, passed - -2010; Ord. 10-2010, passed 7-26-2010; Ord. 04-2013, passed 2-25-2013; Ord. 26-2019, passed 10-14-2019; Ord 46-2022, passed 11-14-2022)

ARTICLE 3.9. HB HIGHWAY BUSINESS DISTRICT

3.9 INTENT.

HB: Highway Business Districts are established to:

- (1) Provide for a mixture of uses that are conducive to and provided reasonable access and visibility to the Interstate Highway System; and
- (2) Provide an attractive view of the community from the Interstate 70 and adjacent areas through architectural and signage controls, landscaping, screening, building orientation, and other features; and
- (3) To provide an integrated Interstate 70 district designed to offer to the motoring public a limited mixture of land uses made mutually compatible through the use of controls and land use standards.

(Ord. 16-2016, passed 7-11-2016)

3.9A PERMITTED USES. See Article 14.1 Land Use Matrix.

~~—(1) Primary uses. See Article 14.1 Land Use Matrix~~

~~—(2) Special exception uses. See Article 14.1 Land Use Matrix~~

~~—(3) Master plan uses.~~

~~—(4) Accessory uses - See Article IV.~~

~~—(5) Temporary uses - See Article IV.~~

~~(Ord. 16-2016, passed 7-11-2016, Ord. 22-2022, passed 06-13-2022; Ord 36-2022, passed 10-10-2022)~~

3.9B DEVELOPMENT STANDARDS. See Article 14.2 Development Standards Matrices.

~~—(1) *Minimum lot width and frontage.* Each lot or integrated center shall have a minimum lot width and frontage on a public street of 50 feet.~~

~~—(2) *Minimum yards and building setbacks.*~~

~~—(a) *Front.* A minimum front yard and building setback measured from the proposed right-of-way shall be provided as follows:~~

~~Interstate Street~~	~~60'~~
~~Primary Arterial Street:~~	~~30'~~
~~Secondary Arterial Street:~~	~~30'~~
~~Collector Street:~~	~~30'~~
~~Local Street / Cul-de-sac Street:~~	~~30'~~

~~—(b) *Minimum side yard and setback.* Shall be provided from the lot line as follows:~~

~~—1. Minimum side yard 10 feet; and~~

~~—2. Minimum side bufferyard 20 feet.~~

~~—(c) *Minimum rear yard and setback.* Shall be provided from the lot line as follows:~~

~~—1. Minimum rear yard 10 feet; and~~

~~—2. Minimum rear bufferyard 20 feet.~~

~~—(d) *Minimum yards for out lots.* Out lots within an integrated center shall provide a minimum yard of five feet along all lot lines in common with other out lots or with the main portion of the integrated center. If any portion of an out lot abuts the perimeter of the integrated center, that portion of the out lot shall be required to comply with the applicable minimum front, side or rear yard requirements set forth above. The main portion of the integrated center shall not be required to provide a minimum yard along the lot line in common with an out lot.~~

~~—(3) *Use of minimum yards and bufferyards.* All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery, or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below:~~

~~—(a) *Minimum front yards.* May include driveways and parking areas (provided that no portion of the parking area may be located closer to the right-of-way than ten feet; except for minimum front yards abutting the Ronald Reagan Parkway or a frontage street parallel to the Ronald Reagan Parkway, where parking areas shall be prohibited) and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(b) *Minimum front bufferyards.* May include driveways and shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(c) *Minimum side and rear yards.* Minimum side and rear yards may include interior access driveways connecting to adjoining lots provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV;~~

~~—(d) *Minimum side and rear bufferyards.* Shall be landscaped with grass and shrubbery, trees, or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.~~

~~—(4) *Maximum building height* - 75 feet.~~

~~—(5) *Parking and loading* - See Article IV.~~

~~—(6) *Signs* - See Article VII.~~

~~—(7) *Landscape requirements.* - See Article IV.~~

(Ord. 16-2016, passed 7-11-2016)

~~3.9C ARCHITECTURAL REVIEW.~~

~~—All proposed development located in the HB: Highway Business shall be subject to the requirements for the filing of a development plan for architectural review as set forth in Article V.~~

(Ord. 16-2016, passed 7-11-2016)

ARTICLE 3.10. ROW OVERLAY DISTRICT~~RESERVED~~

~~3.10A PURPOSE.~~

~~—The purpose of this Overlay District is to regulate items which could be placed or constructed within the rights-of-way lying wholly or partially within the jurisdictional area of the Town of Plainfield as a means of:~~

- ~~—(1) Ensuring the health, safety, and welfare of those using the rights-of-way, whether they are in or utilizing a vehicle or are pedestrians.~~
- ~~—(2) Ensuring that essential public and/or private utility infrastructure are not damaged or hampered by the construction of new utility infrastructure.~~
- ~~—(3) Minimizing the visual clutter to the extent that it is possible to ensure that greater attention can be given to navigating the rights-of-way safely.~~
- ~~—(4) Restricting items placed within the rights-of-way to those which are deemed to serve a public benefit.~~

~~(Ord. 16-2016, passed 7-11-2016; Ord. 01-2018, passed 2-12-2018)~~

~~3.10B APPLICABILITY.~~

- ~~—(1) The ROW Overlay District, which shall apply to all rights-of-way lying wholly or partially within the jurisdictional area of the town, as amended from time to time.~~
- ~~—(2) If the provisions in this ROW Overlay District are inconsistent with one another or conflict with provisions found in other adopted codes and regulations of the town, the more restrictive provision, as determined by the Director, shall control unless otherwise expressly provided.~~

~~(Ord. 16-2016, passed 7-11-2016; Ord. 01-2018, passed 2-12-2018)~~

~~3.10C RESTRICTIONS.~~

~~—No structure shall be constructed within the ROW Overlay District that exceeds 40 feet in height above grade.~~

~~(Ord. 16-2016, passed 7-11-2016; Ord. 01-2018, passed 2-12-2018)~~

~~3.10D PERMITTED USES.~~

~~—Primary Uses—Public Facilities.~~

~~—(1) *Bus shelter.* A roofed structure caused to be erected, maintained, and managed by or on behalf of the Central Indiana Regional Transportation Authority (CIRTA), the Town of Plainfield, and/or the Plainfield North and South~~

~~Economic Improvement Districts, to provide temporary shelter for public transit riders.~~

~~(Ord. 16-2016, passed 7-11-2016; Ord. 01-2018, passed 2-12-2018)~~

~~3.10E STANDARDS.~~

~~—(1) Location.~~

~~—(a) The bus shelter may encroach into the right-of-way, but must comply with the Americans with Disabilities Act.~~

~~—(b) A bus shelter should be situated near the front end of the stop zone to minimize passenger walk distances to embark.~~

~~—(c) Bus shelters should be located at least 100 feet from an intersection measured mid-radius from the intersection curb, subject to Master Plan review.~~

~~—(d) Bus shelter locations shall comply with Plainfield Zoning Ordinance Article 4.14: Vision Clearance.~~

~~—(2) Design.~~

~~—(a) Shelter.~~

~~—1. The shelter should be constructed of durable, architecturally sound materials to withstand heavy use and continual exposure to the elements. The shelter should have a roof and be enclosed on at least two sides to provide a screen.~~

~~—2. The shelter must provide a clear view of the approaching bus and bus loading pad.~~

~~—3. The shelter opening should be oriented toward the passenger maneuvering area.~~

~~—4. A minimum six-inch roof overhang should be provided over the opening.~~

~~—5. The shelter canopy should be waterproof with provisions for drainage away from passenger seating and bus loading sites.~~

~~—6. When benches are placed inside a shelter, the shelter must have a clear floor space of 36 inches by 48 inches for persons in wheelchairs.~~

~~—7. Shelter screens should keep a minimum six-inch vertical clearance to avoid the collection of trash and debris.~~

- ~~8. The shelter roof shall not have less than seven and one-half feet of vertical clearance and it shall not exceed ten feet in height.~~
- ~~(b) Loading pad/alighting area.~~
 - ~~1. Front. A five-foot wide by eight-foot deep firm, stable, and slip resistant area adjacent to the front door of the bus. The bus stop location marker should be located adjacent to this loading pad.~~
 - ~~2. Rear. A five-foot wide by eight-foot deep firm, stable, and slip resistant area adjacent to the front door of the bus. This should be located in the area where the rear door or rear wheelchair lift would typically be located when the bus stops.~~
 - ~~3. All above ground obstacles must be kept out of the loading pad/alighting areas.~~
- ~~(c) Passenger maneuvering area.~~
 - ~~1. A minimum four-foot deep area for the maneuvering of passengers between the bus shelter and the loading pad(s) shall be provided. This area shall be firm, stable, and suitable for wheelchair users.~~
 - ~~2. If not connected to an existing sidewalk, a minimum four-foot wide connection must be extended to the nearest sidewalk.~~
 - ~~3. At least three-foot wide path must be kept clear around all street furniture and building elements within the passenger maneuvering area.~~
- ~~(d) Furniture.~~
 - ~~1. All street furniture should maintain adequate horizontal clearance for access and maintenance. Furniture must be anchored securely to prevent unauthorized movement, but must be able to be relocated or replaced by those authorized to maintain. Consideration should be given to both the aesthetic appeal and durability in selecting the furniture.~~
 - ~~2. Benches.~~
 - ~~a. Benches shall be handicap accessible.~~
 - ~~b. Benches should be placed facing the street and outside of passenger maneuvering areas.~~

- ~~———— c. Benches should have anti-vagrant bars or another deterrent as a part of the design.~~
- ~~———— d. Benches should be ADA-compliant in dimension and construction.~~
- ~~———— (e) *ADA compliance and restrictions.*~~
 - ~~———— 1. While due diligence and care to ensure that these standards comply with ADA requirements has been exercised, when regulations conflict or the ADA requirements are revised, the ADA requirements shall take precedent.~~
 - ~~———— 2. The smoking of any type or product or apparatus shall be prohibited inside a bus shelter. Smoking shall be conducted at least eight feet from the entrance of a bus shelter in compliance with I.C. 7.1-5-12.~~
- ~~———— (f) *Signs and other identification.* An overall identification program (which includes the general number, size, type and location of signs and other transit information) shall be submitted for approved by the Plan Commission as part of an approved right-of-way use master plan.~~
 - ~~———— 1. *General rules for all signs and identification.*~~
 - ~~———— a. Signs and identification shall not move or rotate, shall not include either electronic or mechanical changeable copy, and shall not flash or otherwise turn any illumination on and off repeatedly.~~
 - ~~———— b. May be double-sided.~~
 - ~~———— c. Shall not be placed in a manner that blocks the vision of either passengers waiting within the bus shelter of approaching buses or the driver of the interior of the bus shelter.~~
 - ~~———— d. Shall comply with Article 7.3: Prohibited Signs of the Town of Plainfield Zoning Ordinance.~~
 - ~~———— 2. Signage and other identification shall include, but not be limited to bus stop location marker. A marker, four square feet in size or less, affixed to a pole. Information should include, but is not limited to: route, unique bus stop identifier (if available), service provider contact information.~~
 - ~~———— 3. To ensure avoidance of conflict with the passenger maneuvering area and bus operational area, the following the marker shall have the following clearances:~~

- ~~_____ a. At least seven feet of vertical clearance above grade;~~
 - ~~_____ b. At least three feet of horizontal clearance behind the back of curb; and,~~
 - ~~_____ c. At least two feet of horizontal clearance from both the passenger maneuvering area and the bus loading/alighting area.~~
- ~~_____ 4. *Timetable case.* A case, four square feet in size or less, affixed to the back wall of the shelter that provides information on the route, stops, and arrival/departure times.~~
- ~~_____ 5. *Advertising sign.* Two types of advertising signs are available.~~
 - ~~_____ a. *Shelter wall.* A sign, 20 square feet or less, that must be affixed to either the interior or exterior wall of the shelter. This sign may be internally illuminated.~~
 - ~~_____ b. *Bench.* A sign affixed to the back rest of the bench that is no larger than the back rest of the bench. The sign may be affixed to the front and back of the bench and may not be illuminated. This type of sign is permitted only on one bench and the bench must be within an approved shelter.~~
 - ~~_____ c. Advertising sign plans shall be approved by the Plainfield Plan Commission upon administrative review of an Improvement Location Permit (ILP).~~
- ~~_____ 6. *Bus stop identification marker.* A marker, four square feet in size or less, affixed to the side of the bus shelter from which the bus will approach that provides either the name or location of the bus stop. The identification sign should be reflective to increase visibility at night. The font shall be Arial and each bus stop shall have the Plainfield "P" logo attached as selected from the Town of Plainfield Graphics Standards.~~
- ~~_____ (g) *Lighting.* Dusk to dawn lighting shall be provided inside bus shelters utilizing LED lighting with photovoltaic cells when applicable.~~
- ~~_____ (h) *Landscaping.* Landscaping near the passenger boarding area is encouraged to maximize passenger comfort, but back far enough from the back of curb so as not to interfere with the bus. All landscaping shall be carefully located so as not to obstruct the shelter canopy, obscure sight lines at the stop, or interfere with the maintenance of the shelter and furniture. Shade trees are desirable. Landscaping shall be~~

~~submitted for approval by the Plan Commission as part of an approved Right-of-Way Use Master Plan.~~

~~(Ord. 16-2016, passed 7-11-2016; Ord. 01-2018, passed 2-12-2018)~~

~~3.10F MASTER PLAN APPROVALS. See Article 6.2.~~

~~—(Ord. 16-2016, passed 7-11-2016; Ord. 01-2018, passed 2-12-2018; Ord 46-2022, enacted 11-14-2022)~~

ARTICLE 4.6. SPECIAL REGULATIONS FOR WIRELESS TELECOMMUNICATIONS FACILITIES

4.6A APPLICATION.

Notwithstanding any other provision of this ordinance and in addition to other applicable provisions, wireless telecommunications facilities, when such are permitted by federal law and the laws of the state, shall be regulated and governed by the use regulations and requirements of this Article. However, this Article shall not apply nor be construed to apply to amateur radio operators who are licensed to operate a radio or transmitter by the Federal Communications Commission under Part 97 of the Federal Communications Commission's Rules.

(Ord. 21-97, passed - -1997; Ord. 16-2016, passed 7-11-2016)

4.6B DEFINITIONS.RESERVED

~~As used in this Article only, the following terms shall be defined as set forth below. All other terms shall have the meaning set forth in Article XIII, Definitions.~~

~~—**ANTENNA.** Any communications equipment that transmits or receives electromagnetic radio signals used in the provision of wireless communications service.~~

~~—**ANTENNA ARRAY.** A structure attached to a telecommunications tower that supports a telecommunications antenna.~~

~~—**BASE STATION.** A station located at a specific site that is authorized to communicate with mobile stations. The term includes all radio transceivers, antennas, coaxial cables, power supplies, and other electronics associated with a station.~~

~~—**COLLOCATION.** The placement or installation of wireless facilities on existing structures that include a wireless facility or wireless support structure, including water towers and other buildings or structures. The term includes the placement, replacement, or modification of wireless facilities within an approved equipment compound.~~

~~—**CONSTRUCTION PLAN.**~~

~~—(1) When referring to a new wireless support structure means a written plan for construction that:~~

~~—(a) Demonstrates that the aesthetics of the wireless support structure is substantially similar to Town of Plainfield's decorative light poles;~~

~~—(b) Includes the total height and width of the wireless facility and wireless support structure, including cross section and elevation, footing, foundation and wind speed details;~~

~~—(c) A structural analysis indicating the capacity for future and existing antennas, including a geotechnical report and calculation for the foundation's capability; the identity and qualifications of each person directly responsible for the design and construction; signed and sealed documentation from the applicant that shows the proposed location of the wireless facility and wireless support structure and all easements and existing structures within 1,000 feet of such wireless facility or wireless support structure.~~

~~—(2) When referring to substantial modification of an existing wireless facility or wireless support structure means a plan that describes the proposed modifications to the wireless support structure and all equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment.~~

~~—**EIA-222.** Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures".~~

~~—**ELECTRICAL TRANSMISSION TOWER.** A structure that physically supports high voltage overhead power lines. The term does not include a utility pole.~~

~~—**EQUIPMENT COMPOUND.** The area that:~~

~~—(1) Surrounds or is near the base of a wireless support structure; and~~

~~—(2) Encloses wireless facilities.~~

~~—**EXISTING STRUCTURE.** Does not include a utility pole or an electrical transmission tower.~~

~~—**NON-WHIP ANTENNA.** An antenna which is not a whip antenna, such as dish antennas, panel antennas and the like.~~

~~—**PERMIT AUTHORITY.** The staff of the Town of Plainfield and the applicable Board of Zoning Appeals within the jurisdiction of the Town of Plainfield.~~

~~—**PERSON.** A corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.~~

~~—**SMALL CELL FACILITY.**~~

- ~~—(1) A personal wireless service facility as defined by the Act; or~~
 - ~~—(2) A wireless service facility that satisfies the following requirements:~~
 - ~~—(a) Each antenna, including exposed elements, has a volume of three cubic feet or less;~~
 - ~~—(b) All antennas, including exposed elements, have a total volume of six cubic feet or less;~~
- ~~and~~
- ~~—(c) The primary equipment enclosure located within the facility has a volume of 40 cubic feet or less.~~

~~—**SMALL CELL NETWORK.** A collection of interrelated small cell facilities designed to deliver wireless service.~~

~~—**SUBSTANTIAL MODIFICATION OF A WIRELESS SUPPORT STRUCTURE.** The mounting of a wireless facility on a wireless support structure in a manner that:~~

- ~~—(1) Increases the height of the wireless support structure by the greater of:~~
 - ~~—(a) Ten percent of the original height of the wireless support structure;~~
 - ~~or~~
 - ~~—(b) Twenty feet; or~~
- ~~—(2) Adds an appurtenance to the wireless support structure that protrudes horizontally from the wireless support structure by the greater of:~~
 - ~~—(a) Twenty feet; or~~
 - ~~—(b) The width of the wireless support structure at the location of the appurtenance; or~~
 - ~~—(c) Increases the square footage of the equipment compound in which the wireless facility is located by more than 2,500 square feet.~~

~~—**TELECOMMUNICATIONS.** The transmission between or among points specified by the user of information of the user's choosing, without change in the form or content of the information as sent and received.~~

~~—**TELECOMMUNICATIONS ANTENNA.** An antenna used to provide a telecommunications service.~~

~~—**TELECOMMUNICATIONS SERVICE.** The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of~~

~~the facilities used.~~

~~—**TELECOMMUNICATIONS TOWER.** A structure more than ten feet tall, built primarily to support one or more telecommunications antennas.~~

~~—**UTILITY POLE.** A structure that is:~~

~~——(1) Owned or operated by:~~

~~——(a) A public utility;~~

~~——(b) A communications service provider;~~

~~——(c) A municipality;~~

~~——(d) An electric membership corporation; or~~

~~——(e) A rural electric cooperative; and~~

~~——(2) Designed and used to:~~

~~——(a) Carry lines, cables, or wires for telephone, cable television; or electricity; or~~

~~——(b) Provide lighting.~~

~~—**WHIP ANTENNA.** An omni-directional dipole antenna of cylindrical shape which is no more than six inches in diameter.~~

~~——(1) All wireless facilities and wireless support structures shall be designed to conform with the accepted electrical engineering methods and practices and to comply with the provisions of the National Electric Code, as amended.~~

~~——(2) All wireless facilities and wireless support structures shall be constructed to conform with the requirements of the Occupational Safety and Health Administration (OSHA).~~

~~——(3) All wireless facilities and wireless support structures shall be designed and constructed to all applicable standards of the American National Standards Institute (ANSI) manual, as amended.~~

~~—**WIRELESS FACILITY.** The set of equipment and network components necessary to provide wireless communications service. The term does not include a wireless support structure.~~

~~—**WIRELESS SUPPORT.** A freestanding structure designed to support wireless facilities. The term does not include a utility pole or an electrical transmission tower.~~

(Ord. 21-97, passed - -1997; Ord. 16-2016, passed 7-11-2016)

4.6C PROCEDURES.

- (1) Wireless telecommunication facilities are hereby declared special exception uses in all districts contained in this ordinance.
- (2) The applicant for a wireless telecommunication facility special exception shall demonstrate that they have exhausted all efforts to locate the proposed telecommunications antennas upon existing buildings or structures in the geographical area of the proposed telecommunications antennas. The applicant shall submit a Master Plan for its wireless telecommunication facilities throughout the town. The Master Plan shall demonstrate efforts to minimize the size and number of telecommunications antenna locations throughout the geographical area, taking into consideration existing technology.
- (3) The placement of telecommunications antennas upon existing telecommunications towers may be administratively approved by the Director of the Department of Planning and Zoning.

(Ord. 21-97, passed - -1997; Ord. 16-2016, passed 7-11-2016)

4.6D DEVELOPMENT STANDARDS.

- (1) In addition to complying with the requirements for a special exception use for the zoning district of the property, all wireless telecommunications facilities shall comply with the following additional requirements.
 - (a) The maximum height of a telecommunications tower, including antenna array, shall not exceed 120 feet above grade.
 - (b) No new telecommunications towers shall be located within 5,000 feet from another telecommunications tower.
 - (c) All guys and guy anchors shall be located within the buildable area of the lot and shall not be located within any front, side or rear yard setback or front, side or rear bufferyard setback and, in any event, no closer than five feet to any lot line.
 - (d) The base of a telecommunications tower shall be enclosed by security fencing.
 - (e) Equipment buildings must be similar in color and character to the main or adjoining building or structure or blend with the

landscaping and other surroundings immediately adjacent to the equipment building and shall be screened by a chain link or wrought iron fence with landscaping installed in compliance with the provisions of Article IV for Level 3 perimeter landscaping requirements.

(f) All applications shall be reviewed by the Design Review Committee with the recommendations of the Design Review Committee becoming part of the record of the proceedings before the Board of Zoning Appeals and shall be considered by the Board of Zoning Appeals as conditions recommended to be imposed on the special exception use by the Board of Zoning Appeals if the special exception is granted and which conditions, if imposed, shall be satisfied before an improvement location permit is issued.

(g) A telecommunications tower shall be erected and operated in compliance with the most current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards.

(h) A telecommunications tower must be:

1. Used by three or more wireless communications providers;
or

2. Designed and built so as to be capable of use by three or more wireless communications providers including providers such as cellular or PCS providers using antenna arrays of nine to 12 antennas each within 15 vertical feet of each other with no more than three degrees of twist and sway at the top elevation and the owner of the telecommunications tower and the property on which it is located must certify to the town that the antenna is available for use by another wireless telecommunications provider on a reasonable and non-discriminatory basis and at a cost not exceeding the market value for the use of the facilities. If a portion of the telecommunications tower is to be leased to other wireless communications providers, the portions of the actual or proposed lease that demonstrate compliance with the requirements of this division shall be submitted with the application for special exception.

(i) All telecommunications towers shall be of a tapering monopole construction, except that another type telecommunications tower may be allowed upon showing that the alternate type of telecommunications tower would cause less visual impact on surrounding property than a similar monopole structure.

(j) No lettering, symbols, images, trademarks, signs or advertising shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by FCC regulations regarding telecommunications tower registration or other applicable law.

(k) The need for the requested site and the nature of any existing sites shall be documented and the manner in which the placement will promote the town telecommunications policies shall be demonstrated.

(l) Telecommunications towers shall be constructed to minimize potential safety hazards. Telecommunications towers shall be constructed so as to meet or exceed the most recent EIA-222 standards, and prior to issuance of a building permit, the Building Inspector shall be provided with an engineer's certification that the telecommunications tower's design meets or exceeds those standards. Guyed telecommunications towers shall be located in such a manner that if the telecommunications tower should fall along its longest dimension, the telecommunications tower will remain within the lot lines and avoid habitable structures, public streets, utility lines and other telecommunications towers.

(m) Telecommunications towers and equipment buildings shall be located: to minimize their number, height and obtrusiveness; to minimize visual impacts on the surrounding area; and in accordance with the following town telecommunications policies:

1. Ensure that the height of telecommunications towers have the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate;

2. Demonstrate that the selected site for a new telecommunications tower provides the least visual impact on residential areas or the public way and illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility;

3. Site telecommunications towers to minimize being visually solitary or prominent when viewed from residential areas or the public way. The telecommunications tower should be obscured by vegetation, treecover, topographic features and buildings or other structures to the maximum extent feasible;

4. Place telecommunications towers to ensure that historically significant landscapes are protected. The views of and vistas from architecturally or historically significant structures should not be

impaired or diminished by the placement of telecommunications towers; and

5. The Board of Zoning Appeals may grant a special exception which does not fully comply with the telecommunications policies contained herein for telecommunications towers when the Board of Zoning Appeals determines that such a grant better accomplishes the telecommunications policies set out in this division than would a strict application of these telecommunication policies. Such deviations from the town telecommunications policy shall be no greater than necessary to accomplish those policies.

(n) No signals or lights or illumination shall be permitted on telecommunications towers unless required by the Federal Communications Commission, the Federal Aviation Administration or the town.

(o) If any additions, changes or modifications are to be made to a telecommunications tower, the Building Inspector shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to structural wind load and all other requirements of the current Building Code adopted by the town.

(p) Telecommunications towers which have not been used for a period of one year shall be removed. The last telecommunication service provider to use a telecommunications tower shall notify the Director or his or her designee within 30 days that use of a telecommunications tower has been discontinued.

(q) All telecommunications towers shall comply with all ordinances of the town not in conflict with this section.

(2) Antennas mounted on existing buildings or structures.

(a) Roof-mounted telecommunications antennas are allowed on nonresidential buildings in all zoning districts without further zoning proceedings, provided a non-whip antenna does not exceed the height of the building by more than ten feet and is screened from view from any adjacent public right-of-way and provided a whip antenna does not exceed the height of the building by more than 15 feet and is located no closer than 15 feet to the perimeter of the building. Prior to installation of a roof-mounted telecommunications antenna, the Building Inspector shall be provided with an engineer's certification that the roof will support the proposed telecommunications antenna and associated roof-mounted equipment. Roof-mounted telecommunications antenna and associated equipment shall be

screened with enclosures or facades having an appearance that blends with the building on which they are located or by locating them so that they are not visible from an adjacent public right-of-way.

(b) Building-mounted telecommunications antennas of the non-whip antenna type are allowed on nonresidential buildings in all zoning districts without further zoning proceedings, provided the non-whip antenna is mounted flush with the exterior of the building so that it projects no more than 30 inches from the surface of the building to which it is attached and the non-whip antenna's appearance is such as to blend with the surrounding surface of the building.

(c) Associated equipment shall be placed either within the same building or in a separate building which matches the existing building in character and building materials or blends with the landscaping and other surroundings immediately adjacent to the separate building housing the equipment. Associated equipment for roof-mounted telecommunications antennas may be located on the roof of the building if it is screened from view from any adjacent public right-of-way.

(d) Telecommunications antennas are allowed without further zoning proceeding on existing utility, lighting, telecommunications towers and sign structures exceeding 50 feet in height above grade, provided that the telecommunications antenna does not exceed the height of the structure by more than ten feet if a non-whip antenna or 15 feet if a whip antenna. Existing structures may be rebuilt if necessary to support the load of the new telecommunications antenna without further zoning proceedings if the rebuilt structure is substantially similar in appearance to the existing structure it replaces.

(e) Telecommunications antennas located on existing buildings or structures are not subject to the 5,000 foot separation requirement.

(f) When an application for an improvement location permit to locate a telecommunications antenna on an existing building or other structure is made, the Director shall be provided with color photo simulations showing the site of the existing structure with a photo-realistic representation of the proposed telecommunications antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest residential property and from adjacent public right-of-way. The applicant shall also submit photographs of the same views showing the current appearance of the site without the proposed telecommunications antenna.

(3) Telecommunications antennas shall not be constructed or used within the town without all approvals and permits first having been secured.

(4) Within 30 days of the enactment of this ordinance, and during each January thereafter, providers of personal wireless services, as that term is defined by federal law, operating in the town shall provide the town with their respective Master Plan for wireless telecommunications facilities, including detailed maps, showing the precise locations and characteristics of all telecommunications antennas and telecommunications towers serving any portion of the town and indicating coverage areas for current and future telecommunications antennas and telecommunications towers and shall provide the town with any updates to the above documents. Updated documents shall be provided to the town within three months of their creation.

(Ord. 21-97, passed - -1997)

4.6E DEVELOPMENT STANDARDS FOR TOWERS SHORTER THAN FORTY FEET ABOVE GRADE.

(1) *General standards.*

(a) *Permits.* A person that provides wireless communications services or otherwise makes available infrastructure for wireless communications services may apply for a permit to: locate a wireless facility or wireless support structure; perform a substantial modification; or collocate wireless facilities on existing structures in the ROW Overlay District.

1. An applicant shall demonstrate that the proposed wireless facility, wireless support structure, or substantial modification thereof complies with the requirements of this ROW Overlay District.

2. The following require a special exception to be granted or modified by the Board of Zoning Appeals prior to administrative appeal of the permit application.

a. Locating or constructing a new wireless facility or wireless support structure.

b. Perform a substantial modification on an existing wireless facility or wireless support structure.

3. The following may be approved administratively.

a. Collocate wireless facilities on an existing structure in the ROW Overlay District.

(b) *Collocation preference.*

1. At a minimum, new wireless facilities shall be a monopole constructed to support the initial user plus the anticipated loading or one additional user.

2. The site of the initial wireless facility at any location shall be of sufficient area to allow for the location of one additional wireless facility.

3. Any proposed wireless support structure shall be designed, and engineered structurally, electrically, and in all other respects, to accommodate both the initial wireless facility and one additional wireless facility. The wireless support structure shall be designed to allow for the future rearrangement of cellular communications equipment and antennas upon the structure and to accept cellular communications equipment and antennas mounted at varying heights.

4. A proposal for a new wireless support structure shall not be approved unless the person submits an affidavit that the telecommunication equipment planned for the proposed wireless support structure cannot be accommodated on an existing or approved utility pole or electrical transmission tower or other structure due to one or more of the following reasons:

a. The planned telecommunication equipment would exceed the structural capacity of the existing or approved utility pole or electrical transmission tower, buildings, or structures as documented by a qualified and licensed professional engineer, and the existing or approved utility pole or electrical transmission tower, buildings, or structures cannot be reinforced, modified, or replaced to accommodate the planned telecommunication equipment at a reasonable cost; or

b. The planned telecommunication equipment would cause interference impacting the usability of other existing telecommunications equipment at the site if placed on existing structures. Supportive documentation by a qualified and licensed professional engineer indicating that the interference cannot be prevented at a reasonable cost; or

c. The existing or approved utility pole or electrical transmission tower, buildings, or structures within the search radius cannot accommodate the planned telecommunications

equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer; or

d. The person has been unable to enter a commonly reasonable lease term with the owners of existing utility pole or electrical transmission tower, buildings, or structures.

(c) *Specifications.* Beginning on the effective date, new wireless facilities and wireless support structures shall meet the following specifications:

1. Overall maximum antenna and tower height: Forty feet from grade.

2. Minimum tower separation: One thousand feet between any other wireless support structure primarily used for telecommunications, measured in any direction between wireless support structures, not necessarily in a dimension measured parallel to a road right-of-way.

3. Wireless support structures must be metal or fiberglass poles matching the town's approved street light poles, per engineering specifications as may be amended from time to time by the Town Council. Support structures shall include luminaires that match the town's specifications for lighting and be maintained in good working order at the cost of the applicant, including the cost of electricity. Any antenna equipment mounted to the support structures (antenna or other permitted equipment) shall also be matching in color to the support structure.

4. All facility equipment at a single facility with the exception of the antenna itself shall be mounted in one of these three manners in order of preference:

a. In an underground vault no greater than 50 cubic feet flush mounted at grade.

b. Ground mounted in a cabinet having an area not to exceed 40 cubic feet and no greater than 48 inches in overall height.

c. Pole-mounted equipment may be permitted within a cylindrical cabinet or an approved town street identification monolith, subject to the following requirements:

i. *Cabinet.*

A. Cabinet shall be mounted flush with the grade and shall not exceed five feet in height;

B. The cabinet must not extend more than two feet from the pole. The pole structure need not extend to the ground if the cylindrical cabinet has sufficient structural integrity to support the weight of the pole and equipment;

C. The cabinet must be painted to match the approved pole;

D. All equipment must be placed within the cabinet in a manner so that it is not visible from any point on the public rights-of-way;

E. The top of the cylinder must taper back to the pole in a manner that minimizes the visual impact of the cylinder. This tapered section may extend one foot above the cylinder; and

F. The owner of the structure is responsible for all maintenance of the structure and cabinets.

ii. *Town identification monolith.*

A. Monolith style equipment cabinets shall not be allowed more than 100 feet from an intersection;

B. Monolith shall be mounted flush with the grade and shall not exceed ten feet in height;

C. Monolith sides shall not exceed four feet in width;

D. The information panel must use the logo, typeface, and colors approved in the town graphic standards and the message must be approved by the Plan Commission;

E. Streets and not-for-profits/government facilities (i.e. Plainfield/Guilford Township Public Library, Richard A. Carlucci Rec Center, Plainfield Baptist Church, Plainfield High School);

F. All equipment must be placed within the monolith in a manner so that it is not visible from any point on the public rights-of-way; and

G. The owner of the structure is responsible for all maintenance of the structure, monolith, and approved information panels on the monolith.

5. All support structures shall have a plaque identifying the structure, the owner, and the owner's contact information; said plaque shall not exceed 0.25 square feet.

6. All wiring and fiber shall be concealed within the support structure and all conduit, wiring, and fiber shall be buried between structures and/or structures and ground mounted cabinets. All service lines (e.g. electric lines) to the support structure must also be buried unless service lines in the area of the support structure are aerial. The service lines to the support structure can also be aerial, except for any service drop crossing street or roadway which would need to be bored and placed under such street or roadway.

7. Wireless support structures and wireless facilities shall be designed to blend into the surrounding environment through the use of color, camouflaging, and architectural treatment and the entire facility shall be aesthetically and architecturally compatible with its environment. The use of materials compatible with the surrounding environment is required for associated support structures, which shall be designed to architecturally match the exterior of residential or commercial structures within the neighborhood or area. Specific requirements for aesthetics of the wireless support structures and facilities shall be in accordance with the standards established by the Plainfield Town Council, from time to time.

(d) *Continued operation.* A person receiving a permit for a new construction of a new wireless support structure; substantial modification of a wireless support structure; or collocation of wireless facilities on an existing structure inherently agrees that if the wireless support structure or wireless facilities are not used for six consecutive months, they will be removed by the facilities owner at its expense. Should owner fail to remove the wireless support structure or wireless facilities after 30 business days from the date a notice of violation is issued by the town, the town may remove such structure or facilities and bill the owner for the costs of removal and cleanup of the site. The owner of any facility shall annually file a copy of any inspections completed on such wireless support structure or wireless facilities with the permit authority for continued operation and use of the wireless support structure or wireless facilities.

(e) *Confidential information.* All confidential information submitted by an applicant shall be maintained to the extent authorized by I.C. 5-14-3 et seq.

(2) *Application and procedure.* The following shall be required for all new wireless support structures, substantial modifications, or collocation.

(a) *Contents of application.* An application for a permit shall include the following:

1. The name, business address, and point of contact for the applicant;

2. The location address, and latitude and longitude of the proposed or affected wireless support structure or wireless facility, and identify all small cell facilities within 1,500 feet of the proposed new support structure;

3. A construction plan, as defined herein, that describes the proposed wireless support structure and all equipment and network components, including antenna, transmitters, receivers, base stations, power supplies, cabling, and related equipment sufficient to determine compliance with these standards; and

4. Evidence supporting the choice of location, including, without limitation:

a. Maps of plats showing the proposed location (s) of the applicant's proposed wireless support structure; and

b. A sworn statement from the individual responsible for the choice of location demonstrating that collocation of wireless facilities on an existing wireless support structure was not a viable option.

(b) *Single application.* An applicant may submit one application for up to three wireless service facilities that are located with ROW Overlay District. The permit authority may issue a single permit for all wireless support structures and service facilities included in the applicant rather than individual permits for each wireless support structure and service facility. Each individual facility will be assessed a fee as if the applications had been submitted separately.

(c) *Variances.* If the proposed wireless support structure is not a permitted use under an applicable zoning ordinance, the applicant shall additionally submit evidence showing the application complies with the criteria for a variance of use from the terms of the zoning ordinance.

(d) *Procedure.*

1. *Determination of completion/defects.* Within ten business days of receipt of an application, the permit authority shall review the application to determine if the application is complete. If the permit authority determines that an application is not complete, the permit authority shall notify the applicant in writing of all defects in the application. An applicant that receives a written notice of incompleteness may cure the defects and resubmit the application within 30 business days of receiving the notice. If an applicant is unable to cure the defects within the 30-day period, the applicant shall notify the permit authority of the additional time the applicant requires to cure the defects.

2. *Decision by the permit authority.* Not more than 14 business days after the permit authority makes an initial determination of completeness, the permit authority shall:

- a. Review the application to determine if it complies with the applicable requirements of this Article;
- b. Review the application to determine if it complies with the standards as required as established by the permit authority; and
- c. Notify the applicant in writing whether the application is approved or denied.

However, if the applicant requested additional time to cure defects in the application, the 14 business days shall be extended for a corresponding, reasonable amount of time.

(e) *Written determination.* A written determination shall clearly state the basis for the decision to approve or deny an application. If the permit authority denies an application, the written notice must include substantial evidence in support of the denial. A notice is considered written if it is included in the minutes of a public meeting of the permit authority.

(3) *Construction requirements.* All antennas, telecommunications towers, accessory structures, and any other wiring constructed shall comply with the following requirements:

- (a) All applicable provisions of the Zoning Ordinance and the Building Code of the State of Indiana, as amended, and the Federal Communications Commission (FCC) when applicable;

(b) All wireless facilities and support structures shall be certified by a qualified and licensed professional engineer to conform to the latest structural standards and wind loading requirements of the Uniform Building Code, as amended, and the Electronics Industry Association;

(c) All wireless facilities and support structures shall be designed to conform with the accepted electrical engineering methods and practices and to comply with the provisions of the National Electric Code, as amended;

(d) All wireless facilities and support structures shall be constructed to conform with the requirements of the Occupational Safety and Health Administration (OSHA); and

(e) All wireless facilities and wireless support structures shall be designed and constructed to all applicable standards of the American National Standards Institute (ANSI) manual, as amended.

(Ord. 16-2016, passed 7-11-2016)

ARTICLE 4.7. LANDSCAPE PROVISIONS

4.7A INTENT.

Landscaping of required yards and required bufferyards is an essential element of the design of a site with respect to promoting the public health, safety, comfort, convenience and general welfare of the town. Landscaping is intended to lessen the impact of development on the environment by reducing glare and heat buildup, promoting the creation landscape islands for pedestrian safety, to break up large expanses of pavement, and to reduce storm water run-off. Landscaping provides a critical buffering effect between higher intensity districts and lower intensity districts (e.g., typically between commercial and industrial districts and residential districts).

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39- 2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7B LANDSCAPING OF REQUIRED FRONT, SIDE AND REAR YARDS AND REQUIRED FRONT, SIDE AND REAR BUFFERYARDS IN ALL DISTRICTS EXCEPT RESIDENTIAL DISTRICTS.

All required yards and all required bufferyards shall be landscaped in compliance with the requirements in Table 4.7-A, Table 4.7-B and Table 4.7-C.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7C PERIMETER LANDSCAPING REQUIRED FOR RESIDENTIAL SUBDIVISIONS IN ALL RESIDENTIAL DISTRICTS.

All required perimeters and all required bufferyards for residential subdivisions shall be landscaped in compliance with the requirements in Table 4.7-A, Table 4.7-B and Table 4.7-C. subject to the following:

(1) *Front perimeter.*

(a) As stipulated in Table 4.7-B., the front perimeter of a residential subdivision along a major thoroughfare (primary arterial, secondary arterial or collector street), shall have Level 5 perimeter landscaping.

(b) The Level 5 perimeter landscaping shall be within a minimum 20-foot wide landscape easement adjacent to the right-of-way of the perimeter street with berms as stipulated in Article 4.7G(2).

(c) As stipulated in Table 4.7-C., the Level 5 perimeter landscaping shall consist of a plant unit value (PUV) of 40% ornamental or shade trees, 40% evergreen trees and 20% hedge plants or shrubs (half of which shall be an evergreen species). The plant material should be clustered or planted in irregular patterns.

(d) If a fence or wall is incorporated, required PUV will be given credit as stipulated in Article 4.7G All plant material shall be located on the street side of the fence or wall.

(2) *Side and rear perimeters.*

(a) As stipulated in Table 4.7-B., the side and rear perimeters of a residential subdivision, shall have Level 3 perimeter landscaping.

(b) The Level 3 perimeter landscaping shall be within a minimum 15 foot wide landscape easement along the side and rear perimeter with berms as stipulated in Article 4.7G.

(c) As stipulated in Table 4.7-C., the Level 3 perimeter landscaping shall consist of a plant unit value (PUV) of 40% ornamental or shade trees, 40% evergreen trees and 20% hedge plants or shrubs. The plant material should be clustered or planted in irregular patterns.

(d) If a fence or wall is incorporated, PUV will be given credit as stipulated in Article 4.7G All plant material shall be located on the outside of the fence or wall.

(e) Existing trees may be used and given credit per Article 4.7J if it is determined the trees are an appropriate species and healthy.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7D FOUNDATION PLANTING IN THE R-6 DISTRICT, R-U DISTRICT, ALL COMMERCIAL DISTRICTS AND ALL INDUSTRIAL DISTRICTS.

(1) *Foundation planting areas required.* Foundation planting areas shall be required for all new buildings and building additions in the R-6 District, the R-U District for multi-family dwellings or any special exception use, all commercial districts and all industrial districts as follows:

(a) In the case of a single use site or a primary building in an integrated center located in a commercial district, foundation planting areas are required along the front and each side of the building.

(b) In the case of a building located in the R-6 District, R-U District, on an out lot in a commercial district or any building located in an industrial district, the front, side and rear of the building shall have foundation planting areas.

(2) *Foundation planting areas.* Foundation planting areas shall be subject to the following requirements:

(a) *Location.* Foundation planting areas shall be calculated individually for each applicable front, side or rear of a building and shall be located along such front, side or rear of a building (except for those portions of the front or side of a building devoted to pedestrian ingress/egress, vehicular ingress/egress, loading or drop-off zones);

(b) *Area.* Foundation planting areas shall have a total area in square feet of not less than two feet times the length of the wall (two feet X length of wall = area for foundation planting) to which the foundation planting is oriented;

(c) *Relationship to buildings.* Foundation planting areas shall be located:

1. Adjacent to the building; or

2. So as to begin within 15 feet of the building (in the case of a sidewalk which runs adjacent to the building).

(d) *Minimum dimension.* Foundation planting areas shall maintain a minimum depth in the smallest dimension of six feet;

(e) *Plant unit value.* Foundation planting areas shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained as a foundation

planting strip in compliance with the requirements for a Level 1 plantings as set forth in Table 4.7-B; and

(f) *Overlap with perimeter yards.* Foundation planting areas may overlap required perimeter yards landscaping provided that the plant unit value in such perimeter yard landscaping is equal to or greater than the total plant unit value required for the perimeter yard plus the overlapping foundation landscaping area.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7E PARKING LOT LANDSCAPING IN THE R-6 DISTRICT, R-U DISTRICT, ALL COMMERCIAL DISTRICTS AND ALL INDUSTRIAL DISTRICTS.

(A) Any new surface, off-street parking areas and expanded surface off-street parking areas located in any: R-6 District or R-U District for multi-family dwellings or any special exception use; commercial district; or industrial district, shall be subject to the regulations of this Article 4.7E.

(B) Off-street parking areas shall include areas uses for the parking or display of automobiles, boats, trucks or farm equipment associated with a dealership or leasing business.

(C) Off-street parking areas shall not include areas uses for semi-truck loading areas, semi-truck maneuvering areas and semi-truck parking areas.

(1) Interior parking lot landscaping in the R-6 District, the R-U District for multi- family dwellings or any special exception use, all commercial districts and all industrial districts.

(a) All new surface parking lots and expanded surface parking lots located in any R-6 District, any R-U District, any commercial district or any industrial district shall include at least one interior landscape island measuring eight feet by 18 feet minimum for every 15 parking spaces. Each interior landscape island shall contain at least one deciduous shade (overstory) tree, deciduous ornamental (understory) tree or evergreen tree. All trees shall comply with the size at time of planting as indicated in Table 4.7-C.

(b) Space devoted to interior landscape islands shall be in addition to any required front, side or rear yards, required front, side or rear bufferyards, or required foundation plantings.

(c) The area devoted to interior landscape islands may be located individually in the interior of the parking lot or may be aggregated into one or more landscape areas. When located individually, interior landscape islands shall be located so as to define vehicular and

pedestrian traffic patterns. When aggregated into one or more landscape areas, interior landscape islands shall function to: preserve existing trees, create boulevard treatments, create landscape features, create common open space areas for passive recreational activities or define vehicular and pedestrian traffic patterns.

(2) *Perimeter landscaping of parking lots in the R-6 District, the R-U District, all commercial districts and all industrial districts.* In addition to landscaping provided in required yards and required bufferyards, if a parking area is located between a building and a required front yard or between a building and a required front, side or rear bufferyard, the side of the parking area facing the front yard or the front, side or rear bufferyard shall be screened by:

(a) A compact hedge row located between the front yard or a bufferyard and the edge of the parking area planted three feet on-center (3 ft. o.c.) and between 24 and 30 inches in height at the time of planting; or

(b) Hedge plants in combination with: an ornamental, decorative fence or masonry wall or earthen berm provided that the plant unit value of the hedge, wall and/or berm equals one and one-half.

Sample Landscaping Maximizing Use of Shrubs



No Bufferyard



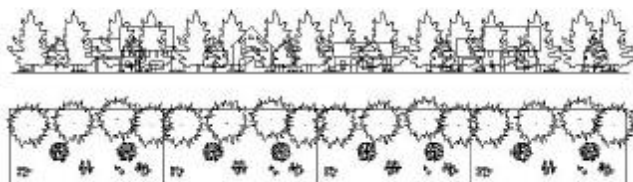
Level 1



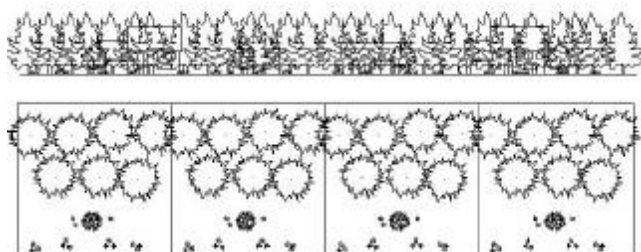
Level 2



Level 3



Level 4

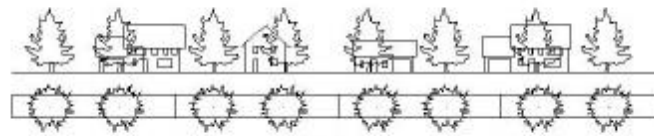


Level 5

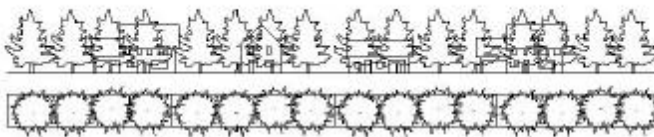
Sample Landscaping Maximizing Use of Evergreens



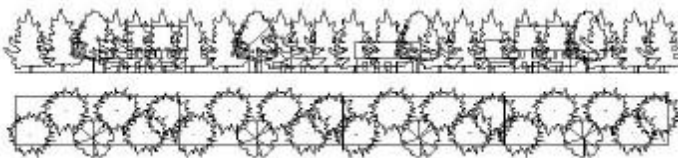
No Bufferyard



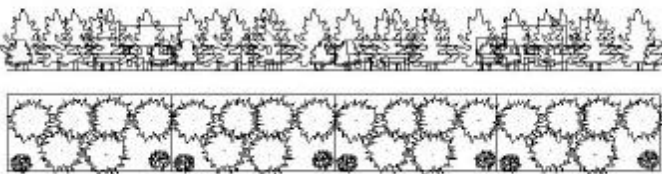
Level 1



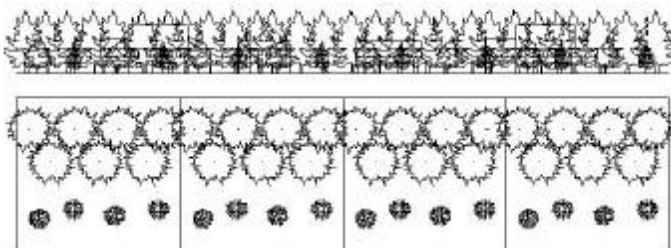
Level 2



Level 3



Level 4



Level 5

Note: Each sample area represents a total length of 400 feet. Depth of the sample areas varies for illustrative purposes only. Trees indicated are at full growth, not at time of planting.

TABLE 4.7-A - PERIMETER LANDSCAPE YARDS																			
Adj. Prop.	Zoning Of Subject Property																		
	A G	R R	R -1	R -2	R -3	R -4	R - 5	R - 6	R- U	~~M U~~	T C	O D	N R	G C	I- 1	I- 2	I- 3	I- 4	P U D
AG	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	1	2	3	1	2	3	4	(2)
RR	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
R-1	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
R-2	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
R-3	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
R-4	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
R-5	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
R-6	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
R-U	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	2	3	4	2	3	4	5	(2)
~~MU~~	~~N A~~	~~N A~~	~~5- 3~~	~~5- 3~~	~~5- 3~~	~~5- 3~~	~~5- 3~~	~~5- 3~~	~~5- 3~~	~~5- 3~~	~~(1)~~	~~1~~	~~1~~	~~2~~	~~1~~	~~2~~	~~3~~	~~4~~	~~(2)~~
TC	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	1	1	1	1	1	1	2	(2)
OD	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	1	1	1	1	1	1	2	(2)
NR	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	~~5- 3~~	(1)	1	1	1	1	1	1	2	(2)

GC	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	(1)	1	1	1	1	1	1	2	(2)
I-1	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	(1)	1	1	1	1	1	1	2	(2)
I-2	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	(1)	1	1	1	1	1	1	2	(2)
I-3	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	(1)	1	1	1	1	1	1	2	(2)
I-4	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	(1)	1	1	1	1	1	1	2	(2)
LA	N A	N A	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	5- 3	(1)	1	1	2	1	1	2	3	(2)
LA = Limited access right-of-way NA = Screening not required 1 = Level 1 2 = Level 2																			
3 = Level 3 4 = Level 4 5 = Level 5																			
5-3 = Level 5 for the front perimeter along a perimeter street (major thoroughfare); Level 3 for the side and rear perimeter of the subdivision																			
(1) = Landscaping shall be provided as required by Article 2.8B(8)																			
(2) = Landscaping may be any Level as determined by the Plan Commission as part of the review and determination of the Planned Unit Development																			

Table 4.7-B - Levels of Perimeter Plantings
Level 1 = Any combination of plants selected from the plant categories listed in Table 4.7-C which equals or exceeds a plant unit value of 1.0 for each 100 lineal feet
Level 2 = Any combination of plants selected from the plant categories listed in Table 4.7-C which equals or exceeds a plant unit value of 2.0 for each 100 lineal feet, provided that at least 25% of the required plant unit value shall be derived from deciduous shade (overstory) trees, deciduous ornamental (understory) trees, evergreen trees or evergreen trees - narrow spread
Level 3 = Any combination of plants selected from the plant categories listed in Table 4.7-C which equals or exceeds a plant unit value of 3.0 for each 100 lineal feet, provided that at least 25% of the required plant unit value shall be derived from deciduous shade (overstory) trees or

deciduous ornamental (understory) trees and at least 25% of the required plant unit value shall be derived from evergreen trees or evergreen trees - narrow spread

Level 4 = Any combination of plants selected from the plant categories listed in Table 4.7-C which equals or exceeds a plant unit value of 4.0 for each 100 lineal feet, provided that at least 25% of the required plant unit value shall be derived from deciduous shade (overstory) trees or deciduous ornamental (understory) trees and at least 50% of the required plant unit value shall be derived from evergreen trees or evergreen trees - narrow spread

Level 5 = Any combination of plants selected from the plant categories listed in Table 4.7-C which equals or exceeds a plant unit value of 5.0 for each 100 lineal feet, provided that at least 10% of the required plant unit value shall be derived from deciduous shade (overstory) trees or deciduous ornamental (understory) trees and at least 75% of the required plant unit value shall be derived from evergreen trees or evergreen trees - narrow spread

> Level 5 = Whenever a plant unit value in excess of 5.0 is required in connection with the approval of a development plan - development incentives, or the imposition of conditions or commitments authorized by this ordinance, at least 10% of the required plant unit value shall be derived from deciduous shade (overstory) trees or deciduous ornamental (understory) trees and at least 75% of the required plant unit value shall be derived from evergreen trees or evergreen trees - narrow spread

Table 4.7-C - Plant Unit Values	
<i>Plant Categories (Minimum Size at Time of Planting)</i>	<i>Plant Unit Value</i>
Table 4.7-C - Plant Unit Values	
<i>Plant Categories (Minimum Size at Time of Planting)</i>	<i>Plant Unit Value</i>
Deciduous shade (overstory) tree:	
2.5 in. caliper	.75
4 in. caliper	1.00
Deciduous ornamental (understory) tree:	
1.5 in. caliper	.50

3 in. caliper	.75
Multi-stemmed tree (8 ft. high)	.50
Multi-stemmed tree (12 ft. high)	.75
Evergreen tree (6 ft. high)	.50
Evergreen tree (12 ft. high)	.75
Evergreen tree - narrow spread (4 ft. high)	.25
Evergreen tree - narrow spread (6 ft. high)	.40
Hedge plant:	
18 in. (foundation plantings only)	.025
24 in. high	.05
36 in. high	.10
Preservation of existing vegetation	See Article 4.7I
Fence, wall or berm	See Article 4.7F

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7F GROUND COVER WITHIN REQUIRED LANDSCAPING.

All landscaping required above shall, at a minimum, consist of living vegetation (i.e., trees and shrubs) and grasses or ground cover materials, or preserved existing natural vegetation (i.e., thickets). Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed 20% of the area of the required landscape area in which it is used.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7G WALL, FENCE OR BERM.

In addition to living vegetation required above, landscaping in a required yard or a required bufferyard may include a fence, wall or berm as regulated below.

(1) *Fence or wall regulations.*

(a) *Fence or wall in a front yard.* An ornamental, decorative fence or masonry wall may be used in conjunction with required front yard or required front bufferyard landscaping. Any fence or wall used in a front yard shall not exceed three feet in height if solid or six feet in height if the sight barrier is less than 50%. Any fence or wall which maintains a height of between 30 inches and three feet if solid or between five feet and six feet if the sight barrier is less than 50% shall count as up to a .50 plant unit value for each 100-foot increment against the required plant unit value specified by Table 4.7-B.

(b) *Fence or wall in a side or rear yard or side or rear bufferyard.* An ornamental, decorative fence or masonry wall may be used in conjunction with required side or rear yard or required side or rear bufferyard landscaping. Any fence or wall used in a side or rear yard or side or rear bufferyard shall not exceed six feet in height if solid or ten feet in height if the sight barrier is less than 50%. Any fence or wall which maintains a height of between four feet and six feet if solid or between six feet and ten feet if the sight barrier is less than 50% shall count as up to a .75 plant unit value for each 100-foot increment against the required plant unit value specified by Table 4.7-B.

(2) *Berm regulations.*

(a) *Berm in a front yard or front bufferyard.* An undulating earthen berm, may be used in conjunction with required front yard or required front bufferyard landscaping. Any berm used in a front yard shall have a maximum height not to exceed six feet when located in a residential district or commercial district; or 15 feet when located in an industrial district.

(b) *Berm in a side or rear yard or side or rear bufferyard.* An undulating earthen berm, may be used in conjunction with required side or rear yard or required side or rear bufferyard landscaping. Any berm used in a side or rear yard or side or rear bufferyard shall have a maximum height not to exceed six feet in a residential district, ten feet in a commercial district, or 15 feet when located in an industrial district.

(c) *Construction of berms.* A berm used as a landscaping element shall be constructed in accordance with the following regulations:

1. Each berm shall have a minimum crown width of two feet;

2. Each berm shall have a side slope of not greater than three feet horizontal to one foot vertical;

3. Each berm shall undulate by not less than two feet in elevation and shall maintain its maximum height for a minimum of 60 feet for each 100-foot increment;

4. Each berm shall be planted and covered with live vegetation; and

5. A retaining wall may be used on the side of the berm facing away from the public right-of-way.

(d) *Plant unit value for berms.* The plant unit value of a berm shall be determined by the height of the berm. The plant unit value equivalent of a berm constructed in compliance with these regulations shall be as set forth in Table 4.7 - D: Plant Unit Value of a Berm.

Table 4.7 - D: Plant Unit Value of a Berm	
Maximum Height of Berm	Plant Unit Value Equivalent
3 ft.	.50
6 ft.	.75
10 ft.	1.0
15 ft.	1.5

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7H INSTALLATION OF LANDSCAPING.

All landscaping required by this Article shall be:

- (1) Installed prior to commencement of the use on the real estate; or
- (2) If seasons and weather conditions are not appropriate for the installation of landscaping immediately prior to commencement of the use, all landscaping required by this Article shall be installed by the end of the

next planting season after the use is commenced. For the purpose of this Article 4.7G, planting seasons end on May 15 and September 30 of each year.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7I MAINTENANCE OF LANDSCAPING.

The owner or property manager shall:

- (1) Maintain all required landscaping by keeping lawns mowed, all plants maintained as disease-free, and planting beds groomed (except in areas of preserved existing natural vegetation (i.e., thickets); and
- (2) Replace any required planting, which is removed or dies after the date of planting. Such replacement shall occur during the next planting season. For the purpose of this Article 4.7H, planting seasons end on May 15 and September 30 of each year.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7J CREDIT FOR PRESERVATION OF EXISTING TREES.

In order to encourage the preservation of existing stands of trees or tree rows and to enhance the quality of the built environment, the Director may approve an alternative landscape plan which utilizes the designation of a tree save area in lieu of new plantings within a required yard, a required bufferyard, foundation plantings or interior landscape islands in parking lots provided that such alternative landscape plan:

- (1) Provides for the saving of trees in the tree save area at or in excess of the rate specified in Table 4.7-E - Tree Preservation Credits for new plantings in the required yard, required bufferyard, foundation plantings or interior landscape islands in parking lots;
- (2) Provides that all trees which are to be preserved in a tree save area shall be maintained without injury and with sufficient area for the root system to sustain the tree;
- (3) Provides that protective care and physical restraint barriers at the drip line, such as temporary protective fencing, shall be provided in the tree save area to prevent alteration, compaction or increased depth of the soil in the root system area prior to and during groundwork and construction; and

(4) Provides that, in the event trees designated for saving in the tree save area are damaged during construction or die within three years of completion of construction on the site, replacement trees shall be planted in the designated tree save area at a rate of one deciduous shade (overstory), deciduous ornamental (understory) or evergreen tree for every tree which was damaged or which died, provided however, an evergreen tree-narrow spread may be replaced by another evergreen tree-narrow spread.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

4.7K ALTERNATE LANDSCAPE PLAN APPROVAL.

(1) *Intent of alternate landscape plan.* The Director, upon request by an applicant, shall have the authority to modify the landscape requirements of this Article IV pertaining to required yards and approve an alternative landscape plan so long as the alternative plan:

- (a) Maintains the total plant unit value otherwise required;
- (b) Is appropriate to the site and its surroundings; and
- (c) Is consistent with the intent and purpose of this Article IV.

(2) *Allowed alternative landscape plans.* Such alternative landscape plan approval shall be limited to:

- (a) A redistribution of plant materials required for required yards to other locations on the lot;
- (b) A redistribution of foundation landscaping materials to required front yards, front bufferyards, side yards, side bufferyards or rear bufferyards;
- (c) The use of undersized hedge plants for up to 25% of the required foundation plantings (18 inches to 24 inches high at the time of planting rather than 24 inches to 30 inches at the time of planting, subject to a plant unit value for each undersized hedge plant of .025);
- (d) Allowing an alternative to the screening of parking areas provided that the total plant unit value installed for such screening purposes shall equal or exceed the total plant unit value required based upon the value of the required hedge row; or
- (e) Allowing the use of stone, gravel or similar non-vegetative ground cover in:

1. Foundation planting areas; or
2. The first 12 inches from back of curb in an interior parking lot landscape island.

(3) *Limitations.* The Director shall not have the authority to modify the landscape requirements of this Article IV so as to:

- (a) Reduce landscaping levels in required bufferyards; or
- (b) Relocate foundation landscaping to a required rear yard.

(4) *DRC review.* Director may, at its discretion, forward such proposed alternative landscape plan to the Design Review Committee for review and advice.

(5) *Appeals.* Any determination by the Director to approve or disapprove of a proposed alternative landscape plan may be appealed by any aggrieved party, within five business days after such determination, by filing an administrative appeal with the Board of Zoning Appeals, stating the reasons and justification for the appeal. Such petition shall be filed consistent with the provisions of rules of procedure of the Board of Zoning Appeals.

Table 4.7-E - Tree Preservation Credits			
Required Plant Categories and Minimum Sizes	Plant Categories of Trees to Be Saved	Size of Trees to Be Saved	Plant Unit Value of Saved Trees
	If a deciduous shade (overstory) tree is to be saved	2 in.—4 in. caliper	.75
		4 in.—6 in. caliper	1.00
		> 6 in. caliper	1.25
Deciduous shade (overstory) tree (< 2 in. caliper)	If a deciduous ornamental (understory) tree is to be saved	1 in.—3 in. caliper	.50
		3 in.—5 in. caliper	.75
		>5 in. caliper	1.00
	If an evergreen tree is to be saved	5 ft.—8 ft. high	.50
		8 ft.—12 ft. high	.75

Deciduous ornamental (understory) tree (< 1 in. caliper)	If an evergreen tree - narrow spread is to be saved	>12 ft. high	1.00
		3 ft.—5 ft. high	.25
		5 ft.—10 ft. high	.50
		>10 ft. high	.75
Evergreen tree (6 ft. high)	If a deciduous shade (overstory) tree is to be saved	2 in.—4 in. caliper	.25
		4 in.—6 in. caliper	.50
		> 6 in. caliper	.75
	If a deciduous ornamental (understory) tree is to be saved	1 in.—3 in. caliper	.25
		3 in.—5 in. caliper	.50
		>5 in. caliper	.75
Evergreen tree - narrow spread (4 ft. high)	If an evergreen tree is to be saved	5 ft.—8 ft. high	.50
		8 ft.—12 ft. high	.75
		>12 ft. high	1.00
	If an evergreen tree - narrow spread is to be saved	3 ft.—5 ft. high	.25
		5 ft.—10 ft. high	.50
		>10 ft. high	.75

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007)

ARTICLE 4.19 ~~OUTDOOR PRODUCT DISPLAY IN THE I-2 AND I-3~~ **ZONING DISTRICTS RESERVED**

4.19A DEFINITIONS.

~~—For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~—(1) **PRODUCT** shall refer to items manufactured on, assembled on, and/or shipped from the site. The Director of Planning and Zoning shall determine whether a requested product is germane.~~

~~—The following are examples of items that are not considered **PRODUCT**:~~

~~—(a) Inoperable vehicles, inoperable equipment, or other items typically stored in a junk yard or salvage area.~~

~~—(b) Donation, recycling, drop boxes, or other similar appurtenances.~~

~~—(c) Automated teller or vending machines.~~

~~—(d) Passenger, delivery, or other commercial vehicles~~

~~—(e) Wearing apparel.~~

~~—(f) Highly flammable or toxic materials.~~

~~—(g) Merchandise with wind movable parts and appendages.~~

~~—(h) Any item that is for retail sale on site.~~

~~—(2) **PRODUCT DISPLAY** shall refer to the approved outdoor display of product(s) through the Improvement location permit process by the Director of Planning and Zoning.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~**4.19B LOCATION.**~~

~~—(1) Outdoor product displays shall not be located so as to interfere or conflict with walks, required parking areas, required loading areas, driveways, interior access drives, interior access driveways, perimeter landscape yards or foundation plantings.~~

~~—(2) Outdoor product displays shall be in an area noted in an approved improvement location permit as “Display Area”.~~

~~—(3) Outdoor product displays shall not be located in a required yard or required bufferyard.~~

~~—(4) Outdoor product displays shall have a clearance of at least five feet from any walk, parking space, or drive.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~4.19C PROCEDURE.~~

~~—An outdoor product display area shall not be constructed or utilized without the approval of an improvement location permit by the Director of Planning and Zoning. The Director shall have the discretion to impose reasonable conditions in conjunction with said approval. The Director shall have the authority to void any improvement location permit for noncompliance. The Plainfield Design Review Committee (DRC) may be consulted for better design.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~4.19D SETBACKS.~~

- ~~—(1) *Front yard.* Must comply with the primary structure front yard setback for the zoning district.~~
- ~~—(2) *Side and rear yard.* Must comply with the primary structure setback for the zoning district.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~4.19E SIZE.~~

- ~~—(1) The cumulative area of all outdoor displays shall not exceed 3,600 square feet.~~
- ~~—(2) The appropriate height of the display area shall be determined by considering the size of the item(s) to be displayed, the proportion of the display area to the building, and the location of the display area on the site.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~4.19F SURFACE.~~

~~—Outdoor product display areas shall be surfaced using concrete or asphaltic concrete. No display of product vehicles shall occur on organic material, gravel, or rock surfaces.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~4.19G LANDSCAPING.~~

~~—A minimum four foot wide landscape buffer shall be provided that consists of 0.15 PUV for every ten feet of perimeter around three sides of the outdoor product display area.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~4.19H ILLUMINATION.~~

~~—See Article 7.8.C.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

~~4.19I PRODUCT DISPLAY STANDARDS.~~

- ~~—(1) The product display area must be constructed to withstand overturning by wind or contact. The display shall not be permanently affixed to any utility poles, signs, light poles, and/or trees.~~
- ~~—(2) All product display areas shall be continuously maintained in a state of order, security, safety, and repair. The display surface shall be kept clean, neatly painted, and free of rust, corrosion, protruding tacks, nails, and/or wires. Any cracked or broken surfaces, or other unmaintained or damaged portions of a display shall be repaired or replaced or removed immediately.~~
- ~~—(3) The use of plazas for outdoor product display is encouraged.~~

~~(Ord. 25-2017, passed 9-11-2017)~~

ARTICLE 5.5. DEVELOPMENT PLANS REQUIRED FOR ARCHITECTURAL AND SITE DESIGN REVIEW FOR ALL DEVELOPMENT LOCATED IN ALL COMMERCIAL DISTRICTS (EXCEPT TC: TOWN CENTER ~~OR MU: MIXED USE~~ DISTRICT) AND ALL INDUSTRIAL DISTRICTS WHEN LOCATED WITHIN 600 FEET OF A GATEWAY CORRIDOR OR WITHIN 600 FEET OF A RESIDENTIAL DISTRICT

5.5 INTENT.

In order to: promote innovation and creativity in the design of the built environment along the major corridors within the town; protect residential neighborhoods from the potential negative impacts of nearby commercial or industrial development; minimize the negative impacts on the town associated with strip commercial development, service facilities, loading facilities, storage facilities; minimize sign clutter and the intrusion of signs on the landscape; and minimize the use of incompatible building design features, all development located within 600 feet of the right-of-way of any Gateway Corridor or within 600 feet of a residential district shall be subject to the approval of a development plan by the Plan Commission or by the Director, as specified below.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11- 2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09- 2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

5.5A APPLICABILITY AND REVIEW AUTHORITY.

(1) *Gateway Corridors.* All development located in any commercial district (except the TC: Town Center District, ~~or MU: Mixed Use~~ District) and any industrial district when located within 600 feet of a Gateway Corridor shall be subject to the filing of a development plan for architectural and site design review as set forth in Table 5.5-A: Gateway Corridor Development Plans.

(2) *Adjoining residential districts.* All development located in any commercial district (except the TC: Town Center District, ~~or MU: Mixed Use~~ District) and any industrial district when located within 600 feet of a residential use which is not legal nonconforming shall be subject to the filing of a development plan for architectural and site design review as set forth in Table 5.5-B: Commercial and Industrial Development Plans Within 600 Feet of a Residential Use Which Is Not Legal Nonconforming.

(3) *Development plans review authority.*

(a) *Review.* All development shall be subject to the filing, review and appeal procedures set forth in Article 5.8 - Procedures for Submission and Review of Development Plans.

(b) *Limitation on Director's authority.* Notwithstanding anything in Table 5.5-A or Table 5.5-B to the contrary, any development which requires a waiver of any development requirement of this Article shall be required to file a development plan for review and determination by the Plan Commission.

Table 5.5-A: Gateway Corridor Development Plans		
Development Activity		Approval Authority
a.	New construction of a primary use building on lot with existing development *	Plan Commission
b.	Major building additions (greater than 10,000 sq. ft. or in excess of 20% of gross floor area of existing building(s)) *	Plan Commission

c.	New outdoor display area, outdoor operations (i.e., outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking area or off-street loading area	Director
d.	Minor building additions (less than 10,000 sq. ft. and less than 20% of gross floor area of existing building(s))	Director
e.	Exterior building renovations (i.e., change in exterior building materials, substantial change in exterior color, increase or decrease in facade fenestration in excess of 10%)	Director
f.	Accessory buildings/structures (new or additions) - including by way of example: trash enclosures; storage sheds; drive-through facilities; ATMs and the like	Director
g.	Expanded or relocated outdoor display area, outdoor operations (i.e., outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking areas or off-street loading area (unless subject to Article 5.4B(4))	Director
h.	All signs, including: ground signs; building signs (wall, awning, canopy or marquee signs); incidental signs (ground, projecting or wall signs); suspended signs; or outdoor display area signs.	Director
i.	Landscaping	Director
j.	Lighting	Director
k.	Fences	Director
* Includes complete review of site, landscape, lighting, sign and building elevation plans		

Plan Commission = Determination by Plan Commission as set forth in Article 5.8A(1)

Director = Administrative determination by Director as set forth in Article 5.8A(2) or Article 5.8E(3) and subject to compliance with the development requirements of this Article 5.5

Table 5.5-B: Commercial/Industrial Development Plans Within 600 Feet of a Residential Use Which Is Not Legal Nonconforming

<i>Development Activity</i>		<i>Approval Authority</i>
a.	New construction of a primary use building on lot with existing development *	Plan Commission
b.	Major building additions (greater than 10,000 sq. ft. or in excess of 20% of gross floor area of existing building(s)) *	Plan Commission
c.	New outdoor display area, outdoor operations (i.e., outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking area or off-street loading area	Director
d.	Minor building additions (less than 10,000 sq. ft. and less than 20% of gross floor area of existing building(s))	Director
e.	Exterior building renovations (i.e., change in exterior building materials, substantial change in exterior color, increase or decrease in facade fenestration in excess of 10%)	Director
f.	Accessory buildings/structures (new or additions) - including by way of example: trash enclosures; storage sheds; drive-through facilities; ATMs and the like	Director

g.	Expanded or relocated outdoor display area, outdoor operations (i.e., outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking areas or off-street loading area (unless subject to Article 5.4B(4))	Director
h.	All signs, including: ground signs; building signs (wall, awning, canopy or marquee signs); incidental signs (ground, projecting or wall signs); suspended signs; or outdoor display area signs	Director
i.	Landscaping	Director
j.	Lighting	Director
k.	Fences	Director
* Includes complete review of site, landscape, lighting, sign and building elevation plans		
Plan Commission = Determination by Plan Commission as set forth in Article 5.8A(1)		
Director = Administrative determination by Director as set forth in Article 5.8A(2) or Article 5.8E(3) and subject to compliance with the development requirements of this Article 5.5		

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

5.5B IDENTIFICATION OF GATEWAY CORRIDORS.

Gateway Corridors include all land areas lying within the corporate limits of the town which are within 600 feet of the greater of the existing right-of-way or the proposed right-of-way of any of the following street segments:

- (1) S.R. 267 (Quaker Boulevard) from the south right-of-way of U.S. 40 to the southern corporate limits of the town;

- (2) U.S. 40 from the eastern corporate limits of the town to the western corporate limits of the town;
- (3) I-70 from the eastern corporate limits of the town to the western corporate limits of the town;
- (4) Stafford Road from the eastern right-of-way of S.R. 267 (Quaker Boulevard) to the eastern corporate limits of the town;
- (5) North-South Corridor from the northern corporate limits of the town to the southern corporate limits of the town;
- (6) Perimeter Parkway, entire length, as identified in the Thoroughfare Plan segment of the Comprehensive Plan; and
- (7) Metropolis Parkway from the eastern right-of-way of new S.R. 267 to the western right-of-way of Ronald Reagan Parkway.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

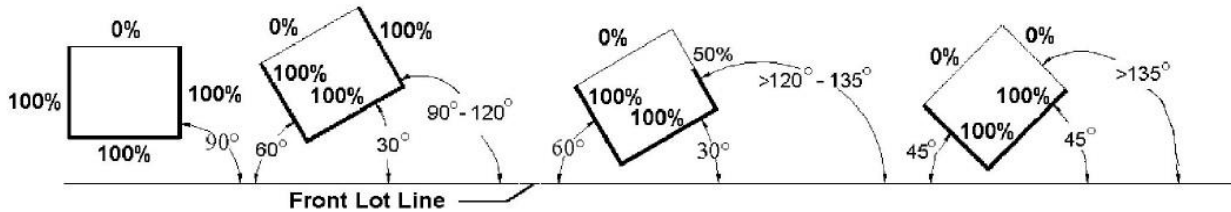
5.5C DEVELOPMENT REQUIREMENTS.

The development requirements specified below shall be satisfied prior to the approval of a development plan for architectural and site design review for any development located along a Gateway Corridor or located within 600 feet of a residential district.

- (1) Each site shall demonstrate compliance with all applicable development standards of the district in which the site is located and all applicable provisions of the Subdivision Control Ordinance for which a waiver is not provided for in this Article.
- (2) Submission of a site plan, landscape plan, lighting plan, sign plan and building elevations, as set forth in Article 5.7.
- (3) Building materials along a Gateway Corridor or located within 600 feet of a residential district: the following building material regulations shall apply to all lots located along a Gateway Corridor or located within 600 feet of a residential district.
 - (a) *New construction, new primary use buildings and major building additions.* In order to create variation and interest in the built environment, all new construction, new primary use buildings and major building additions located along a Gateway Corridor or located

within 600 feet of a residential district shall use the exterior building materials specified below for each facade oriented to any street if the lot is located along a Gateway Corridor or within 600 feet of a residential district.

1. *Determination of facade orientation.* A facade shall be considered to be oriented toward a street if the lot is located along a Gateway Corridor or within 600 feet of a residential district, pursuant angle of the facade as set forth below:



Facades Subject to Building Material Requirements

- a. One-hundred percent of any facade which is located parallel to or up to 120 degrees from being parallel to the front lot line;
- b. Fifty percent of the depth of any facade, beginning at the point which is closest to the front lot line, of any facade which is located more than 120 degrees or up to 135 degrees from being parallel to the front lot line;



Fifty Percent of Depth of Facade

c. The determination of being parallel to the front lot line, or the number of degrees from a line being parallel to the front lot line, shall be determined from a line which is perpendicular to a line which represents the minimum setback of a building to a front lot line; and

d. The determination shall apply to the full length of a facade based upon an elevation view of the building.

2. *Commercial districts.*

a. All brick (excluding window, door, roofing, fascia and soffit materials). The brick used on each applicable facade shall include:

i. At least two architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves and the like); or

ii. At least two colors of brick (any secondary color shall constitute a minimum of 10% of the facade area, exclusive of color variation resulting from windows, doors, roofing and soffit materials).

b. Two or more building materials on each applicable facade (excluding window, door, roofing and soffit materials) provided:

i. The primary building material shall be either brick, stone (limestone, granite, fieldstone and the like), architectural pre-cast (if the surface looks like brick or stone), or EIFS (exterior insulation and finish system or comparable material) and shall constitute a minimum of 50% of each applicable facade;

ii. Any secondary building material shall constitute a minimum of 20% of the facade. Glass used as a curtain wall (above transom level) or a faux window may qualify as a secondary building material. If EIFS is used as the primary building material, the secondary building material shall be brick, stone (limestone, granite, fieldstone and the like) or architectural pre-cast (if the surface looks like brick or stone); and

iii. The exterior building material selection shall be supplemented with the use of multiple colors, textures (e.g., rough, smooth, striated and the like) or architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves and the like) on each applicable facade.

c. Exterior building materials, whether as a primary building material, a secondary building material, or an accent material, shall not include vinyl or aluminum horizontal lap siding.

3. *Industrial districts.* The primary building material (excluding window, door, roofing and soffit materials) used on each applicable facade shall be brick or other masonry material. If a masonry material other than brick is utilized, it shall include at least two textures (e.g., rough, smooth, striated and the like) or at least two colors with the secondary texture or color constituting a minimum of 10% of the facade (exclusive of texture or color variation resulting from windows, doors, roofing and soffit materials).

(b) *Additions to an existing building.* All additions to an existing buildings shall utilize building materials with a style, color, texture and architectural detailing which is compatible and harmonious with the materials used on the existing building.

(c) *Exterior building facade renovations with no building additions or minor building additions.*

1. Exterior building facade renovations which involve no building additions or only minor building additions shall demonstrate reasonable efforts to incrementally bring the exterior facade, which is being renovated or added to, into compliance with the provisions for new construction specified above. Full compliance with the provisions for new construction shall not be a requirement for approval.

2. Exterior building facade renovations shall not include the painting of brick, stone, architectural pre-cast or other natural exterior wall or siding products.

(d) *Exterior building facade renovation with major building additions.* Exterior building facade renovations performed in connection with a major building addition as described herein shall comply with the provisions for new construction specified above.

(4) *Building orientation and site design.*

(a) *Building facades.* All building facades facing a Gateway Corridor or a residential district shall be a finished facade in compliance with the building materials requirements set forth above.

(b) *Loading spaces.* No loading spaces shall be permitted to face a Gateway Corridor or other street where a residential district exists on the opposite side of said street.

(c) *Outside storage.* No outside storage shall be permitted between an established building line and the right-of-way of a Gateway Corridor or other street where a residential district exists on the opposite side of said street.

(d) *Mechanical equipment.* See Article 4.1G: Mechanical Equipment Screening.

(e) *Trash enclosures.* See Article 4.1J: Refuse/Reuse Container Enclosures

(f) *Trash compactors.* See Article 4.1J: Refuse/Reuse Container Enclosures

(g) *Pedestrian connectivity.* See Article 4.1H: Non-Motorized Transportation Access.

(h) *Grading.* In order to ensure that Gateway Corridors have a neat and kept appearance, the temporary storing of topsoil and grading shall comply with the following development requirements:

1. The mounding of topsoil shall not have a slope greater than three to one;
2. Topsoil mounds shall be sowed with an appropriate ground cover that can be mowed to prevent erosion; and
3. Topsoil mounds shall not be located within a front or side yard setback and shall be located adjacent to the rear yard setback.

(5) *Landscaping.* Front yards and front bufferyards shall be landscaped in compliance with the provisions of Article IV, provided, however, that at least 50% of the required plant unit value shall be made up of deciduous shade (overstory) trees, deciduous ornamental (understory) trees or evergreen trees, unless such yard is subject to a stricter requirement for bufferyards, in which case the requirements for bufferyards shall control.

(6) *Lighting.* Site lighting shall comply with the following development requirements.

(a) *Pole lights.* All pole light fixtures used to illuminate off-street parking areas, off-street loading areas, delivery areas or service areas shall be a “shoebox” style light (which may be square, rectangular or round in shape).

(b) *Wall mounted light fixtures.* All wall pack light fixtures on a building facade visible from a Gateway Corridor or a residential district shall be a “shoebox” style light (except for low level architectural lighting for buildings, structures, signs, sidewalks or landscape features and approved as part of a development plan).

(c) *All light fixtures.* All exterior lighting, including pole lights and wall pack lights, shall be of metal halide or LED (light emitting diode) (except for low level architectural lighting for buildings, structures, signs, sidewalks or landscape features, which may be incandescent or other type of lighting deemed appropriate and approved as part of a development plan).

(d) *Pole and wall pack light fixtures.* All pole light fixtures and wall pack light fixtures with a wattage of 400 watts or above, shall be equipped with a flat lens that does not protrude below the bottom edge of the “shoebox”.

(e) *Pole and wall pack light fixtures.* All pole light fixtures and wall pack light fixtures shall be mounted parallel with the horizon and shall utilize a rigid mounting arm with no built-in up-tilt and no adjustment feature.

(f) *Vehicular canopy light fixtures.* All vehicular canopy light fixtures, including, but not limited to, gasoline service station canopies and bank drive-through canopies, regardless of wattage, shall be equipped with a flat lens that does not protrude below the bottom edge of the light fixture.

(7) *Signs.* . See Article 7: Sign Regulations

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

5.5D PERMITTED USES.

All uses which are permitted in a given site's underlying primary zoning district, except those uses expressly excluded in Article 5.5E of this ordinance, are permitted within 600 feet of a Gateway Corridor or residential district.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

5.5E EXCLUDED USES.

(A) The following uses shall be prohibited in all zoning districts within 600 feet of Gateway Corridor or residential district.

(B) Prohibited uses:

- (1) Antique mall;
- (2) Discount retailer; and
- (3) Flea market.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -

2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

5.5F LEGALLY ESTABLISHED NONCONFORMING BUILDINGS OR STRUCTURES.

Where a legally established nonconforming building or structure located within 600 feet of a Gateway Corridor or residential district exists on the effective date of this ordinance that was not constructed in compliance with the terms of this ordinance with regards to development requirements of Article V, the use of the building or structure may continue to exist so long as it remains otherwise lawful, subject to compliance with the following provisions:

- (1) The use was not discontinued or abandoned for a period of six months or more; and
- (2) In the event the building or structure has lost its legally established nonconforming status based on the above provisions, prior to the reuse of the building or structure, the owner shall make application for an improvement location permit (ILP) for compliance with the development requirements of Article V of this ordinance.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

5.5G FINDINGS.

The Plan Commission or the Director may approve a development plan for architectural and site design review upon a finding that:

- (1) The development plan complies with all applicable development standards of the district in which the site is located;
- (2) The development plan complies with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted;
- (3) The development plan complies with all applicable provisions for architectural and site design review for which a waiver has not been granted;
- (4) The proposed development is appropriate to the site and its surroundings; and
- (5) The proposed development is consistent with the intent and purpose of this ordinance.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

5.5H WAIVERS AND FINDINGS.

In order to encourage innovative building and site designs capable of enhancing the quality of the built environment along a Gateway Corridor or adjoining a residential district, the Plan Commission or the Director (in matters delegated to the Director) may grant a waiver of the: landscaping; lighting; sign; building orientation and site design; or building materials along a Gateway Corridor, development requirements specified in this Article 5.5 for architectural and site design review upon finding that the proposed development:

- (1) Represents a innovative use of building materials, lighting, signs, site design features or landscaping which will enhance the use or value of area properties;
- (2) Is consistent with and compatible with other development located along the Gateway Corridor or within 600 feet of a residential district; and
- (3) Is consistent with the intent and purpose of this ordinance.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 27-2007, passed - -2007; Ord. 24-2009, passed 1-26-2009; Ord. 18-2010, passed 11-22-2010; Ord. 06-2011, passed 6-13-2011; Ord. 12-2011, passed - -2011)

ARTICLE 5.6. DEVELOPMENT PLANS REQUIRED FOR ARCHITECTURAL AND SITE DESIGN REVIEW AND DEVELOPMENT INCENTIVES IN THE TC: TOWN CENTER DISTRICT, THE R-U: URBAN RESIDENTIAL DISTRICT ~~AND THE MU: MIXED USE DISTRICT~~

5.6 DEVELOPMENT PLANS REQUIRED FOR ARCHITECTURAL AND SITE DESIGN REVIEW AND DEVELOPMENT INCENTIVES IN THE TC: TOWN CENTER DISTRICT, THE R-U: URBAN RESIDENTIAL DISTRICT ~~AND THE MU: MIXED USE DISTRICT.~~

In order to: assure the continued development and redevelopment of the downtown area of the town as the “center place” of the community which provides a high character “sense of place” in the style of a traditional downtown; provide and enhance the quality and character of the downtown area; and provide for interconnectivity of downtown neighborhoods with the commercial downtown area, all development located in the TC: Town Center District and, the R-U: Urban Residential District ~~and the MU: Mixed Use District~~ shall be subject to the approval of a development plan by the Plan Commission.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)

5.6A APPLICABILITY AND REVIEW AUTHORITY.

(1) *TC: Town Center District.* Development located within the TC: Town Center District shall be subject to the filing of a development plan for architectural and site design review as set forth in Table 5.6-A: Town Center Development Plans.

(2) *R-U ~~and MU~~ Districts.* Development located within the R-U: Urban Residential District ~~and the MU: Mixed Use District~~ when located within the “Town Center Neighborhood” as designated in the Town Center Plan shall be subject to the filing of a development plan for architectural and site design review as set forth in Table 5.6-B: R-U: Urban Residential District ~~and MU: Mixed Use District~~ Development Plans.

(3) *Residential uses in TC District.* Notwithstanding anything above to the contrary, any single-family dwelling, two-family dwelling or multi-family dwelling located in the TC: Town Center District shall be subject only to the development requirements contained in Section 5.6C below, for single-family dwelling, two-family dwelling or multi-family dwelling development located within the R-U: Urban Residential District ~~and the MU: Mixed Use District~~.

(4) *Nonresidential uses in RU ~~or MU~~ Districts.* Notwithstanding anything above to the contrary, any nonresidential use located within the R-U: Urban Residential District ~~or the MU: Mixed Use District~~ when located within the “Town Center Neighborhood” as designated in the Town Center Plan shall be subject to the development requirements for development within the TC: Town Center District set forth in:

(a) Section 5.6B(5) - Architectural Design;

(b) Section 5.6B(7) - Lighting;

(c) Section 5.6B(8) - Accessory Structures and Facilities;

(d) Section 5.6B(9) - Additions to an Existing Building;

(e) Section 5.6B(10) - Exterior Building Facade Renovations With No Building Additions or Minor Building Additions; and

(f) Section 5.6B(11) - Exterior Building Facade Renovation With Major Building Additions below.

(5) *Multi-family dwelling projects in the RU: Urban Residential District.* All multi- family dwelling projects on all Lots in the RU: Urban Residential

District, when located elsewhere in the town and not located within the “Town Center Neighborhood” as designated in the Town Center Plan shall be subject only to the development requirements contained in Article 5.6C(2) below, for multi- family dwellings.

(6) *Development plan review authority.*

(a) *Procedures.* All development shall be subject to the filing, review and appeal procedures set forth in Article 5.8 - Procedures for Submission and Review of Development Plans.

(b) *Limitation on Director’s authority.* Notwithstanding anything in Table 5.6-A or Table 5.6-B to the contrary, any development which requires a waiver of any development requirement of this Article shall be required to file a development plan for review and determination by the Plan Commission.

Table 5.6-A: TC: Town Center District Development Plans		
Development Activity		Approval Authority
a.	New construction *	Plan Commission
b.	New construction of a primary use building on lot with existing development *	Plan Commission
c.	Major building additions (greater than 10,000 sq. ft. or in excess of 20% of gross floor area of existing building(s)) *	Plan Commission
d.	New outdoor display area, outdoor operations (i.e.: outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking area or off-street loading area	Director
e.	Minor building additions (less than 10,000 sq. ft. and less than 20% of gross floor area of existing building(s))	Director
f.	Exterior building renovations (i.e., change in exterior building materials, substantial change	Director

	in exterior color, increase or decrease in facade fenestration in excess of 10%)	
g.	Accessory buildings/structures (new or additions) - including by way of example: trash enclosures; storage sheds; drive-through facilities; ATMs and the like	Director
h.	Expanded or relocated outdoor display area, outdoor operations (i.e.: outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking areas or off-street loading area (unless subject to Article 5.4B(4))	Director
i.	All signs, including: ground signs; building signs (wall, projecting, awning, canopy or marquee signs); incidental signs (ground or wall signs); suspended signs; or outdoor display area signs	Director
j.	Landscaping	Director
k.	Lighting	Director
l.	Fences	Director
* Includes complete review of site, landscape, lighting, sign and building elevation plans		
Plan Commission = Determination by Plan Commission as set forth in Article 5.8A(1)		
Director = Administrative Determination by Director as set forth in Article 5.8A(2) or Article 5.8E(3) and subject to compliance with the Development Requirements of this Article 5.6		
Table 5.6-B: R-U: Urban Residential District ~~and MU: Mixed Use District~~ Development Plans		
Development Activity		Approval Authority

a.	New construction (excluding individual single-family dwellings and two-family dwellings) *	Plan Commission
b.	New construction of a primary use building on lot with existing development (excluding individual single-family dwellings and two-family dwellings) *	Plan Commission
c.	Major building additions (greater than 10,000 sq. ft. or in excess of 20% of gross floor area of existing building(s)) (excluding individual single-family dwellings and two-family dwellings) *	Plan Commission
d.	New outdoor display area, outdoor operations (i.e., outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking area or off-street loading area	Director
e.	Individual single-family dwellings and two-family dwellings	Director
f.	Minor building additions (less than 10,000 sq. ft. and less than 20% of gross floor area of existing building(s))	Director
g.	Exterior building renovations (i.e., change in exterior building materials, substantial change in exterior color, increase or decrease in facade fenestration in excess of 10%)	Director
h.	Accessory buildings/structures (new or additions) - including by way of example: trash enclosures; storage sheds; drive-through facilities; ATMs; detached garages; and the like	Director
i.	Expanded or relocated outdoor display area, outdoor operations (i.e.: outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking areas or off-street loading area (unless subject to Article 5.4B(4))	Director
j.	All signs, including: ground signs; building signs (wall, projecting, awning, canopy or marquee signs); incidental signs (ground or wall signs); suspended signs; or outdoor display area signs	Director

k.	Landscaping	Director
l.	Lighting	Director
m.	Fences	Director
* Includes complete review of site, landscape, lighting, sign and building elevation plans		
Plan Commission = Determination by Plan Commission as set forth in Article 5.8A(1)		
Director = Administrative Determination by Director as set forth in Article 5.8A(2) or Article 5.8E(3) and subject to compliance with the development requirements of this Article 5.6		

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)

5.6B DEVELOPMENT REQUIREMENTS IN THE TC: TOWN CENTER DISTRICT.

The development requirements specified below shall be satisfied prior to the approval of a development plan for architectural and site design review for any development located in the TC: Town Center District:

- (1) *Compliance.* Each site shall demonstrate compliance with all applicable development standards of the TC: Town Center District and all applicable provisions of the Subdivision Control Ordinance for which a waiver is not provided for in this Article;
- (2) *Submission.* Submission of a site plan, landscape plan, lighting plan, sign plan and building elevations, as set forth in Article 5.7;
- (3) *Town Center context.* Development shall incorporate references to the “Old National Road” design theme into the overall development through building design and detailing, and sign design (including graphics);
- (4) *Site layout.*
 - (a) *Entrances.* Major building entrances shall be oriented toward the front lot line;

(b) *Building Placement in the TC: Town Center District.* Building placement for all new construction on any lot shall be in compliance with the following provisions:

1. *For sites containing one building.* In elevation view from the front lot line, at least 75% of the length of the facade of the building facing a street shall be located between the front lot line and the lesser of a five foot setback or the established setback in the same block face;

2. *For sites containing multiple buildings.* In elevation view from the front lot line, at least 75% of the visible facades of the buildings facing a street shall be located between the front lot line and the lesser of a five foot setback or the established setback in the same block face; and

3. *Corner lots.* On corner lots a finished facade of the building shall be oriented toward each front lot line.

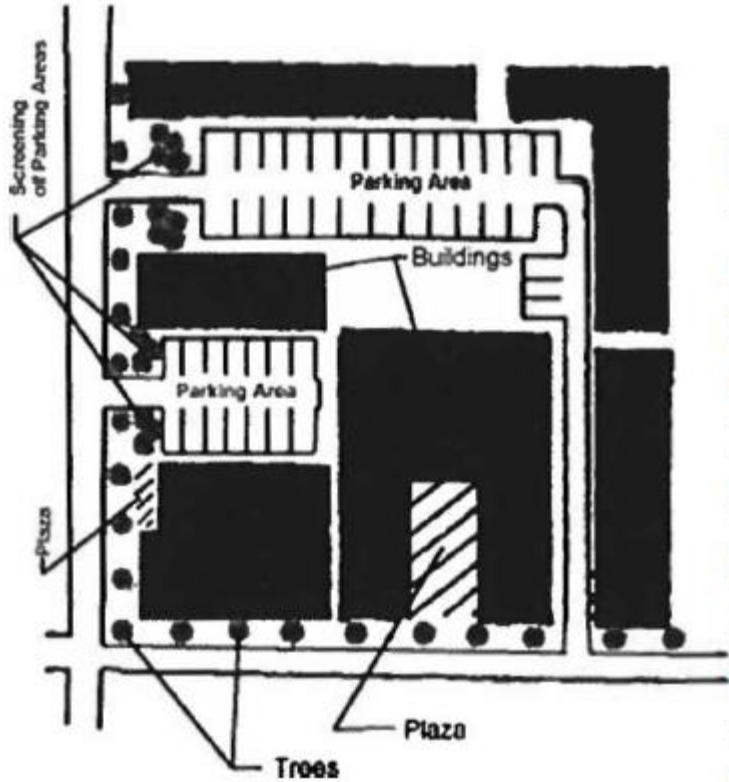
(c) *Plazas.* Plazas shall be provided along all non-building portions of a front yard in the TC: Town Center District in compliance with the following requirements:

1. Plazas shall be located adjacent to a building;

2. Plazas shall be surfaced with concrete, brick or other form of hardsurface pavers appropriate for the proposed development, except for those areas used for trees, foundation landscaping or planters;

3. Plazas shall maintain surface areas at a slope of less than 3%, surface areas may be stepped, where appropriate, as necessary to accommodate natural topography; and

4. That portion of the plaza perimeter located adjacent to a front lot line shall include shade or ornamental trees planted with a maximum spacing of 25 feet on-center or as specified in a Downtown Streetscape Master Plan adopted by the Plan Commission. If plaza trees have already been installed on an abutting lot, the on-center spacing shall be measured from the existing plaza trees. Overall plazas tree location within each TC District shall begin in any block with a measurement from the edge of the nearest vision clearance area.



Plaza Location and Street Frontage Landscaping

(d) *Landscaping.*

1. *Front yards.* All non-building or non-plaza portions of front yards and non-building or non-plaza portions of front bufferyards shall be landscaped as follows:

a. *Depth of landscaping.* A planting bed with a minimum depth of five feet measured from the front lot line shall be provided along all non-building portion of the front lot lines;

b. *Screen wall required.* Any non-building portion of a front yard or non-building portion of a front bufferyard shall be screened by a low masonry wall or combination of masonry piers and wrought iron fencing located adjacent to the front lot line.

c. *Trees required.* On the lot side of the screen wall, a shade tree or ornamental tree planted every 25 feet on-center.

d. *Size of plant materials.*

i. All shade trees shall be a minimum size of two and one-half inch caliper at time of planting; and

ii. All ornamental trees shall be a minimum of one and one-half inch caliper at time of planting.

2. *Side lot lines and rear lot lines.* All non-building portions of side yards, rear yards, side bufferyards or rear bufferyards shall be landscaped as follows:

a. *Plantings.* All planting beds shall include a continuous hedge row with hedge plants planted three feet on-center and a shade tree or ornamental tree planted every 25 feet on-center; and

b. *Size of plant materials.*

i. All hedge plants shall be a minimum size of 24 inches at time of planting;

ii. All shade trees shall be a minimum size of two and one-half inch caliper at time of planting; and

iii. All ornamental trees shall be a minimum of one and one-half inch caliper at time of planting.

(e) *Trash enclosures.* See Article 4.1J: Refuse/Reuse Container Enclosures

(f) *Minimum lot coverage.* The minimum lot coverage shall not be less than 50%;

(g) *Pedestrian and vehicular circulation.* See Article 4.1H. Non-Motorized Transportation and Access

(h) *Site access.* Driveways shall not provide direct access to Main Street (U.S. 40). Access to Main Street (U.S. 40) shall occur via side streets or public alleys;

(i) *Off-street parking.* Off-street parking areas shall be located to the side or rear of a building, provided however, in no case shall an off-street parking area be located within five feet of a front lot line;

(j) *Drive-through facilities.* See Article 4.1D: Drive Through Facilities and the following: Drive-through facilities shall be located at the rear of the building or at the rear of the lot; and

(k) *Off-street loading.* Off-street loading facilities shall be located at the rear of the building or at the rear of the lot.

(5) *Architectural design.*

(a) *Materials.*

1. Brick shall be utilized as the primary exterior building material on each facade oriented toward a public street; and

2. Each facade oriented toward a side lot line or rear lot line and which intersects a front facade shall incorporate a minimum 24 inch brick return. The remaining portion of such facade shall be recessed from the brick return by a minimum of three inches.

(b) *Minimum front facade height.* In the TC: Town Center District, in the elevation view from the front lot line, the minimum front facade height shall be not less than 27 feet with a minimum of two stories capable of being occupied.

(c) *Articulation.* In order to assure that new development in the Town Center maintains a scale and relationship to the street and sidewalk which can promote pedestrian activity in the downtown area, all buildings shall comply with the following design features:

1. *Human scale.* Architectural elements such as colonnades, canopies, awnings, display windows, lighting and variation in building materials may be used to create a human scale to buildings;

2. *Detailing.* Architectural detailing (i.e., variation in building materials, surface recesses, protrusions, cornices and the like) shall be used to distinguish the ground floor from upper levels of a building. Such architectural detailing used to distinguish the ground floor from upper levels shall be no lower than 18 feet above grade;

3. *Vertical rhythm.* The vertical rhythm of architectural detailing on a building shall be consistent or compatible with the pattern established on adjacent buildings located within the same block face;

4. *Building entrances.* All buildings which front on Main Street (U.S. 40) shall orient a main entrance to Main Street (U.S. 40); and

5. *Mechanical equipment.* See Article 4.1G: Mechanical Equipment Screening.

(d) *Fenestration.*

1. *Ground floor.* Window openings on the ground floor of a building shall occupy a minimum of 60% of the ground floor facade area (i.e., that portion of the facade located below 18 feet above grade);

2. *Upper floors.* Window openings on the upper floors of buildings shall occupy no more than 40% of the entire upper floor facade area (i.e., that portion of the facade located above 18 feet above grade), provided however, the Plan Commission may approve a greater percentage of window openings in the facade area of floors four or five which are either: authorized through an approved maximum building height development incentive; or which have an elevation off-set of not less than five feet per story from the main facade;

3. *Nonresidential building.* Any nonresidential building taller than 20 feet shall have windows (or faux windows) on the upper facade (i.e., that portion of the facade located below 18 feet above grade);

4. *Window size and shape.* Window size and shape shall be compatible with those of adjacent buildings and shall have a generally vertical orientation; and

5. *Windows, doors, eaves and parapets.* Windows, doors, eaves and parapets on a building shall be proportional and shall relate to one another.

(6) *Signs.* See Article 4.7: Sign Regulations

(7) *Lighting.* The design of outdoor light fixtures and the supports for such outdoor light fixtures shall be architecturally compatible with the building;

(8) *Accessory structures and facilities.*

(a) Reserved.;

(b) *Accessory structures.* Brick, with color and architectural detailing consistent with the primary building, shall be used on all accessory structures or drive-through facilities; and

(c) *Planting bed.* A three foot planting bed located between any sidewalk or off-street parking area and any accessory structures or drive-through facility.

(9) *Additions to an existing building.* All additions to an existing building shall utilize building materials with a style, color, texture and architectural

detailing which is compatible and harmonious with the materials used on the existing building;

(10) *Exterior building facade renovations with no building additions or minor building additions.* Exterior building facade renovations which involve no building additions or only minor building additions shall demonstrate reasonable efforts to incrementally bring the exterior facade of the entire building into compliance with the provisions of Articles 5.6B(3) through 5.6B(8) specified above. Full compliance with the provisions of Articles 5.6B(3) through 5.6B(8) specified above shall not be a requirement for approval of a development plan; and

(11) *Exterior building facade renovation with major building additions.* Exterior building facade renovations performed in connection with a major building addition as described herein shall comply with the provisions Articles 5.6B(3) through 5.6B(8) specified above.

(12) *Minimum required items.* Each dwelling unit shall provide a minimum of two of the following three items:

- (a) Amenities such as fireplaces, private patios or private balconies;
- (b) Minimum floor area of 1,100 per dwelling unit; or,
- (c) Laundry facility hook-ups in each dwelling unit.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)

5.6C DEVELOPMENT REQUIREMENTS IN THE R-U: URBAN RESIDENTIAL DISTRICT ~~AND THE MU: MIXED USE DISTRICT~~ WHEN LOCATED WITHIN THE “TOWN CENTER NEIGHBORHOOD” AS DESIGNATED IN THE TOWN OF PLAINFIELD, IN, TOWN CENTER PLAN AND MULTI-FAMILY DWELLING PROJECTS IN THE R-U URBAN RESIDENTIAL DISTRICT NOT WITHIN THE “TOWN CENTER NEIGHBORHOOD”.

The development requirements specified below shall be satisfied, based upon the use of the proposed building or structure, prior to the approval of a development plan for architectural and site design review for any development located in the R-U: Urban Residential District ~~and MU: Mixed Use District~~ when located within the “Town Center Neighborhood” as designated in the Town Center Plan, and for multi-family dwelling projects in the RU: Urban Residential District when located elsewhere in the town and not in the “Town Center Neighborhood”:

- (1) *Single-family dwellings and two-family dwellings.*

(a) Each site shall demonstrate compliance with all applicable development standards of the R-U: Urban Residential District ~~or MU: Mixed Use District~~ and all applicable provisions of the Subdivision Control Ordinance for which a waiver is not provided for in this Article 5.6;

(b) Submission of a site plan and building elevations, as set forth in Article 5.7;

(c) All new construction and major building additions shall reflect the prevailing visual character of adjacent properties within the same block face;

(d) Entrances and windows shall be the dominant element of the front facade of each dwelling (rather than garages). Where a front loaded attached or detached garage is provided, the front facade of the garage shall be off-set and stepped back from the front building line of the living area by a minimum of five feet;

(e) Roof forms on all parts of a dwelling, including any attached or detached garage, shall be consistent in form and pitch; and

(f) Each front, side and rear facade of a dwelling shall utilize a coherent architectural composition with graceful transitions.

(2) *Multi-family*. All multi-family in the R-U: Urban Residential District ~~and multi-family in the MU: Mixed Use District~~ (when not located in the "Town Center Neighborhood" as designated in The Town Center Plan) shall be subject to the development requirements set forth below:

(a) Each site shall demonstrate compliance with all applicable development standards of the R-U: Urban Residential District ~~or MU: Mixed Use District~~ and all applicable provisions of the Subdivision Control Ordinance for which a waiver is not provided for in this Article 5.6;

(b) Submission of a site plan, landscape plan, lighting plan, sign plan and building elevations, as set forth in Article 5.7;

(c) All buildings shall comply with the following architectural features:

1. All buildings, including community building/club house, storage buildings, maintenance buildings, garages, carports and buildings containing dwelling units shall utilize a minimum of four of the following five architectural features:

a. Building materials shall comply with the following:

- i. All brick or stone veneer supplemented with significant use of architectural elements (e.g., quoins, pilasters, soldier courses, friezes, cornices, dentils and the like); or
- ii. Multiple building materials with the primary building material being brick, fieldstone, limestone, marble, granite and comprising a minimum of:
 - A. Eighty-five percent of the area of each elevation for a one-story elevation;
 - B. One hundred percent of the area of the first floor of each elevation for a two-story elevation; or
 - C. One hundred percent of the area of the first floor of each elevation and 60% of the total area of each elevation for more than two-story elevations. (Note: elevation wall area is exclusive of window or door areas.)
- iii. In the case of multiple building materials, secondary building should comprise a minimum of 10% of the elevation area. Recommended secondary materials include: textured block, architectural precast concrete, concrete composite siding, wood clapboard siding, wood beaded siding, stucco, E.F.I.S. and the like;
- b. Multiple surface textures (e.g., rough, striated, imprinted and the like);
- c. Facade or elevation modulations (e.g., building off-sets of at least two feet in depth for every 40 feet of building wall length);
- d. Architectural elements (e.g., quoins, pilasters, soldier courses, friezes, cornices, dentils and the like); or
- e. Multiple colors (i.e., the use of a maximum of three discernable colors, with primary color constituting a minimum of 60% of the applicable elevation and the secondary color constituting a minimum of 10% of the applicable elevation) on each exterior wall surface.



Example of Multiple Building Materials, Multiple Textures,

Facade Modulation, Architectural Elements and Multiple Colors

2. Each dwelling unit shall provide a minimum of two of the following three items:

- a. Amenities such as fireplaces, private patios or private balconies;
- b. Minimum floor area of 1,100 per dwelling unit; or
- c. Laundry facility hook-ups in each dwelling unit.

3. Additional architectural features for multi-family townhouses: multi-family townhouse developments shall utilize the following architectural features:

- a. i. The roof of each dwelling unit shall be distinct from the roof of adjacent dwelling units either through: separation of roof pitches; varying the direction of roof pitches; inclusion of dormers; or other variation in roof design; or
- ii. Each dwelling unit is designed with a covered front porch occupying a minimum of 50% of the overall width of the dwelling unit.

b. All garages, carports or other off-street parking areas reserved for the owners or occupants of the townhouse dwelling units, whether attached or detached, shall be provided with rear access from an adjoining public or private alley.



Multi-Family Townhouse with Covered Front Porch



Alley Access to Townhouse Garages



Multi-Family Townhouses with Roof Lines Changes

4. *Mechanical equipment. See Article 4.1G: Mechanical Equipment Screening.*

(d) All first floor dwelling units shall have direct pedestrian ingress and egress from adjoining streets or common areas;

(e) Off-street parking areas shall be screened and landscaped in compliance with Article 4.7D;

(f) Each dwelling unit shall be provided with both common open space and private open space; and

(g) All outdoor light fixtures shall utilize a common theme or style for wall mounted lights and pole mounted lights. Pole mounted lights shall not exceed an overall height of 15 feet above grade.

(3) *Nonresidential uses and mixed-use or multi-family use in the MU District within the Town Center Neighborhood.* Any nonresidential use located within the R-U: Urban Residential District ~~or any nonresidential use, mixed-use or multifamily use in the MU: Mixed Use District~~ when located within the “Town Center Neighborhood” as designated in the Town Center Plan shall be subject to the development requirements for development within the TC: Town Center District set forth in:

(a) Section 5.6B(4) - Site Layout; except as set forth below: building placement for in the R-U: Urban Residential ~~District and the MU: Mixed Use District.~~

1. For sites containing one building - in elevation view from the front lot line, at least 50% of the length of the facade of the

building facing a street shall be located between the front lot line and the lesser of a 20-foot setback or the established setback in the same block face; and,

2. For sites containing multiple buildings - in elevation view from the front lot line, at least 50% of the visible facades of the buildings facing a street shall be located between the front lot line and the lesser of a 20-foot setback or the established setback in the same block face;

(b) Section 5.6B(5) - architectural design; except as set forth below: In the MU: Mixed Use District, in the elevation view from the front lot line, the minimum front facade height shall be not less than 22 feet.

(c) Section 5.6(B)(7) - Lighting;

(d) Section 5.6(B)(8) - Accessory Structures and Facilities;

(e) Section 5.6(B)(9) - Additions to an Existing Building;

(f) Section 5.6(B)(10) - Exterior Building Facade Renovations With No Building Additions or Minor Building Additions; and

(g) Section 5.6B(11) - Exterior Building Facade Renovation With Major Building Additions, above.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)

5.6D FINDINGS.

The Plan Commission shall grant development plan approval for architectural review in the TC: Town Center District, R-U: Urban Residential District ~~or the MU: Mixed Use District~~, upon finding that the proposed development:

(1) Represents a use of building materials, site design features, architectural design, signs, lighting or other features which will enhance the use or value of area properties;

(2) Is consistent with and compatible with development located in the vicinity; and

(3) Is consistent with the intent and purpose of this ordinance.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)

5.6E WAIVERS.

(1) *Authorized waivers of development requirements.* In order to encourage innovative building and site designs capable of enhancing the quality of the built environment within the historic downtown portion of the town, the Plan Commission may grant a waiver of the following development requirements to the extent specified:

(a) Development requirements in the TC: Town Center District which may be waived:

1. *Town Center context.* All provisions of Article 5.6;

2. *Site layout.* All provisions of Article 5.6;

3. *Architectural design.* All provisions of Article 5.6;

4. *Signs.*

a. All provisions of Article 5.6 and the provisions of Article 7.5B regarding the total sign surface area of building identification signs to allow a maximum sign surface area of up to 40% of the applicable facade; or

b. The provisions of Article 7.8D(2) so as to not include graphics, letters, logos or text which is ten inches or less in overall height in the calculation of sign surface on an awning or canopy.

5. *Lighting.* All provisions of Article 5.6;

6. *Accessory structures and facilities.* All provisions of Article 5.6;

7. *Additions to an existing building.* All provisions of Article 5.6;

8. *Exterior building facade renovations with no building additions or minor building additions.* All provisions of Article 5.6; or

9. *Exterior building facade renovation with major building additions.* All provisions of Article 5.6.

(b) Development requirements in the R-U: Urban Residential District ~~and MU: Mixed Use District~~ which may be waived:

1. *Single-family dwellings and two-family dwellings.* All provisions of Article 5.6;

2. *Multi-family.* All provisions of Article 5.6; or

3. *Nonresidential uses.* All applicable provisions of Article 5.6.

(2) *Findings required to grant a waiver of development requirements.* A waiver of development requirements, to the extent specified in this Article 5.6 for architectural and site design review, shall only be granted upon finding that the proposed development:

(a) Represents an innovative use of building materials, site design features, architectural design, landscaping, signs, lighting or other features which will enhance the use or value of area properties;

(b) Regarding building identification signs, the building demonstrates exceptional compliance with the “Old National Road” theme and exceptional compliance with the site layout, architectural design, sign and lighting development requirements of Article 5.6,B of this ordinance;

(c) Is consistent with and compatible with other development located within and near the TC: Town Center District; and

(d) Is consistent with the intent and purpose of this ordinance.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 32-2005, passed 5-9-2005; Ord. 04-2019, passed 1-14-2019)

5.6F DEVELOPMENT INCENTIVES IN THE TC: TOWN CENTER DISTRICT.

Projects in the TC: Town Center District shall be eligible to receive development plan approval from the Plan Commission to develop pursuant to this Article 5.6F, and may be granted a waiver of the development requirements specified in this ordinance to the extent permitted below:

(1) *Development incentives.* In order to provide for the development of higher density projects, consistent with the Town of Plainfield Comprehensive Plan, that contribute to the vitality of the downtown area as the symbolic center of the town, the following waivers may be considered:

(a) *Maximum building height.* The maximum building height in the TC: Town Center District may be waived by the Plan Commission so as to increase the maximum building height of a primary structure from 50 feet, not to exceed four stories, to a maximum building height of 75 feet, including any parapet, not to exceed five stories; or

(b) *Dwelling units on the ground floor.* The requirement that dwelling units shall not be allowed on the ground floor in the TC: Town Center District may be waived by the Plan Commission.

(2) *Plan documentation and supporting information.* All requests for development plan approval submitted under this Article 5.6, F, shall include the following:

(a) *Sketch plan one.* Sketch plan one shall depict the development in full compliance with all use and development standards of the TC: Town Center District and all other applicable health, flood control and subdivision laws, ordinances and regulations of the town.

(b) *Sketch plan two.* Sketch plan two shall depict the development pursuant to this Article.

(c) *Elevation drawings.* Elevation drawings and/or renderings depicting the various building elevations in compliance with existing regulations and as proposed.

(3) *Findings.* The Plan Commission may approve an increase in maximum building height or the location of dwelling units on the ground floor upon a finding that:

(a) The maximum building height provides an elevation off-set, or increased set back for all enclosures or walls (exclusive of architectural embellishment features approved by the Plan Commission), in an amount of not less than one foot horizontal for each two feet in vertical height for that portion of the building(s) over four stories or fifty feet in height;

(b) For each 5,000 additional square feet of usable floor area created by additional stories over four stories or an increased maximum building height, including any parapet, the proposed development provides a minimum of one of the amenities selected from either of the dwelling unit amenities or project amenities lists (see below) so as to enhance the proposed development and surrounding properties;

(c) For every five ground floor dwelling units, or portion thereof, the proposed development provides a minimum of one of the amenities selected from either of the dwelling unit amenities or project amenities lists (see below) so as to enhance the proposed development and surrounding properties;

(d) The proposed development will provide a higher density project that will contribute to the vitality of the downtown area as the symbolic center of the Town of Plainfield while enhancing surrounding properties;

(e) The proposed development is appropriate to its site and its surroundings; and

(f) The proposed development is consistent with the intent and purpose of this ordinance.

Dwelling Unit Amenities (in addition to those amenities already provided to comply with Article 5.6B (12), above):

• Fireplaces	• Washer / Dryer
• Private Patios	• Other In-Unit Amenity Approved by the Plan Commission
• Private Balconies	

Project Amenities:

• Pool • Hot Tub • Sun Deck • Garden • Game Court • Outdoor Fire Pit /Fireplace • Terrace • Lounge • Seating / Dining Area • Grilling Area • Dog Park • Dog Wash • Bicycle Storage Area	• Central Laundry Facility • Recreation / Workout Area • Ground floor, outdoor public use open space or gathering area • Public Art • Electric Vehicle Charging Stations • Other Project Amenity deemed appropriate for the proposed use or mix of uses and Approved by the Plan Commission
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(Ord. 04-2019, passed 1-14-2019)

~~5.6G WAIVER OF DEVELOPMENT REQUIREMENTS IN THE MU: MIXED USE DISTRICT.~~

~~—Projects in the MU: Mixed-Use District shall be eligible to receive development plan approval from the Plan Commission to develop pursuant to this Article 5.6G, and may be granted a waiver of the development requirements specified in this ordinance to the extent permitted below:~~

~~—(1) *Development incentives.* In order to provide for the development of higher density projects, consistent with the Town of Plainfield Comprehensive Plan, that contribute to the vitality of the downtown area as the symbolic center of the town, the following waivers may be considered:~~

~~—(a) *Maximum building height.* The maximum building height in the MU: Mixed Use District may be waived by the Plan Commission so as to increase the maximum building height of a primary structure from 40 feet not to exceed three stories, to up to 65 feet, including any parapet, not to exceed five stories; or,~~

~~—(b) *Dwelling units on the ground floor.* The limitation of dwelling units in mixed-use buildings to upper levels or first floor with a business in the MU: Mixed Use District may be waived.~~

~~—(2) *Plan documentation and supporting information.* All requests for development plan approval submitted under this Article 5.6G, shall include the following:~~

~~—(a) *Sketch plan one.* Sketch plan one shall depict the development in full compliance with all applicable use and development standards and all other applicable health, flood control and subdivision laws, ordinances and regulations of the town.~~

~~—(b) *Sketch plan two.* Sketch plan two shall depict the development pursuant to this Article.~~

~~—(c) *Elevation drawings.* Elevation drawings and/or renderings depicting the various building elevations in compliance with existing regulations and as proposed.~~

~~—(3) *Findings.* The Plan Commission may approve such increase in maximum building height upon a finding that:~~

- ~~—— (a) The maximum building height provides an elevation off-set, or increased set back for all enclosures or walls (exclusive of architectural embellishment features approved by the Plan Commission), in an amount of not less than one foot horizontal for each two feet in vertical height for that portion of the buildings(s) over three stories or 40 feet in height;~~
- ~~—— (b) For each 5,000 additional square feet of usable floor area created by additional stories over three stories or an increased maximum building height, including any parapet, the proposed development provides a minimum of one of the amenities selected from either of the dwelling unit amenities or project amenities lists (see below) so as to enhance the proposed development and surrounding properties;~~
- ~~—— (c) For every five ground floor dwelling units, or portion thereof, the proposed development provides a minimum of one of the amenities selected from the dwelling unit amenities or project amenities lists (see below) so as to enhance the proposed development and surrounding properties;~~
- ~~—— (d) The proposed development will provide a higher density project that will contribute to the vitality of the downtown area as the symbolic center of the Town of Plainfield while enhancing surrounding properties;~~
- ~~—— (e) The proposed development is appropriate to its site and its surroundings; and,~~
- ~~—— (f) The proposed development is consistent with the intent and purpose of this ordinance.~~

~~Dwelling Unit Amenities (in addition to those amenities already provided to comply with Article 5.6C (2)(c)2., above):~~

~~| | |
|--------------------------------|--|
| ~~• Fireplaces~~ | ~~• Washer / Dryer~~ |
| ~~• Private Patios~~ | ~~• Other In-Unit Amenity Approved by the Plan Commission~~ |
| ~~• Private Balconies~~ | |~~

~~—— Project Amenities:~~

• ~~Pool~~ • ~~Hot Tub~~ • ~~Sun Deck~~ • ~~Garden~~ • ~~Game Court~~ • ~~Outdoor Fire Pit /Fireplace~~ • ~~Terrace~~ • ~~Lounge~~ • ~~Seating / Dining Area~~ • ~~Grilling Area~~ • ~~Dog Park~~ • ~~Dog Wash~~ • ~~Bicycle Storage Area~~ • ~~Bicycle Work/ Repair Area~~	• ~~Central Laundry Facility~~ • ~~Recreation / Workout Area~~ • ~~Ground floor, outdoor public use open space or gathering area~~ • ~~Public Art~~ • ~~Electric Vehicle Charging Stations~~ • ~~Other Project Amenity deemed appropriate for the proposed use or mix of uses and Approved by the Plan Commission~~
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(Ord. 04-2019, passed 1-14-2019)

ARTICLE 5.8. PROCEDURES FOR SUBMISSION AND REVIEW OF DEVELOPMENT PLANS

5.8A APPLICATION.

(1) Application for development plan approval by the Plan Commission shall be in compliance with the Rules of Procedure of the Plan Commission.

(2) Application for development plan approval by the Director shall be accomplished in compliance with the following procedures.

(a) Contact the Director to make an appointment to deliver the required plans and provide a brief explanation of the proposed development plan.

(b) The Director shall have a period of not more than 15 days in which to review the proposed development plan and either make a decision concerning the development plan or request, in writing, additional information from the applicant.

(c) The Director may seek the advice and comment of members of the Technical Advisory Committee or the Design Review Committee prior to making a decision.

(d) Any development plan approval which has been delegated to the Director may occur without public notice and without a public hearing and shall be submitted as an improvement location permit (ILP).

(e) Any decision of the Director under this Article, may be appealed by any interested party to the Plan Commission within 30 days of such decision by filing a letter with the Plan Commission requesting a hearing by the Plan Commission. Said appeal shall be heard by the Plan Commission at the Plan Commission's next regularly scheduled public hearing for which published notice of the appeal pursuant to I.C. 5-3-1 can be provided.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 06-2011, passed 6-13-2011; Ord. 32-2020, passed 10-12-2020)

5.8B FEES.

In order to defray administrative costs, the fees as set forth in the fee schedule as approved by the Plan Commission and the Town Council for development plan approval by Director and for development plan approval by the Plan Commission, are to be paid by the applicant at the time of filing an application for development plan approval or upon receipt of an invoice for payment.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 06-2011, passed 6-13-2011; Ord. 32-2020, passed 10-12-2020)

5.8C NOTICE.

(1) All notices for public hearings regarding a development plan approval before the Plan Commission shall be provided in accordance with the requirements set forth in the rules of procedure of the Plan Commission.

(2) Notice shall not be required for development plan approvals delegated to Director.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 06-2011, passed 6-13-2011; Ord. 32-2020, passed 10-12-2020)

5.8D HEARINGS.

All public hearings regarding a development plan approval before the Plan Commission shall be conducted in accordance with the procedures set forth in the rules of procedure of the Plan Commission.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 06-2011, passed 6-13-2011; Ord. 32-2020, passed 10-12-2020)

5.8E AMENDMENTS.

(1) *Amendments to development plans pending determination by the Plan Commission.* Amendments to development plans pending determination by the Plan Commission may be made by the applicant at any time prior to a vote being called for by the Plan Commission. If, in the sole discretion of the Plan Commission, the proposed amendment is of such a nature that additional time is needed for review, the Plan Commission may continue the consideration of such amended development plan to the next meeting of the Plan Commission.

(2) *Amendments to development plans pending determination by the Director.* Amendments to development plans pending determination by the Director may be made by the applicant at any time prior to a determination being made by the Director. If, in the sole discretion of the Director, the proposed amendment is of such a nature that additional time is needed for review, the amended development plan shall be reviewed within the time frames set forth above for the review of development plans by the Director.

(3) *Amendments to approved development plans.*

(a) *Applicability.* The amendment procedures of this Article 5.8E(3) shall apply to:

1. Minor amendments to any development plan which has already received approval from the Plan Commission or the Director; and

2. Minor additions to sites which include existing development authorized prior to the effective date of this ordinance.

(b) *Determination of minor amendments or minor additions.*

1. Those projects listed in:

a. Table 5.5-A: Gateway Corridor Development Plans;

b. Table 5.5-B: Commercial/Industrial Development Plans Within 600 Feet of a Residential District;

c. Table 5.6-A: TC: Town Center District Development Plans; or

d. Table 5.6-B: R-U: Urban Residential District ~~and MU: Mixed Use District~~ Development Plans, as having an “approval authority” of “Director” shall be eligible for review and determination through the improvement location permit process as a minor amendment or a minor addition without the filing of a development plan.

2. All projects listed on said Tables as having an “approval authority” of “Plan Commission” shall file a development plan for review and determination by the Plan Commission.

(c) *Director’s authority.*

1. The Director is hereby authorized to approve minor amendments to development plans or minor additions to sites which include existing development through the improvement location permit process and without a public hearing if, in the determination of the Director, the requested minor amendments or minor additions:

a. Do not adversely impact the purpose or intent of the overall development;

b. Do not include a substantial increase in intensity of any land use relative to the previous land use on the real estate; and

c. Comply with the applicable development requirements specified in Article 5.2, Article 5.3, Article 5.4, Article 5.5 or Article 5.6.

2. a. If the Director determines that a request for minor amendment to a development plan or a minor addition to an existing development does not comply with the requirements set forth above, the Director may:

i. Deny the request; or

ii. Refer to the request to the Plan Commission for determination.

b. Any request referred to the Plan Commission for determination shall be accompanied by an application for development plan approval and shall be subject to all application, fee, notice and hearing requirements specified above for new development.

(d) *Reporting.* Minor amendments or minor additions authorized by the Director shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.

(e) *Appeal.*

1. Any decision of the Director regarding a minor amendment of a development plan or a minor addition may be appealed by any interested party as follows:

a. An appeal of the interpretation of a development standard of the applicable district shall be to the Board of Zoning Appeals;

b. An appeal of the interpretation of any other development requirement specified in this Article V shall be to the Plan Commission; and

c. An appeal of a determination to approve or deny a minor amendment of a development plan or a minor addition shall be to the Plan Commission.

2. All appeals shall be filed within 30 days of such determination.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 06-2011, passed 6-13-2011; Ord. 32-2020, passed 10-12-2020)

5.8F FINDINGS.

All findings specified above for the approval of a development plan shall be reduced to writing and signed by the Director of the Department of Planning and Zoning in the case of a determination by the Director, or by the President of the Plan Commission in the case of a determination by the Plan Commission, and retained as a part of the permanent record of the determination.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 06-2011, passed 6-13-2011; Ord. 32-2020, passed 10-12-2020)

5.8G DURATION OF DEVELOPMENT PLAN APPROVAL.

Any development plan authorized by Article 5 - Development Plan Approvals shall be subject to the following duration provisions.

- (1) Any development plan which has been approved by the Plan Commission or the Director pursuant to this Article shall be valid for a period not to exceed three years from the date of approval of such development plan.
- (2) In the case of a development plan approved by the Plan Commission, a complete improvement location permit application shall be filed with the Department of Planning and Zoning prior to the expiration of such three-year period and shall be subject to the provisions of Article 11.2 -Improvement Location Permits.
- (3) In the case of a development plan approved by the Director in the form of an improvement location permit, notwithstanding the one year duration specified in Article 11.2B(1) the duration of such improvement location permit shall be three years. The improvement location permit shall comply with all current development standards and requirements. All other provisions of Article 11.2 - Improvement Location Permits shall apply.
- (4) If an improvement location permit has not been filed with the Department of Planning and Zoning within one year of approval of the development plan, the development plan shall be reviewed on an annual basis by the Director for compliance with current development standards and requirements.

(Ord. 21-97, passed - -1997; Ord. 3-2000, passed - -2000; Ord. 11-2004, passed 6-14-2004; Ord. 39-2006, passed 10-9-2006; Ord. 27-2007, passed - -2007; Ord. 06-2011, passed 6-13-2011; Ord. 32-2020, passed 10-12-2020)

ARTICLE 7.1. SIGN REGULATIONS: INTENT AND APPLICATION

7.1 Intent and Application

- A. Intent.** This Article shall hereinafter be known and cited as the “Sign Regulations.” The *Sign Regulations* are intended to:
1. Ensure that *Signs* may be used to exercise the constitutional right to free speech;
 2. Encourage *Signs* that are integrated with and harmonious with their environment;
 3. Eliminate *Signs* that are excessive, cluttered, and confusing;
 4. Eliminate *Signs* that are hazardous to motorists and pedestrians;
 5. Support land use objectives of the Town of Plainfield;
 6. Preserve and improve the aesthetic appearance of, property values within, and public and private economic investment in the Town of Plainfield; and
 7. Otherwise protect and promote the public health, safety, morals, and general welfare of the visitors and residents of the Town of Plainfield.
 8. The *Sign Regulations* apply to the location, installation, and maintenance of *Signs* in any zoning *District* regulated by this Ordinance.
- B. Examples Shown.** Examples shown in the ordinance are only an illustration of type, not an exhaustive list. They are meant to convey a concept and may not be fully compliant with the ordinance.

(Ord. 52-2022, passed 12-12-2022)

7.2 General Sign Regulations

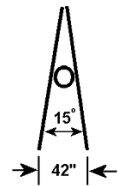
- A. Sign Package.** All *Signs* shall be designed to create a unified and consistent *Sign* package for a development. Elements of a unified and consistent *Sign* package include:
1. Type of Sign – A *Sign* package shall specify the *Ground Signs* proposed, and the type of *Building Signs* proposed (e.g., individual letters, raceway mount, box, painted, etc.);
 2. Materials (e.g., limestone base with bronze letters, routed aluminum cabinet with plexiglass face, etc.);
 3. Size and Proportion of *Signs* (e.g., maximum height, maximum width, maximum *Sign Surface Area*, etc.);
 4. Style and Color (e.g., style and color palette for letter colors, background colors, and text font); and,
 5. Illumination (e.g., internally illuminated, or external illumination with similar type outdoor light fixture).
- B. Maintenance of Signs and Areas Around Signs**
1. Maintenance of *Signs*. Nothing contained in this Ordinance shall be construed to prevent the maintenance, repainting or posting of legally

established Signs. Maintenance may include the replacement of *Sign Surfaces* within a *Sign Structure* provided that the *Sign Structure* is not removed or changed in any dimension.

2. Maintenance of Areas around *Signs*. No person, for the purpose of increasing or enhancing the visibility of any *Sign*, shall damage, trim, destroy, or remove any tree, shrub or other vegetation located in any area where such trees or shrubs are required to remain under a permit issued under this *Ordinance*.

C. Calculation of Height and *Sign Surface Area*

1. *Ground Sign*. See Article 7.5.A
2. *Building Sign*. See Article 7.6.B
3. Multi-Faced Signs. The *Sign Surface Area* of a *Sign* with more than one (1) face shall be computed by adding together the *Sign Surface Area* of all *Sign* faces visible from any one point. When two (2) *Sign* faces are placed back to back, or at no greater than fifteen (15) degrees from one another, so that both faces cannot be viewed from any point at the same time, and when such *Sign* faces are part of the same *Sign Structure* and are not more than forty-two (42) inches apart, the *Sign Surface Area* shall be computed by the measurement of one (1) of the *Sign* faces.



D. Illuminated *Signs*.

1. *Signs* within six hundred (600) feet of and visible from a residential *District* shall not exceed a light output of 100 nits during nighttime hours. *Signs* shall have a functioning ambient light monitor and automatic dimming equipment.
2. Lighting directed towards a *Sign* shall be shielded so that it illuminates only the *Sign Surface* and does not shine on, cause glare to, or otherwise impair the vision of the driver of a motor vehicle or any residence

E. ***Changeable Copy Signs***. *Changeable Copy Signs* shall be permitted as part of an otherwise permitted *Sign*, provided that:

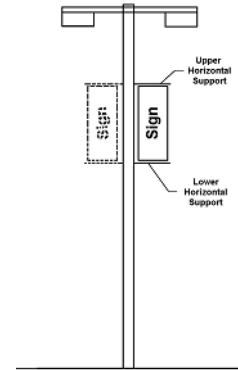
1. On a Single Use Site, a maximum of one (1) *Changeable Copy Sign* shall be permitted as a part of a *Ground Sign*.
2. In an *Integrated Center*, one (1) *Changeable Copy Sign* shall be permitted as part of a *Ground Sign*.
3. The *Changeable Copy Sign* shall not exceed forty (40) percent of the *Sign Surface Area* of the permitted *Sign*.
4. Must follow the provisions of Article 7.4.G.

(Ord. 52-2022, passed 12-12-2022)

7.3 Exempt Signs. Unless otherwise stated, the following items are exempt from the Sign Regulations and all other Articles of this Ordinance, with the exception of Article 4.14.

- A. Public Health, Safety, and Welfare Signs.** *Signs* authorized by a government or governmental unit which give traffic, directional, or warning information; *Signs* of public service companies indicating danger; and *Signs* erected by, or on the order of, a public officer in the performance of their public duty which aid service or safety.
- B. Private Signs for the Public.** *Signs* containing two (2) square feet or less in Sign Surface Area.
- C. Interior Signs.** *Signs* located within the interior of any *Building* (i.e., an inner or outer lobby, court or entrance), which are not viewable or intended to be viewable from the Public *Right-of-Way* and do not qualify as *Window Signs*.
- D. Window Signs.** *Window Signs*, provided that they shall not exceed twenty-five (25) percent of the surface area of the window on which such *Signs* are placed or through which such *Signs* are viewed, provided, in the case of multi-pane windows, the surface area of the window shall be the combined surface area of the individual panes or, in the case of a glass curtain wall, the surface area of the window shall be the combined surface area of the individual glass panels. Any portion of a *Window Sign* that exceeds twenty-five (25) percent shall count against the permitted building sign allowance.
- E. Commemorative and Monumental Signs on Buildings.** *Signs* which are carved into stone, concrete, or similar material or are made of bronze or aluminum and are made an integral part of the *Building*.
- F. Architectural Features of Buildings.** Integral, decorative, or architectural features of *Buildings* which do not contain letters, logos, lighting, or trademarks.
- G. Tombstones, Headstones, and Gravestones.** Tombstones, headstones, and gravestones so long as they are located in an authorized *District*.
- H. Symbols of a Nation, State or Political Subdivision.** *Flags*, *pennants*, emblems, and insignia of a nation, state, or political subdivision. These *flags*, *pennants*, emblems, and insignia must comply with the setback requirements for *Signs*. There is no height limit for flagpoles so long as the distance from the nearest property line exceeds the height of the flagpole.
- I. Signs on Light Poles.** Light poles which serve to illuminate an Off-Street Parking Area may be permitted to have *Gonfalon Signs* in the GC: General Commercial and REL: Religious *Districts*, provided that they comply with the following regulations:

1. Type. *Signs* on light poles shall be limited to *Gonfalon Signs* which are mounted on light poles located on a Lot and which are mounted to the light poles with upper and lower horizontal supports.
2. Number. Each light pole may contain two (2) *Gonfalon Signs*, provided the light pole which supports these light pole *signs* may not be closer than forty-feet (40) feet to any building or property line.
3. Maximum *Sign Surface Area*. *Signs* on light poles shall not exceed the maximum dimensions of three and one-half feet in width by eight feet in height (3 ½ ft. X 8 ft.).
4. Configuration and Placement on Light Poles – All individual light pole *Gonfalon Signs* placed on a Lot:
 - a. shall be of the same dimensions; and,
 - b. shall be placed at the same relative height and location on all light poles;



J. Temporary Signs, subject to the requirements below.

Table 7.3.J: Temporary Signs				
Type of Sign				Maximum Height (Feet)
Ground Sign	Allowed	Maximum Sign Surface Area (Square Feet)		
TC/MU	Yes	6		6
Residential ⁽¹⁾	Yes	6		6
Commercial/Industrial ⁽²⁾	Yes ⁽⁵⁾	Property Size	Maximum Sign Surface Area	Maximum Height
		One (1) acre or less	8	6
		Between one (1) and five (5) acres	16	6
		More than five (5) acres	32	6
Sidewalk Signs	Allowed	Maximum Sign Surface Area (Square Feet)		Maximum Height (Feet)
TC/MU	Yes ⁽³⁾	8 ⁽⁴⁾		5
Residential ⁽¹⁾	No	N/A		N/A
Commercial/Industrial ⁽²⁾	No	(4) (6)		(6) 5

(1) RR, R-1, R-2, R-3, R-4, R-5, R-6, RU, P, S, REL, **MUN**, G, **IG**, **RI**

(2) NR, OD, GC, I-1, I-2, I-3, I-4, AG, AC, CI, HB

(3) See Special Regulations below for additional requirements for *Sidewalk Signs*

(4) Shall not exceed two (2) feet in width

(5) Maximum *Sign Surface Area* based upon property size

(6) Not within the public rights-of-way

N/A Not applicable

1. Number of Signs

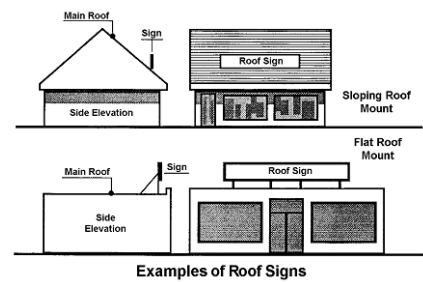
- a. General. Two (2) *Temporary Signs* shall be permitted per *Lot*. However, no more than one (1) *Ground Sign* shall be permitted per *Street Frontage* of a *Lot* and temporary ground signs must not be within one hundred (100) feet of each other.
- b. *Sidewalk Sign*. One (1) *Sidewalk Sign* is permitted per business use on a property.

2. *Minimum Setback From Proposed Right-of-Way. Temporary Signs:*
 - a. May not interfere with a Vision Clearance Area as specified in Article 4.14; and,
 - b. Must be set back from the *Proposed Right-of-Way* a distance equivalent to the height above grade.
3. *Special Regulations*
 - a. *All Temporary Signs.* No *Temporary Sign* shall be permitted on any *Lot* without the prior authorization of the owner of that *Lot*.
 - b. *Sidewalk Signs.*
 - 1) *Type.*: Only *A-Frame Signs* are permitted.
 - 2) *Location.* *Sidewalk Signs* may be located outside the main entrance of the business for which they are established provided that:
 - a) They are located within ten (10) feet of the main entrance of the business;
 - b) They are placed so that they leave at least a five (5) foot wide walking aisle on the sidewalk between the business and the *Street* and parallel to the *Street*;
 - c) The separation between *Sidewalk Signs* along the same *Street* is at least ten (10) feet; and
 - d) They do not interfere with pedestrian movement or create a public safety hazard.
 - 3) *Sidewalk Signs* must be removed from the *Public Right-of-Way* at the close of business.

(Ord. 52-2022, passed 12-12-2022)

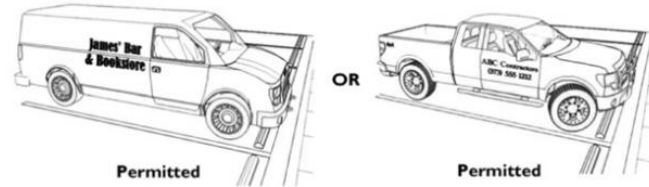
7.4 Prohibited Signs

- A. *Signs* which interfere, obstruct, or cause confusion in connection with any:
 1. Authorized traffic signal, device, or *Sign*;
 2. *Signs* listed in Article 7.3, A.;
 3. Vision Clearance Areas as specified in Article 4.14.
- B. *Signs* located on, in, or above the *Right-of-Way* of any *Street* or *Alley* (except for *Projecting Signs* as permitted by Article 7.7).
- C. *Signs* erected on or wholly constructed upon a roof of any Building and supported solely on the roof Structure.
- D. *Portable Signs*, including but not limited to the following types of *Signs*, without regard to their content:

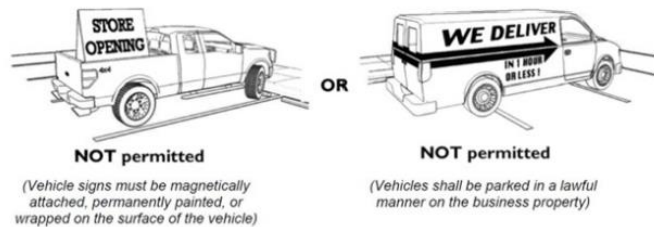


1. trailer frame *Signs*;
2. menu and sandwich board *Signs* except as in Article 7.3.J.3.b;
3. *Balloon Signs*
4. *Signs* attached to or painted on a *vehicle* or *truck* parked and visible from the Public *Right-of-Way*, except as detailed below.

- a. No Sign shall be erected or attached on any *vehicle* or *truck* except for signs that are magnetically attached to, permanently painted, or wrapped on the side of a vehicle.

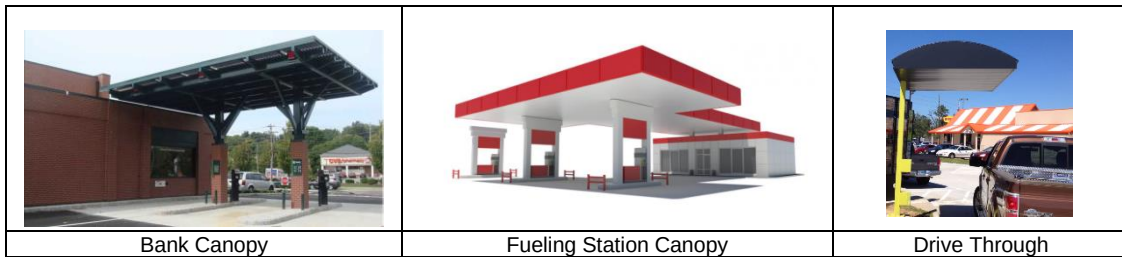


- b. The primary use of such *vehicles* or *trucks* shall be in the operation of the business (e.g. transporting goods or providing services) and not in displaying a sign.



- c. *Vehicles* or *trucks* shall be operable and properly licensed.
 - d. When not in use, the *vehicle* or *truck* must be parked in a lawful manner on the business property.
- E. *Wind Signs, Banner Signs, Banners, pennants, and streamers.*
 - F. *Signs* or any portion thereof which contains intermittent light, flashing light, light of changing degrees of intensity, rotating beams, search lights, video or logo projection, laser show, or beacons. Outline lighting of open sales areas and *Lot Lines* is also prohibited.
 - G. *Signs* or any portion thereof which moves or assumes any motion or gives the illusion of moving, including *Changeable Copy Signs* on which the message changes more than once every ten (10) seconds.
 - H. *Signs* that bear or contain statements, words or pictures of an obscene, pornographic, immoral character, or which contain advertising matter which is untruthful or will offend public morals or decency.
 - I. *Signs* on certain canopies. For the purpose of the sign code, the following are examples of canopies upon which signage is not permitted. The examples shown below are only an illustration of type, not an exhaustive list. Excepting signs listing height restriction and access information less than two (2) square feet).

Example 7.4.I. Examples of Canopies on which signage is not permitted

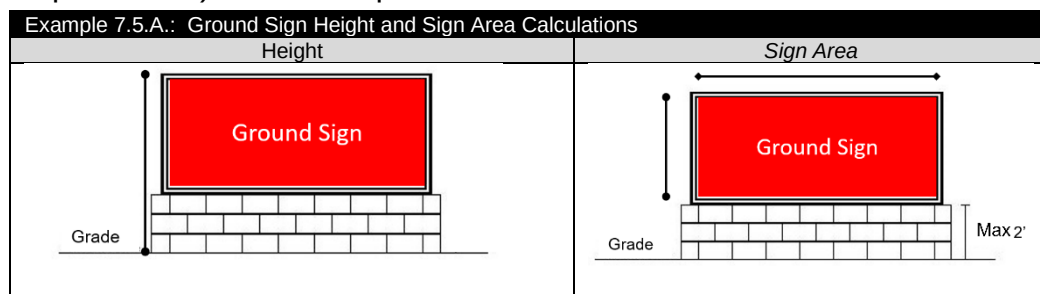


(Ord. 52-2022, passed 12-12-2022)

7.5 Ground Signs

A. Calculation of Height and Sign Surface Area. If a *ground sign* sits on an ornamental or decorative base of brick, stone or other similar material, that base shall not exceed two (2) feet in height above grade.

1. **Sign Height.** The height of a ground sign shall be measured from grade, which shall include the finished surface of the ground five (5) feet from the base of the *sign*, to the highest point of the *sign*. See Example 7.5.A., below.
2. **Sign Area.** The *sign surface area* of a *ground sign* shall be the smallest rectangle that can encompass all items of information or the sign face, outside of support structures, whichever is applicable. The *sign* base shall not be included in the overall calculation of *Sign Surface Area*, provided that no lettering, logo, text or other display of any kind shall be allowed on such base (except for information placed in compliance with Fire Code requirements). See Example 7.5.A., below.



B. Number and Size of Signs.

Table 7.5.B: Number and Size of Signs

Site Type	Number of Signs	Height (feet)	Sign Surface Area (square feet)	Setbacks (in feet)		
				Front Yard	Front Bufferyard	Side or Rear Yard
Single Use Site (Commercial/Industrial except TC/MU)	One (1) Ground Sign shall be permitted for each Street Frontage of a Lot. ⁽⁴⁾	6	48	10	20	(6)
Single Use Site (TC/MU) ⁽⁴⁾		6	48	See 7.5.C.1-3		
Outlots of Integrated Center		6	48	10	20	(6)
Integrated Center smaller than 60,000 square feet		8	72	10	20	(6)
Integrated Center larger than 60,000 square feet		10	96	10	20	(6)

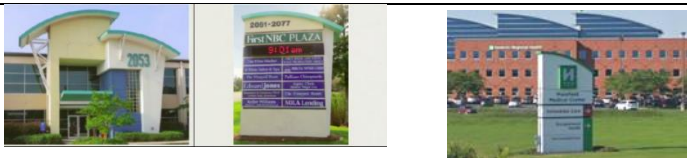
Recorded, platted Residential Subdivisions ⁽³⁾	Two per subdivision entrance ⁽⁵⁾	6	48	See 7.5.C.1-3		
Multifamily Dwelling Developments ⁽³⁾	One per street entrance ⁽⁴⁾	6	48	10	10	⁽⁶⁾
Business Permitted in Residential Districts by Special Exception ⁽²⁾	One	4	24	10	10	⁽⁷⁾

- (1) *Ground Signs* are not permitted on the following *Lots* in the *TC District*: any *Lot* abutting Main Street (US 40) between East Street and Mill Street; any *Lot* abutting East Street or Mill Street; and any *Lot* located between East Street and Mill Street.
- (2) Provided they are constructed of a material(s) which blend in with the residential character of the neighborhood (such as but not limited to, wood or stone). Approval by the Board of Zoning Appeals with the Special Exception is required.
- (3) Provided the *Signs* are constructed of ornamental metal, stone masonry, or other permanent material. Requires approval by the Plan Commission through the approval of the subdivision.
- (4) When a *Lot* has more than one (1) *Street Frontage*, one (1) *Ground Sign* shall be permitted for each *Street Frontage* of the *Lot*, provided that the separation between *Ground Signs* on the *Lot*, regardless of the orientation of the *Ground Signs*, is at least one hundred (100) feet.
- (5) Only one per side of intersection.
- (6) The *Minimum Side Setback* and *Minimum Rear Setback* for *Ground Sign* shall be the same as required for any *Building* or *Structure* in the applicable zoning *District*.
- (7) The *Minimum Side Setback* and *Minimum Rear Setback* for *Ground Sign* shall be consistent with the requirements for an *Accessory Structure* in the *District* to which the real estate is zoned.

C. Augmented Ground Sign Allowances.

1. To encourage creativity in the design of *Ground Signs* which are harmonious with the built environment and the *Primary Buildings* on a *Lot*, the *Plan Commission* may allow an augmented *Ground Sign* through the approval of a *Sign Package* in the *Development Plan* process. These augmented signs may exceed the permitted height and square foot maximums at the discretion of the *Plan Commission*.
2. Types of Augmented *Ground Sign* and Allowances. The *Plan Commission*, at its discretion, may allow an expansion of height and/or *sign surface area* for the four rationales below. The *Plan Commission* may choose to grant a partial or full augmentation. To exceed the augmentations below, a Variance of Development Standards is required from the Board of Zoning Appeals.
3. Examples of allowances

Table 7.6.C.2.b: Augmented Ground Sign Examples

a. Architectural Compatibility. A <i>ground sign</i> utilizing the design of the <i>sign</i> and its shapes, colors, and finishes to mimic or reinforce the architectural lines and distinctive features of the building or development. This creates a natural and identifiable connection between the <i>sign</i> and the building(s).		
		Maximum Augmentation
		Height (feet)
		1
		Area (square feet)
		6
b. Signature Monument. A <i>ground sign</i> designed to enhance the identity of the development. Examples of a signature monument include, but are not limited to, a fountain, clock tower, masonry gazebo, water feature, etc.		
		Maximum Augmentation
		Height (feet)
		1

			Area (square feet)	6
c. Wall Feature. A masonic wall extending at least three (3) times the width of the augmented <i>sign</i> area on both sides of the <i>sign</i> area.				
			Maximum Augmentation	
			Height (feet)	2
			Area (square feet)	12
d. Non Panel. A <i>ground sign</i> consisting of non-internally illuminated individual letters and no <i>sign panels</i> or <i>sign cabinets</i> .				
			Maximum Augmentation	
			Height (feet)	1
			Area (square feet)	6

D. Minimum Setback in Feet From Proposed Right-of-Way

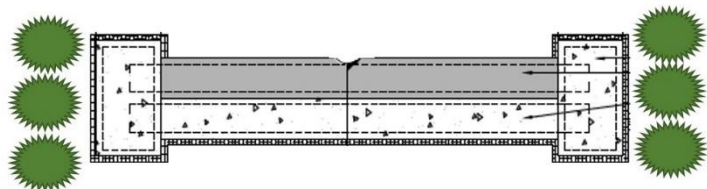
1. *Signs* located within easements to the *Town of Plainfield* must obtain an Easement Encroachment approval from the *Technical Advisory Committee* prior to permit issuance.
2. *Ground Signs* must not interfere with a Vision Clearance Area as specified in Article 4.14.

E. Off Premise Ground Signs.

1. Location. *Off Premise Signs* may be allowed in the following *Districts*:
 - a. GC: General Commercial *Districts* that are not within 600 feet of a *Gateway Corridor* or Residential *District*;
 - b. I4: Heavy Manufacturing *Districts* that are not within 600 feet of a *Gateway Corridor* or Residential *District*.
2. Maximum *Sign Surface Area* and Height.
 - a. *Sign surface area*. Shall not exceed ninety-six (96) square feet in *sign surface area*.
 - b. The maximum height is ten (10) feet.
3. Spacing Between *Signs*. The minimum distance between *signs* shall be as specified below.
 - a. Linear Spacing. The minimum distance between signs described by this Article 7.5.E located along and oriented towards the same side of a Public *Street* shall be two thousand five hundred (2,500) linear feet subject to the following:

- 1) The spacing requirement shall be applied equally to both sides of the *Street* at the same time regardless of whether the *signs* described by this Article 7.5.E are on the same side of the *Street*;
- 2) The spacing requirement shall be applied continuously along a *Street* to all *signs* described by this Article 7.5.E oriented towards that *Street* in either direction whether the *signs* described by this Article 7.5.E are in the same *block* or are in different blocks separated by an intersecting *Street*;
- 3) For purposes of applying the spacing requirement *Signs* described by this Article 7.5.E shall be treated the same, whether double-faced or single-faced; and
- b. Measurement of Linear Spacing. The method of measurement of the spacing between *signs* described by this Article 7.5.E oriented towards the same *Street* shall be along the centerline of the *Street* to which the sign described by this Article 7.5.E is oriented from the point in the *Street's* centerline closest to the leading edge of the *sign* described by this Article 7.5.E.
- c. Radial Spacing - In no event shall a *sign* described by this Article 7.5.E be closer than one thousand (1,000) feet from any other *sign* described by this Article 7.5.E regardless of location or orientation.
4. Minimum *Front, Side, and Rear Yard Setback*.
 - a. *Front yard setback*. The *minimum front yard setback* shall be 60 feet from the proposed *right-of-way*.
 - b. *Side and rear yard setback*. Maximum height of up to four feet above grade when located at the minimum required *side or rear yard setback*. The maximum height may be increased by one foot in height for each additional one foot of *setback* from the minimum required *side or rear yard* until the maximum height allowed for *sign* described by this Article 7.5.E is reached.
5. Construction. The supports, uprights, bracing and framework of ground sign described by this Article 7.5.E shall be of steel construction.

F. Landscaping of Ground Signs. The intent of *ground sign* landscaping is to shield from view any electrical or other mechanical panels, as well as to accentuate or compliment the sign.



1. All *Ground Signs* shall require evergreen shrubs sufficient to block any electrical panels or other mechanical panels.
2. Landscaping may include any size or variety of annuals, perennials, ornamental grasses, Hedge Plants, or trees.

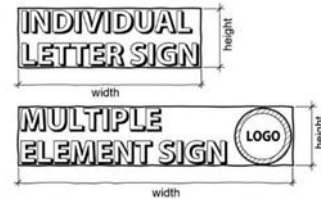
3. Plant materials used to satisfy this provision shall not be used to satisfy the calculation of *Plant Unit Value* required by any other provision of this Ordinance.

G. Ground Signs are Accessory Structures.

(Ord. 52-2022, passed 12-12-2022)

7.6 Building Signs

- A. Calculation of Sign Surface Area.** The *sign surface area* of a *building sign* shall be the smallest rectangle that can encompass all items of information or the sign face, outside of support structures, whichever is applicable.



- B. Type of Signs.** The following *signs* are permitted by *district type*.

Table 7.6.B: Type of Signs by District					
District Type	Building	Suspended	Projecting	Awning	Marquee
Residential	X				
Commercial	X	X ^{(1) (2)}	X ^{(1) (2)}	X ^{(1) (2)}	X ^{(1) (2)}
Industrial	X				
TC/MU	X	X ⁽¹⁾	X ⁽¹⁾	X ⁽¹⁾	X ⁽¹⁾

⁽¹⁾ See additional regulations in Section 7.6.E, below.

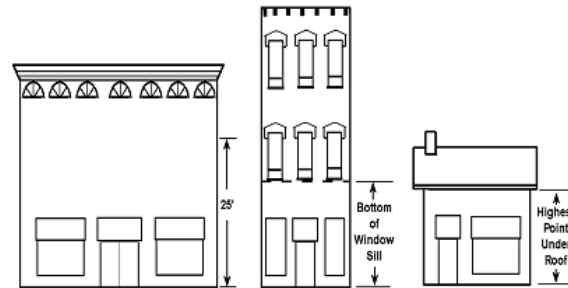
⁽²⁾ As approved in a *Development Plan Sign Package*.

- C. Number of Signs.** There shall be no limit to the number of *Building Signs* per facade, provided that the total *Sign Surface Area* of all *Building Signs* located on each *Building* facade shall not exceed the maximum *Sign Surface Area* (see Table 7.6.D) for the *Building* facade upon which such Signs are located.
- D. Maximum Sign Surface Area for Building Signs.** The following sign area percentages and maximum *Sign Surface Areas* shall apply as shown in Table 7.6.D.:
1. The maximum permitted area of a *Building Sign* for an individual tenant unit or *building* facade shall be equal to a percentage of the square footage of the respective tenant unit or building face.
 2. For multi-tenant *buildings* with a common entrance, this percentage applies to the allowable *Building signs* per facade for the *structure* as a whole.

Table 7.6.D: Maximum Sign Surface Area for Building Signs					
Commercial/Industrial	Front		Side/Rear		Maximum Façade Width (%)
Building or Tenant Unit Façade Area (in square feet)	Percent of Building Face Allowed for Signage	Maximum Sign Surface Area (in square feet)	Percent of Building Face Allowed for Signage	Maximum Sign Surface Area (in square feet)	
0 — 1,000	7.50%	72	3.75%	36	80
1,001 — 2,500	7.25%	150	3.5%	75	80
2,501 — 5,000	6.00%	250	3.00%	125	80
5,001 +	5.00%	350	2.50%	175	80

Table 7.6.D: Maximum Sign Surface Area for Building Signs					
Commercial/Industrial	Front		Side/Rear		Maximum Façade Width (%)
Building or Tenant Unit Façade Area (in square feet)	Percent of Building Face Allowed for Signage	Maximum Sign Surface Area (in square feet)	Percent of Building Face Allowed for Signage	Maximum Sign Surface Area (in square feet)	
Non Commercial/Industrial	Front		Side/Rear		Maximum Façade Width (%)
	Percent of Building Face Allowed for Signage	Maximum Sign Surface Area (in square feet)	Percent of Building Face Allowed for Signage	Maximum Sign Surface Area (in square feet)	
Residential	5	N/A	3	N/A	80
TC/MU	10 ⁽¹⁾	N/A	5 ⁽¹⁾	N/A	80

- ⁽¹⁾ percent of the total area of the lesser of the following calculations:
- the first twenty-five (25) feet of actual Building height;
 - the height of the Building from Grade to the bottom of the window sills on the second story, if any; or
 - the highest part of the Building under a roof or cornice line.



E. Suspended, Projecting, Awning, and Marquee Signs

1. General Regulations

- Sign Structures for Suspended Signs, Projecting Signs, Awning Signs, and Marquee Signs shall not extend above the roof line of their supporting Building;
- Suspended Signs shall be permitted on any Building containing two or more individual, non-related, and separately operated uses
- Dimensional Regulations as shown in Table 7.6.D.1.c, below:

Table 7.6.D.1.c: Dimensional Regulations by Type of Sign				
Maximum Sign Number and Maximum Area	Suspended	Projecting	Awning	Marquee
Number of Signs	1 ⁽¹⁾	1 ⁽³⁾	1 ⁽³⁾	1 ⁽³⁾
Sign Surface Area (square feet)	5	See Table 7.6.C ⁽⁴⁾		
Percent of Marquee or Awning that includes a sign surface	N/A	N/A	50	75
Clearance to Grade (in feet)	Suspended	Projecting	Awning	Marquee
Rigid construction	8	10	8	9
Non-rigid construction	N/A	N/A	7	N/A
Drive, Interior Access Drive, or Alley	15			
Horizontal Extension (in feet)	Suspended	Projecting	Awning	Marquee
Maximum Projection from Building	⁽²⁾	8 ⁽²⁾	8 ⁽²⁾	8 ⁽²⁾
Minimum Distance from vertical plane of Street pavement line, curb or outside edge of sidewalk	⁽²⁾	3 ⁽²⁾	3 ⁽²⁾	3 ⁽²⁾

⁽¹⁾ Per entrance for grade level tenant

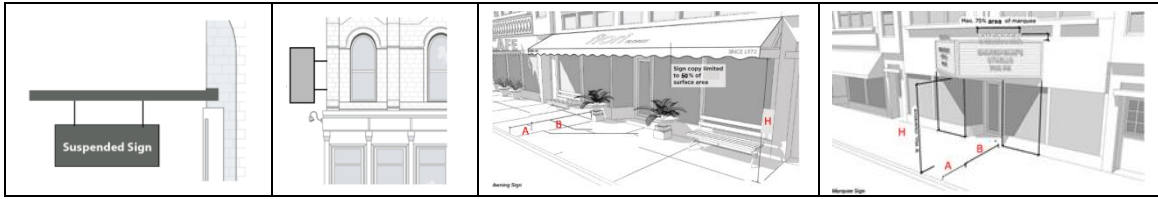
⁽²⁾ Signs in compliance with the above regulations may project into the air rights of a Public Right of Way if approval for such encroachment into the air rights of a Public Right of Way is obtained from the governmental authority having jurisdiction prior to the placement of the Sign.

⁽³⁾ Per frontage

⁽⁴⁾ Minus applicable building signage.

- Examples. For the purpose of the sign code, the following are examples of Suspended, Projecting, Awning, and Marquee signs. The examples shown below are only an illustration of type, not an exhaustive list.

Example 7.6.D.2: Suspended, Projecting, Awning, and Marquee Sign Examples			
Suspended	Projecting	Awning	Marquee



F. Design Requirements. To create a unified and consistent treatment, new *Building Signs* shall be erected in accordance with the following regulations:

1. **Sign Hierarchy.** The order of ranking of the various types of *Building Signs*, from the highest to the lowest, shall be (a), (b), (c), (d), and (e) as outlined below:
 - a. An Individual Letter *Sign* (including but not limited to: internally illuminated channel letters, logos or script; illuminated or non-illuminated pin-mounted letters, logos or script; or, a plaque with raised or routed letters, logos or script).
 - b. A *Channel Box* or *Cloud Sign*
 - c. A *Raceway Mounted Sign* (including but not limited to: channel letters, logos or script).
 - d. A *Box Sign*.
 - e. A *Painted Board Sign* or a *Sign* painted directly on a wall of a *Building*.
2. **Incorporation of Lower Ranked Sign Hierarchy Elements.** A sign package may use lower ranked sign hierarchical elements as a portion of the sign. Examples of such usage may include, but are not limited to, logos or taglines.

Table 7.6.F.2: Incorporation of Lower Ranked Sign Hierarchy Elements	Hierarchical Steps Below Required			
	1 step	2 steps	3 steps	4 steps
Percent of Sign allowed to be lower hierarchy elements	25%	20%	15%	10%

3. **Construction Type**
 - a. **New Construction / Major *Building* Additions** – *Building Signs* for new construction projects and major *Building* addition projects shall be an individual letter signage unless an alternative *sign* package was approved by the *Plan Commission*.
 - b. **Alternatives Hierarchy Existing Integrated Centers** – Any new *Building Sign* on an existing *Integrated Center* shall be of an equivalent type or higher rated type than the predominant type of *Building Signs* existing throughout the *Integrated Center*.
 - c. **Existing Single Use Sites** – Any new *Building Sign* on an existing Single Use Site shall be the greater of either an equivalent type or higher rated type *Building Sign* than:
 - 1) the previously existing *Building Sign*; or,
 - 2) the predominant type of *Building Signs* existing on the subject *Lot* and any immediately adjacent Single Use Sites located within the same Block Face.
3. **Illuminated *Building Signs* & *Bufferyards*.** Illuminated *Building Signs*, whether internally or externally illuminated, shall not be permitted on a *Building* façade oriented to a Side *Bufferyard* or Rear *Bufferyard*.

(Ord. 52-2022, passed 12-12-2022)

7.7 Incidental Signs

A. Type of Signs

Table 557.A	Ground	Building	Suspended
Commercial/Industrial	X ⁽¹⁾	X ⁽¹⁾	X ⁽¹⁾
TC & MU	X	X	X
Residential	X	X	

(1) See 7.7.B.4-5 below for more restrictions

B. Number of Signs

1. If a *Lot* or *Integrated Center* has one (1) Driveway, two (2) *Incidental Signs* shall be permitted at the Driveway entrance or exit.
2. If a *Lot* or *Integrated Center* has more than one (1) Driveway, one (1) *Incidental Sign* shall be permitted for each Driveway.
3. One (1) *Incidental Sign* shall be permitted at each critical turning point when required to safely direct pedestrian or vehicular traffic
4. If a *Lot* is occupied by a use which includes a drive through facility, two (2) menu boards shall be permitted adjacent to the drive through facility as *Incidental Signs*.
5. If a *Lot* is occupied by a use which includes a drive through facility, up to two (2) *Suspended Signs* may be permitted along the drive through facility as *Incidental Signs*.

C. Maximum Sign Surface Area and Height

Table 7.7.C	Maximum	
Commercial (NR, OD, AC, HB, and GC)	Height of Sign (Feet)	Size of Sign (Square Feet)
General Incidental Sign	4	6
<i>Incidental Sign</i> adjacent to a drive through	7	48
<i>Suspended Sign</i>	(1)	2.5
Industrial (I1, I2, I3, I4)	Height of Sign (Feet)	Size of Sign (Square Feet)
Incidental Sign	7	6
Incidental Parking/Loading Sign	7	48
TC/MU	Height of Sign (Feet)	Size of Sign (Square Feet)
<i>Incidental Sign</i>	4	6
Residential	Height of Sign (Feet)	Size of Sign (Square Feet)
<i>Incidental Sign</i>	4	2

(1) Minimum clearance from grade must be eight (8) feet

D. Minimum Setback in Feet From Proposed Right-of-Way

Table 7.7.D	Front (from Proposed Right-of-Way)	Side/Rear
Commercial/Industrial	3	(1)
TC/MU	No required setback for Incidental Ground Signs, however, such Signs may not encroach into a Public Right-of-Way and may not interfere with a Vision Clearance Area.	
Residential	3	(2)

(1) Same as required for any Building or Structure in the applicable zoning District.

(2) Same as required for an Accessory Structure in the applicable Zoning District.

(Ord. 52-2022, passed 12-12-2022)

7.8 Signs in a Master Plan District. (P: Park, IG: Institutional (Government), S: School, REL: Religious, G: Golf, and RF: Residential Flex, and MUN: Municipal Districts.)

- Signs.** The regulations contained in Article 7.5, for "Business and Other Uses permitted in the Residential Districts" shall apply to the *Master Plan Districts*, provided, however, notwithstanding anything in the Article 7 to the contrary.
- Sign Program.** Other permanent Signs or *Temporary Signs* included in an overall Sign program (which includes the general number, size, type and location of Signs) and which is approved by the *Plan Commission* as part of an approved *Master Plan*.

(Ord. 52-2022, passed 12-12-2022)

ARTICLE 13. DEFINITIONS

13.1 INTERPRETATION OF TERMS OR WORDS.

The language of this ordinance shall be interpreted in accordance with the following regulations:

(A) The word “person” includes a firm, association, organization, partnership, trust, limited liability company, corporation, or other legal entity, as well as an individual;

(B) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular, in each case, if the context so requires;

(C) The word “shall” is mandatory, the word “may” is permissive;

(D) The words “used” or “occupied” include the words “intended”, “designed”, “constructed”, “altered”, or “arranged” to be used or occupied;

(E) The word “lot” includes the words “plot”, “tract” or “parcel”;

(F) Where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and”, “or” or “either ... or”, the conjunction shall be interpreted as follows:

(1) “And” indicates that all the connected items, conditions, provisions or events shall apply;

(2) “Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination; and

(3) “Either ... or” indicates that all the connected items, conditions, provisions or events shall apply singly but not in combination.

(G) The terms “more intense” and “less intense” are terms used herein to describe relationships between particular zoning districts. This relationship is based upon the uses permitted within each district. A “more intense” district permits more uses or a greater density of uses than a “less intense” district. District intensity groupings progress from agricultural, to residential, to commercial, to industrial districts, in the sequence listed within each group of districts from least intense to the most intense.

(Ord. 21-97, passed - -1997; Ord. 9-1999, passed - -1999; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 13-2007, passed 6-11-2007; Ord. 27-2007, passed - -2007; Ord. 28-2008, passed 11-24-2008; Ord. 24-2009, passed 1-26-2009; Ord. 12-2011, passed - -2011; Ord. 04-2013, passed 2-25-2013; Ord. 22-2013, passed 8-12-2013)

13.2 DEFINITIONS.

The following terms or words used in the text of this ordinance shall have the following meanings, unless a contrary meaning is:

- (A) Required by the context of a particular sentence or phrase; or
- (B) Specifically prescribed in a particular sentence or phrase.

ACCESS. The way in which vehicles ingress and egress a lot from a street fronting along said lot.

ACCESS DRIVE. That area within the right-of-way between the pavement edge or curb and the right-of-way line to provide ingress and egress to and from a lot.

ACCESSORY (STRUCTURE, BUILDING OR USE). A subordinate structure, building or use that is customarily associated with, and is appropriately and clearly incidental and subordinate in use, size, bulk, area and height to the primary structure, building, or use, and is located on the same lot as the primary building, structure or use.

ACCESSORY DWELLING UNIT (ADU). A dwelling unit that is subordinate and incidental to a primary building on the same lot and may be detached or are added to or included within the primary building.

ADULT ENTERTAINMENT BUSINESS. An establishment as defined in Ordinance 02-2009.

ADVERTISING SIGN. See **SIGN, ADVERTISING.**

AGE RESTRICTED BUSINESSES, PRODUCTS, AND SERVICES. Uses or establishments that primarily sell products or provide services that typically have age restrictions placed upon them by regulation.

- a) Examples of such land uses include, but are not limited to, liquor stores, pawn shops, tobacco shops, electronic/vape tobacco shops, check cashing facilities, bars, or taverns
- b) This does not include restaurants that serve alcohol.

AGRICULTURAL SERVICES. Includes all operations pertaining to the sale, handling, transport, packaging, storage, or disposal of agricultural equipment, products, by-products, or materials primarily used by agricultural operations. Examples of such land uses include but are not limited to: agricultural implement sales, storage, or repair operations; feed and seed stores; agricultural chemical dealers and/or storage facilities; animal feed storage facilities; canning and other packaging facilities; veterinary clinics with outdoor kennels and/or dog runs; and agricultural waste disposal facilities.

AGRICULTURAL USE. An operation which consists of the following uses, individually or in combination: the production of grain or livestock; stables; forest or tree production; pasture; setting aside land in a government set-aside reserve program; a farmstead; uses accessory to agricultural operations on the site; or uses accessory to agricultural operations in the area.

AIRPORT CONICAL SURFACE AREA. The land area beginning at the periphery of the airport horizontal surface area and thence extending outwardly a distance of 4,000 feet. Such **AIRPORT CONICAL SURFACE AREA** does not include, however, the airport instrument approach surface areas and airport transitional surface area.

AIRPORT HORIZONTAL SURFACE AREA. The land area, the perimeter of which is determined by projecting arcs from the center of the inner line of each airport instrument approach surface area with the dimension of such arcs for instrument approach surface areas being 10,000 feet. Such **AIRPORT HORIZONTAL SURFACE AREA** does not include, however, the airport instrument approach surface area and airport transitional surface area.

AIRPORT INSTRUMENT APPROACH SURFACE AREA. The land area located at each end of each instrument runway for landings and take-offs. Such **AIRPORT INSTRUMENT APPROACH SURFACE AREA** having a width of 1,000 feet at a horizontal distance of 200 feet beyond each end of the runway and widening thereafter uniformly to a width of 16,000 feet at a horizontal distance of 50,200 feet beyond each end of the runway, its centerline being the continuation of the runway centerline.

AIRPORT LANDING AREA. The area of the airport used for the landing, taking-off or taxiing of aircraft.

AIRPORT TRANSITIONAL SURFACE AREA. The land area located adjacent to each instrument runway. Such **AIRPORT TRANSITIONAL SURFACE AREA** extending outward as indicated on the official zoning map from a line 500 feet of either side of the centerline of an instrument runway plus 200 feet at each end thereof, to the inner line of the airport horizontal surface area; further symmetrically located adjacent to each instrument runway airport instrument approach surface area, on each side thereof, having variable widths, as indicated on the official zoning map, and extending the entire length of such airport instrument approach surface area to their intersection with the outline of the airport conical surface area; and further located beyond such points of intersection, beginning at the out lines of the airport instrument approach surface area and extending a horizontal distance of 5,000 feet therefrom, measured at right angles to the continuation of the runway centerline, as indicated on the Airspace Overlay District map.

AIRSPACE HAZARD. Any structure, tree, object or use of land which obstructs the airspace or is otherwise hazardous to the flight of aircraft in landing or taking-off at a public airport or heliport, as determined to constitute an "airspace" or "airport"

ALLEY, PRIVATE. A privately held right-of-way for public use as a secondary means of public access to a lot otherwise abutting upon a public or private street and not intended for traffic other than public services and circulation to and from said lot.

ALLEY, PUBLIC. Any public right-of-way which has been dedicated or deeded to and accepted by the public for public use as a secondary means of public access to a lot otherwise abutting upon a public street and not intended for traffic other than public services and circulation to and from said lot.

ANTENNA. A device that is designed to receive:

- (a) Direct broadcast satellite service, including direct-to-home satellite services;
- (b) Video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services and local multipoint distribution services; or

(c) Television broadcast signals.

ANTENNA (Article 4.6). Any communications equipment that transmits or receives electromagnetic radio signals used in the provision of wireless communications service.

ANTENNA ARRAY. A structure attached to a telecommunications tower that supports a telecommunications antenna.

ANTENNA, RADIO/TELEVISION. A wire or combination of wires and support structures designed for directly transmitting electric waves (broadcast radio or television) into space, or receiving them therefrom.

ANTENNA, SATELLITE DISH. A dish shaped device which may be free standing or mounted on a building or structure and is designed to receive direct broadcast satellite service.

ANTIQUÉ MALL. A place where individual antique dealers congregate within one building with a gross floor area of at least 50,000 square feet each having a separate sales space to conduct the sell or purchase of antiques or previously owned goods or items.

ARTIFICIAL LAKE. Either:

(a) An artificially created body of water which is not required in connection with a storm water management system; or

(b) That portion of an artificially created body of water developed in connection with a storm water management system which exceeds the capacity required to manage the 100-year storm event.

ASSEMBLY. The fitting together of previously manufactured parts or sub-assemblies, that do not require additional manufacturing or machining, into a finished item or unit.

ASSISTED LIVING FACILITY. A facility that provides services such as room and board, meals, laundry, activities, housekeeping, limited assistance in activities of daily living, and simple medication administration with a physician's order.

AUTHORIZED AGENT. Any party duly authorized in writing by the owner of a subject parcel to act on the owner's behalf with respect to a petition for zone map change, subdivision plat, development plan approval or vacation of land.

AUTOMOBILE REPAIR - MAJOR. Servicing and repairs which include muffler repair or installation, brake repair or installation, shock replacement, transmission repair, tire recapping, motor overhaul, or body or fender repair work (not including the dismantling or wrecking of motor vehicles, or the storage of inoperable, damaged or wrecked vehicles, other than those awaiting immediate repair).

AUTOMOBILE REPAIR - MINOR. Servicing and repairs limited to tune-ups, oil changes, sale and installation of lubricants, tires, batteries and other minor maintenance operations.

AWNING. A roof-like cover, often of fabric, metal, plastic, fiberglass or glass designed and intended for protection from the weather or as a decorative embellishment, and which is supported by and projects from a wall or roof of a structure over a window, door, walk or the like.

BANNER. A temporary sign of lightweight fabric or similar material mounted to a pole or building at one or more edges. Flags of any governmental or political unit shall not be considered **BANNERS**.

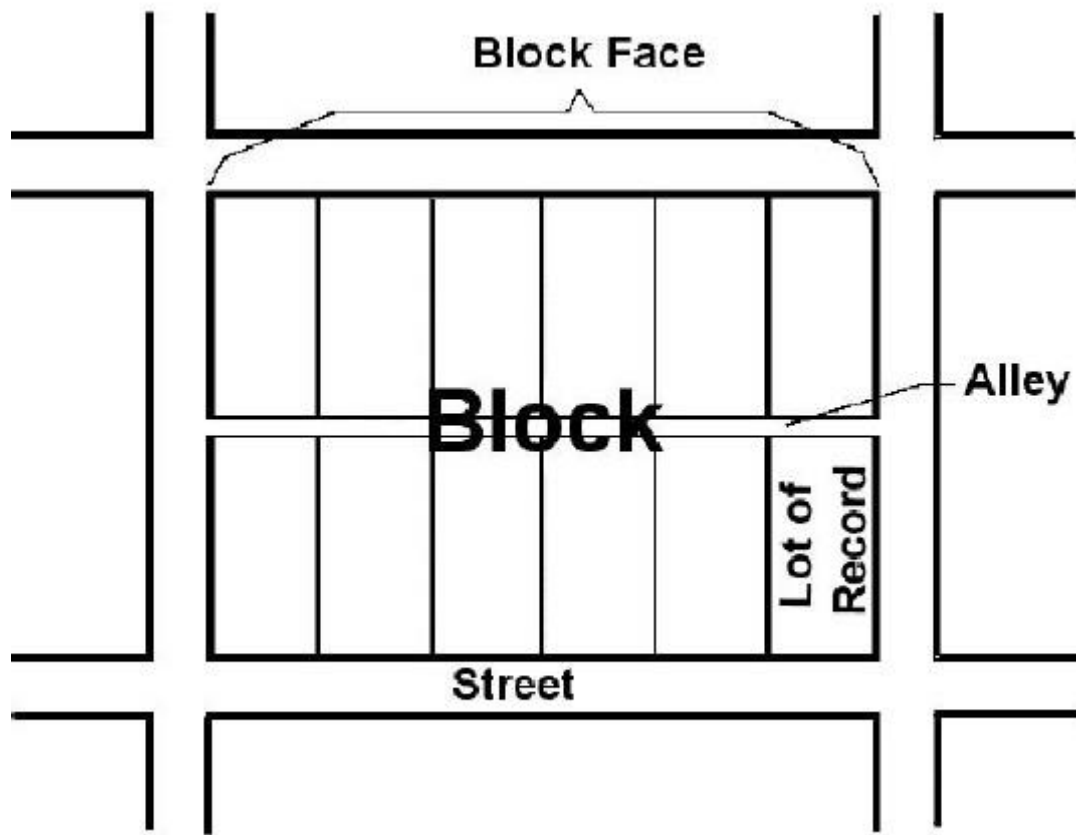
BASE STATION. A station located at a specific site that is authorized to communicate with mobile stations. The term includes all radio transceivers, antennas, coaxial cables, power supplies, and other electronics associated with a station.

BASEMENT. That portion of a building with an interior vertical height clearance of not less than 78 inches and having one-half or more of its interior vertical height clearance below grade level.

BICYCLE PARKING AREA. An area designated for the sole purpose of parking bicycles by means of a bicycle rack, bicycle loops or other device as approved by the Director. This area can be either indoor or outdoor, but shall not be placed so that it obstructs or impedes a pedestrian way.

BILLBOARD. See **SIGN, ADVERTISING**.

BLOCK. A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines or municipal boundary lines.



Block and Block Face

BLOCK FACE. The frontage of a block, which may contain one or more lots, along one side of a public or private street between intersections.

BOARD (OF ZONING APPEALS). The Town of Plainfield Advisory Board of Zoning Appeals.

BOARDING HOUSE. A building or part of a building, other than hotels, motels, restaurants, bed and breakfast, or multi-family dwellings, containing accommodation facilities in common where lodging, typically with meals reserved solely for the occupants thereof, is provided for a fee.

BUFFERYARD. A front, side or rear yard of a nonresidential land use on a lot which faces or abuts a residential use that is not legal nonconforming. A **BUFFERYARD** may include landscape plantings, fences, walls or berms to provide screening or buffering for adjacent residential properties.

BUILDING. Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

BUILDING HEIGHT, MAXIMUM. See **MAXIMUM BUILDING HEIGHT.**

BUILDING LINE. A line parallel to any front, side or rear lot line which passes through the nearest point of any building or structure.

BUILDING LINE, FRONT. A line parallel to any front lot line which passes through the nearest point of any building or structure and terminates at the point of contact with any side lot line.

BUILDING LINE, REAR. A line parallel to any rear lot line which passes through the nearest point of any building or structure and terminates at the point of contact with any side lot line.

BUILDING LINE, SIDE. A line parallel to any side lot line which passes through the nearest point of any building or structure and terminates at the point of contact with any front or rear lot line.

BUILDING PERMIT. A permit issued by the town in compliance with the terms and provisions of the Town Building Code.

BUSINESS DAY. A day when the offices of the Department of Planning and Zoning of the town are open to the public for the transaction of business for the entire period of its normal operating hours.

CAMPGROUND. Facilities designed for overnight accommodation of persons in tents, travel trailers, or other mobile or portable shelters or Vehicles.

CANOPY. A roof-like cover, often of fabric, metal, plastic, fiberglass or glass on a support, which is supported in total or in part, from the ground and providing shelter over, for example, a doorway, outside walk, interior access drive or parking area.

CARPORT. A roofed structure designed and intended to shelter the automotive vehicle of occupant or owner of the premises, with at least one side open to the weather.

CERTIFICATE OF ZONING COMPLIANCE. A certificate signed by the Director of the Department of Planning and Zoning stating that the occupancy and use of land or building or structure referred to in the certificate complies with the provisions of the Zoning Ordinance, Subdivision Control Ordinance, variance, special exception or development plan approval.

CHECKPOINT AGENCY. An agency or department of local, state or federal government, or other public or semi-public agency determined by the Director to have an interest in development within the town.

CHILD CARE. A service that provides for the care, health, safety, and supervision of a child's social, emotional, and educational growth. (For reference, see I.C. 12-7-2.)

CHILD CARE CENTER.

(a) A building where at least 17 children receive child care from a provider:

1. While unattended by a parent, legal guardian or custodian;
2. For regular compensation; and
3. For more than four hours but less than 24 hours in each of ten consecutive days per year, excluding intervening Saturdays, Sundays and holidays.

(b) This term also applies to a building where child care is provided to less than 17 children if the provider has applied for a license under I.C. 12-17.2-4 and meets the requirements under I.C. 12-17.2-4. (For reference, see I.C. 12-7-2.)

CHILD CARE HOME.

(a) A residential structure in which at least six children (not including the children for whom the provider is a parent, stepparent, guardian, custodian or other relative) at any time receive child care from a provider:

1. While unattended by a parent, legal guardian or custodian;
2. For regular compensation; and
3. For more than four hours but less than 24 hours in each of ten consecutive days per year, excluding intervening Saturdays, Sundays and holidays.

(b) This term includes a **CLASS I CHILD CARE HOME** (that serves any combination of full-time and part-time children, not to exceed 12 at any one time) and a **CLASS II CHILD CARE HOME** (that serves more than 12 children but no more than any combination of 16 full-time and part-time children at any one time). (For reference, see I.C. 12-7-2.)

CHILD CARE MINISTRY. A child care operated by a church or religious ministry that is a religious organization exempt from federal income taxation under 501 of the Internal Revenue Code. (For reference, see I.C. 12-7-2.)

CHILD CARING INSTITUTION.

(a) A residential facility:

1. That provides child care on a 24 hour basis for more than ten children; or

2. With a capacity of not more than ten children that does not meet the residential structure requirements of a group home.

(b) An institution that:

1. Operates under a license issued under I.C. 12-17.4;
2. Provides for delivery of mental health services that are appropriate to the needs of the individual; and
3. Complies with the rules adopted under I.C. 4-22-2 by the Division of Family and Children. (For reference, see I.C. 12-7-2.)

COLLOCATION. The placement or installation of wireless facilities on existing structures that include a wireless facility or wireless support structure, including water towers and other buildings or structures. The term includes the placement, replacement, or modification of wireless facilities within an approved equipment compound.

COMMERCIAL ANIMAL BOARDING. Include land uses which provide short-term and/or long-term boarding for animals.

- a) Examples of such land uses include but are not limited to: commercial kennels and commercial stables.
- b) Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory to such land uses and do not require separate consideration.

COMMERCIAL ENTERTAINMENT, INDOOR. Land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours which extends significantly later than most other commercial land uses. Examples of such land uses include but are not limited to: restaurants, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.) bowling alleys, arcades, roller rinks, and pool halls.

COMMERCIAL ENTERTAINMENT, OUTDOOR. All land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash and late operating hours. Examples of such land uses include but are not limited to: outdoor commercial swimming pools, driving ranges, miniature golf facilities, amusement parks, drive-in theaters, go-cart tracks and racetracks.

COMMERCIAL INDOOR LODGING Includes land uses which provide overnight housing in individual rooms or suites of rooms, each room or suite having a private bathroom. Such land uses may provide in-room or in-suite kitchens, and may also provide indoor recreational facilities for the exclusive use of their customers.

- a) Uses include, but are not limited to, hotels, resorts, lodges.
- b) Does not include uses such as motels, hostels, or boarding houses.

COMMERCIAL RESIDENTIAL. *Dwelling Units* which are located above the ground floor of a building used for a commercial land use most typically an office or retail establishment. The primary advantage of commercial residential is that they are able to

share required parking spaces with nonresidential uses. Examples include mixed-use residential/commercial buildings.

COMMUNITY INSTITUTIONAL. Land uses, public or private, that serve a community's educational, religious, social, recreational, and cultural needs. Community Institutional land uses tend to be smaller in the scale of the structures, sites, and/or usage than General Institutions.

- a) Land uses include, but are not limited to, community centers, resource centers, civic and fraternal organizations, funeral homes and social welfare organizations,
- b) Does not include group homes, convents, monasteries, nursing homes, assisted living, recovery homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses (see *Institutional Residential*). Does not include general hospitals, special hospitals (see *Medical Office/Hospital*).

COMPREHENSIVE PLAN. The Plainfield Comprehensive Plan approved by the Plan Commission and the Town Council pursuant to I.C. 36-7-4-500 et seq.

CONCEPT PLAN. An informal plan, which may include site, landscape, building elevations and material, sign or lighting information, intended to convey the scope, content and nature of a proposed development, but lacking sufficient detail to determine compliance with the provisions of this ordinance.

CONCEPTUAL PLAT REVIEW. A cursory review of a sketch plan for a proposed subdivision in which staff provides initial review comments to a prospective petitioner on the design and layout of a proposed subdivision.

CONDOMINIUM. A building, group of buildings, or portion thereof, in which units are owned individually, and the structure, common areas or facilities are owned by all the owners on a proportional, undivided basis.

CONSTRUCTION PLAN.

- (1) When referring to a new wireless support structure means a written plan for construction that:
 - (a) Demonstrates that the aesthetics of the wireless support structure is substantially similar to Town of Plainfield's decorative light poles;
 - (b) Includes the total height and width of the wireless facility and wireless support structure, including cross section and elevation, footing, foundation and wind speed details;
 - (c) A structural analysis indicating the capacity for future and existing antennas, including a geotechnical report and calculation for the foundation's capability; the identity and qualifications of each person directly responsible for the design and construction; signed and sealed documentation from the applicant that shows the proposed location of the wireless facility and wireless support structure and all easements and existing structures within 1,000 feet of such wireless facility or wireless support structure.
- (2) When referring to substantial modification of an existing wireless facility or wireless support structure means a plan that describes the proposed modifications to the wireless support structure and all equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment.

CONVENIENCE STORE. A small retail establishment that offers for sale a limited line of groceries, convenience goods, tobacco products, periodicals and other household items, which does not sell gasoline or other motor vehicle fuels.

DAY-NIGHT SOUND LEVEL (LDN). A cumulative aircraft noise index which estimates the exposure to aircraft noise and relates the estimated exposure to an expected community response. The **DAY-NIGHT SOUND LEVEL** noise metric assesses a ten decibel (dB) penalty to all noise events occurring between 10:00 p.m. and 7:00 p.m.

DECK. A ground-supported, unenclosed, platform accessory structure, usually constructed of wood, of which any permanent horizontal area(s) of the platform is raised above grade level and is designed and intended for the recreational enjoyment of the occupant(s) and guest(s) of the primary use or structure.

DENSITY, GROSS. A unit of measurement which represents the number of units per acre of land on the aggregate total land to be developed, excluding any portion of the total land:

- (a) Located in the right-of-way of a perimeter street;
- (b) Located within a floodway; or
- (c) Required for storm water management.

DESIGN REVIEW COMMITTEE. An advisory committee of citizens duly created and authorized by the Plan Commission.

DEVELOPED RECREATIONAL OPEN SPACE. The total horizontal area of those portions of a lot which are located outside of any required yard and which are set aside and developed for the recreational use and enjoyment of all residents of a project.

DEVELOPMENT INCENTIVE. The manner and extent to which development requirements or development standards may be modified or waived in connection with the approval of a development plan.

DEVELOPMENT PLAN. Specific plans for residential, commercial or industrial development of property setting forth certain information and data as required by this ordinance.

DEVELOPMENT REQUIREMENTS. Development standards plus any additional requirements specified in this ordinance which must be satisfied in connection with the approval of a development plan.

DEVELOPMENT STANDARDS. Area, bulk, height and other applicable regulations of a zoning district contained in the ordinance which govern the physical development of real estate.

DIRECTOR. The Director of the Department of Planning and Zoning for the Town of Plainfield.

DISCOUNT RETAILER. A retailer that specializes in the sell of closeout or overstocked merchandise in a building having a gross floor area of at least 50,000 square feet.

DISPLAY, OUTDOOR. The display of merchandise for sale by a retailer outdoor in the open air, which may be permanent or temporary seasonal sales.

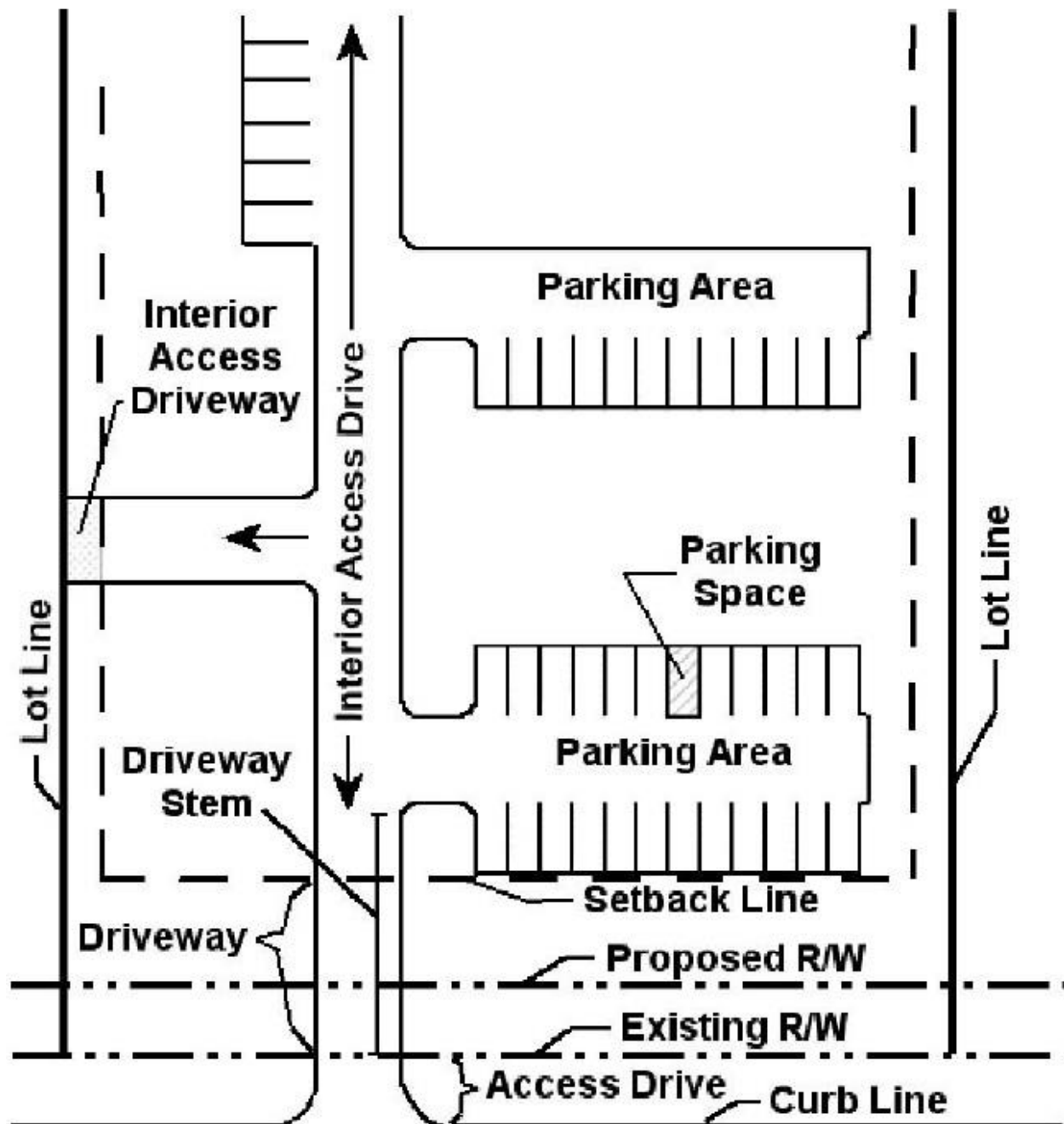
DISTRICT. A section of the territory within the jurisdiction of Plan Commission for which uniform regulations governing the use, height, area, size and intensity of use of buildings and land, and open spaces about buildings, are established by this ordinance.

DRAINAGE POND. An artificially created body of water which is required in connection with a storm water management system.

DRIVE, INTERIOR ACCESS. A way for internal vehicular movement in and around an individual lot or integrated center.

DRIVEWAY. Access for vehicular ingress/egress between the right-of-way of a public or private street and the minimum required setback line on a lot.

DRIVEWAY, INTERIOR ACCESS. A minor, private street providing for vehicular egress/ingress between the minimum required setback lines of separate lots or between lots within the boundaries of an integrated center.



DWELLING. Any building, or portion of a building, which is designed or used primarily for residential purposes, including single-family, two-family and multi-family dwellings, but not including hotels, boarding houses, lodging houses and tourist dwellings.

DWELLING, ATTACHED (MISSING MIDDLE). A range of multi-unit or clustered housing types, compatible in scale with detached single-family homes. These include

buildings with between three and six attached *Dwelling Units*, Examples include apartment houses, live/work units, and cottage developments that have historically existed on scattered sites in low-rise walkable neighborhoods.

DWELLING, MANUFACTURED HOME. A dwelling unit which is fabricated in one or more modules at a location other than the home site, by assembly-line type production techniques or by other construction methods unique to an off-site manufacturing process; provided, that each module must bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards; and provided further, that each unit must have been built after January 1, 1981, and must have at least 900 square feet of main floor area (exclusive of garages, carports and open porches).

DWELLING, MOBILE. A movable or portable dwelling unit that:

(a) Is fabricated in one or more modules at a location other than the home site, by assembly-line type production techniques or by other construction methods unique to an off-site manufacturing process;

(b) Is designed for occupancy by one family;

(c) Is erected or located as specified by the Town Building Code; and

(d) Was either:

1. Constructed prior to June 15, 1976 and bears a seal attached under Indiana Pub. L. No. 135, 1971, certifying that it was built in compliance with the standards established by the Indiana Administrative Building Council; or

2. Constructed subsequent to or on June 15, 1976 and bears a seal, certifying that it was built in compliance with the Federal Mobile Home Construction and Safety Standards law.

DWELLING, MODULAR HOME. A dwelling unit which is fabricated in one or more modules at a location other than the home site, by assembly-line type production techniques or by other construction methods unique to an off-site manufacturing process, designed for residential occupancy; provided, that each module must bear the seal certified that it was built in compliance with Indiana Pub. L. No. 360; and provided further, that the unit must have been built in compliance with the CABO One- and Two-Family Dwelling Code.

DWELLING, MULTI-FAMILY. A building or *Buildings* consisting of three or more dwelling units, including condominiums, with varying arrangements of entrances and party walls. These uses are typically incompatible in size and massing with detached single-family dwellings. Examples are apartment buildings and/or apartment complexes.

DWELLING, SINGLE FAMILY ATTACHED. A building consisting of two (2) or more single-family dwelling units attached by a common wall or walls, and legally platted so that each unit sets on an individual lot providing for fee simple ownership of each lot. Examples include townhomes and may include live/work units.

DWELLING, SINGLE-FAMILY DETACHED. An individual, detached building containing one dwelling unit which is either:

- (a) Built in compliance with the Indiana Residential Building Code;
- (b) A modular dwelling; or
- (c) A manufactured dwelling.

DWELLING, TWO-FAMILY. A building consisting of two dwelling units which may be either attached side by side or one above the other, and each dwelling unit having a separate or combined entrance.

DWELLING UNIT. A room or group of rooms designed and equipped exclusively for use as living quarters for only one family and its household employees, including provisions for sleeping, lawful cooking and sanitary facilities. The term shall include mobile dwellings, modular dwellings and manufactured dwellings but shall not include recreational vehicles.

EIA-222. Electronics Industries Association Standard 222, “Structural Standards for Steel Antenna Towers and Antenna Support Structures”.

ELECTRICAL TRANSMISSION TOWER. A structure that physically supports high voltage overhead power lines. The term does not include a utility pole.

EQUIPMENT COMPOUND. The area that:

- (1) Surrounds or is near the base of a wireless support structure; and
- (2) Encloses wireless facilities.

EXISTING STRUCTURE (Article 4.6). Does not include a utility pole or an electrical transmission tower.

FACADE PLANE. A flat portion of a facade of a building that does not modulate either in depth or in height.

FAMILY. One or more human beings related by blood, marriage, adoption, foster care or guardianship, together with incidental domestic servants and temporary, non-compensating guests; or not more than four human beings not so related, occupying a dwelling unit and living as a single housekeeping unit.

FARMERS MARKET. The temporary seasonal selling at retail of home-grown vegetables or produce, occurring in a pre-designated area as approved by the Town Council, where the vendors are the same individuals who have raised the products for sale.

FLEA MARKET. An occasional or periodic market held in an open area or structure where goods are offered for sale to the general public by individual sellers from open or semi-open facilities or temporary structures. **FLEA MARKET** shall not include informal garage or yard sales.

FLEX-SPACE. A light industrial use which includes a combination of office space and either warehouse or light assembly operations, provided that a minimum of 15% of the gross floor area of each tenant space shall be devoted to office use.

FLOOR AREA.

(a) For single-family dwellings and two-family dwellings, the sum of all horizontal surface areas of all floors of all roofed portions of a building enclosed by and within the surrounding exterior walls or roofs, or the centerline(s) of party walls separating such buildings or portions thereof. The **FLOOR AREA** of a building shall exclude all areas with a vertical height clearance less than 78 inches, exterior open balconies and open porches.

(b) For multi-family dwellings, the sum of all horizontal surface areas of all floors of all roofed portions of all buildings enclosed by and within the surrounding exterior walls or roofs, or the centerline(s) of party walls separating such buildings or portions thereof.

(c) However, this shall not include the following:

1. All areas with a vertical height clearance less than 78 inches;
2. All exterior open balconies, and open porches;
3. Floor area or basement floor area devoted to off-street parking or off-street loading, including aisles, ramps and maneuvering space;
4. Floor area or basement floor area provided for recreational uses, available to occupants of two or more dwelling units within a project; or
5. Basement floor area provided for storage facilities, allocated to serve individual dwelling units with a project.

FLOOR AREA, FINISHED. That portion of floor area constructed, completed and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, sanitary or combination thereof. A floor area or portion thereof used only for storage purposes and not equipped with the facilities mentioned above shall not be considered **FINISHED FLOOR AREA**.

FLOOR AREA, GROSS.

(a) For dwelling units, the total area, computed on a horizontal plane inclusive of finished basements, attached garages, entrances, hallways, stairways and other enclosed areas, but exclusive of unfinished basements, cellars and attics.

(b) For commercial or industrial buildings or structures, the sum of all horizontal surface areas of all floors of a building or structure measured from the exterior faces of

the exterior walls or from the centerline of walls separating abutting buildings or structures.

FLOOR AREA, GROSS LEASABLE. That portion of the gross floor area which is designated for the exclusive use and occupancy of a tenant.

FLOOR AREA, MAIN. That portion of the finished floor area located on the first floor of the dwelling unit.

FRONTAGE. The line of contact of an abutting property with the street right-of-way along a front lot line.

FUELING STATION.

(a) A retail sales facility selling fuel for motor vehicles including, but not limited to, automobiles, motorcycles, buses, or recreational vehicles (excluding semi-trailer trucks with at least three axles that are designed to tow trailers.)

(b) Ancillary services such as a convenience store and/or a car wash are permitted, but ancillary services such as vehicle service or vehicle repair are not permitted.

GAME COURT. In residential districts, a type of recreation facility which consists of an unpaved or paved, accessory, surface area of ground open and essentially unobstructed to the sky, on the same lot as the primary structure, designed and intended for the playing of a recognized sport as an accessory, recreational activity by the occupants and guests of the primary structure, which may include fencing, screening, nets, goals or other necessary appurtenances required for recreational use.

GARAGE. An accessory building to a residential use, or an enclosed area attached to or integrated into a residential building, which is primarily designed and intended to be used for the storage of the private vehicle(s) for the occupant(s) of said residence and is not a separate commercial enterprise available to the general public.

GARAGE, PARKING. Any building or structure designed and intended for the storage of motor vehicles for compensation.

GARAGE SALE. A public or private sale conducted by the owner or occupier of a premises of six or more items of personal property owned by the owner or occupier of the premises, which personal property was not acquired by the owner or occupier for the purpose of resale.

GATEWAY CORRIDOR. All land areas lying within the corporate limits of the town which are within 600 feet of the right-of-way of the following street segments:

(a) SR 267 (Quaker Boulevard), from the south right-of-way of U.S. 40 to the southern corporate limits of the town;

(b) I-70, from the eastern corporate limits of the town to the western corporate limits of the town;

(c) U.S. 40, from the eastern corporate limits of the town to the western corporate limits of the town;

(d) Stafford Road, from the eastern right-of-way line of SR 267 (Quaker Boulevard) to the eastern corporate limits of the town;

(e) Ronald Reagan Parkway, from the northern corporate limits of the town to the southern corporate limits of the town;

(f) Perimeter Parkway (as shown below), entire length; and



(g) Stout Heritage Parkway from the eastern right-of-way of SR 267 (Quaker Boulevard) to the western right-of-way of Ronald Reagan Parkway.

GENERAL INSTITUTIONAL. Land uses, public or private, that serve the community's educational, religious, social, recreational, and cultural needs. General Institutional land uses tend to be larger in the scale of the structures, sites, and/or usage than Community Institutions.

- a) Land uses include, but are not limited to, public recreational facilities such as stadia, gymnasiums, or swimming pools, educational facilities such as schools, libraries, museums, or uses such as cemeteries, fairgrounds,

permanently protected green space areas, correctional facilities, or religious facilities.

- b) Does not include group homes, convents, monasteries, nursing homes, assisted living, recovery homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses (see *Institutional Residential*). Does not include general hospitals, special hospitals (see *Medical Office/Hospital*).

GOLF COURSE MASTER PLAN. A concept plan that provides general guidelines for the development of a golf course, including but not limited to: a listing of the types of recreational uses proposed; the overall golf course layout and design of the clubhouse, outdoor or indoor swimming pool, pro shop, maintenance structures, cart sheds, driving range, practice area, putting greens and the like (i.e., location of activity areas or structures, including off-street parking areas, cart paths and signs); conceptual building elevations for major buildings or structures; and the approximate size or scope of proposed recreational facilities.

GRADE. The average level of the finished surface of the ground five feet from the building, structure or proposed building pad; provided, however, for the purposes of the Town Subdivision Control Ordinance, the term **GRADE**, when referring to **STREET GRADE** shall mean the slope of a street specified in percentage (%) terms.

GROUP HOME. A residential facility licensed by the Community Residential Facilities Council, or its successor in authority, and authorized by I.C. 12-17.4-5 in which care is provided on a 24 hour basis for not more than ten children in need of services or who have committed a delinquent act.

HEDGE PLANT. A woody plant of relatively low height (not exceeding ten to 12 feet in height), branching from the base.

HIGH TECHNOLOGY. Uses or facilities for scientific, research, development, educational, computer, software, design, and associated applied technology offices, laboratories, facilities, and organizations.-

HOME OCCUPATION. An occupation or business activity carried on within a legally established dwelling unit by a resident of said dwelling, where the occupation or business activity:

- (a) Is clearly incidental and subordinate to the residential use;
- (b) Does not alter the interior or exterior residential character of the dwelling unit;
- (c) Is carried on within the principal building and only by members of the family occupying the premises; and
- (d) Does not include any outdoor storage or activities other than receipt or delivery associated with the business activity.

IMPROVEMENT. Any human-made, immovable item which becomes part of, placed upon, or is affixed to real estate.

IMPROVEMENT LOCATION PERMIT. A permit stating that the proposed erection, construction, enlargement or moving of a building or structure, and uses thereof, complies with the provisions of the Zoning Ordinance and the Subdivision Control Ordinance.

INCIDENTAL. A minor occurrence or condition which is customarily associated with a permitted use and is likely to ensue from normal operations.

INCREMENTAL LOT. A lot of record created through the incremental plat process.

INCREMENTAL PLAT. A phased method of obtaining secondary plat approval for a nonresidential subdivision and which contains only a portion of the real estate included in the primary plat for the proposed nonresidential subdivision.

INDOOR MAINTENANCE SERVICE. Indoor maintenance services include all land uses which perform maintenance services (including repair) and contain all operations (except loading) entirely within an enclosed building. This does not include the repair of vehicles or the installation of vehicle parts or accessories, which is classified *Vehicle Parts and Accessories: Sales and Repair*.

INDOOR SALES AND SERVICE. Indoor sales and service land uses include all land uses which conduct or display sales or rental merchandise or equipment, or non-personal or nonprofessional services, entirely within an enclosed building. This includes self-service facilities such as coin-operated laundromats. This does not include the repair of vehicles or the installation of vehicle parts or accessories, which is classified *Vehicle Parts and Accessories: Sales and Repair*.

INDUSTRIAL PARK. See **INTEGRATED CENTER**.

INSTITUTIONAL RESIDENTIAL. Residential *Dwelling Units* in conjunction with or fulfilling the mission of an Institutional land use.

- (a) Examples of such land uses include but are not limited to: group homes, convents, monasteries, nursing homes, assisted living, recovery homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses.
- (b) Does not include general hospitals, special hospitals (see *Medical Office/Hospital*), prisons, or jails (see *General Institutional* land uses).

INSTRUMENT RUNWAY. A runway equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.

INTEGRATED CENTER. An area of development (commercial, industrial or any combination of commercial, industrial and residential uses) of one or more lots, comprised of:

(a) Two or more individual, non-related and separately operated uses in one building that is at least 10,000 square feet in gross floor area sharing common site facilities;

(b) One or more buildings containing non-related and separately operated uses occupying a common site, which utilizes one or a combination of common site facilities, such as driveways, parking areas, interior access drives, maintenance and similar common services; or

(c) One or more buildings containing non-related and separately operated uses occupying individual sites, which are interrelated by the utilization of one or a combination of common facilities, such as driveways, internal public or private street network developed in accordance with an approved subdivision, parking areas, maintenance or other services.

IN-VEHICLE SALES AND SERVICE. In-vehicle sales and service land uses include all land uses which perform sales and/or services to persons in vehicles, or to vehicles which may be occupied at the time of such activity. Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples of such land uses include drive-in, drive-up, and drive-through facilities. Fueling stations and truck fueling stations are not considered in-vehicle sales and service.

JUNK YARD. Any place at which personal property is or may be salvaged for reuse, resale or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or assorted, including, but not limited to, used or salvaged base metal or metals, their compounds or combinations, used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property except animal matter; and used motor vehicles, machinery or equipment which does not carry a current, valid license, and is used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

LAND BANKED AREA. An area of land to be preserved with no structures that can be used for required off-street parking for a primary use if additional parking is needed in the future. Required landscaping may be planted in the **LAND BANKED AREA** with the understanding that if additional parking is needed in the future, the landscaping will have to be moved or replaced.

LAWFUL COOKING. A room or area in which food may be prepared and cooked and which contains the following:

(a) A kitchen sink in good working condition and properly connected to an approved water supply and approved sewer/septic system. The sink must provide an adequate amount of water under pressure, both unheated and heated to no more than 120°F;

(b) Cabinets, shelves, counters or tables used for storage of food, eating, drinking or cooking equipment and utensils shall be of sound condition furnished with surfaces that are easily cleanable and that will not impart any harmful effect to food; and

(c) A stove, oven or microwave oven for cooking food and a refrigerator for safe storage of food at temperatures less than 45°F. These appliances shall be properly installed with all necessary connections for safe, sanitary and efficient operation and shall be maintained in good working condition.

LDN CONTOUR. A line linking together a series of points of equal cumulative noise exposure based on the Ldn metric. **LDN CONTOURS** are developed based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft and typical runway usage patterns.

LOADING AREA. A hard-surfaced, off-street area maintained and intended for the maneuvering and temporary parking of vehicles while transferring goods or materials to and from a facility. A **LOADING AREA** includes loading space and maneuvering area required to enter the loading space.

LOADING, OFF-STREET. A loading area located completely on a lot and accessed via interior access drives, interior access driveways, access drives or driveways in which no individual loading spaces gain direct access to a public or private street.

LOADING SPACE. A hard-surfaced, off-street area used for the temporary parking of a commercial vehicle while transferring goods or materials to and from a facility.

LOT.

(a) A piece, parcel, plot or tract of land designated by its owner or developer to be used, developed or built upon as a unit under single ownership or control and may consist of:

1. A single lot of record;
2. A portion of a lot of record; or
3. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.

(b) A **LOT** may or may not coincide with a lot of record. For purpose of this definition, the ownership of a **LOT** is further defined to include:

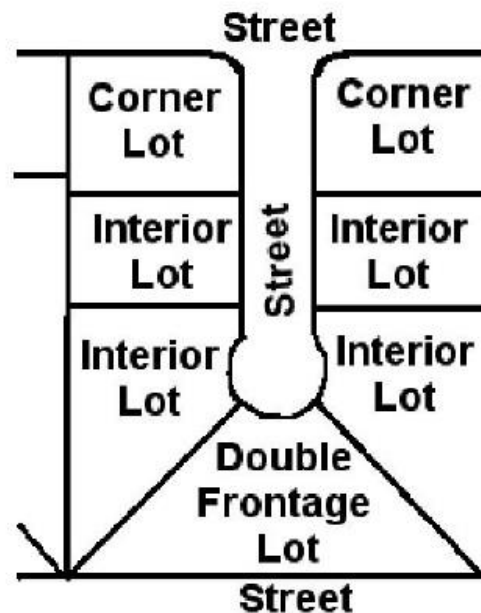
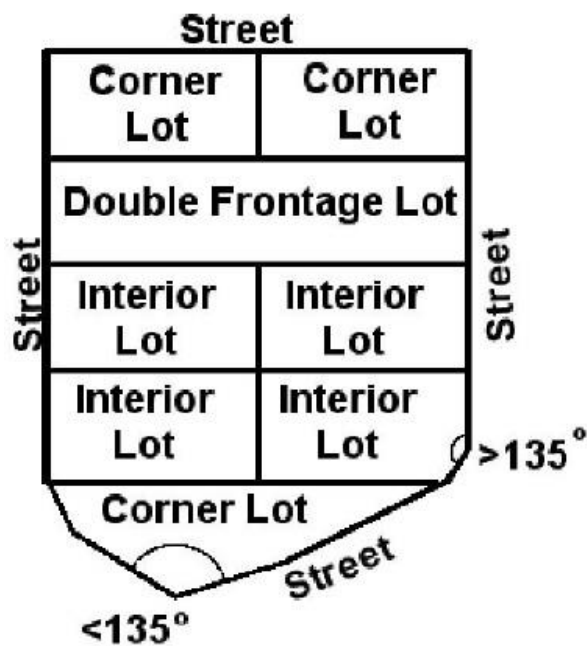
1. The person(s) who holds either fee simple title to the property or is a life tenant as disclosed in the records of the Township Assessor; or
1. A long-term lessee (but only if the lease is recorded among the records of the County Recorder and has a term (exclusive of non-exercised extensions and renewals) of at least 25 years remaining before its expiration at the time of applying for a permit).

(c) Provided, however, for the purposes of the Town Subdivision Control Ordinance, the term **LOT** shall mean that portion of a subdivision which is proposed to be recorded in the office of the County Recorder as a lot of record.

LOT AREA. The area bounded on all sides by the front, rear and side lot lines that is available for use or development and does not include any area lying within the right-of-way of any public or private street or easement for surface access into the subject lot or adjoining lots.

LOT, CORNER. A lot abutting two or more streets at their intersections, or upon two parts of the same street forming an interior angle of less than 135 degrees.

LOT COVERAGE. The total ground area within the lot or project covered by primary and accessory buildings, excluding open porches, balconies, canopies, and patio covers.



Types of Lots

LOT DEPTH. The distance from the midpoint of the front lot line to the midpoint of the rear lot line.

LOT, DOUBLE FRONTAGE. A lot abutting two parallel streets, or abutting two streets which do not intersect at the boundaries of the lot.

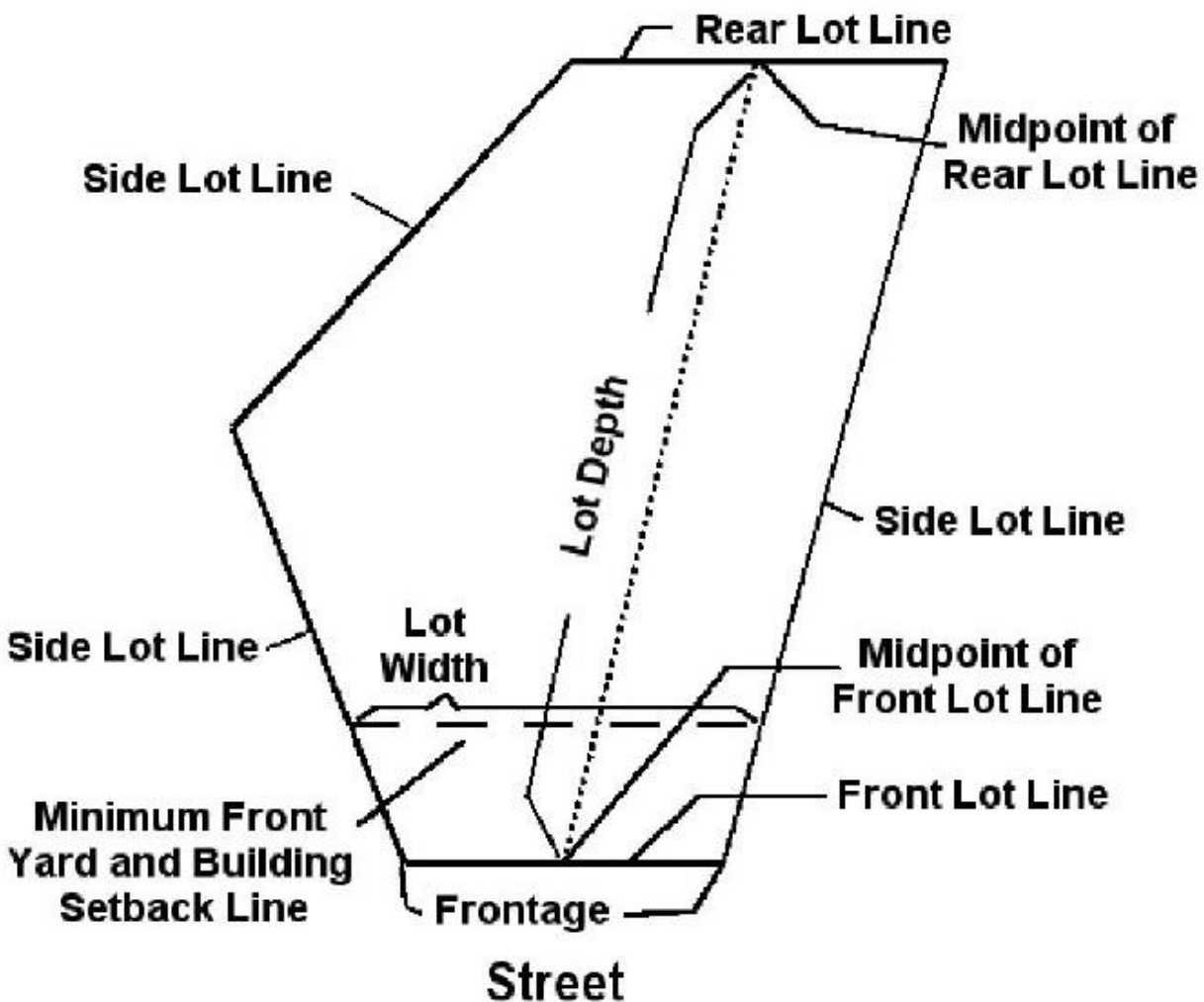
LOT, INTERIOR. A lot which is not a corner lot or a double frontage lot.

LOT LINE. The line of separation of a lot from any abutting street or adjoining lot, provided, however, for the purposes of the Town Subdivision Control Ordinance, the term **LOT LINE** shall mean the line of separation between a lot of record and any abutting street or adjoining lot of record.

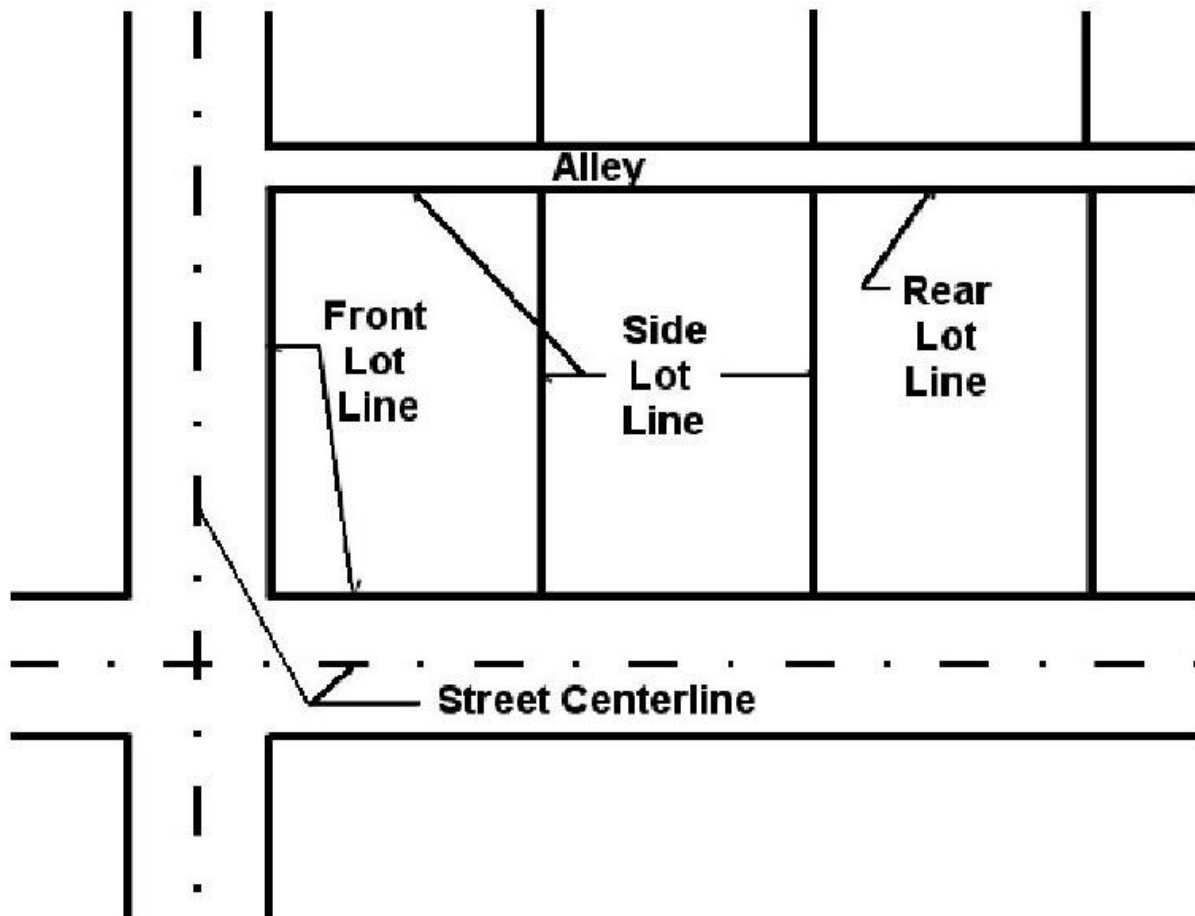
LOT LINE, FRONT. The lot line separating a lot from any abutting street.

LOT LINE, REAR. A lot line which is opposite and most distant from the front lot line, or in the case of a triangularly shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. However, in the case of a corner lot, any lot line which intersects with a front lot depth and lot width lot line shall not be considered a **REAR LOT LINE**.

LOT LINE, SIDE. Any lot line not designated as a front or rear lot line.



Lot Depth and Lot Width



Lot Lines

LOT OF RECORD. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT WIDTH. The full width of a lot measured along the minimum front yard and minimum building setback line required by this ordinance.

MAINTENANCE BOND. A legally binding agreement whereby the subdivider posts a surety in a form acceptable to the Plan Commission for the maintenance of improvements, installations and lot improvements required by the Town Subdivision Control Ordinance, any other applicable ordinances of the town, and any requirements, covenants, conditions or commitments which may be imposed by the Plan Commission.

MAJOR RESIDENTIAL SUBDIVISION. See **SUBDIVISION, MAJOR RESIDENTIAL.**

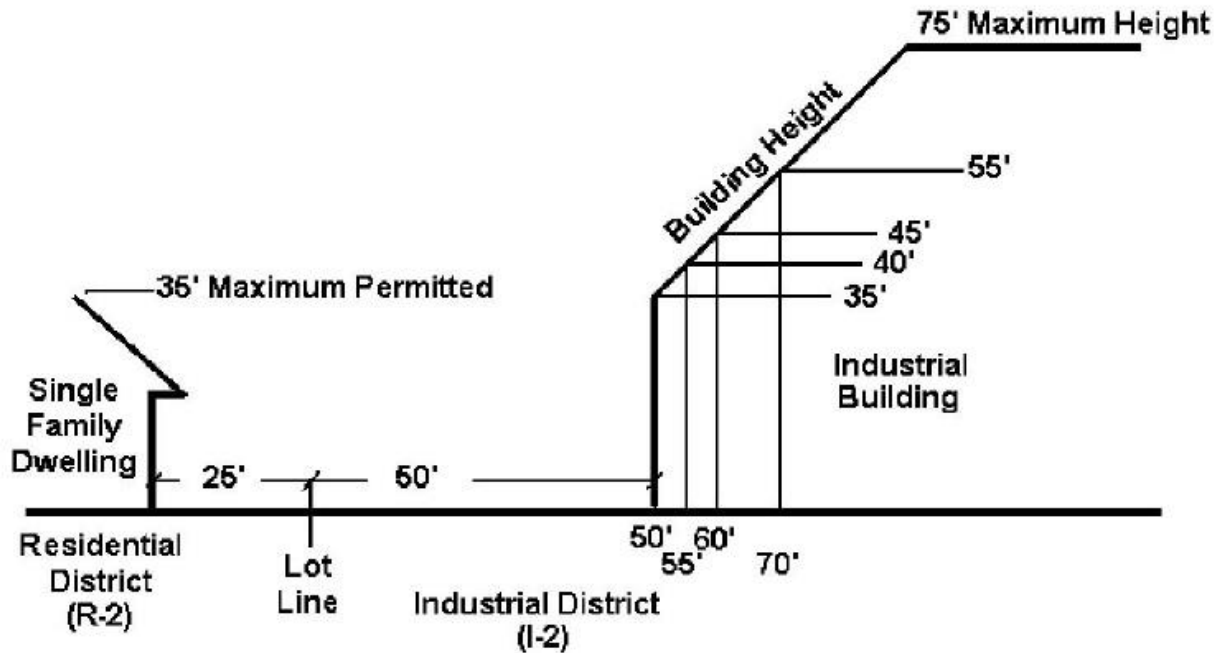
MANUFACTURE, LIGHT. The mechanical or chemical transformation of materials or substances into new products or into a useable form. Manufacture may include the creation of products (including subsequent assembly of previously manufactured parts), or the blending of materials such as lubricating oils, plastics, resins or liquors. These Industrial uses at which all operations (with the exception of loading operations):

- a) Are conducted entirely within an enclosed building;
- b) Are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line;
- c) Do not pose a significant safety hazard (such as danger of explosion); and
- d) Comply with all of the performance standards within the Town of Plainfield Town Code.

MANUFACTURE, HEAVY. The mechanical or chemical transformation of materials or substances into new products or into a useable form. Manufacture may include the creation of products (including subsequent assembly of previously manufactured parts), or the blending of materials such as lubricating oils, plastics, resins or liquors.

- a) Heavy manufacture land uses are industrial land uses which may be wholly or partially located outside of an enclosed building; may have the potential to create certain nuisances which are detectable at the property line; or may involve materials which pose a significant safety hazard. However, in no instance shall a heavy industrial land use exceed the performance standards listed in the Town of Plainfield Town Code.
- b) Examples of such land uses include but are not limited to: meat product producers; alcoholic beverage producers; paper, pulp or paperboard producers; chemical and allied product producers (except drug producers) including poison or fertilizer producers; petroleum and coal product producers; asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation Vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

MAXIMUM BUILDING HEIGHT. The vertical distance measured from finished grade to the highest point of the roof.



MEDICAL OFFICE/HOSPITAL. Land uses such as hospitals; hospice and elder care; outpatient surgery centers; medical diagnostic laboratories; preventive, diagnostic, and acute care for medical, dental, vision, and/or chiropractic care; and the business and/or office service for the above.

MINOR RESIDENTIAL SUBDIVISION. See *SUBDIVISION, MINOR RESIDENTIAL*.

NAVIGABLE AIRSPACE. The airspace above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, 101(24), 49 U.S.C. 11, including the airspace needed to ensure safety in the take-off and landing of aircraft.

NEIGHBORHOOD RECYCLING COLLECTION POINT. A site where individuals bring household recyclable materials to either drop off without compensation, or, to redeem the materials for monetary compensation. Beyond any limited sorting, no other processing of the materials takes place at the site. All materials are stored completely within the structure while awaiting periodic shipment to the processing facilities. While these collection points may be developed as freestanding sites, they typically are accessory uses sharing the site of a larger primary use. Possible structures for this type of operation include such recycling containers as “igloos”, reverse vending machines, trailers or similar structures.

NONCONFORMING BUILDING OR STRUCTURE, LEGALLY ESTABLISHED. Any continuous, lawfully established building or structure erected or constructed:

(a) Prior to the time of adoption, revision or amendment of the Zoning Ordinance but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district; or

(b) Pursuant to a granted variance of the Zoning Ordinance.

NONCONFORMING USE, LEGALLY ESTABLISHED. Any continuous, lawful land use having commenced:

(a) Prior to the time of adoption, revision or amendment of the Zoning Ordinance but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district; or

(b) Pursuant to a granted variance.

NONRESIDENTIAL SUBDIVISION. See **SUBDIVISION, NONRESIDENTIAL.**

NONRESIDENTIAL INCREMENTAL SUBDIVISION. See **SUBDIVISION, NONRESIDENTIAL, INCREMENTAL.**

NON-WHIP ANTENNA. An antenna which is not a whip antenna, such as dish antennas, panel antennas and the like.

OFFICE PARK. See **INTEGRATED CENTER.**

OFFICE, PERSONAL SERVICE. Exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis.

- a) Examples of such land uses include but are not limited to: professional services, insurance services, realty offices, financial services, veterinary clinics without outdoor kennels and/or dog runs, barbershops, beauty shops, and related land uses.
- b) These uses do not include tattoo or body piercing establishments, pawnshops or payday loan establishments.

OFFICE, PROFESSIONAL. Exclusively indoor land uses whose primary functions are the handling of information or administrative services. Such land uses do not typically provide services directly to customers on a walk-in or on-appointment basis. Examples include offices such attorneys, architects, information technology consulting, engineering, or similar uses.

OFFICE, PROFESSIONAL SERVICE. Exclusively indoor land uses whose primary functions are the are the provision of offsite services to individuals, companies, or organizations. Such land uses typically have service Vehicles that are dispatched to individual sites which are to be stored behind the building when not in use.

- a) Examples of such land uses include but are not limited to: contractors for building trades such as electricians, plumbers, heating, ventilation and cooling (HVAC), utility locating, as well as development uses that also fit within the definition of “Office, Professional”, such as engineering, surveying, and planning services.

- b) This does not include uses that primarily engage in the delivery or distribution of goods to individuals, companies, or organizations.

OPEN BURNING. Any burning of combustible matter where the products of combustion are emitted directly into the outside air without passing through a stack or chimney.

OUT LOT.

(a) That portion of land in a subdivision, integrated center, industrial park or planned development which does not contain the central or primary building of the development and is:

1. Usually located adjacent to a street or frontage street; and
2. Is intended for the development of a smaller, additional and separate building or buildings.

(b) In a subdivision, integrated center or industrial park where there is no central or primary building of the development and individual lots are developed independently of each other, each lot shall be considered an out lot.

OUTDOOR RECREATIONAL, ACTIVE. Uses include all recreational land uses located on public property which involves active recreational activities. Examples of such land uses include but are not limited to: play courts (such as tennis courts and basketball courts), playfields (such as ball diamonds, football fields, and soccer fields), tot lots, outdoor swimming pools, swimming beach areas, fitness courses, public golf courses and similar land uses.

OUTDOOR RECREATIONAL, PASSIVE. Uses include all recreational land uses located on public property which involves passive recreational activities. Examples of such land uses include but are not limited to: arboretums, natural areas, wildlife areas, hiking trails, bike trails, cross country ski trails, horse trails, open grassed areas not associated with any particular active recreational land use), picnic areas, picnic shelters, gardens, fishing areas, and similar land uses.

OUTDOOR STORAGE OR WHOLESALING. Uses are primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage and wholesaling land use.

- a) Examples of such land uses include but are not limited to: contractors' storage yards, equipment yards, lumber yards, coal yards, landscaping materials yard, construction materials yards, and shipping materials yards.

~~b)~~ Such land uses do not include the storage of inoperative *Vehicles* or equipment, or other materials typically associated with a junkyard or salvage yard.

PARK MASTER PLAN. A concept plan that provides general guidelines for the improvement of a park, including, but not limited to: a listing the types of recreational uses proposed; the overall park layout and design of the park (i.e., location of activity

areas or structures, including off-street parking areas and signs); conceptual building elevations for major buildings or structures; and the approximate size or scope of proposed recreational facilities.

PARKING AREA. Any area of paving other than an open exhibition or display area, not inclusive of interior access drives, driveways, interior access driveways and access drives, intended for the temporary storage of automotive vehicles including parking spaces and the area allocated to the egress/ingress of automotive vehicles to and from the actual parking space.

PARKING GARAGE. See **GARAGE, PARKING.**

PARKING, OFF-STREET. A parking area located completely on a lot and accessed via interior access drives, interior access driveways, access drives or driveways in which no individual parking spaces gain direct access to a public or private street.

PARKING, ON-STREET. A parking area located partially or completely within the right- of-way of a public street or private street.

PARKING LOT. The primary or accessory use of a lot or a portion of a lot for the parking of automotive vehicles.

PARKING SPACE. An off-street portion of the parking area, which shall be used only for the temporary placement of an operable motor vehicle.

PARKINGSHED A defined walkable geographical area determined for each individual development, approved by the Plan Commission or Planning Director (as applicable), within which the use of parking may be shared based upon differing peak hours of parking demand, availability of unused parking spaces, scheduled transit, and/or presence of publicly usable parking facilities.

PATIO. A hardsurfaced area accessory structure to a primary use or structure of which the horizontal area is at grade level with at least one side open to the weather and essentially unobstructed to the sky. This area is specifically designed and intended for the recreational enjoyment of the occupant(s) and guest(s) of the primary use or structure and is not designed or intended for use by automotive vehicles.

PATIO COVER. A one-story structure open on two or more sides covered overhead by a solid or permeable (i.e. lattice/trellis style) roof. **PATIO COVERS** are not designed or intended to be used as room additions.

PENNANT. A sign of lightweight plastic, fabric or other similar material, whether or not containing a message of any kind, which is suspended from a rope, wire or string, usually in a series, and which is designed to move in the wind. Flags of any government or political unit shall not be considered **PENNANTS**.

PERFORMANCE BOND. A legally binding agreement whereby the subdivider posts a surety in a form acceptable to the Plan Commission for the construction of

improvements, installations and lot improvements required by the Town Subdivision Control Ordinance, any other applicable ordinances of the town, and any requirements, covenants, conditions or commitments which may be imposed by the Plan Commission.

PERMANENT OUTDOOR DISPLAY AND SALES. Include all land uses which conduct sales or display merchandise or equipment on a permanent basis outside of an enclosed building as the principal or primary use of the lot.

- a) Examples of such land uses include but are not limited to: Vehicle and equipment rental, manufactured housing sales, monument sales and garden centers.
- b) Such land uses do not include the storage or display of inoperative Vehicles or equipment, or other materials typically associated with a junk or salvage yard or other permanent outdoor land uses specifically defined by the zoning ordinance such a permanent outdoor display and sales as an accessory use, *Outdoor Commercial Entertainment*, outdoor storage or wholesaling, outdoor *Institutional*, outdoor maintenance service, or *Vehicle Sales*.

PERMIT AUTHORITY. The staff of the Town of Plainfield and the applicable Board of Zoning Appeals within the jurisdiction of the Town of Plainfield.

PERMITTED USE. The use of land or the use of a building or structure on land which is allowed, either as a matter of right or under limited conditions (i.e., as a special exception use, an accessory use, a home occupation or a temporary use) in the zoning district applicable to the land.

PERSON. A corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

PERSONAL STORAGE FACILITY. Uses primarily oriented to the indoor storage of items entirely within partitioned buildings having an individual access to each partitioned area. Outdoor storage of *Vehicles* and boats may be permissible Such storage areas may be available on either a condominium or rental basis. These land uses are typically known as mini-warehouses or self-storage facilities.

PLAN COMMISSION. The Town of Plainfield Plan Commission established pursuant to the advisory planning law of the state.

PLANT CATEGORIES. The grouping of plants based upon the nature, size and species of the plants.

PLANT UNIT VALUE. A numeric value assigned to plants within the various plant categories.

PLAT. A drawing, map, plan or other graphic representation of a subdivision of a tract of land or a replat of such a tract of land into lots of record.

PLAT, INCREMENTAL. See **INCREMENTAL PLAT**.

PLAZA. An open space that may be improved and landscaped, usually surrounded by streets or buildings.

PORCH. A roofed structure with at least one side exposed to the weather, supported from the ground and attached to or part of a building at the area of entrance or exit to said building.

PRIMARY BUILDING. The building in which the primary permitted use of the lot is conducted.

PRIMARY PLAT. Any initial request for the subdivision of real estate filed before the Plan Commission pursuant to I.C. 36-7-4-700 et seq.

PRIMARY USE. A permitted use of land or a permitted use of a building or structure on land which is allowed as a matter of right in the zoning district applicable to the land, subject only to compliance with the development standards applicable to that zoning district.

PUBLIC AIRPORT. An airport publicly owned or operated, designated as a **PUBLIC AIRPORT** on the official zoning map, for which an Airspace District is established by this Article.

PUBLIC SERVICE. Uses include all town, county, state and federal facilities (except those otherwise treated in this section), emergency service facilities such as fire departments and rescue operations, wastewater treatment plants, public and/or private utility substations, water towers, utility and public service related distribution facilities, and similar land uses.

RECYCLING CONTAINER. A receptacle designed and intended for the collection of cleaned, sorted, solid household waste products, including, but not limited to, glass, plastic, metal and paper.

RECYCLING FACILITY. A recycling operation involving further processing (relative to a neighborhood recycling collection point) of materials to improve the efficiency of subsequent hauling. Such a facility typically features sorting, the use of a crushing apparatus and the storage of the material until it is shipped out.

RELIGIOUS INSTITUTIONAL. A facility devoted primarily to the purpose of divine worship. Includes related ancillary uses, which are subordinate to and commonly associated with the religious institution use, such as schools and instructional facilities, daycare centers, and social uses.

~~**RELIGIOUS USE.** A land use and all buildings and structures associated therewith devoted primarily to the purpose of divine worship together with reasonably related accessory uses, which are subordinate to and commonly associated with the primary use, which may include, but are not limited to, educational, instructional, social, residential or child care ministry uses.~~

RESEARCH PARK. See **INTEGRATED CENTER.**

RESIDENTIAL FACILITY FOR THE DEVELOPMENTALLY DISABLED. A residential facility established under a program authorized by I.C. 12-11-1 which provides residential services for not more than eight developmentally disabled individuals.

RESIDENTIAL FACILITY FOR THE MENTALLY ILL. A residential facility established under a program authorized by I.C. 12-22-1-1 which provides residential services for mentally ill individuals.

RESIDENTIAL INDOOR LODGING ~~BED AND BREAKFAST~~. The commercial leasing of bedroom(s) for guest(s) within a private, owner-occupied, one- or two-family dwelling unit. Such leasing provides temporary accommodations, typically including a morning meal, to overnight guests for a fee. Such leasing may also provide for the temporary accommodation of daytime meetings or receptions for guests for a fee. Such leasing caters largely to tourists and the traveling public. Examples include, but are not limited to, uses such as a “Bed and Breakfast” (B&B) establishment.

RESOURCE RECOVERY. The processing of solid waste into commercially valuable materials or energy.

RIGHT-OF-WAY. Specific and particularly described land, property or interest therein devoted to and subject to the lawful use, typically as a thoroughfare for passage of pedestrians, vehicles or utilities, as set forth in a written grant, declaration or conveyance that is recorded in the office of the County Recorder.

RIGHT-OF-WAY, EXISTING. The total right-of-way width of a street as created or expanded by the most recent grant, declaration or conveyance for that is recorded by the office of the County Recorder.

RIGHT-OF-WAY, PRIVATE. Specific and particularly described strip of privately-held land devoted to and subject to use for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as set forth in a written grant, declaration or conveyance that is recorded by the office of the County Recorder.

RIGHT-OF-WAY, PROPOSED. The recommended right-of-way width for a street based upon that street’s classification in the Thoroughfare Plan portion of the Comprehensive Plan.

RIGHT-OF-WAY, PUBLIC. Specific and particularly described strip of land, property or interest therein dedicated to and accepted by the municipality, county or state to be devoted to and subject to use by the general public for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as set forth in a written grant, declaration or conveyance that is recorded by the office of the County Recorder.

SEASONAL RETAIL SALES. A temporary use established for a fixed period of time, for the retail sale of seasonal products, including, but not limited to, such items as

food, Christmas trees and live plants. This use may or may not involve the construction or alteration of any permanent building or structure.

SEATING/DINING, OUTDOOR. An area designated for the sole purpose of outdoor seating to allow for outdoor dining, which may or may not be roofed as an accessory use to any restaurant, bar or tavern.

SECONDARY PLAT. Any plat approved by the Plan Commission and authorized for filing with the County Auditor and for recording by the County Recorder's office in accordance with I.C. 36-7-4-710.

SECRETARY. The Secretary of the Plan Commission as duly appointed by the Plan Commission in accordance with I.C. 36-7-4-304.

SETBACK. That distance measured perpendicularly from the property line to the closest point of the building, structure, sign structure, parking area or any other permanent improvement.

SETBACK LINE. A line that establishes the minimum distance that a building, structure or portion thereof, can be located from a lot line or right-of-way line.

SETBACK, MAXIMUM. The largest distance allowed by this ordinance from a front lot line for the location of a building, structure or any other permanent improvement (excluding parking areas).

SETBACK, MINIMUM. The smallest distance required by this ordinance from a lot line to the closest point of a building, structure, sign structure, parking area, loading area, storage area or any other permanent improvement. A **MINIMUM SETBACK** may be a minimum front setback, minimum side setback or minimum rear setback. Said distance shall be measured perpendicularly from the lot line.

SETBACK, MINIMUM FRONT. The minimum distance required by this ordinance from a front lot line to the closest point of the building, structure, sign structure, parking area, loading area, storage area or any other permanent improvement. Said distance shall be measured perpendicularly from the front lot line.

SETBACK, MINIMUM REAR. The minimum distance required by this ordinance from a rear lot line to the closest point of the building, structure, sign structure, parking area, loading area, storage area or any other permanent improvement. Said distance shall be measured perpendicularly from the rear lot line.

SETBACK, MINIMUM SIDE. The minimum distance required by this ordinance from a side lot line to the closest point of the building, structure, sign structure, parking area or any other permanent improvement. Said distance shall be measured perpendicularly from the side lot line.

SIGN. Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or interests.

SIGN, A-FRAME. A portable sign containing two sign faces and whose framing is hinged at the apex at an angle less than 45 degrees.

SIGN, ADVERTISING. An off-premises sign which directs attention to any business, profession, product, activity, commodity or service, that is offered, sold or manufactured on property or premises other than that upon which the sign is located. Also known as an **OUTDOOR ADVERTISING SIGN**.

SIGN, AWNING. A building identification sign or graphic printed on or in some fashion attached directly to the material of an awning.

SIGN, BALLOON. A temporary sign consisting of a bag made of light-weight material which is either:

- (a) Filled with a gas lighter than air; or
- (b) Continuously filled with blown air, and designed to rise or float in the atmosphere or is attached to the ground or a building.

SIGN, BANNER. A sign of lightweight fabric or similar material mounted at one or more corners or edges by a permanent frame or fixture. Flags of any governmental or political subdivision shall not be considered **BANNERS**.

SIGN, BUILDING. Any sign attached to or erected on a wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall, within 18 inches of said wall, and containing only one sign display surface.

SIGN, BUSINESS. See **SIGN, IDENTIFICATION**.

SIGN CABINET. The frame or skeletal structure of an internally illuminated sign which supports the sign face (including, by way of example, but not limited to, an individual channel letter wall sign, a raceway mounted channel letter wall sign, a box wall sign, a ground sign).

SIGN, CANOPY. Any sign that is part of or attached to a canopy over a door, entrance or window.

SIGN, CHANGEABLE COPY. A sign that is capable of changing the position or format of word messages or other displays on the sign face or change the display of words, numbers, symbols, and/or graphics by use of light apertures or similar methods, changeable pictorial panels, rotating or similar panels, or changeable letters, numbers, symbols, and similar characters. The sign cabinet and sign structure are not changed or modified to change the copy. These displays may be changed in the field or from a remote location.

SIGN, CHANNEL BOX. See Sign, Cloud

SIGN, CLOUD. A custom shaped sign including embossed copy with the exterior edges of the sign contoured to the outer edge of the copy.

SIGN, DIRECTIONAL. Any incidental sign which serves solely to designate the location of or direction to any place or area located on the same lot.

SIGN, GONFALON. A temporary sign, typically of a lightweight fabric or similar material, mounted on a light pole from an upper and lower crosspiece.

SIGN, GROUND. Any freestanding sign constructed in or on the ground surface.

SIGN, IDENTIFICATION. Any sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution (not including the price or cost of such activity), or the occupancy of the person.

SIGN, INCIDENTAL. A sign relating to the lot or use thereof and designated accessory uses, direction, identification, or information.

SIGN, MARQUEE. Any building identification sign painted, mounted, constructed or attached in any manner on a marquee.

SIGN, NONCOMMERCIAL OPINION. A sign which does not advertise products, goods, businesses or services and which expresses an opinion or point of view.

SIGN, NONCONFORMING. A sign which qualifies as a legally established nonconforming structure.

SIGN, OFF-PREMISES. A ground mounted sign on a parcel that has no primary use.

SIGN, PARKING AND LOADING. Any incidental sign which serves to designate the location of any parking or loading area on a lot and may include the name of the owner or the establishment for which such parking or loading area it is provided.

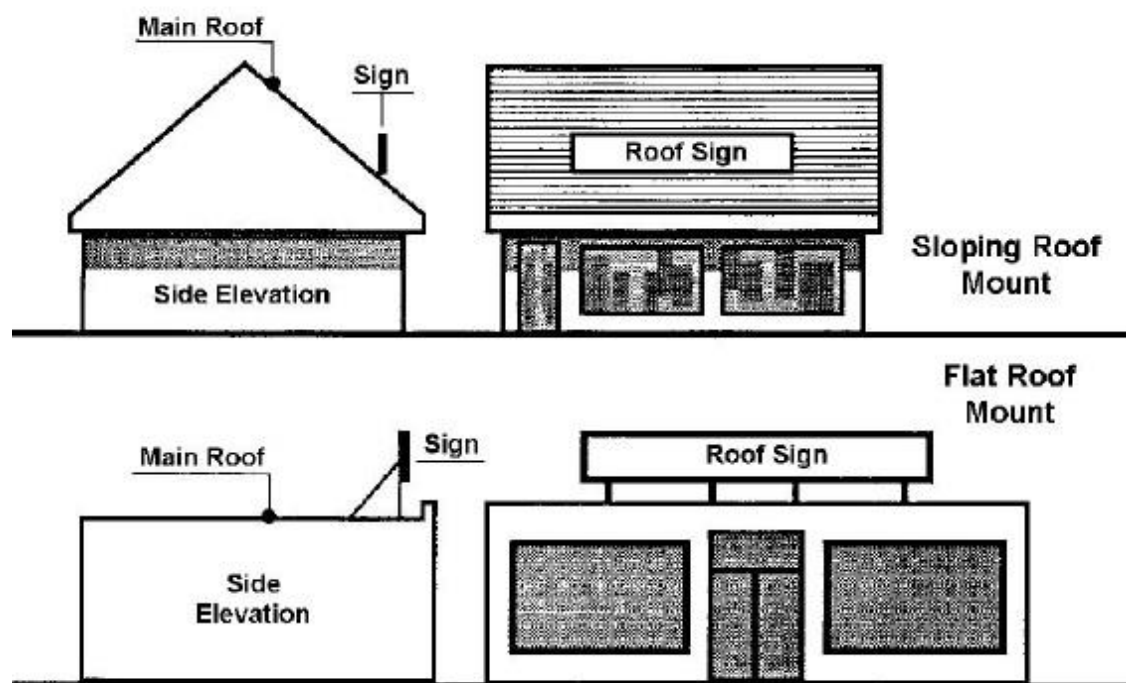
SIGN, PORTABLE. Any sign or sign structure not securely attached to the ground or other permanent structure, or: a sign designed to be transported from place to place, including, but not limited to, signs transported by means of wheels; a sign attached to A- or T-frames; a menu and sandwich board sign; a balloon used as a sign, umbrella used for advertising; and a sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business.

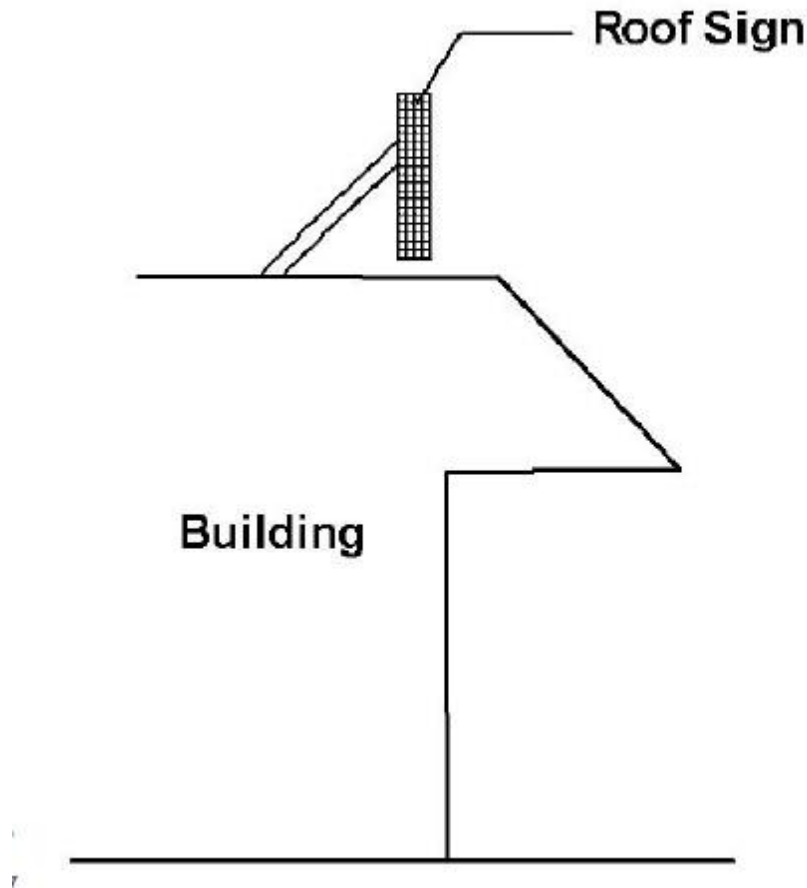
SIGN, PROJECTING. Any sign which is affixed to a building or wall in such a manner that the leading edge extends more than 18 inches beyond the surface of such building or wall face.



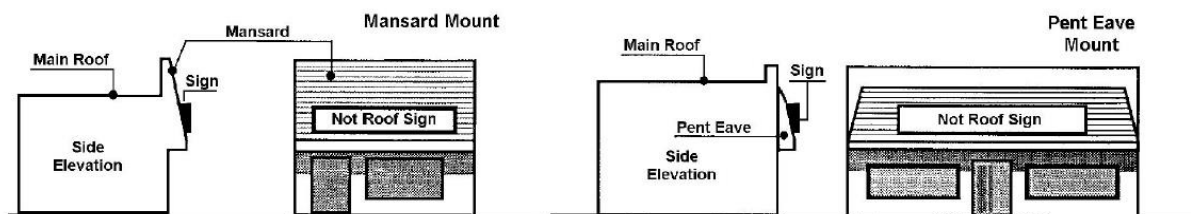
Projecting Sign

SIGN, ROOF. Any sign erected on or wholly constructed upon a roof of any building and supported solely on the roof structure.





Examples of Roof Signs



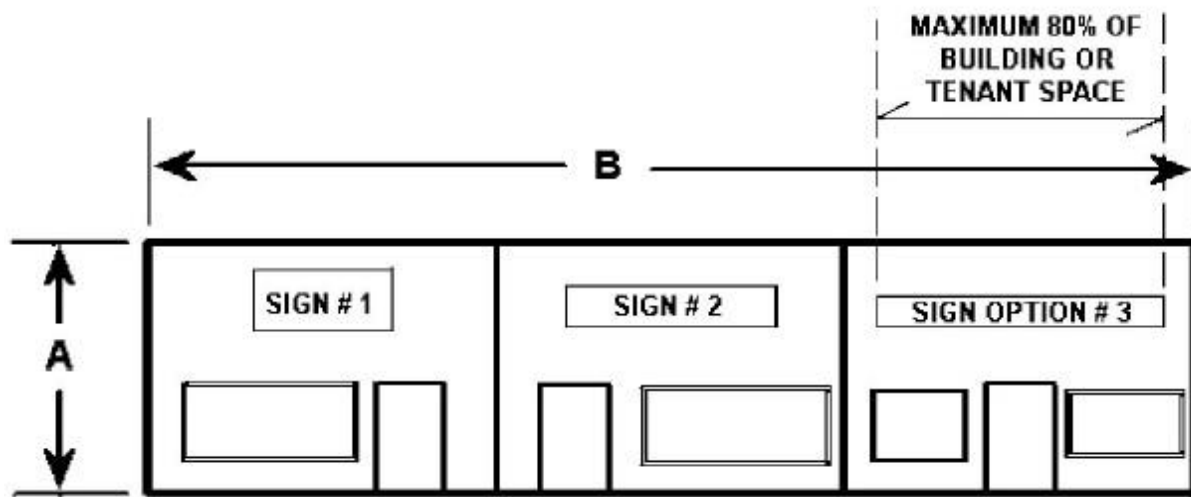
Examples of Signs Which Are Not Roof Signs

SIGN, SIDEWALK. A movable sign which is intended to convey information to pedestrians, such as an A-frame sign containing menus or specials. A **SIDEWALK SIGN** is not considered to be a portable sign.

SIGN STRUCTURE. Any structure including supports, uprights, bracing and framework which supports or is capable of supporting any sign.

SIGN SURFACE. The surface of the sign upon, against, or through which the message of the sign is exhibited.

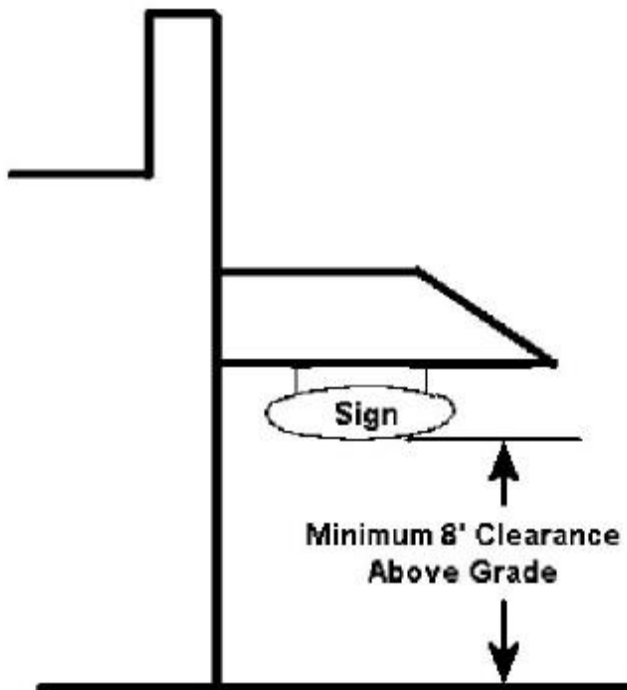
SIGN SURFACE AREA. The area of a sign surface (which is also the **SIGN SURFACE AREA** of a wall sign or other sign with only one face). **SIGN SURFACE AREA** shall be computed by using the smallest square, rectangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including, any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets the applicable regulations of this ordinance and is clearly incidental to the display itself.



MAXIMUM SIGN SURFACE AREA

$$\text{Facade Area} = A \times B$$

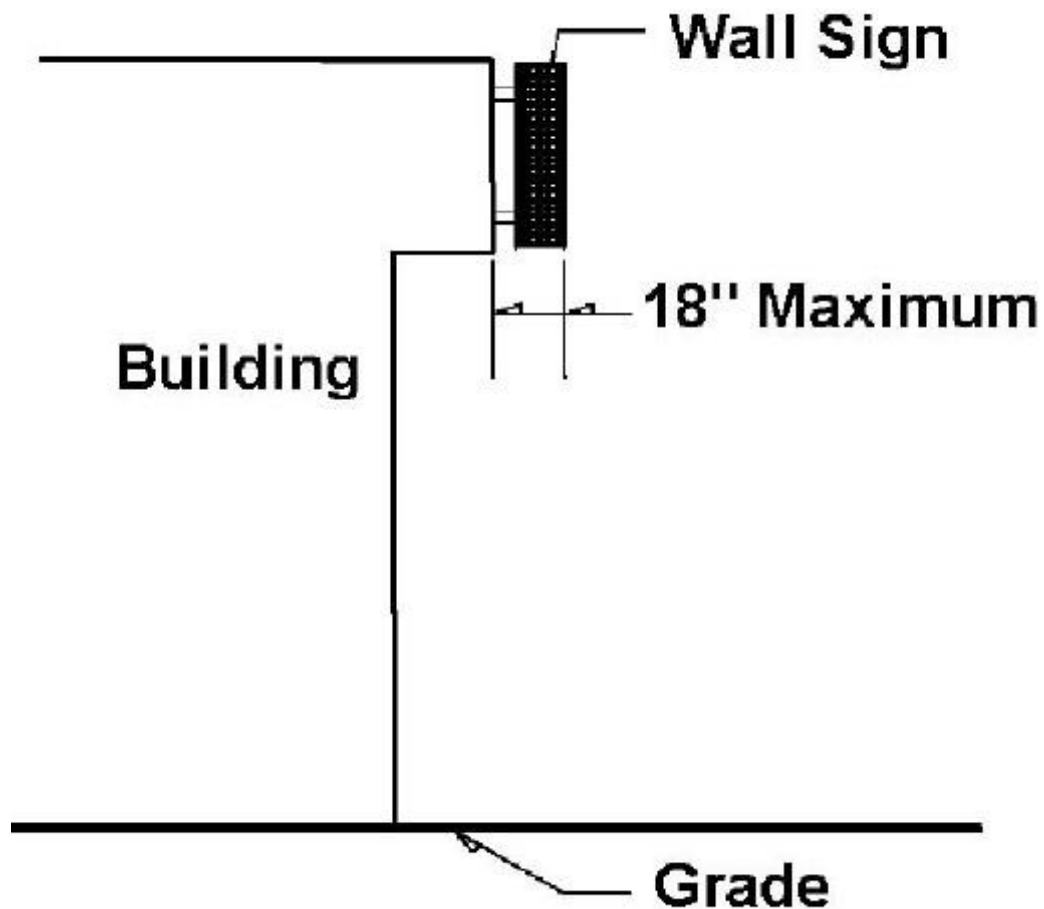
SIGN, SUSPENDED. Any sign that is suspended from the underside of a horizontal plane surface and is connected to the horizontal plane surface.



Suspended Sign

SIGN, T-FRAME. A portable sign utilizing an inverted “T” style of framing to support the sign.

SIGN, TEMPORARY. Any sign or sign structure which is not permanently affixed or installed, and is intended to be displayed for limited periods only. Examples of such signs include, but are not limited to, the following: real estate, construction, special event, political, garage sale, home improvement/remodeling, model home and seasonal/holiday signs.



SIGN, WIND. A sign of lightweight fabric or similar material attached at one end to a pole or similar apparatus so as to swing freely, inflate and flutter by movement of the wind.

SIGN, WINDOW. Any sign placed:

- (a) Inside of and within two feet of a window; or
- (b) Upon a window, and is intended to be seen from the exterior of the window.

SINGLE USE SITE. A lot which is developed and intended for use by one permitted use.

SKETCH PLAN. A graphic representation of a site or subdivision, drawn to an appropriate scale by hand or other drawing method, capable of depicting the general pattern proposed for a development or subdivision layout in compliance with the applicable provisions of the Zoning Ordinance or the Subdivision Control Ordinance.

SMALL CELL FACILITY.

(1) A personal wireless service facility as defined by the Act; or

(2) A wireless service facility that satisfies the following requirements:

(a) Each antenna, including exposed elements, has a volume of three cubic feet or less;

(b) All antennas, including exposed elements, have a total volume of six cubic feet or less;

and

(c) The primary equipment enclosure located within the facility has a volume of 40 cubic feet or less.

SMALL CELL NETWORK. A collection of interrelated small cell facilities designed to deliver wireless service.

SPANDREL. A roof-like structure that covers the gasoline pump dispenser, serves as a second-tier canopy, is a lighting source for the dispensing area, serves to identify the gasoline pumps by numerical designation, and may display signs.

SPECIAL EXCEPTION USE. The use of land or the use of a building or structure on land which is allowed in the zoning district applicable to the land only through the grant of a special exception by the Board of Zoning Appeals.

STAFF. The Secretary of the Plan Commission, the Director of the Department of Planning and Zoning, any employee of the Plan Commission, or any attorney or agent of the Secretary of the Plan Commission or the Director of the Planning and Zoning Department.

STORAGE AND TRANSFER ESTABLISHMENT. A facility at which products, goods or materials are received from various locations and temporarily warehoused while awaiting distribution or shipment via a subsequent carrier, possibly along with other products, goods or materials to another destination.

STORY. That part of a building, with an open height of no less than 78 inches, except a mezzanine, included between the upper surface of one floor and the lower surface of the next floor, or if there is no floor above, then the ceiling next above. A basement shall constitute a **STORY** only if it provides finished floor area.

STREET. Any public or private right-of-way, with the exception of alleys, essentially open to the sky and open and dedicated to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, lane, road, drive, expressway, arterial, thoroughfare, highway or any other term commonly applied to a right-of-way for said purposes. A **STREET** may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking space and similar features.

STREET, COLLECTOR. A street designated on the Thoroughfare Plan as a collector.

STREET, CUL-DE-SAC. A local street having one open end and being permanently terminated at the other by a vehicular turnaround.

STREET, FRONTAGE. A street located along side and generally parallel with a more heavily traveled street and which provides access to abutting property(ies).

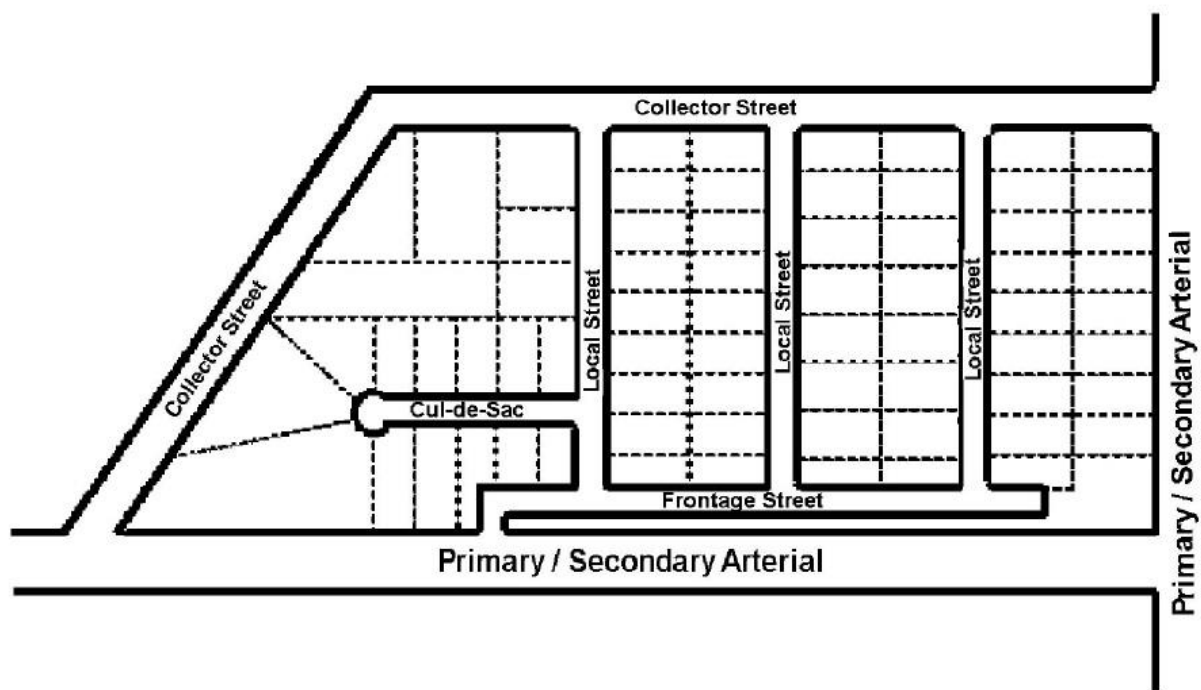
STREET, INTERSTATE. A street designated on the Thoroughfare Plan as an interstate.

STREET, LIMITED ACCESS. A street along which access is restricted due to the acquisition of access rights from adjoining properties by the appropriate governmental agency having jurisdiction over such street.

STREET, LOCAL. A street primarily designed and intended to carry low volumes of vehicular traffic movement at low speeds within the immediate geographic area with direct access to abutting properties.

STREET, LOCAL COLLECTOR. That portion of a local street which serves as the main entrance into a major residential subdivision, from the right-of-way line of the street from which the major residential subdivision gains access, to the right-of-way line of the first intersecting street within the major residential subdivision.

STREET, PRIMARY ARTERIAL. A street designated on the Thoroughfare Plan as a primary arterial.



STREET, PRIVATE. A privately-held right-of-way, with the exception of alleys, essentially open to the sky and open to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, easement, road, expressway, arterial, thoroughfare, highway or any other term commonly applied to a right-of-way for said purposes. A **PRIVATE STREET** may be comprised of pavement, shoulders, curbs, sidewalks, parking space and similar features.

STREET, PUBLIC. A publicly dedicated, accepted and maintained right-of-way, with the exception of alleys, essentially open to the sky and open to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, lane, road, drive, expressway, arterial, thoroughfare, highway or any other term commonly applied to a public right-of-way for said purposes. A **PUBLIC STREET** may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking space and similar features.

STREET, SECONDARY ARTERIAL. A street designated on the Thoroughfare Plan as a secondary arterial.

STRUCTURE. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, **STRUCTURES** include buildings, mobile homes, walls, parking areas, signs and billboards.

SUBDIVIDER. The owner, developer or authorized agent of the owner or developer of real estate, who is responsible for all designs, reservations and improvements related to the petition for primary or secondary plat approval or the development of a subdivision.

SUBDIVISION. The division of a parcel of land into two or more lots, parcels, sites, units, plats or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision. **SUBDIVISION** includes the division or development of land opened for residential and nonresidential uses, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat or other recorded instrument. The following kinds of division of existing parcels of land are exempt:

(a) A division of land for the sale or exchange of tracts by adjoining landowners to correct errors in an existing legal description, provided that no additional building sites other than for accessory buildings are created by the division;

(b) A division of land for the acquisition of street or utility right-of-way or easement;

(c) A division of land for the sale or exchange of tracts between adjoining land owners, provided that no additional development sites other than for accessory buildings are created by the division;

(d) A division of land into cemetery plots for the purpose of burial; and

(e) A division of a lot of record, which is or may be legally developed with a two-family dwelling or a multi-family dwelling, into sub-lots for the purpose of transfer of ownership of the individual dwelling units and their associated portion of the lot of record, provided that no additional development sites are created by the division and that no sub-lots are created which do not contain a dwelling unit.

SUBDIVISION, MAJOR RESIDENTIAL.

(a) A subdivision of a tract of land into four or more parcels or lots, including any remainder of the original tract, for single-family or two-family dwelling purposes;

(b) Any single-family or two-family dwelling subdivision which involves the creation of new streets, extension of water lines or sewer lines, or the creation of public improvements; or

(c) A subdivision for a multi-family dwelling development.

SUBDIVISION, MINOR RESIDENTIAL. A subdivision of a tract of land into less than four parcels or lots, including any remainder of the original tract, for single-family or two-family dwelling purposes, which does not involve the creation of new streets, extension of water lines or sewer lines, or the creation of public improvements.

SUBDIVISION, NONRESIDENTIAL. A subdivision of a tract of land, including any remainder of the original tract, for any commercial, industrial or special exception use.

SUBDIVISION, NONRESIDENTIAL INCREMENTAL. A subdivision of a tract of land, including any remainder of the original tract, for any commercial, industrial or special exception use which is submitted for primary and secondary plat approval through the incremental plat approval process.

SUBSTANTIAL MODIFICATION OF A WIRELESS SUPPORT STRUCTURE. The mounting of a wireless facility on a wireless support structure in a manner that:

(1) Increases the height of the wireless support structure by the greater of:

(a) Ten percent of the original height of the wireless support structure; or

(b) Twenty feet; or

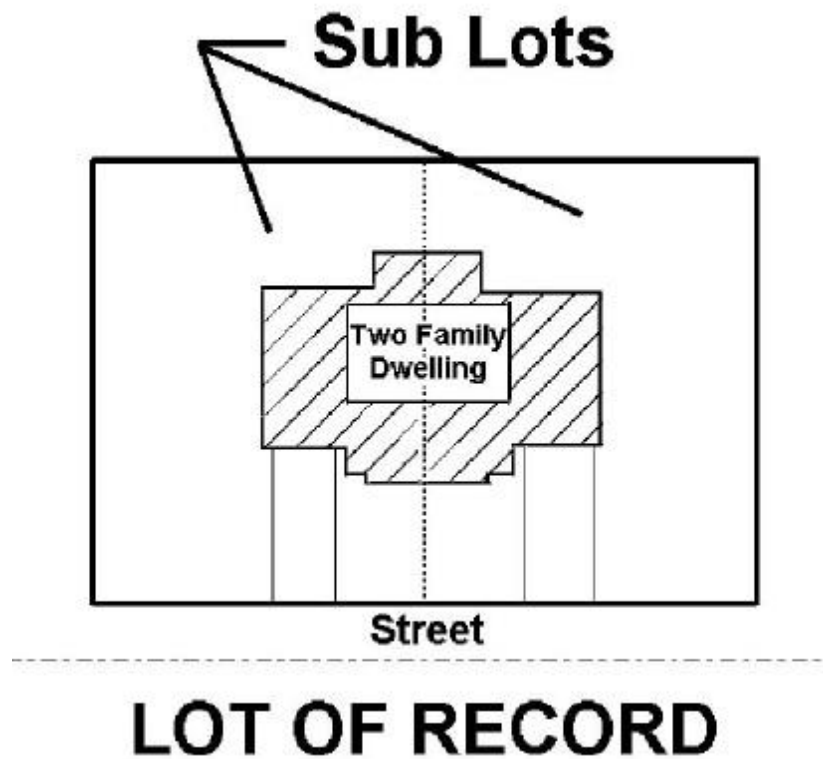
(2) Adds an appurtenance to the wireless support structure that protrudes horizontally from the wireless support structure by the greater of:

(a) Twenty feet; or

(b) The width of the wireless support structure at the location of the appurtenance; or

(c) Increases the square footage of the equipment compound in which the wireless facility is located by more than 2,500 square feet.

SUB-LOTS. Portions of a lot of record created in connection with the transfer of ownership of individual dwelling units in a two-family or multi-family dwelling.



TECHNICAL ADVISORY COMMITTEE (TAC). A committee of technical consultants established to provide the Director with technical assistance in the review of plans for compliance the provisions of this ordinance, the Subdivision Control Ordinance and other applicable rules and regulations of federal, state or local agencies.

TELECOMMUNICATIONS. The transmission between or among points specified by the user of information of the user's choosing, without change in the form or content of the information as sent and received.

TELECOMMUNICATIONS ANTENNA. An antenna used to provide a telecommunications service.

TELECOMMUNICATIONS SERVICE. The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

TELECOMMUNICATIONS TOWER. A structure more than ten feet tall, built primarily to support one or more telecommunications antennas.

TEMPORARY SEASONAL RETAIL SALES. A temporary use established for a fixed period of time, for the retail sale of seasonal products, including, but not limited to, such

items as Christmas trees, pumpkins and fireworks. This use may or may not involve the construction or alteration of any permanent building or structure.

TEMPORARY USE. A land use established for a limited and fixed period of time with the intent to discontinue such use upon the expiration of the time period.

THOROUGHFARE PLAN. That portion of the Comprehensive Plan which sets forth recommendations for major street alignments and street classifications.

TOURIST HOME. See **BED AND BREAKFAST.**

TOWN ENGINEER. The licensed engineer designated by the town to furnish engineering assistance and advice in the administration of the Zoning Ordinance and the Subdivision Control Ordinance.

TOWN STANDARDS. Those drawings, memorandum and specifications established by the Town Engineer, under the authority of the Town Council, for the sole purpose of identifying the minimum quality and performance standards for facilities, or components thereof, which, in the opinion of the Town Engineer, may impact the integrity of the public works system, thereby impacting the public health, safety, comfort, convenience and general welfare of the town.

TRANSFER STATION.

(a) A facility where solid waste is transferred from a vehicle or container to another vehicle or container for transportation.

(b) The term does not include the following:

1. A facility where the solid waste that is transferred has been generated by the facility; or
2. A recycling facility. (For reference, see I.C. 13-7-1.)

TRUCK. A self-propelled device for roadway use in, upon, or by which a person or property is, or may be, transported. These devices have at least three axles that are designed to tow trailers and are typically larger than passenger or small commercial *Vehicles*. This includes, but is not limited to, semis, semitrailers, Truck-tractors, tractor trailers, box Trucks, or cube van.

TRUCK FUELING STATION.

(a) A retail sales facility selling fuel for motor vehicles and semi-trailer trucks with at least three axles that are designed to tow trailers.

(b) Such a facility may have ancillary services such as a convenience store, but ancillary services such as truck scales, weigh stations, showering facility, vehicle service, vehicle repair, or provision of “rest areas” for semi-trailer trucks or their operators are not permitted.

TRUCK SALES AND REPAIR. Permanent outdoor and indoor display of *Trucks* for either new or pre-owned purchase or lease; and/or, a facility engaged in one or more of the following for transportation larger than passenger or small commercial Vehicles:

- a) Indoor retail sales and installation of new, used, and/or rebuilt parts and accessories.
- b) Indoor repair, not to include the dismantling, or storage of *trucks*.

TRUCK TERMINAL Land and building(s) used:

- 1. As a relay station for the transfer of a load from one vehicle to another or one party to another, which may include temporary storage prior to transshipment;
- 2. For the exchange of trailers among trucks;
- 3. For the exchange of truck drivers among trucks;
- 4. Temporary parking of trucks and/or trailers with or without cargo; and/or,
- 1. For the offices, dispatch, and/or operation of a motor freight carrier

UNDERGROUND FACILITIES. An accessory structure which is at least 75% subterranean, utilized for storage of personal property or as a temporary shelter for people, such as a storm cellar or fallout shelter.

UTILITY POLE. A structure that is:

- (1) Owned or operated by:
 - (a) A public utility;
 - (b) A communications service provider;
 - (c) A municipality;
 - (d) An electric membership corporation; or
 - (e) A rural electric cooperative; and
- (2) Designed and used to:
 - (a) Carry lines, cables, or wires for telephone, cable television; or electricity; or
 - (b) Provide lighting.

VEHICLE. A self-propelled device in, upon, or by which a person or property is, or may be, transported. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, a semi-truck or semi-trailer, an electric bicycle, an electric foot scooter, or an electric personal assistive mobility device.

VEHICLE PARTS SALES, REPAIR AND/OR MAINTENANCE. A facility engaged in one or more of the following:

- (a) Indoor retail sales and installation of new, used, and/or rebuilt vehicle parts and accessories;
- (b) Indoor repair of vehicles, not to include the sales, dismantling, or storage of vehicles.
- (c) Cleaning and detailing of *vehicles*, either by manual or automated means, includes car washes.

VEHICLE SALES. Permanent outdoor and indoor display of motorized passenger or light commercial vehicles licensable in the State of Indiana for roadway use, either new or pre-owned for purchase or lease.

WALKWAY. A defined pedestrian way, typically improved with concrete or asphalt, which provides for pedestrian movement on private property. A **WALKWAY** may or may not be located in an pedestrian easement.

WAREHOUSE AND DISTRIBUTION CENTER. A building or structure for the storage of goods, materials or products awaiting shipment to another location for wholesale or retail trade.

WHIP ANTENNA. An omni-directional dipole antenna of cylindrical shape which is no more than six inches in diameter.

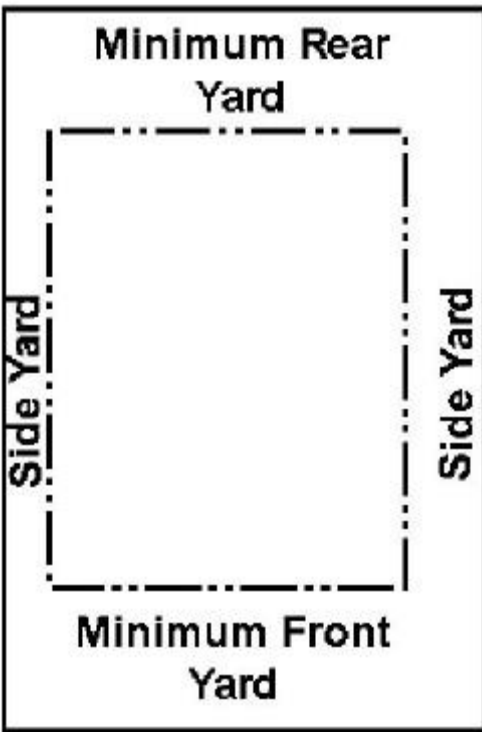
- (1) All wireless facilities and wireless support structures shall be designed to conform with the accepted electrical engineering methods and practices and to comply with the provisions of the National Electric Code, as amended.
- (2) All wireless facilities and wireless support structures shall be constructed to conform with the requirements of the Occupational Safety and Health Administration (OSHA).
- (3) All wireless facilities and wireless support structures shall be designed and constructed to all applicable standards of the American National Standards Institute (ANSI) manual, as amended.

WIRELESS FACILITY. The set of equipment and network components necessary to provide wireless communications service. The term does not include a wireless support structure.

WIRELESS SUPPORT. A freestanding structure designed to support wireless facilities. The term does not include a utility pole or an electrical transmission tower.

YARD. An open space, unobstructed to the sky, extending fully across the lot while situated between the front, side or rear lot line and the established front, side or rear building line.

~~— **YARD, AGGREGATE SIDE.** The total combined distance of both side yards on an individual interior lot or double frontage lot.~~



EXAMPLE - R-2

Minimum Side Yard = 8'
Aggregate Side Yard = 20'

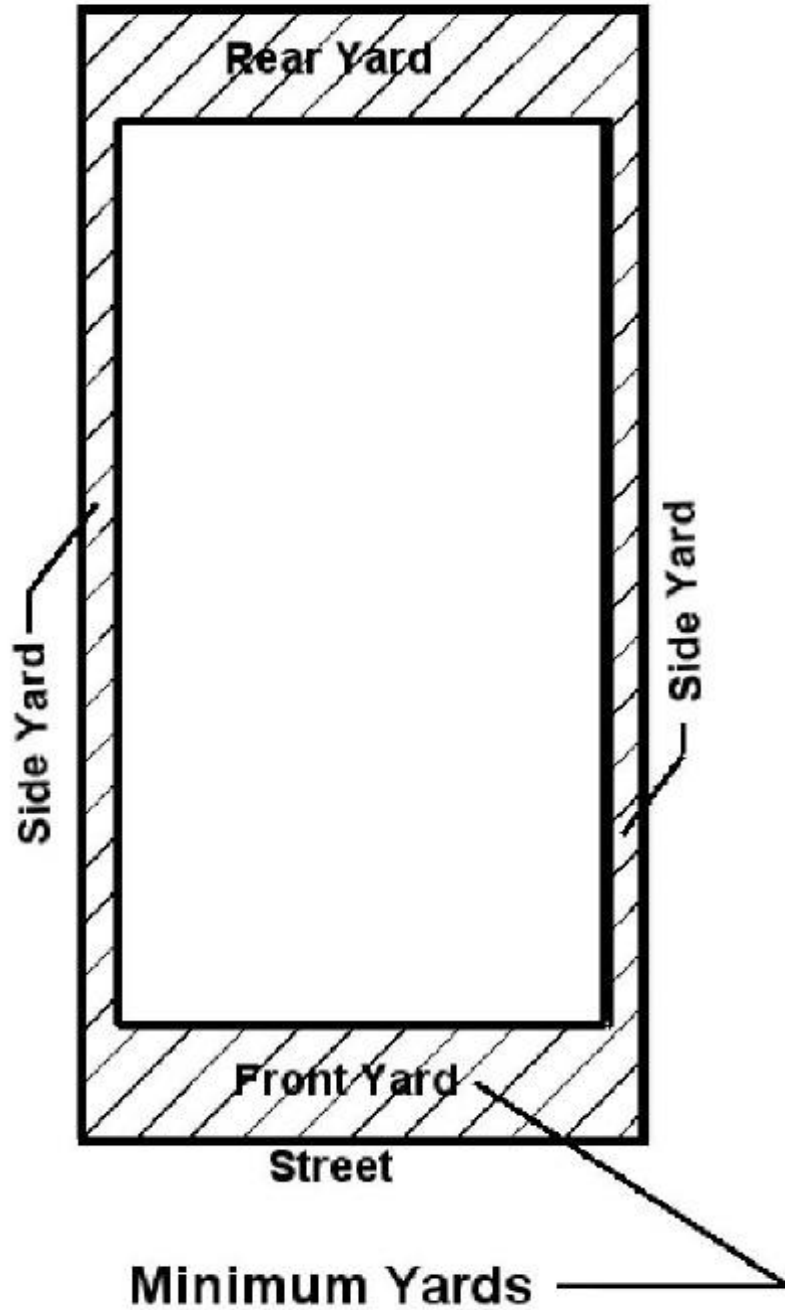
Remaining Side Yard
must equal or exceed 12'

AGGREGATE SIDE YARD
(SUM of both Side Yards)

YARD, FRONT. An open space, unobstructed to the sky, extending fully across the lot while situated between the front lot line and the established front building line.

YARD, INTERIOR. An open space, unobstructed to the sky, extending out from the wall of a multi-family dwelling.

YARD, MINIMUM. An open space unobstructed to the sky, extended fully across the lot situated between a lot line and a setback line. **MINIMUM YARDS** may be a front yard, a side yard or a rear yard depending on which lot line the required yard abuts.



YARD, PERIMETER. An open space, unobstructed to the sky, extending fully across the lot while situated between any front, side and rear lot line and the minimum required front, side and rear setback.

YARD, REAR. An open space, unobstructed to the sky, extending fully across the lot while situated between the rear lot line and the established rear building line.

YARD SALE. See **GARAGE SALE.**

YARD, SIDE. An open space, unobstructed to the sky, extending fully across the lot while situated between a side lot line and the established side building line.

(Ord. 21-97, passed - -1997; Ord. 9-1999, passed - -1999; Ord. 3-2000, passed - -2000; Ord. 6-2001, passed 6-25-2001; Ord. 11-2004, passed 6-14-2004; Ord. 51-2005, passed 10-10-2005; Ord. 39-2006, passed 10-9-2006; Ord. 09-2007, passed 4-23-2007; Ord. 13-2007, passed 6-11-2007; Ord. 27-2007, passed - -2007; Ord. 28-2008, passed 11-24-2008; Ord. 24-2009, passed 1-26-2009; Ord. 12-2011, passed - -2011; Ord. 04-2013, passed 2-25-2013; Ord. 22-2013, passed 8-12-2013; Ord. 02-2015, passed 3-9- 2015; Ord. 08-2018, passed 3-12-2018; Ord. 07-2020, passed 4-13-2020; Ord. 08-2020, passed 4-13-2020; Ord. 03-2021, passed 2-8-2021; Ord. 08-22, passed 3-14-22; Ord. 22-2022, passed 06-13-2022; Ord. 23-2022, passed 06-13-2022; Ord. 36-2022, passed 10-10-2022; Ord 52-2022, passed 12-12-2022)

14.0 Appendix

14.1 Land Use Matrix

A. Intent.

B. Use Type Definition within Tables 14.C.1, 14.C.2, and 14.C.3. Within the boxes, the following types of uses apply.

Table 14.1.B: Use Type Definitions within Tables 14.1.C.1

P	Primary	The use of land or the use of a building or structure on land which is allowed as a matter of right in the applicable zoning district.
SE	Special Exception	The use of land or the use of a building or structure on land which is allowed in the applicable zoning district only through the grant of a Special Exception by the Board of Zoning Appeals.
M	Master Plan	The use of land or the use of a building or structure on land which is allowed upon the approval of a Master Plan by the Plan Commission

C. Table of Uses

Table 14.1.C: Table of Uses

Land Use Type	For more info see section below			ZONING CLASSIFICATIONS																											
Agricultural		Single Family						Multi-Family			Mixed Use			Commercial						Industrial and Distribution						Institutional and Master Planned					
		RR	R 1	R 2	R 3	R 4	R 5	R 6	RI	R U	M U	RE	T C	N R	O D	G C	A C	H B	CI	I1	I2	I3	I4	A G	P	S	RE L	G	MU NIG		
Agricultural Services	E.1.a															SE							P								
Agricultural Use	E.1.b																						P								
Commercial Animal Boarding	E.1.c															SE							P								
Commercial		RR	R 1	R 2	R 3	R 4	R 5	R 6	RI	R U	M U	RE	T C	N R	O D	G C	A C	H B	CI	I1	I2	I3	I4	A G	P	S	RE L	G	MU NIG		
Adult Entertainment Business	E.2.a																					SE	SE								
Age Restricted Businesses Products and Services	E.2.b										SE		SE			SE	SE	SE													
Commercial Entertainment, Indoor	E.2.c										P		P	P	SE	P	P	P	SE	SE					M			M			
Commercial Entertainment, Outdoor	E.2.d												M	M	M	M							M	M				M			
Indoor Maintenance Service	E.2.e										SE		P	P	P	P								M				M			
Indoor Sales and Service	E.2.f										P	M (S)	P	P	P	P								M				M			
Permanent Outdoor Display and Sales	E.2.g															SE	SE							M				M			
Industrial		RR	R 1	R 2	R 3	R 4	R 5	R 6	RI	R U	M U	RE	T C	N R	O D	G C	A C	H B	CI	I1	I2	I3	I4	A G	P	S	RE L	G	MU NIG		
Assembly	E.3.a																		P		P	P	P								
Manufacture, Light	E.3.b																		P			P	P								
Manufacture, Heavy	E.3.c																					P									
Institutional		RR	R 1	R 2	R 3	R 4	R 5	R 6	RI	R U	M U	RE	T C	N R	O D	G C	A C	H B	CI	I1	I2	I3	I4	A G	P	S	RE L	G	MU NIG		
Community Institutional	E.4.a					M	M	M			M		M	M	M	M	M	M							M	M	M	M	M		
General Institutional	E.4.b										M		M	M	M	M									M	M	M	M	M		
Public Service	E.4.c	M	M	M	M	M	M	M		M	M		M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M		
Religious Institutional	E.4.d	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M		
Lodging		RR	R 1	R 2	R 3	R 4	R 5	R 6	RI	R U	M U	RE	T C	N R	O D	G C	A C	H B	CI	I1	I2	I3	I4	A G	P	S	RE L	G	MU NIG		
Residential Indoor Lodging	E.5.a	SE	SE	SE	SE	SE	SE			SE	SE		SE											SE							
Campground	E.5.b																							M	M			M			
Commercial Indoor Lodging	E.5.c												P		P	P	P	P							M			M			

Office/Professional			R	R	R	R	R	R		R	~~M~~	~~U~~	~~RE~~	T	N	O	G	A	H						A			RE		~~MU~~
		RR	1	2	3	4	5	6	~~RI~~	U	~~U~~	~~RE~~	C	R	D	C	C	B		CI	I1	I2	I3	I4	G	P	S	L	G	~~NI~~
High Technology	E.6.a															P	P			P	P	P				M				M
Medical Office/Hospital	E.6.b										M	M ⁽⁵⁾	P	P	P	P				P	P					M				M
Office, Personal Service	E.6.c										P	M ⁽⁵⁾	P	P	P	P				P	P					M				M
Office, Professional	E.6.d										P	M ⁽⁵⁾	P	P	P	P				P	P					M				M
Office, Professional Service	E.6.e											M ⁽⁵⁾				SE				P	P	P	P							
Recreational			R	R	R	R	R	R		R	~~M~~	~~U~~	~~RE~~	T	N	O	G	A	H						A			RE		~~MU~~
		RR	1	2	3	4	5	6	~~RI~~	U	~~U~~	~~RE~~	C	R	D	C	C	B		CI	I1	I2	I3	I4	G	P	S	L	G	~~NI~~
Outdoor Recreational, Active	E.7.a	M	M	M	M	M	M	M		M	M		M	M	M	M	M	M		M	M	M	M	M	M	M	M	M	M	M
Outdoor Recreational, Passive	E.7.b	M	M	M	M	M	M	M		M	M		M	M	M	M	M	M		M	M	M	M	M	M	M	M	M	M	M
Residential			R	R	R	R	R	R		R	~~M~~	~~U~~	~~RE~~	T	N	O	G	A	H						A			RE		~~MU~~
		RR	1	2	3	4	5	6	~~RI~~	U	~~U~~	~~RE~~	C	R	D	C	C	B		CI	I1	I2	I3	I4	G	P	S	L	G	~~NI~~
Accessory Dwelling Unit	E.8.h											P ⁽⁴⁾																		
Commercial Residential	E.8.a								P		P	M ⁽¹⁾	P	P	P	P														
Dwelling, Two Family	E.8.b						P	P		P	P	M ⁽¹⁾																		
Dwelling, Multifamily	E.8.c							P	P	P	SE	M ⁽¹⁾																		
Dwelling, Single Family Attached	E.8.d							P	P	P		M ⁽¹⁾																		
Dwelling, Single Family Detached	E.8.e	P	P	P	P	P	P			P	P	M ⁽¹⁾												P						
Dwelling, Attached (Missing Middle)	E.8.f					P	P	P	P			M ⁽¹⁾																		
Institutional Residential	E.8.g	M	M	M	M	M	M	M	M	M		M ⁽²⁾												M						
Storage			R	R	R	R	R	R		R	~~M~~	~~U~~	~~RE~~	T	N	O	G	A	H						A			RE		~~MU~~
		RR	1	2	3	4	5	6	~~RI~~	U	~~U~~	~~RE~~	C	R	D	C	C	B		CI	I1	I2	I3	I4	G	P	S	L	G	~~NI~~
Outdoor Storage or Wholesaling	E.9.a																						SE	SE						
Personal Storage Facility	E.9.b																					SE	SE	SE						
Truck Terminal	E.9.c																							P						
Warehouse/Distribution	E.9.cd																			P		P	P	P						
Vehicle Commercial			R	R	R	R	R	R		R	~~M~~	~~U~~	~~RE~~	T	N	O	G	A	H						A			RE		~~MU~~
		RR	1	2	3	4	5	6	~~RI~~	U	~~U~~	~~RE~~	C	R	D	C	C	B		CI	I1	I2	I3	I4	G	P	S	L	G	~~NI~~
Fueling Station, Truck	E.10.a																							P						
Fueling Station, Vehicle	E.10.b																	P	P											
In-Vehicle Sales and Service	E.10.c																P	P	P											
Truck Sales and Repair	E.10.d																							P						
Vehicle Parts Sales, Repair, and/or Maintenance	E.10.e																	P		P										
Vehicle Sales	E.10.f																	P		P										

		RR	R 1	R 2	R 3	R 4	R 5	R 6	RI	R U	M U	RE	T C	N R	O D	G C	A C	H B	CI	I1	I2	I3	I4	A G	P	S	RE L	G	MU NIG
	Notes:	(1) Shall not exceed sixty percent (60%) of the overall units in the development. (2) Shall not exceed ten percent (10%) of the overall units of the development. (3) Shall not exceed ten percent (10%) of the overall land area of the development (4) Accessory Dwelling Units shall not be constructed on a lot prior to the issuance of a Certificate of Occupancy for the primary structure. (5) Shall not exceed five percent (5%) of the overall land area of the development																											

D. Additional Types of Uses

1. *Accessory uses.* ~~See Article IV.~~
 - a. *Non Master Plan Uses.* See Article 4.1: Accessory Uses
 - b. *Master Plan Uses.* Subject to the provisions of Article 4.1: Accessory Uses, the following Accessory Uses are permitted:
 - 1) *Uses specified in an approved Master Plan*
 - ~~1)~~2) *Uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting.*
2. *Home occupations.* See Article IV.
3. *Temporary uses.* See Article IV.
 - a. *Non Master Plan Uses.* See Article 4.2: Temporary Uses, Structures, and Buildings.
 - b. *Master Plan Uses.* Subject to the provisions of Article 4.2: Temporary Uses, Structures, and Building., the following Temporary Uses, Structures, and Buildings are permitted:
 - 1) *Uses specified in an approved Master Plan*
 - ~~1)~~2) *Uses determined by the Director to be reasonably related to uses specified within the approved Master Plan. The Director shall report these uses to the Plan Commission at their next scheduled meeting.*

E. Definitions and Specific Standards

1. *Agricultural Land Uses*
 - a. *Agricultural Services*
 - 1) *Definition.* Includes all operations pertaining to the sale, handling, transport, packaging, storage, or disposal of agricultural equipment, products, by-products, or materials primarily used by agricultural operations. Examples of such land uses include but are not limited to: agricultural implement sales, storage, or repair operations; feed and seed stores; agricultural chemical dealers and/or storage facilities; animal feed storage facilities; canning and other packaging facilities; veterinary clinics with outdoor kennels and/or dog runs; and agricultural waste disposal facilities
 - 2) *Specific Standards.* Reserved.
 - b. *Agricultural Use*
 - 1) *Definition.* An operation which consists of the following uses, individually or in combination: cultivation, the production of livestock; stables; forest or tree production; pasture; setting aside land in a government set-aside reserve program; a farmstead; uses accessory to agricultural operations on the site; or, uses accessory to agricultural operations in the area.
 - 2) *Specific Standards.* Reserved.
 - c. *Commercial Animal Boarding.*
 - 1) *Definition.* Include land uses which provide short-term and/or long-term boarding for animals.
 - a) Examples of such land uses include but are not limited to: commercial kennels and commercial stables.
 - b) Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory to such land uses and do not require separate consideration.

- 2) Specific Standards. Reserved.
2. Commercial Land Uses
 - a. Adult Entertainment Business
 - 1) Definition. An establishment as defined in Ordinance 02-2009.
 - 2) Specific Standards. As defined in Ordinance 02-2009.
 - b. Age Restricted Businesses, Products, and Services
 - 1) Definition. Uses or establishments that primarily sell products or provide services that typically have age restrictions placed upon them by regulation.
 - a) Examples of such land uses include, but are not limited to, liquor stores, pawn shops, tobacco shops, electronic/vape tobacco shops, check cashing facilities, bars, or taverns
 - b) This does not include restaurants that serve alcohol.
 - 2) Specific Standards. Reserved.
 - c. Commercial Entertainment, Indoor
 - 1) Definition. Land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours which extends significantly later than most other commercial land uses. Examples of such land uses include but are not limited to: restaurants, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.) bowling alleys, arcades, roller rinks, and pool halls.
 - 2) Specific Standards. Reserved.
 - d. Commercial Entertainment, Outdoor
 - 1) Definition. All land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash and late operating hours. Examples of such land uses include but are not limited to: outdoor commercial swimming pools, driving ranges, miniature golf facilities, amusement parks, drive-in theaters, go-cart tracks and racetracks.
 - 2) Specific Standards. Reserved.
 - e. Indoor Maintenance Service
 - 1) Definition. Includes all land uses which conduct or display sales or rental merchandise or equipment, or non-personal or nonprofessional services, entirely within an enclosed building.
 - a) This includes self-service facilities such as coin-operated laundromats.
 - b) This does not include the repair of Vehicles or the installation of Vehicle parts or accessories, which is classified *Vehicle Parts and Accessories: Sales and Repair*
 - 1) Specific Standards. Reserved.
 - f. Indoor Sales and Service
 - 1) Definition. Indoor sales and service land uses include all land uses which conduct or display sales or rental merchandise or equipment, or non-personal or nonprofessional services, entirely within an enclosed building. This includes self-service facilities such as coin-operated laundromats. This does not include the repair of vehicles or the installation of vehicle parts or accessories, which is classified *Vehicle Parts and Accessories: Sales and Repair*.
 - 2) Specific Standards. Reserved.
 - g. Permanent Outdoor Display and Sales

- 1) Definition. Definition. Include all land uses which conduct sales or display merchandise or equipment on a permanent basis outside of an enclosed building as the principal or primary use of the lot.
 - a) Examples of such land uses include but are not limited to: Vehicle and equipment rental, manufactured housing sales, monument sales and garden centers.
 - b) Such land uses do not include the storage or display of inoperative Vehicles or equipment, or other materials typically associated with a junk or salvage yard or other permanent outdoor land uses specifically defined by the zoning ordinance such a permanent outdoor display and sales as an accessory use, *Outdoor Commercial Entertainment*, outdoor storage or wholesaling, outdoor *Institutional*, outdoor maintenance service, or Vehicle Sales.
 - 2) Specific Standards. Reserved.
3. Industrial Land Uses
- a. Assembly
 - 1) Definition. The fitting together of previously manufactured parts or sub-assemblies, that do not require additional manufacturing or machining, into a finished item or unit.
 - 2) Specific Standards. Reserved.
 - b. Manufacture, Light
 - 1) Definition. The mechanical or chemical transformation of materials or substances into new products or into a useable form. Manufacture may include the creation of products (including subsequent assembly of previously manufactured parts), or the blending of materials such as lubricating oils, plastics, resins or liquors. These Industrial uses at which all operations (with the exception of loading operations):
 - a) are conducted entirely within an enclosed building;
 - b) are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line;
 - c) do not pose a significant safety hazard (such as danger of explosion); and
 - d) comply with all of the performance standards within the Town of Plainfield Town Code.
 - 2) Specific Standards. Reserved.
 - c. Manufacture, Heavy
 - 1) Definition. The mechanical or chemical transformation of materials or substances into new products or into a useable form. Manufacture may include the creation of products (including subsequent assembly of previously manufactured parts), or the blending of materials such as lubricating oils, plastics, resins or liquors.
 - a) Heavy manufacture land uses are industrial land uses which may be wholly or partially located outside of an enclosed building; may have the potential to create certain nuisances which are detectable at the property line; or may involve materials which pose a significant safety hazard. However, in no instance shall a heavy industrial land use exceed the performance standards listed in the Town of Plainfield Town Code.
 - b) Examples of such land uses include but are not limited to: meat product producers; alcoholic beverage producers; paper, pulp or paperboard producers; chemical and allied product producers (except drug producers) including poison or fertilizer producers; petroleum and coal product producers; asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial

apparatus producers; transportation Vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

2) Specific Standards. Reserved.

4. Institutional Land Uses

a. Community Institutional

1) Definition. Land uses, public or private, that serve a community's educational, religious, social, recreational, and cultural needs. Community Institutional land uses tend to be smaller in the scale of the structures, sites, and/or usage than General Institutions.

a) Land uses include, but are not limited to, community centers, resource centers, civic and fraternal organizations, funeral homes and social welfare organizations.

b) Does not include group homes, convents, monasteries, nursing homes, assisted living, recovery homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses (see *Institutional Residential*). Does not include general hospitals, special hospitals (see *Medical Office/Hospital*).

2) Specific Standards. Reserved.

a-b. General Institutional

1) Definition. Land uses, public or private, that serve the community's educational, ~~religious~~, social, recreational, and cultural needs. General Institutional land uses tend to be larger in the scale of the structures, sites, and/or usage than Community Institutions.

a) Land uses include, but are not limited to, public recreational facilities such as stadia, gymnasiums, or swimming pools, educational facilities such as schools, libraries, museums, or uses such as cemeteries, fairgrounds, permanently protected green space areas, or correctional facilities, ~~or religious facilities.~~

b) Does not include group homes, convents, monasteries, nursing homes, assisted living, recovery homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses (see *Institutional Residential*). Does not include general hospitals, special hospitals (see *Medical Office/Hospital*).

2) Specific Standards. Reserved.

b-c. Public Service

1) Definition. Uses include all town, county, state and federal facilities (except those otherwise treated in this section), emergency service facilities such as law enforcement, fire departments and rescue operations, wastewater treatment plants, public and/or private utility substations, water towers, utility and public service related distribution facilities, and similar land uses.

2) Specific Standards. Reserved.

d. Religious Institutional.

1) Definition. A facility devoted primarily to the purpose of divine worship. Includes related ancillary uses, which are subordinate to and commonly associated with the religious institution use, such as schools and instructional facilities, daycare centers, and social uses.

2) Specific Standards. Reserved.

c-a. Community Institutional

- ~~1) Definition. Land uses, public or private, that serve a community's educational, religious, social, recreational, and cultural needs. Community Institutional land uses tend to be smaller in the scale of the structures, sites, and/or usage than General Institutions.~~
 - ~~a) Land uses include, but are not limited to, community centers, resource centers, civic and fraternal organizations, funeral homes and social welfare organizations,~~
 - ~~b) Does not include group homes, convents, monasteries, nursing homes, assisted living, recovery homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses (see Institutional Residential). Does not include general hospitals, special hospitals (see Medical Office/Hospital).~~
- ~~2) Specific Standards. Reserved.~~

5. Lodging Land Uses

a. Residential indoor Lodging

- 1) Definition. The commercial leasing of bedroom(s) for guest(s) within a private, owner-occupied, residential *Dwelling Unit*. Such leasing provides temporary accommodations, typically including a morning meal, to overnight guests for a fee. Such leasing may also provide for the temporary accommodation of daytime meetings or receptions for guests for a fee. Such leasing caters largely to tourists and the traveling public. Examples include, but are not limited to, uses such as a Bed and Breakfast (B&B) or an "Air B&B".
- 2) Specific Standards. Reserved.

b. Campground

- 1) Definition. Facilities designed for overnight accommodation of persons in tents, travel trailers, or other mobile or portable shelters or Vehicles.
- 2) Specific Standards. Reserved.

c. Commercial Indoor Lodging

- 1) Definition. Include land uses which provide overnight housing in individual rooms or suites of rooms, each room or suite having a private bathroom. Such land uses may provide in-room or in-suite kitchens and may also provide *indoor* recreational facilities for the exclusive use of their customers.
 - a) Uses include, but are not limited to, hotels, resorts, lodges.
 - b) Does not include uses such as motels, hostels, or boarding houses.
- 2) Specific Standards. See Plainfield Zoning Ordinance, Article 4.20: Standards for Commercial Indoor Lodging Facilities

6. Office/Professional Land Uses

a. High Technology

- 1) Definition. Uses or facilities for scientific, research, development, educational, computer, software, design, and associated applied technology offices, laboratories, facilities, and organizations.
- 2) Specific Standards. Reserved.

b. Medical Office/Hospital

- 1) Definition. Land uses such as hospitals; hospice and elder care; outpatient surgery centers; medical diagnostic laboratories; preventive, diagnostic, and acute care for medical, dental, vision, and/or chiropractic care; and the business and/or office service for the above.
- 2) Specific Standards. Reserved.

c. Office, Personal Service

- 1) Definition. Exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis.
 - a) Examples of such land uses include but are not limited to: professional services, insurance services, realty offices, financial services, veterinary clinics without outdoor kennels and/or dog runs, barbershops, beauty shops, and related land uses.
 - b) These uses do not include tattoo or body piercing establishments, pawnshops or payday loan establishments.
- 2) Specific Standards. Reserved.
- d. Office, Professional
 - 1) Definition. Exclusively indoor land uses whose primary functions are the handling of information or administrative services. Such land uses do not typically provide services directly to customers on a walk-in or on-appointment basis. Examples include offices such attorneys, architects, information technology consulting, engineering, or similar uses.
 - 2) Specific Standards. Reserved.
- e. Office, Professional Service
 - 1) Definition. Exclusively indoor land uses whose primary functions are the are the provision of offsite services to individuals, companies, or organizations. Such land uses typically have service Vehicles that are dispatched to individual sites which are to be stored behind the building when not in use.
 - a) Examples of such land uses include but are not limited to: contractors for building trades such as electricians, plumbers, heating, ventilation and cooling (HVAC), utility locating, as well as development uses that also fit within the definition of “*Office, Professional*”, such as engineering, surveying, and planning services.
 - b) This does not include uses that primarily engage in the delivery or distribution of goods to individuals, companies, or organizations.
 - 2) Specific Standards. Reserved.
7. Recreational Land Uses
 - a. Outdoor Recreational, Active
 - 1) Definition. Uses include all recreational land uses located on public property which involves active recreational activities. Examples of such land uses include but are not limited to: play courts (such as tennis courts and basketball courts), playfields (such as ball diamonds, football fields, and soccer fields), tot lots, outdoor swimming pools, swimming beach areas, fitness courses, public golf courses and similar land uses.
 - 2) Specific Standards. Reserved.
 - b. Outdoor Recreational, Passive
 - 1) Definition. Uses include all recreational land uses located on public property which involves passive recreational activities. Examples of such land uses include but are not limited to: arboretums, natural areas, wildlife areas, hiking trails, bike trails, cross country ski trails, horse trails, open grassed areas not associated with any particular active recreational land use), picnic areas, picnic shelters, gardens, fishing areas, and similar land uses.
 - 2) Specific Standards. Reserved.
8. Residential Land Uses
 - a. Accessory Dwelling Unit
 - 1) Definition. A dwelling unit that is subordinate and incidental to a primary building on the same lot and may be detached or are added to or included within the

primary building.

2) Specific Standards.

a) Only one ADU is allowed per lot;

b) The finished floor area of an ADU shall be no more than 75 percent of the finished floor area of the primary dwelling or 800 square feet, whichever is less.

c) A detached ADU shall not be taller in feet from grade than the primary building on the lot and shall meet all accessory height requirements of the applicable zoning district.

d) The unit must satisfy the requirements of all building codes adopted by the Town of Plainfield.

e) Must comply with applicable covenants.

f) If a separate entrance is provided for an attached ADU it shall be located on:

(1) Interior Lots – the side or rear façade.

(2) Corner Lots –any façade provided that the maximum number of entry doors facing a street does not exceed (1) door per frontage.

b. Commercial Residential

1) Definition. *Dwelling Units* which are located above the ground floor of a building used for a commercial land use most typically an office or retail establishment. The primary advantage of commercial residential is that they are able to share required parking spaces with nonresidential uses. Examples include mixed-use residential/commercial buildings.

2) Specific Standards.

a) The Commercial Residential building must be at least two (2) stories in height.

b) Entrances to the residential and commercial portions must be separate.

c) The requirements for commercial design apply.

d) The ratio of ground floor retail/office unrelated to the residential use is dependent upon the number of stories, as detailed in the table below. For the purpose of this section, leasing offices, storage areas, vehicle storage areas, and other accessory uses largely or wholly accessible to the residents of the Commercial Residential use are among uses related to the residential uses.

Table 4.1.E.8.b.2: Minimum Percent of Ground Floor Retail/Office Use Unrelated to the Residential or Lodging Use Necessary to Comply as a Commercial Residential Use

Building Height (in stories)	Percent of ground floor retail/office use unrelated to the residential or lodging use (minimum)	
	Mixed Use Commercial Residential	Commercial Indoor Lodging
1	Not Allowed	Not Allowed
2	75%	85%
3 or more	50%	60%

c. Dwelling, Two Family

1) Definition. A building consisting of two dwelling units on one lot which may be either attached side by side or one above the other, and each dwelling unit having a separate or combined entrance.

2) Specific Standards.

a) Must comply with any applicable covenants

b) Units on upper floors shall not be accessible via external stairways

d. Dwelling, Multifamily

- 1) Definition. A *Building* or *Buildings* consisting of three (3) or more Dwelling Units on a single lot, including *Condominiums*, with varying arrangements of entrances and party walls. These uses are typically incompatible in size and massing with detached single-family homes. Examples are apartment buildings and/or apartment complexes.
- 2) Specific Standards.
- e. Dwelling, Single Family Attached
 - 1) Definition. A building consisting of two (2) or more single-family dwelling units attached by a common wall or walls, and legally platted so that each unit sets on an individual lot providing for fee simple ownership of each lot. Examples include townhomes and may include live/work units.
 - 2) Specific Standards.
 - a) Must gain vehicular access via an improved alley or similar means.
 - b) Must comply with applicable covenants.
 - c) Requires Development Plan approval from the Plan Commission.
- f. Dwelling, Single Family Detached
 - 3) Definition. An individual, detached *Building* containing one (1) *Dwelling* which is either:
 - a) Built in compliance with the Indiana Residential Code;
 - b) A *Modular Dwelling*; or,
 - c) A *Manufactured Dwelling*.
 - 4) Specific Standards. Reserved.
- g. Dwelling, Attached (Missing Middle)
 - 1) Definition. A range of multi-unit or clustered housing types, compatible in scale with detached single-family homes. These include buildings with between three and six attached *Dwelling Units*, Examples include apartment houses, live/work units, and cottage developments that have historically existed on scattered sites in low-rise walkable neighborhoods.
 - 2) Specific Standards.
 - a) Must gain vehicular access via an improved alley or similar means.
 - b) Must comply with applicable covenants.
 - c) Units on upper floors shall not be accessible via external stairways.
- h. Institutional Residential
 - 1) Definition. Residential *Dwelling Units* in conjunction with or fulfilling the mission of an Institutional land use.
 - a) Examples of such land uses include but are not limited to: group homes, convents, monasteries, nursing homes, assisted living, recovery homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses.
 - b) Does not include general hospitals, special hospitals (see *Medical Office/Hospital*), prisons, or jails (see *General Institutional* land uses).
 - 2) Specific Standards. Reserved.
9. Storage Land Uses
 - ~~a. Warehouse/Distribution~~
 - ~~1) Definition. A *Building* or *Structure* for the storage of goods, materials or products awaiting shipment to another location for wholesale or retail trade. These uses may provide order fulfillment, where work is done to break up bulk packaging for individual customers who are frequently the final customer.~~
 - ~~2) Specific Standards. Reserved.~~

b-a. Outdoor Storage or Wholesaling

- 1) Definition. Uses are primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage and wholesaling land use.
 - a) Examples of such land uses include but are not limited to: contractors' storage yards, equipment yards, lumber yards, coal yards, landscaping materials yard, construction materials yards, and shipping materials yards.
 - b) Such land uses do not include the storage of inoperative *Vehicles* or equipment, or other materials typically associated with a junkyard or salvage yard.
- 2) Specific Standards. Reserved.

c-b. Personal Storage Facility

- 1) Definition. Uses primarily oriented to the indoor storage of items entirely within partitioned buildings having an individual access to each partitioned area. Outdoor storage of *Vehicles* and boats may be permissible. Such storage areas may be available on either a condominium or rental basis. These land uses are typically known as mini-warehouses or self-storage facilities.
- 2) Specific Standards. May not be within six hundred (600) feet of a *Gateway Corridor*.

c. Truck Terminal

- 1) Definition. Land and buildings used:
 - a) As a relay station for the transfer of a load from one vehicle to another or one party to another, which may include temporary storage prior to transshipment;
 - b) For the exchange of trailers among trucks;
 - c) For the exchange of truck drivers among trucks;
 - d) Temporary parking of trucks and/or trailers with or without cargo; and/or,
 - e) For the offices, dispatch, and/or operation of a motor freight carrier
- 2) Specific Standards.
 - a) Shall not be within six hundred (600) feet of a *Gateway Corridor*.
 - b) Shall be required to increase the required Plant Unit Value (PUV) by 10 PUV over what is required by the landscape ordinance.
 - c) Shall be required to provide a fifteen (15) foot tall berm.

d. Warehouse/Distribution

- 1) Definition. A *Building* or *Structure* for the storage of goods, materials or products awaiting shipment to another location for wholesale or retail trade. These uses may provide order fulfillment, where work is done to break up bulk packaging for individual customers who are frequently the final customer.
- 2) Specific Standards. Reserved.

10. Vehicle Commercial Land Uses

a. Fueling Station, Truck

- 1) Definition. A retail sales facility selling fuel for motor *Vehicles* and semi-trailer Trucks with at least three axles that are designed to tow trailers. Such a facility may have ancillary services such as a *convenience store*, but ancillary services such as Truck scales, weigh stations, showering facility, Vehicle service, Vehicle repair, or provision of "rest areas" for semi-trailer Trucks or their operators are not permitted. Fuel may include non-liquid or non-gaseous materials such as coal, wood, and/or electric current.

- 2) Specific Standards. See Article 4.18, Plainfield Zoning Ordinance
- b. Fueling Station, Vehicle
 - 1) Definition. A retail sales facility selling fuel for motor Vehicles including, but not limited to, automobiles, motorcycles, buses, or recreational Vehicles (excluding semi-trailer Trucks with at least three axles that are designed to tow trailers.) Ancillary services such as a *convenience store* and/or a car wash are permitted, but ancillary services such as Vehicle service or Vehicle repair are not permitted. Fuel may include non-liquid or non-gaseous materials such as coal, wood, and/or electric current.
 - 2) Specific Standards. See Article 4.18, Plainfield Zoning Ordinance
- c. In-Vehicle Sales and Service
 - 1) Definition. Includes all land uses which perform sales and/or services to persons in Vehicles, or to Vehicles which may be occupied at the time of such activity. Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads.
 - a) Examples of such land uses include but are not limited to: drive-in, drive-up, and drive-through facilities.
 - b) *Fueling Stations* and *Truck Fueling Stations* are not considered in-Vehicle sales and service.
 - 2) Specific Standards. Reserved.
- d. Truck Sales and Repair
 - 1) Definition. Permanent outdoor and indoor display of *Trucks* for either new or pre-owned purchase or lease and/or; a facility engaged in one or more of the following for transportation larger than passenger or small commercial Vehicles:
 - a) Indoor retail sales and installation of new, used, and/or rebuilt parts and accessories.
 - b) Indoor repair, not to include the dismantling, or storage of *trucks*.
 - 2) Specific Standards. Reserved.
- e. Vehicle Parts Sales, Repair, and/or Maintenance
 - 1) Definition. A facility engaged in one or more of the following:
 - a) Indoor retail sales and installation of new, used, and/or rebuilt Vehicle parts and accessories.
 - b) Indoor repair of Vehicles, not to include the sales, dismantling, or storage of Vehicles.
 - c) Cleaning and detailing of Vehicles, either by manual or automated means, including car washes
 - 2) Specific Standards. Reserved.
- f. Vehicle Sales
 - 1) Definition. Permanent outdoor and indoor display of motorized passenger or light commercial *Vehicles* licensable in the State of Indiana for roadway use, either new or pre-owned for purchase or lease.
 - 2) Specific Standards. Reserved.

14.2 ReservedDevelopment Standards Matrices

A. Single Family Residential Districts

1. Districts Included

- a. RR: Rural Residential. (see Article 2.1 for additional regulations)
- b. R1: Low Density Residential. (see Article 2.2 for additional regulations)

- c. R2: Low Density Residential. (see Article 2.3 for additional regulations)
- d. R3: Medium Density Residential. (see Article 2.4 for additional regulations)
- e. R4: Medium Density Residential. (see Article 2.5 for additional regulations)
- f. R5: High Density Residential. (see Article 2.6 for additional regulations)

2. Single Family Residential Development Standards Matrices

Table 14.2A.2.a-f: Single Family Residential District Development Standards									
a.	General Development Standards	Unit	RR	R1	R2	R3	R4	R5 ^(a)	R5 ^(b)
	Minimum Lot Area	Sq. Ft.	65,000	30,000	15,000	10,000	6,000	5,000	10,000
	Minimum Lot Width	Feet	150	100	90 ⁽²⁾	80 ⁽²⁾	60	50	70
	Minimum Lot Frontage ⁽¹⁾	Feet	90	50	40	35	25	25	35
	Maximum Lot Coverage		10%	20%	35%	35%	40%	40%	40%
	Maximum Lot Depth-to-Width ratio		3:1	(3)	(3)	(3)	(3)	(3)	(3)
	Mandatory Attachment to public/semi-public water and sewer		No	Yes	Yes	Yes	Yes	Yes	Yes
Notes: ^(a) Single Family ^(b) Two-Family ⁽¹⁾ On a public street and gain direct access from said public street or an abutting alley ⁽²⁾ For all lots in any subdivision which were included in a primary plat that received approval prior to January 1, 2007, and which were included in an approved, recorded secondary plat within three years of the date of primary plat approval, and if the subdivision is developed in more than one section, approval for each subsequent section shall be filed for within three years of the approval of the prior section. (See Table 14.2A.2.f) ⁽³⁾ Not applicable									
b.	Minimum Yards and Setbacks (front)	Unit	RR	R1	R2	R3	R4	R5	
	Primary Structure	Feet	30	30	30	30	30	30	
	Unenclosed Porch	Feet	20	20	20	20	20	20	
	Minimum Yards and Setbacks (side)	Unit	RR	R1	R2	R3	R4	R5	
	Minimum Yard	Feet	20	10	12 ⁽¹⁾	10 ⁽¹⁾	6	6	
	Minimum Yards and Setbacks (rear)	Unit	RR	R1	R2	R3	R4	R5	
	Accessory Building	Feet	35	10	10	5	5	5	
	Primary Building	Feet	25	25	25	20	20	20	
Notes: ⁽¹⁾ For all lots in any subdivision which were included in a primary plat that received approval prior to January 1, 2007, and which were included in an approved, recorded secondary plat within three years of the date of primary plat approval, and if the subdivision is developed in more than one section, approval for each subsequent section shall be filed for within three years of the approval of the prior section. (See Table 14.2A.2.f)									
c.	Maximum Building Height	Unit	RR	R1	R2	R3	R4	R5	
	Primary Building Height	Feet	35	35	35	35	35	35	
	Accessory Building Height	Feet	25	25	25	25	25	25	
d.	Minimum Main Floor Area	Unit	RR	R1	R2	R3	R4	R5	
	One Story Building	Unit	RR	R1	R2	R3	R4	R5	
	Main Floor	Sq. Ft.	1,700	1,700	1,500	1,300	1,200	1,000	
	Two or More Story Building	Unit	RR	R1	R2	R3	R4	R5	
	Main Floor	Sq. Ft.	1,200	1,200	1,200	1,100	900	720	
	Total Finished Floor Area	Sq. Ft.	1,700	1,700	1,500	1,300	1,200	1,000	
e.	Eligibility to use Development Incentives	RR	R1	R2	R3	R4	R5		
	Eligible to use Development Incentives	No	Yes	Yes	Yes	No	No		
f.	Special Provisions ⁽¹⁾	Unit	RR	R1	R2	R3	R4	R5	
	Minimum Lot Width	Feet	(N/A)	(N/A)	80 ⁽¹⁾	70 ⁽¹⁾	(N/A)	(N/A)	
	Minimum Side Yard	Feet	(N/A)	(N/A)	8 ⁽¹⁾	6 ⁽¹⁾	(N/A)	(N/A)	
Notes: ^(N/A) Not Applicable ⁽¹⁾ Special Provisions for Certain Lots Primary Platted In A Subdivision Before January 1, 2007. For all lots in any subdivision which were included in a primary plat that received approval prior to January 1, 2007, and which were included in an approved, recorded secondary plat within three years of the date of primary plat approval, and if the subdivision is developed in more than one section, approval for each subsequent section shall be filed for within three years of the approval of the prior section, the development standards set forth below shall be deemed to be modified to read as above.									

B. Multi-Family Districts

1. Districts Included

- a. R6: High Density Residential (see Article 2.7 for additional regulations)
- b. RI: Residential Infill (see Article 2.XX for additional regulations)
- c. RU: Urban Residential (see Article 2.17 for additional regulations)

2. Multi-Family Residential Development Standards Matrices

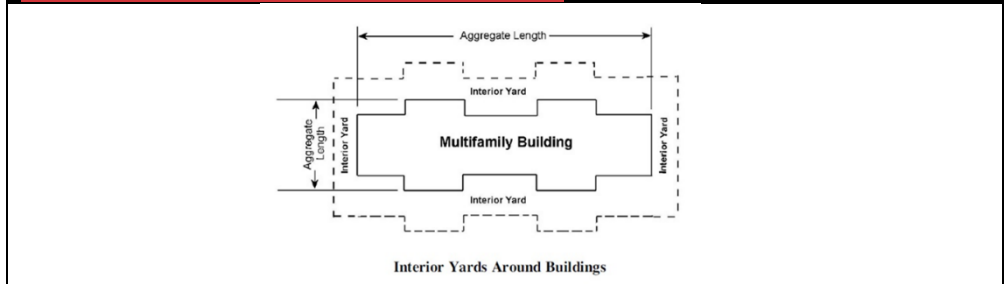
Table 14.2B.2.a-i: Multi-Family Residential District Development Standards					
a.	General Development Standards	Unit	R6	RU	RI
	Maximum project gross density	Dwelling units per acre	8	(N/A)	(N/A)
	Minimum project frontage on a public street and gain access from said public street	Feet	150	50 ⁽¹⁾	50
	Mandatory Attachment to public/semi-public water and sewer		Yes	Yes	Yes
Notes: ⁽¹⁾ -Or abutting alley (N/A) Not applicable					
b.	Minimum Yards and Setbacks				
	Front	Unit	RU	RI	RI
	Front (minimum)	Feet	20	5	10
	Front (maximum)	Feet	(N/A)	25	20
	Side	Unit	R6	RU	RI
	Side	Feet	30	(Below)	15
	Accessory Building	Feet	(N/A)	6	10
	Nonresidential Uses	Feet	(N/A)	15	(N/A)
	Residential Uses	Feet	(N/A)	6	(N/A)
	Rear (minimum)	Unit	R6	RU	RI
	Rear	Feet	30	(Below)	20
	Accessory Building	Feet	(N/A)	5	10
	Primary Building	Feet	(N/A)	25	15
	Interior Yard (minimum)	Unit	R6	RU	RI
	Buildings containing Dwelling units	Feet	15 ⁽¹⁾	6	15
	Accessory buildings or uses	Feet	5	5	10
Notes: (N/A) – Not Applicable (Below) -Detailed Standards for uses or structures immediately below. ⁽¹⁾ -Or ten (10) feet plus one (1) additional foot for every ten (10) feet of aggregate length of any wall of a building, whichever is the greater.					
	Front	R6	RU	RI	
	Driveways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Walkways with a maximum width of up to six feet	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Signs as regulated by Article VII	Yes ⁽¹⁾	No	Yes ⁽¹⁾	
	Front stairs, stoops, patios or open balconies which project no more than ten feet from the building, but shall not encroach into any public right-of-way	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Side	R6	RU	RI	
	Open space free from buildings or structures	Yes	Yes	Yes	
	Rear	R6	RU	RI	
	Open space free from buildings or structures	Yes	Yes	Yes	
	Driveways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Walkways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Parking Areas	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Interior Access Drives	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Interior Access Driveways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Interior Yards around building containing dwelling units (See 14.2.B.3.a-c below)	R6	RU	RI	
	Individual interior access drives leading to attached garages serving individual units	Yes	No	No	
	Open space	Yes	Yes	Yes	
	Foundation landscaping	Yes	Yes	Yes	
	Walkways not exceeding six (6) feet in width	Yes	Yes	Yes	
	Interior access drives, parking areas, open balconies, uncovered porches and patios which do not project more than 50% into the required interior yard.	Yes	No	No	
	Interior access drives leading to parking areas located between the rear lot line and the rear building line.	No	Yes	Yes	
	Interior access drives leading to overhead garage doors.	No	Yes	Yes	
	Uncovered porches and patios which do not project more than five feet into the required interior yard.	No	Yes	Yes	
	Interior yards around accessory buildings or uses (See 14.2.B.3.d below)	R6	RU	RI	
	Open space	Yes	Yes	Yes	
	Foundation landscaping	Yes	Yes	Yes	
	Walkways not exceeding six (6) feet in width	Yes	No	No	
	Interior access drives leading to carports or overhead garage doors.	Yes	Yes	Yes	
	Walkways with no maximum width	No	Yes	Yes	
Notes: ⁽¹⁾ Provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV.					

d.	Building Height			
	Maximum Height of Primary Building, not to exceed containing a Dwelling Unit (R6 and RU)	Stories	Feet	
	R6	5	50	
	RU	3	40	
	Maximum Height of Primary Building, not to exceed containing a Dwelling Unit (RI)	Stories	Feet	
	Commercial Residential, Multifamily Dwelling, Institutional Residential	4	40	
	Single Family Attached Dwelling, Attached Dwelling (Missing Middle)	3	45	
	Minimum Height of Primary Building, not to exceed containing a Dwelling Unit (RI)	Stories	Feet	
	Commercial Residential, Multifamily Dwelling, Institutional Residential	8	100	
	Single Family Attached Dwelling, Attached Dwelling (Missing Middle)	2	24	
e.	Architectural Review	R6	RU	RI
	Subject to the requirements for the filing of a development plan for architectural and site design review.	Yes	Yes	Yes
f.	Eligibility to use Development Incentives	R6	RU	RI
	Eligible to use Development Incentives set forth in Article V of this ordinance.	No	No	No
g.	Developed recreational open space requirements.	Unit	R6	RU
	Percent of total lot are of the project area	Percent	10	(N/A)
	May overlap any required interior yards or perimeter yards	No	(N/A)	(N/A)
	Direct linkage to any adjacent portion of the Greenway Plan	Yes	(N/A)	(N/A)
Notes: (N/A) – Not Applicable				
h.	Utilization of private streets, interior access driveways and interior access drives in compliance with the standards set forth in Article IV to serve individual buildings and dwelling units.	R6	RU	RI
	Private Streets	Yes	Yes	Yes
	Interior access driveways	Yes	Yes	Yes
	Interior access drives	Yes	Yes	Yes
i.	Development Standards within the RU District. Unless specified elsewhere, the following development standards for single and two-family dwellings shall apply:	Single Family Dwellings		Two-Family Dwellings
	Individual Lots	R-4 District		R-5 District

3. Interior Yards Examples

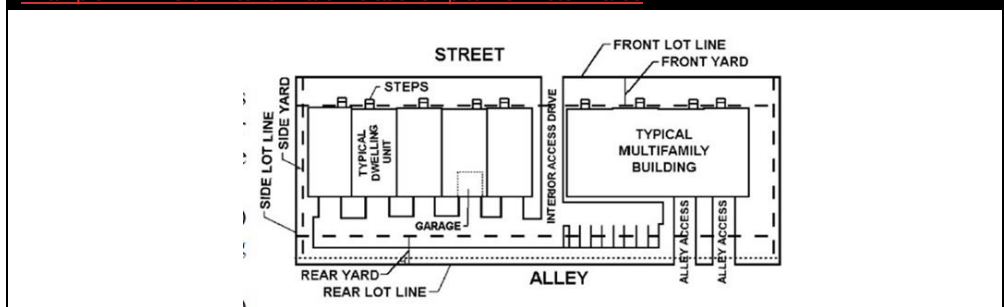
- The distance between buildings shall be the sum of each applicable minimum interior yard;
- Interior yards shall be measured perpendicular to the building or structure at all points; and,

Example 4.12B.3.a and b: Interior Yard Around Buildings



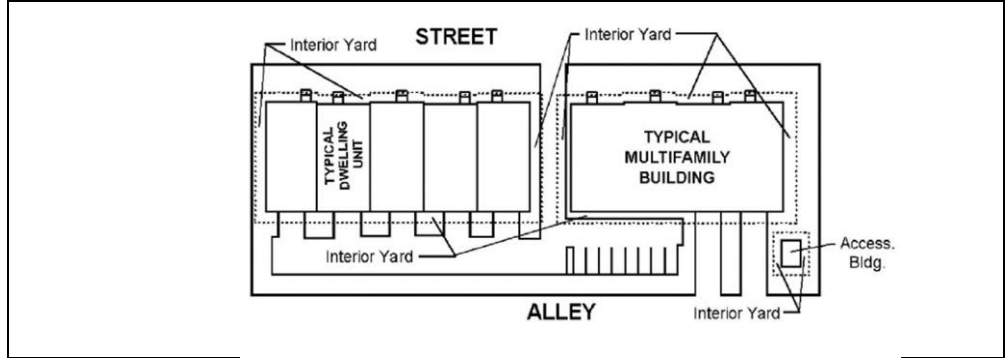
- Interior yards shall not overlap any required perimeter yards (R-6) or lot line (RU).

Example 4.12B.3.c: Interior Yard Relationship to Perimeter Yards



d. Interior Yards around Accessory Buildings.

Example 4.12B.3.d: Interior Yard Around Accessory Buildings



C. Mixed Use Districts

1. Districts Included

- a. MU: Mixed Use. (see Article 2.18 for additional regulations)
- b. TC: Town Center. (see Article 2.8 for additional regulations)
- c. RF: Residential Flex. (see Article 2.20 for additional regulations)

2. Mixed Use Development Standards Matrix

a. General Development Standards		Unit	TC	RF
Minimum Lot Width and Frontage on a public street		(feet)	25	(2)
Minimum Lot Size		Sq. Ft.	(3)	(3)
b. Minimum Yards and Setbacks				
Front-Town Center		Unit	TC	
Front		Feet	0	
Front-Residential Flex				
Habitable Areas		Unit	RF	
Two Family, Single Family Detached, Attached (Missing Middle) Dwellings		Feet	20	
Commercial Residential, Single Family Attached		Feet	0	
Dwelling Multifamily		Feet	25	
Other Master Plan Uses		Feet	(5)	
Accessory Dwelling Unit		Feet	(N/A)	
Not Listed Above				(5)
Non Habitable Area		Unit	RF	
Porch		Feet	10	
Garage (Front Loaded)		Feet	(4)	
Garage (Side Loaded)		Feet	20	
Garage (Rear Loaded)		Feet	(6)	
Side (excepting attached dwelling units)		Unit	TC	RF
Abutting an alley		Feet	5	6
Abutting a lot line		Feet	0 (1)	6
Side Yard		Feet	(N/A)	(N/A)
Bufferyard		Feet	5	(N/A)
Rear		Unit	TC	RF
Abutting an alley		Feet	5	20 (7)
Abutting a lot line		Feet	0 (1)	10
Side Yard		Feet	(N/A)	(N/A)
Bufferyard		Feet	5	(N/A)

Notes: (N/A) – Not Applicable

(1) -If a side or rear setback is provided along any side or rear lot not abutting an alley, such setback shall not be less than five (5) feet.

(2) -There shall be no minimum lot requirement. The developer and/or subdivider must provide evidence that the size of any and all lots are conducive to the construction of at least one (1) of the permitted primary uses without the necessity of relief from the standards.

(3) There shall be no minimum lot area requirements. The developer and/or subdivider must provide evidence that the size of the lot is conducive to the construction of at least one (1) of the permitted primary uses without the necessity of relief from the standards. Minimum Lot Width will determine type of lot access and parking.

(4) At least five (5) feet behind Habitable Area

(5) As determined in approved Master Plan

⁽⁶⁾ To the rear of the primary structure			
⁽⁷⁾ From centerline of alley			
c.	Use of Minimum Yards. All minimum yards and bufferyards shall be landscaped in compliance with the requirements for perimeter yard landscaping as set forth in Article 4.7 - Landscape Provisions of this ordinance and shall remain free from structures except where expressly permitted below.		
	<u>Minimum front yards</u>	TC	RF
	<u>Driveways</u>	Yes ⁽¹⁾	(2)
	<u>Signs as regulated by Article VII</u>	Yes ⁽¹⁾	(2)
	<u>Plazas developed in compliance with Article 5.6C(3)(a)</u>	Yes ⁽¹⁾	(2)
	<u>Walkways from the sidewalk to a building entrance</u>	Yes ⁽¹⁾	Yes ⁽¹⁾
	<u>Minimum front Bufferyards</u>	TC	RF
	<u>Driveways</u>	Yes ⁽¹⁾	(N/A)
	<u>Signs as regulated by Article VII</u>	Yes ⁽¹⁾	(N/A)
	<u>Walkways from the sidewalk to a building entrance</u>	Yes ⁽¹⁾	Yes ⁽¹⁾
	<u>Minimum side and rear yards</u>	TC	RF
	<u>Driveways</u>	Yes ⁽¹⁾	(2)
	<u>Interior Access Driveways</u>	Yes ⁽¹⁾	(2)
	<u>Parking Areas</u>	Yes ⁽¹⁾	(2)
	<u>Loading Areas</u>	Yes ⁽¹⁾	(2)
	<u>Walkways or other pedestrian way connections to adjoining lots</u>	Yes ⁽¹⁾	Yes ⁽¹⁾
	<u>Minimum side and rear bufferyards</u>	TC	RF
	<u>Walkways or other pedestrian way connections to adjoining lots</u>	Yes ⁽¹⁾	Yes ⁽¹⁾
Notes: ⁽¹⁾ Provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV.			
⁽²⁾ As Determined in approved Master Plan			
d.	Maximum Building Height	Unit	TC RF
	<u>Primary Building Maximum Building Height</u>	Feet	50 (N/A)
	<u>Primary Buildings, not to exceed</u>	Stories	4 (N/A)
	<u>Two Family, Single Family Attached, Single Family Detached, Attached (Missing Middle Dwellings</u>	Feet	(N/A) 40
	<u>Commercial Residential</u>	Feet	(N/A) 60
	<u>Dwelling Multifamily</u>	Feet	(N/A) 60
	<u>Other Master Plan Uses</u>	Feet	(N/A) 40 ⁽⁶⁾
	<u>Accessory Dwelling Unit</u>	Feet	(N/A) 20
	<u>Accessory buildings</u>	Feet	25 25
e.	Architectural Review	TC	RF
	<u>Subject to the requirements for the filing of a development plan for architectural and site design review.</u>	Yes	Yes
f.	Eligibility to use Development Incentives	TC	RF
	<u>Eligible to use Development Incentives set forth in Article V of this ordinance.</u>	Yes	No
g.	Off Street Loading	TC	RF
	<u>Located on the lot served</u>	Opt	Yes
	<u>Located within fifty (50) feet of the lot served</u>	Opt	No
	<u>Compliant with Article IV</u>	Yes	Yes
h.	Outdoor Operations	TC	RF
	<u>Off-street parking</u>	Yes	(2)
	<u>Off-street loading and delivery</u>	Yes	(2)
	<u>Walk-up customer service windows</u>	Yes	(2)
	<u>Drive through customer service windows</u>	Yes	(2)
	<u>Outdoor seating and dining areas</u>	Yes ⁽¹⁾	(2)
	<u>Automated Teller Machine</u>	No	(2)
	<u>Vending Machine</u>	No	(2)
	<u>Outdoor display or sales of merchandise</u>	No	(2)
Notes: ⁽¹⁾ Provided, however, outdoor seating and dining areas or sidewalk sales areas shall: a) Not reduce the useable sidewalk width in the public right-of-way to less than five feet at any point; b) Be completely confined to the lot or retail space or the area immediately in front of the lot or retail space occupied by said use; and c) If located in a public right-of-way, be subject to the approval of the applicable agency (i.e., Indiana Department of Transportation or the Town Engineer) for activity in a public right-of-way.			
⁽²⁾ Subject to Master Plan			
i.	Single Family, Two-Family, and Multi-Family Development Standards	TC	RF
	<u>Single Family Dwellings</u>		
	<u>Individual Lots</u>	R-4 District	(2)
	<u>Part of a larger multi-family dwelling project</u>	RU District	(2)
	<u>Two-Family Dwellings</u>	TC	RF
	<u>Individual Lots</u>	R-5 District	(2)

Part of a larger multi-family dwelling project			RU District		(2)	
Multi-Family Dwellings			TC		RF	
Multi-family that is not a mixed use			RU District (1)		(2)	
Notes: (1) Dwelling units in mixed-use buildings shall be located on the upper stories of buildings, unless authorized by the approval of a development incentive.						
(2) See Table C.2.a and C.2.b above						
i. Parking Access, Location, and Garage Type						
TC: Town Center		Access to Parking Area		Parking Location		
		Street	Alley (1)	Front	Rear	Interior
		(3)	Req	No	Opt	Opt
RF: Residential Flex		Access to Parking Area		Parking Location		
Dwelling, Single Family Detached, Dwelling, Two Family		Street	Alley (1)	Front	Rear	Interior
Frontage Width: 60 feet or less		No	Req	No	Req	No
Frontage Width: More than 60 feet, less than 80 feet		Opt	Opt	Opt	Opt	No
Frontage Width: 80 feet or more		Opt	Opt	Opt	Opt	No
		Access to Parking Area		Parking Location		
		Street	Alley (1)	Front	Rear	Interior
Dwelling, Single Family Attached		No	Req	No	Req	No
Attached (Missing Middle)		No	Req	No	Req	No
Commercial Residential		Opt (2)	Opt	No	Opt	No
Dwelling Multifamily		Opt (2)	Opt	No	Req	Req
Other Master Plan Uses		(2)	(2)	(2)	(2)	(2)
Accessory Dwelling Unit		No	Req	No	Req	No
Garage Door Facing (Garages may not be required. If provided, the following provisions are prescribed)						
Dwelling, Single Family Detached, Dwelling, Two Family		Alley/Rear		Front	Side	Interior
Frontage Width: 60 feet or less		Req		No	No	No
Frontage Width: More than 60 feet, less than 80 feet		Opt		Opt (4)	Opt	No
Frontage Width: 80 feet or more		Opt		No	Opt	No
		Alley/Rear		Front	Side	Interior
Dwelling, Single Family Attached		Req		No	No	No
Attached (Missing Middle)		Req		No	No	No
Commercial Residential		Opt		No	No	Opt
Dwelling Multifamily		Opt		No	No	Opt
Other Master Plan Uses		Opt		No	No	No
Accessory Dwelling Unit		Req		No	No	No
Notes:						
No- Not allowed						
Opt Optional						
Req-Required						
(1) Must be an improved alley						
(2) To be determined in approved Master Plan						
(3) Only if Plan Commission/Director determine no other access is feasible.						
(4) Not in TC: Town Center						

D. Commercial Districts

1. Districts Included

- a. AC: Automotive Commercial. (see Article 2.19 for additional regulations)
- b. GC: General Commercial. (see Article 2.11 for additional regulations)
- c. HB: Highway Business. (see Article 3.9 for additional regulations)
- d. NR: Neighborhood Retail Commercial. (see Article 2.9 for additional regulations)
- e. OD: Office District. (see Article 2.10 for additional regulations)

2. Commercial Districts Development Standards Matrix

a.	Minimum Lot Width and Frontage. Each lot or integrated center shall have a minimum lot width and frontage on a public street as shown below:	Unit	AC	GC	HB	NR	OD
	Minimum Lot Width and Frontage	Feet	50	50	50	50	50
b.	Minimum Yard and Setbacks						
	Minimum Front Yard and Building Setback	Unit	AC	GC	HB	NR	OD
	Front	Feet	20	20	20	20	20
	Outdoor Dining	Feet	10	10	10	10	10
	Minimum Side Yard and Setback	Unit	AC	GC	HB	NR	OD
	Minimum Side Yard	Feet	10	10	10	10	10
	Minimum Side Bufferyard (1)	Feet	20	20	20	15	15

	Minimum Side Yard and Setback	Unit	AC	GC	HB	NR	OD
	Minimum Rear Yard	Feet	10	10	10	10	10
	Minimum Rear Bufferyard ⁽¹⁾	Feet	20	20	20	15	15
	Minimum Yards for Out Lots	Unit	AC	GC	HB	NR	OD
	Out Lot to Out Lot	Feet	5	5	5	5	5
	Out Lot to Integrated Center Perimeter	Feet	(2)	(2)	(2)	(2)	(2)
	Main Integrated Center to Outlot	Feet	0	0	0	0	0
Notes:	⁽¹⁾ When facing or abutting a residential use that is not legal nonconforming. ⁽²⁾ Applicable minimum front, side or rear yard requirements for the zoning district.						
c.	Use of Minimum Yards. All minimum yards and bufferyards shall be landscaped in compliance with the requirements for perimeter yard landscaping as set forth in Article 4.7 - Landscape Provisions of this ordinance and shall remain free from structures except where expressly permitted below.						
	Minimum Front Yards	AC	GC	HB	NR	OD	
	Driveways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾
	Minimum Front Bufferyards	AC	GC	HB	NR	OD	
	Driveways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾
	Minimum Side and Rear Yards	AC	GC	HB	NR	OD	
	Interior Access Driveways connecting to adjoining lots	Yes	Yes	Yes	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾
	Minimum Side and Rear Bufferyards	AC	GC	HB	NR	OD	
	Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.						
Notes:	⁽¹⁾ Provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV. ⁽²⁾ Provided that no portion of the parking area may be located closer to the right-of-way than ten feet; except for minimum front yards abutting the Ronald Reagan Parkway or a frontage street parallel to the Ronald Reagan Parkway, where parking areas shall be prohibited.						
d.	Maximum Building Height	Unit	AC	GC	HB	NR	OD
	Maximum Building Height	Feet	75	75	75	35	75
e.	Architectural Review	AC	GC	HB	NR	OD	
	Subject to the requirements for the filing of a development plan for architectural and site design review.	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾
Notes:	If any portion of a lot is within 600 feet of a residential district or Gateway Corridor.						
f.	Eligibility to use Development Incentives	AC	GC	HB	NR	OD	
	Eligible to use Development Incentives set forth in Article V of this ordinance.	No	Yes	No	Yes	Yes	Yes
g.	Outdoor Storage and Operations	AC	GC	HB	NR	OD	
	Off-Street Parking	Yes	Yes	Yes	Yes	Yes	Yes
	Off-street Loading and Delivery	Yes	Yes	Yes	Yes	Yes	Yes
	Walk-up Customer Service Windows	Yes	Yes	Yes	Yes	Yes	Yes
	Drive-Through Customer Service Windows	Yes	Yes	Yes	Yes	Yes	Yes
	Outdoor Seating	No	No	No	Yes ⁽¹⁾	No	No
	Vending Machine	No	No	No	Yes ⁽²⁾	No	No
	Outdoor Display or Sales	No	No	No	Yes ⁽³⁾	No	No
	Gasoline Pumps	No	No	No	Yes ⁽⁴⁾	No	No
	Outdoor Operations	Yes ⁽⁶⁾	Yes ⁽⁵⁾	No	No	No	No
Notes:	⁽¹⁾ Outdoor seating shall not be located between a building line and a bufferyard; ⁽²⁾ Vending machines, provided that vending machines: a) Shall abut the exterior wall of the building; and b) Shall not be located in a required yard or required bufferyard. ⁽³⁾ Outdoor display or sales, provided that such display or sales shall: a) Be accessory to the primary use; b) Not exceed 1% of the gross floor area of each non-related and separately operated use; c) Shall not be located in a required yard or required bufferyard; and d) Shall not be located so as to interfere or conflict with walks, required parking areas, required loading areas, driveways, interior access drives, interior access driveways, perimeter landscape yards or foundation plantings. ⁽⁴⁾ Gasoline pumps, provided that no outdoor operations other than the dispensing or installation of gasoline, oil, antifreeze and other similar products and the performance of minor services for customers as related to said dispensing or installation are conducted on the site. ⁽⁵⁾ Outdoor operations. Outdoor operations, including the display of goods or materials for sale, lease or rental may be conducted subject to the following regulations. a) Outdoor operations shall not be located between a building line and a bufferyard. b) Outdoor operations shall not be located in a required yard or required bufferyard. c) Outdoor operations shall not be located so as to interfere or conflict with walks, required parking areas, required loading areas, driveways, interior access drives, interior access driveways, perimeter landscape yards or foundation plantings.						

	d) <u>Vending machines shall abut the exterior wall of a building and shall not be located in a required yard or required bufferyard.</u>
	(6) <u>Outdoor operations. Outdoor operations, including the display of goods or materials for sale, lease or rental may be conducted subject to the following regulations:</u>
	a) <u>Outdoor operations shall not be located between a building line and a bufferyard.</u>
	b) <u>Outdoor operations shall not be located in a required yard or required bufferyard.</u>

E. Industrial and Distribution Districts

1. General Development Standards

- a. AG: Agriculture. (See Article 2.16 for additional regulations)
- b. CI: Commercial/Industrial. (See Article 3.5 for additional regulations)
- c. I1: Research/Office Industrial District. (See Article 2.12 for additional regulations)
- d. I2: Office/Warehouse Distribution. (See Article 2.13 for additional regulations)
- e. I3: Light Industrial. (See Article 2.14 for additional regulations)
- f. I4: Heavy Industrial. (See Article 2.15 for additional regulations)

2. Industrial Development Standards Matrix

a. Minimum Lot Size, Width, and Frontage. Each lot or integrated center shall have a minimum lot width and frontage on a public street as shown in the table below		Unit	AG	CI	I1	I2	I3	I4
Minimum Lot Size	Acres	5	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Lot Coverage	Percent	10%	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Lot Depth to Width Ratio		4:1	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Lot Width and Frontage	Feet	300	75	75	100	150	150	
b. Minimum Yards and Setbacks								
Minimum Front Yard and Building Setback (Front)	Unit	AG	CI	I1	I2	I3	I4	
	Feet	30	30	30	60	120	120	
Minimum Side Yard and Setback	Unit	AG	CI	I1	I2	I3	I4	
Minimum Side Yard	Feet	50	10	10	10	10	20	
Minimum Side Bufferyard ⁽¹⁾	Feet	50	25	25	50	100	150	
Minimum Rear Yard and Setback	Unit							
Minimum Rear Yard	Feet	See below	10	10	10	10	20	
Minimum Rear Bufferyard ⁽¹⁾	Feet		25	25	50	100	150	
Agricultural Rear Yard	Unit							
Agricultural Building	Feet	150	(N/A)	(N/A)	(N/A)	(N/A)	(N/A)	
Residential Accessory Building	Feet	50	(N/A)	(N/A)	(N/A)	(N/A)	(N/A)	
Residential Primary Building	Feet	50	(N/A)	(N/A)	(N/A)	(N/A)	(N/A)	
Minimum Yards for Out Lots	Unit							
Out Lot to Out Lot	Feet	(N/A)	5	(N/A)	(N/A)	(N/A)	(N/A)	
Out Lot to Integrated Center Perimeter	Feet	(N/A)	(2)	(N/A)	(N/A)	(N/A)	(N/A)	
Main Integrated Center to Outlot	Feet	(N/A)	0	(N/A)	(N/A)	(N/A)	(N/A)	
Notes:		⁽¹⁾ When facing or abutting a residential use that is not legal nonconforming.						
		⁽²⁾ Applicable minimum front, side or rear yard requirements for the zoning district.						
		(N/A) – Not Applicable						
c. Use of Minimum Yard.								
Minimum Front Yards	AG	CI	I1	I2	I3	I4		
Driveways	(3)	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
Minimum Front Bufferyards	AG	CI	I1	I2	I3	I4		
Driveways	(2)	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
Minimum Side and Rear Yards	AG	CI	I1	I2	I3	I4		
Interior Access Driveways connecting to adjoining lots	(2)	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
Minimum Side and Rear Bufferyards	AG	CI	I1	I2	I3	I4		
		Shall be landscaped with grass and shrubbery, trees or hedge, or in combination with other suitable ground cover materials and maintained in compliance with the requirements for perimeter landscape yards as set forth in Article IV.						
Notes:		⁽¹⁾ Provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV.						
		⁽²⁾ Not addressed by ordinance.						
d. Maximum Building Height		Unit	AG	CI	I1	I2	I3	I4
Primary Building	Feet	35	50	35	75 ⁽²⁾	(1),(2)	(1),(2)	
Accessory Building	Feet	25	(3)	(3)	(3)	(3)	(3)	
Agricultural Building	Feet	(1),(4)	(3)	(3)	(3)	(3)	(3)	

Notes:	(1) <u>Unlimited</u>
	(2) <u>Provided that the setback for that portion of the building or structure which is in excess of 35 feet shall be increased by one foot each one foot of building or structural height above 35 feet until the ultimate height is allowed.</u>
	(3) <u>Not addressed</u>
	(4) <u>Provided that for each additional foot over 50 feet in height, one additional foot shall be added to the minimum yard and building setback requirements.</u>

e.	Minimum Main Floor Area							
	One Story Building	Unit	AG	CI	I1	I2	I3	I4
	<u>Main Floor</u>	<u>Square Feet</u>	<u>1,200</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>
	Two or More Story Building	Unit	AG	CI	I1	I2	I3	I4
	<u>Main Floor</u>	<u>Square Feet</u>	<u>800</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>
	<u>Total Finished Floor Area</u>	<u>Square Feet</u>	<u>1,200</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>

Notes:	<u>(N/A) – Not Applicable</u>
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f.	Outdoor Storage and Operations						
	Outdoor Operations	AG	CI	I1	I2	I3	I4
	<u>Off-Street Parking</u>	<u>(N/A)</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
	<u>Off-street Loading</u>	<u>(N/A)</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
	Outdoor Storage	AG	CI	I1	I2	I3	I4
	<u>Screened within a fenced area ⁽¹⁾</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
	<u>Fence height, minimum</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>6</u>	<u>6</u>	<u>6</u>
	<u>Fence height, maximum</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>8</u>	<u>8</u>	<u>8</u>
	<u>Storage Area Landscaping ⁽²⁾</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>3</u>	<u>3</u>	<u>4</u>
	<u>Maximum amount of outdoor storage and operations (percent)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>	<u>10</u>	<u>25</u>	<u>50</u>

Notes:	<u>(N/A) – Not Applicable</u>
	<u>(1) Effectively screened within a chain link, lattice or similar type fenced area, with ornamental, non-solid or chain link gates. Materials or products stored within the enclosure shall not exceed the height thereof.</u>
	<u>(2) The storage area shall be surrounded by landscaping installed in compliance with the provisions of Article IV for Perimeter Landscape Requirements.</u>

g.	Architectural Review	AG	CI	I1	I2	I3	I4
	<u>Subject to the requirements for the filing of a development plan for architectural and site design review.</u>	<u>No</u>	<u>Yes ⁽¹⁾</u>	<u>Yes ⁽¹⁾</u>	<u>Yes ⁽¹⁾</u>	<u>Yes ⁽¹⁾</u>	<u>Yes ⁽¹⁾</u>

Notes:	<u>(1) If any portion of a lot is within 600 feet of a residential district or Gateway Corridor.</u>
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h.	Development Incentives	AG	CI	I1	I2	I3	I4
	<u>Eligible to use Development Incentives set forth in Article V of this ordinance.</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>

F. Institutional and Master Planned Districts

1. Districts Include

- a. G: Golf. (see Article 3.6 for additional regulations)
- b. IG: Institutional (Government). (see Article 3.8 for additional regulations)
- c. REL: Religious. (see Article 3.4 for additional regulations)
- d. S: School. (see Article 3.3 for additional regulations)
- e. P: Park (see Article 3.2 for additional regulations)

2. Institutional and Master Planned Development Standards Matrix

a.	General Development Standards	Unit	G	IG	REL	S	P
	Minimum lot area	Square Feet	43,560	(N/A)	(N/A)	(N/A)	(N/A)
	Minimum lot width	Feet	50	100	100	100	100
	Minimum lot frontage on a public street	Feet	30	100	100	100	100
Notes:	(N/A) – Not Applicable Or the minimum lot area of any abutting R-1, R-2, R-3, R-4, or R-5 District (if any.)						
b.	Minimum Yards and Setbacks						
	Minimum Front Yard and Building Setback	Unit	G	IG	REL	S	P
	Front	Feet	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾
Notes:	⁽¹⁾ Or as specified in an approved Master Plan						
	Side Yard	Unit	G	IG	REL	S	P
	Accessory buildings or structures	Feet	20 ⁽¹⁾	10 ⁽¹⁾	20 ⁽¹⁾	20 ⁽¹⁾	10 ⁽¹⁾
	Designated or improved grade level activity areas (i.e., dirt, grass or bark trails; grass play areas and the like) excluding any hard surfaced recreation area	Feet	5 ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾

	Play fields, ball fields, ball courts, game courts, spray or wading pools, outdoor swimming pool, ice or roller skating rink, skateboard facility or any other hard surfaced recreation area	Feet	20 ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾
	Primary building	Feet	20 ⁽¹⁾	10 ⁽¹⁾	20 ⁽¹⁾	20 ⁽¹⁾	10 ⁽¹⁾
	Recreational equipment/playground apparatus	Feet	20 ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾
Notes:	⁽¹⁾ Or as specified in an approved Master Plan						
	Rear Yard	Unit	G	IG	REL	S	P
	Accessory buildings or structures	Feet	20 ⁽¹⁾	10 ⁽¹⁾	20 ⁽¹⁾	20 ⁽¹⁾	10 ⁽¹⁾
	Designated or improved grade level activity areas (i.e., dirt, grass or bark trails; grass play areas and the like) excluding any hard surfaced recreation area	Feet	5 ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾
	Play fields, ball fields, ball courts, game courts, spray or wading pools, outdoor swimming pool, ice or roller skating rink, skateboard facility or any other hard surfaced recreation area	Feet	20 ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾
	Primary building	Feet	20 ⁽¹⁾	10 ⁽¹⁾	20 ⁽¹⁾	20 ⁽¹⁾	10 ⁽¹⁾
	Recreational equipment/playground apparatus	Feet	20 ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾	(N/A) ⁽¹⁾
Notes:	(N/A) – Not Applicable –Or as specified in an approved Master Plan						
c.	Use of Yard. All minimum yards and bufferyards shall be landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted below.						
	Minimum Front Yards	G	IG	REL	S	P	
	Driveways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Parking Areas, Golf Cart Paths, Fences, Tee Boxes, Ball Washers, Greens and Fairways, Maintenance Pathways	Yes ⁽¹⁾	No	No	No	No	
	Greenways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Trails	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Outdoor recreational improvement which is comprised primarily of live vegetation	Yes ⁽¹⁾	No	No	No	No	
	Walkways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Minimum Front Bufferyards	G	IG	REL	S	P	
	Driveways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Parking Areas, Golf Cart Paths, Fences, Tee Boxes, Ball Washers, Greens and Fairways, Maintenance Pathways	Yes ⁽¹⁾	No	No	No	No	
	Greenways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Trails	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Outdoor recreational improvement which is comprised primarily of live vegetation	Yes ⁽¹⁾	No	No	No	No	
	Walkways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Minimum Side and Rear Yards	G	IG	REL	S	P	
	Interior Access Driveways connecting to adjoining lots	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Parking Areas, Golf Cart Paths, Fences, Tee Boxes, Ball Washers, Greens and Fairways, Maintenance Pathways	Yes ⁽¹⁾	No	No	No	No	
	Greenways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Trails	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Walkways connecting to adjoining properties or subdivisions	No	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Minimum Side and Rear Bufferyards	G	IG	REL	S	P	
	Interior Access Driveways connecting to adjoining lots	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Parking Areas, Golf Cart Paths, Fences, Tee Boxes, Ball Washers, Greens and Fairways, Maintenance Pathways	Yes ⁽¹⁾	No	No	No	No	
	Greenways	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Trails	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
	Walkways connecting to adjoining properties or subdivisions	No	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	Yes ⁽¹⁾	
Notes:	⁽¹⁾ Provided that the remainder of said yards shall be maintained as open space free from buildings or structures in compliance with the requirements for perimeter landscape yards as set forth in Article IV. ⁽²⁾ Provided that no portion of the parking area may be located closer to the right-of-way than ten feet; except for minimum front yards abutting the Ronald Reagan Parkway or a frontage street parallel to the Ronald Reagan Parkway, where parking areas shall be prohibited.						
d.	Maximum Building Height	Unit	G	IG	REL	S	P
	Primary Building	Feet	35 ⁽¹⁾	35 ⁽¹⁾	35 ⁽¹⁾	35 ⁽¹⁾	35 ⁽¹⁾
	Accessory Building or Structures	Feet	22 ⁽¹⁾	22 ⁽¹⁾	22 ⁽¹⁾	22 ⁽¹⁾	22 ⁽¹⁾
Notes:	⁽¹⁾ Unless a greater height is specified in an approved Master Plan						