

ARTICLE 4.11. OFF-STREET LOADING REGULATIONS

4.11 INTENT.

- A. **LOADING FOR BUILDINGS, STRUCTURES OR USES.**
- B. **DESIGN AND CONSTRUCTION OF LOADING AREAS.** The following standards shall apply to the design of off-street loading areas.

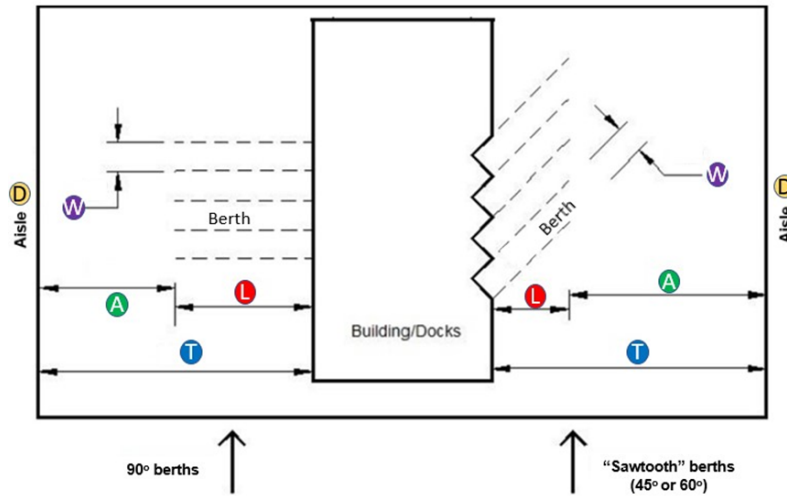


Table 4.11B: Loading Dock Dimensions

Truck Size	Dock Angle	Berth		Apron (feet)	Total Offset (feet)	Drive Aisle Width (feet)
		Length (feet)	Width (feet)			
Large (WB-65D)	90°	L	W	A	T	D
	60°	55	12	50	105	35
	45°	68	12	46	94	35
Medium (WB-40)	90°	35	12	43	78	35
	60°	32	12	43	75	35
	45°	26	12	43	69	35
Small (Box Truck)	90°	20	10	32	52	35
	60°	18	10	24	42	35
	45°	17	10	20	37	35

C. LOCATION OF OFF-STREET LOADING SPACES.

1. All loading spaces shall be located on the same lot as the use served.
2. All loading spaces shall be oriented toward a side or rear lot line.

- ~~3. No loading space shall be located between the front lot line and the front line of any portion of the building served unless the orientation of loading space approval is granted by the Plan Commission noted in Article 4.11F below.~~
- ~~4. No loading space shall be located in a required side or rear yard or required side or rear bufferyard.~~
- ~~5. Office, professional services, retail or other non-industrial uses may provide one required loading space per building in a "pull-off" loading area located adjacent to an interior access drive. A "pull-off" loading area shall not be subject to the prohibition against being located between the front lot line and front facade of any portion of the building served set forth in Article 4.11E(3) above.~~
- ~~6. 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.~~
- ~~7. 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.~~
- ~~8. In the Town Center District, off-street loading facilities shall be located at the rear of the building or at the rear of the lot.~~



Pull-Off Loading Area

1. General Regulations.

- a. All loading spaces shall be located on the same lot as the use 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. Loading spaces shall not be located in a required yard or bufferyard.
- d. Orientation of Loading Spaces. The following additional landscape requirements are applicable based upon yard type and property adjacency. These additional landscape requirements cannot be shifted to other landscape elements using an alternate landscape plan.

Table 4.11.C.1.d. Orientation of Loading Spaces		
Yard/Adjacency Type	Additional mandatory landscape elements in addition to required landscaping	
Side/Rear Yard	Berm Height (in feet)	Additional Plant Unit Value
Abutting Non-Residential	0	0
Abutting Residential	15	10
Front Yard	Berm Height (in feet)	Additional Plant Unit Value
Non-Gateway Corridor Street	6	6
Gateway Corridor	10	8
Residential Across Street	15	10

2. Smaller scale facilities. Areas listed in Table 4.11.E: Uses with no minimum required number of loading spaces may provide one required loading space per building in a “pull-off” loading area located adjacent to an interior access drive. A “pull-off” loading area shall not be subject to the prohibition against being located between the front lot line and front facade of any portion of the building served set forth in Article 4.11E(3) above.

9.3. Buildings within the TC: Town Center Zoning Classification. In the Town Center District, off-street loading facilities shall be located at the rear of the building or at the rear of the lot.



Pull-Off Loading Area

D. SURFACE OF LOADING AREAS.

E. MINIMUM NUMBER OF OFF-STREET LOADING SPACES. Off-street loading spaces for all uses shall be provided in accordance with the minimum requirements set forth in Table 4.11-AE.

Table 4.11-HE: Required Off-Street Loading

Use	Gross Floor Area of Building (Square Feet)*	Required Number of Loading Spaces	
		Minimum	Maximum
Industrial	< 10,000	0	N/A
	10,000—40,000	1	N/A
	40,000—100,000	2	N/A
	100,000—200,000	3	N/A
	Each additional 200,000 or portion thereof	1 additional	N/A
Office/professional service	< 20,000	0	1
	20,000—100,000	1	2
	100,000—200,000	2	3
	Each additional 200,000 or portion thereof	1 additional	
Other nonresidential	< 10,000	0	1
	10,000—100,000	1	2
	Each additional 100,000 or portion thereof	1 additional	
Retail	< 10,000	0	1
	10,000—25,000	1	2
	25,000—60,000	2	3
	60,000—120,000	3	4
	Each additional 100,000 or portion thereof	1 additional	

ARTICLE 4.12. ADDITIONAL FRONT, SIDE AND REAR SETBACK PROVISIONS

A. ADDITIONAL FRONT SETBACK PROVISIONS.

1. Public streets and Private Streets

~~a. In the case where the Thoroughfare Plan does not include a proposed right-of-way, or where the existing right-of-way is greater than the proposed right-of-way, the existing right-of-way line shall be used for setback measurement.~~

~~b. 1) The setback provisions of this Article are subject to the following modification.~~

~~2) In any block in any district contained in this ordinance in which an existing front yard setback is established by existing, legally established buildings or structures on more than 60% of the total number of lots within the same block face fronting on the same public street, the minimum required front yard setback for any new building, structure or addition along such block face shall be the average of such~~

~~established front yards if such dimension is less than the minimum front yard setback established by this ordinance.~~

~~c. Any development permitted within a required front yard or required front bufferyard shall be those specified in the "Use of Minimum Yards and Bufferyards" sections of the applicable district.~~

~~2. Private streets. The minimum front yard and minimum building setback from the right-of-way line of a private street shall be the same as for a local public street in the applicable district. Provided, however:~~

~~a. 1) The setback provisions of this Article are subject to the following modification.~~

~~2) In any block in any district contained in this ordinance in which an existing front yard setback is established by existing, legally established buildings or structures on more than 60% of the total number of lots within the same block face fronting on the same private street, the minimum required front yard setback for any new building, structure or addition along such block face shall be the average of such established front yards if such dimension is less than the minimum front yard setback established by this ordinance.~~

~~b. Any development permitted within a required front yard or required front bufferyard shall be those specified in the "Use of Minimum Yards and Bufferyards" sections of the applicable District.~~

~~a. Public Streets. In the case where the Thoroughfare Plan does not include a proposed right-of-way, or where the existing right-of-way is greater than the proposed right-of-way, the existing right-of-way line shall be used for setback measurement.~~

~~b. Private streets. The minimum front yard and minimum building setback from the right-of-way line of a private street shall be the same as for a local public street in the applicable district.~~

~~c. Common setback provisions for Public and Private Streets. Provided, however:~~

~~1) The setback provisions of this Article are subject to the following modification: In any block in any district contained in this ordinance in which an existing front yard setback is established by existing, legally established buildings or structures on more than 60% of the total number of lots within the same block face fronting on the same public street, the minimum required front yard setback for any new building, structure or addition along such block face shall be the average of such established front yards if such dimension is less than the minimum front yard setback established by this ordinance.~~

~~2) Any development permitted within a required front yard or required front bufferyard shall be those specified in the "Use of Minimum Yards and Bufferyards" sections of the applicable district.~~

~~3.2. Double frontage lots.~~

~~a. Limited access street rights-of-way. That portion of a double frontage lot located in a residential district which abuts any limited access street right-of-way shall be subject to setback and other requirements of this ordinance applicable to minimum rear yards.~~

~~b. All other streets. That portion of a double frontage lot which abuts any perimeter street in which a "non-access easement" is provided for by a properly approved and recorded plat shall be subject to setback and other requirements of this ordinance applicable to minimum rear yards.~~

B. SIDE AND REAR YARD EXCEPTIONS.

C. SETBACK EXCEPTION; Laterally-SUPPORTED EXTENSIONS.

D. EXCEPTIONS FOR SETBACKS ALONG ALLEYS.

E. USE OF REQUIRED YARDS IN INTEGRATED CENTERS OR INDUSTRIAL PARKS. To facilitate urban development and to enhance the quality of landscaping in the built environment, the Plan Commission may approve the use of required side and rear yards which abut other required side or rear yards of lots located within the same integrated center or industrial park for parking areas, loading areas, interior drives, or interior access drives. This is permitted if the required landscaping is moved to another area as an alternate landscape plan.

ARTICLE 4.17. RESERVED

ARTICLE 4.18 ARCHITECTURAL STANDARDS FOR FUELING STATIONS AND TRUCK FUELING STATIONS RESERVED

~~4.18 INTENT.~~ To promote innovation and creativity in the design of the built environment, increase the quality standards for commercial and industrial development while mitigating any possible negative impacts upon residential development.

~~**A. DEVELOPMENT REQUIREMENTS.**~~

- ~~1. *Corporate identity.* The intent and purpose of the architectural standards supersede corporate identity designs. When a corporate identity design does not meet the intent and purpose of the architectural standards, the corporate identity design must be limited and/or modified as prescribed by the Plan Commission.~~
- ~~2. *Exterior design standards.* Building exteriors must be subject to the following standards:~~
 - ~~a. *Classes of materials.* For the purposes of this subsection, materials must be divided into class I, class II, class III, and class IV categories as follows:~~
 - ~~1) *Class I*—(Materials with a physical texture or materials with a visual texture that changes due to environment.)~~
 - ~~a) Conventional brick, nominal four-inch width;~~
 - ~~b) Natural or cultured stone; and~~
 - ~~c) Copper.~~
 - ~~2) *Class II*—(Materials of a more ornamental nature and/or higher aesthetic qualities.)~~
 - ~~a) Ornamental or architectural metal;~~
 - ~~b) Fiber cement exterior siding;~~
 - ~~c) Thin brick veneer;~~
 - ~~d) Ceramic; and~~
 - ~~e) Glass.~~
 - ~~3) *Class III*—(Materials with a medium aesthetic quality.)~~
 - ~~a) Exterior insulation and finish system (EIFS);~~
 - ~~b) Specialty concrete block such as textured, burnished, or rock faced block;~~
 - ~~c) Architecturally precast textured concrete or brick panels;~~
 - ~~d) Opaque panels; and~~
 - ~~e) Masonry stucco.~~
 - ~~4) *Class IV*—(Materials with a low aesthetic quality. Must not exceed 10% of the facade.)~~
 - ~~a) Smooth concrete block;~~
 - ~~b) Smooth scored concrete block;~~
 - ~~c) Smooth concrete tip-up panels;~~
 - ~~d) Glass block; and~~

~~e) Wood.~~

~~5) Other materials not listed above will require further review, justification, and approval by the Plan Commission through the waiver process.~~

~~b. Incorporation of material classes.~~

~~1) Utilizing the formula below, the following facade point requirements must apply per facade on specified land uses.~~

	FACADE POINTS PER FACADE		
	Front	Side	Rear
Commercial	3.25	3.0	2.5
Industrial (Gateway)	3.0	2.5	2.5
Industrial (non-Gateway)	2.5	2.0	2.0

Formula for Material Classes					
Class I	Class II	Class III	Class IV	Sum of Classes	Facade Points
% x 8	% x 6	% x 2	% x 1		
% - Percent of Applicable Facade utilizing that Material Class					

~~2) The use of class II, III, or IV materials must be distributed throughout the facade of a building unless the Design Review Committee and the Plan Commission agrees that materials consolidated on more visible locations provides the most positive architectural appeal to the general public.~~

~~3) Buildings may be constructed primarily of one specific class I material provided the design is obviously superior to the general intent of this article, provides variation in detailing, footprint of the structure, or derivations in long wall sections to provide visual interest.~~

~~4) The material classes must be supplemented with the use of multiple colors, textures (e.g. rough, smooth, striated, etc.), and/or architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each applicable facade.~~

~~5) Garage doors, windows and doors, window and door trim, flashing accent items and the like must not constitute required materials that make up the exterior of the building.~~

~~3. Facade modulation and articulation.~~

~~a. Building articulation must be used (in areas open to public view) to enhance the visual interest of buildings. Building articulation must be designed to be appropriate to the way in which the building is viewed: at a walking pace, a driving view, or a set view in the distance. Each of these views must be considered and addressed in the building's design. The following guidelines must be considered.~~

~~1) Facade length of less than 50 feet: Articulation used to break large wall expanses into smaller, more human-scaled pieces every 20 feet.~~

~~2) Facade length of 50 feet or greater: Buildings viewed from such distances and speeds should have building elements at a horizontal spacing of 20 to 40 feet.~~

~~3) Viewing at distance. Buildings must exhibit a visually coherent plan to integrate multiple viewing distances. Buildings must include a hierarchy of more closely spaced articulation at the lower floors/elevations with floors above the second story using a less closely spaced articulation scheme.~~

~~b. Multi-story buildings or buildings exceeding 50 feet in length must always consider facade modulation and articulation as viewed from all three viewing scenarios.~~

~~c. Windows and doors provide visual enhancement to articulation, however they will not be considered as modulation or articulation except in conjunction with other elements~~

as noted below

~~d. Acceptable modulation or articulation.~~

- ~~1) Facade modulation. Stopping portions of the facade to create shadow lines and changes in volumetric spaces;~~
- ~~2) Use of engaged columns or other expressions of the structural system;~~
- ~~3) Horizontal and vertical divisions by use of textures or materials, usually combined with facade modulation;~~
- ~~4) Dividing facades into storefronts with visually separate display windows;~~
- ~~5) Providing projections such as balconies, cornices, covered entrances, porte-cocheres, trellis, pergolas, arcades and colonnades, providing such trellis and awnings extend outward from the underlying wall surface at least 36 inches;~~
- ~~6) Variation in the rooflines by use of dormer windows, overhangs, arches, stepped roofs, gables, or other similar devices;~~
- ~~7) Alternative methods, such as angled or curved facade elements, off-set planes, wing walls and terracing, will be considered, provided that the intent of this section is met.~~

~~4. Screening of mechanical equipment. See Article 4.1G: Mechanical Equipment Screening~~

~~c. Trash enclosures. See Article 4.1J: Refuse/Reuse Container Enclosures~~

~~5. Outdoor storage and display.~~

- ~~a. No outside storage and/or display must 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.~~
- ~~b. No outdoor storage of semi-trailers, portable storage units or materials deemed not available for immediate sale must be permitted in areas not approved in the development plan or improvement location permit.~~
- ~~c. Temporary display of items available for immediate sale (e.g. mulch, salt) may be allowed in display areas between the 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 if such temporary displays are:

 - ~~1) In an area noted in an approved development plan or improvement location permit as "temporary display area";~~
 - ~~2) Moved indoors at or prior to the daily close of business unless previously noted otherwise during the approval of the development plan or improvement location permit;~~
 - ~~3) Does not block ingress or egress to the primary or other structures or pose a hazard to the health, safety, or welfare of those on premise;~~
 - ~~4) In an area clearly demarked, through the use of architectural features such as building modulation, landscaping, different type or style of paving/ground cover, or other means deemed sufficient by the Plan Commission; and~~
 - ~~5) Vending machines for storage of items such as portable propane tanks must abut the primary building in such a manner that a five-foot pedestrian path is maintained around such items.~~~~

~~6. Non-motorized transportation and access. See Article 4.1H~~

~~7. Lighting. See Article 4.7:~~

~~**B. WAIVERS AND FINDINGS.** In order to encourage redevelopment and renovation of existing legal non-conforming fueling stations and truck fueling stations, 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 Article 5.5 of this ordinance for Architectural and Site Design Review upon finding that the proposed development:~~

- ~~1. Represents an 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.~~

ARTICLE 4.19 RESERVED

**ARTICLE 4.20 STANDARDS FOR COMMERCIAL INDOOR LODGING FACILITIES
RESERVED**

Intent: To establish physical and design requirements of Commercial Indoor Lodging facilities

A. Types of Commercial Indoor Lodging facilities. This ordinance differentiates between two (2) types of Commercial Indoor Lodging facilities as stated in the requirements below:

- ~~1. Transient Commercial Indoor Lodging~~
- ~~2. Extended stay Commercial Indoor Lodging~~

b) General Requirements. All Commercial Indoor Lodging facilities shall comply with the following requirements, except where differentiated below.

~~(1) Operations Standards~~

- ~~a. No operator, owner, keeper, or proprietor of any Commercial Indoor Lodging shall rent or provide a room for any number of persons greater than the sleeping accommodations provided within the particular rental unit~~
- ~~b. No operator, owner, keeper, or proprietor, patron, visitor, or guest of any Commercial Indoor Lodging shall be allowed to congregate within any room or single rental unit a number of persons which is greater than two (2) times the number of persons for whom sleeping accommodations are provided within the single room or rental unit except when temporarily designated as a hospitality suite by the Commercial Indoor Lodging.~~
- ~~c. The utilization of clotheslines or other clothes-drying equipment or facilities outside of a room that are located on or are visible from the outside of a room of Commercial Indoor Lodging are prohibited.~~
- ~~d. Excepting dwelling units for an onsite manager/maintenance/security employee, Commercial Indoor Lodging facilities are not to serve as a residence.~~
- ~~e. No occupational tax certificate shall be issued for the purpose of conducting business from a guest room of a Commercial Indoor Lodging facility.~~

Table 420.B.1 Operations Standards		
	Transient	Extended Stay
Duration of Stay	No more than 30 nights	Up to and more than 30 nights
Housekeeping	Required and included within standard room rate	Available and may be included at an extra charge

~~(2) Building / Facility Amenities~~

- ~~(a) Room Access. Primary access to each guest room shall be through an inside lobby which is supervised at all hours the facility is open. Private balconies/patios are allowed.~~

Table 420.B.2 Building/Facility Amenities Differentiated by Types of Commercial Indoor Lodging		
	Transient	Extended Stay
Minimum Height (in stories)	2	3
Required Facility Amenities	Transient	Extended Stay
24-hour desk staffing;	Optional	Yes
Prohibition of storage of any personal possessions within shared common areas or exterior balconies of the building and/or site;	Yes	Yes
In-room or common area (5 washer/dryer units per 100 rooms or portion thereof) laundry facilities	Optional	Yes
Optional Facility Amenities	Transient	Extended Stay
Business center of a size at least 120 square feet	Optional	(†)
Fitness center of at least 350 square feet for every 200 rooms or portion thereof	Optional	(†)
Swimming pool at least 375 sf x 4 feet of depth	Optional	(†)
Meeting areas or conference rooms	Optional	(†)
On-site restaurant or other available food options (such as room service on an on-site convenience retail store.)	Optional	(†)
Other options as approved by the Plan Commission	Optional	(†)
(†) At least four (4) of the optional amenities which must be maintained to retain Extended Stay status.		

~~(3) Room Standards. All Commercial Indoor Lodging facilities shall comply with the following requirements, except where differentiated in Table 4.20.B.3~~

~~a. Every operator, owner, keeper, or proprietor of any Commercial Indoor Lodging shall keep and maintain in each rental unit, a telephone equipped to place a direct call to 911.~~

~~b. Guest Room Amenities~~

Table 420.B.3 Guest Room Amenities		
Required Amenities	Transient	Extended Stay
Room or space in which people sleep	Yes	Yes
Water Closet with bathtub and/or shower	Yes	Yes
Closet (enclosed or open)	Yes	Yes
Kitchen Facilities (which may not be located in the bedroom or bathroom) including a refrigerator, cooktop, dedicated sink, and cabinets for cooking/dining supplies.	Optional	Yes
Each guest room of an Extended Stay Commercial Indoor Lodging shall be equipped with a sprinkler system and hard-wired smoke detector approved by the fire marshal.	Optional	Yes

C. Compliance

- ~~1. The common areas and unoccupied rooms of an extended stay Commercial Indoor Lodging facility are subject to inspection by the Town of Plainfield.~~
- ~~2. No extended stay Commercial Indoor Lodging shall be initially constructed or thereafter operated, and no transient Commercial Indoor Lodging may be converted to be and operated as extended stay Commercial Indoor Lodging unless in full compliance with each of the above provisions.~~
- ~~3. An extended stay Commercial Indoor Lodging facility that fails to meet the requirements of this ordinance is then classified as transient and is thus prohibited from offering any extended stay Commercial Indoor Lodging in more than two (2) of its guest rooms.~~
- ~~4. Any Commercial Indoor Lodging operated, conducted, or maintained contrary to the provisions of this article may be declared to be unlawful and a violation of the Unsafe Building Ordinance. The Town may, in addition, or in lieu of all other remedies, commence actions or proceedings for abatement, removal or enjoinder thereof, in the manner provided by state law and this Code.~~

ARTICLE 4.21 ARCHITECTURAL STANDARDS

A. Intent. The intent of this Article is to consolidate standards found elsewhere in the code and to create standards that will ensure orderly, safe, and quality development and redevelopment.



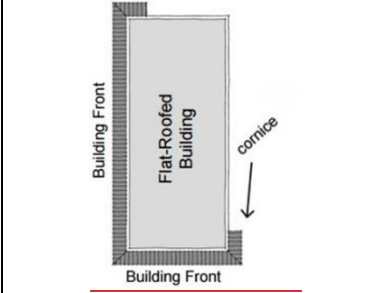
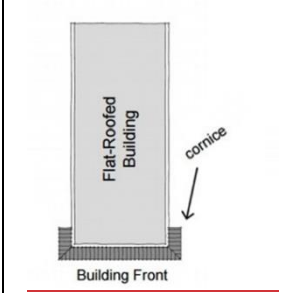
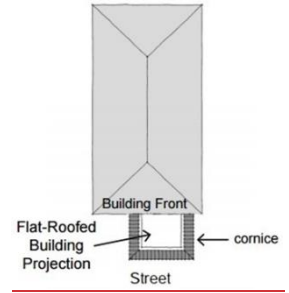
B. General Formatting and information.

1. Unless otherwise noted, photographs and drawings are provided as illustrations of intent. They do not imply that every element in the image is required and/or permitted.
2. Determination of compliance with the architectural standards shall be made by the applicable approval authority with the advice of the Design Review Committee and/or Staff.

C. General Requirements

1. Corporate Identity. The intent and purpose of the architectural standards supersede corporate identity designs. When a corporate identity design does not meet the intent of the architectural standards, the corporate identity design may be limited and/or modified as prescribed by the Plan Commission.
2. 360 Degree Design. A building shall have consistent detailing and proportions to ensure an "all-sided" architectural quality for the building.
 - a. Consistent Architectural Detailing. The design of the building shall provide consistent architectural details on all building walls. All sides of a building shall display a similar level of quality and architectural interest. For the purpose of this Article, the following definitions shall apply:
 - 1) A Principal Façade is any building façade in which any portion:
 - a) Is within an Integrated Center;
 - b) Meets or exceeds thirty-five (35) feet in height;
 - c) Has a public entrance
 - d) Is determined by the Director to be visible from:
 - (1) A Public and/or Private Street Frontage
 - (2) An Interior Access Drive
 - e) Abuts property that:
 - (1) Has a residential use or uses
 - (2) Has park uses, either public or private
 - (3) Is designated on a future land use map with either residential and/or park uses in the approved Comprehensive Plan
 - 2) A Secondary Façade is any building façade which does not have any of the characteristics of a Principal Façade listed in Article 4.21.C.2.a.1.
 - b. Parapets and Cornices
 - 1) Intent. To visually terminate an exterior wall on a flat roofed building, a cornice on a parapet wall shall be used. This cornice provides a minimal amount of protection to the wall that a pitched roof overhang would normally provide.
 - 2) All flat roofs shall have a parapet and cornice on all facades or walls. Flashing at the top of a parapet shall not qualify as a cornice.
 - 3) Parapets shall be the primary method of screening rooftop mechanical units from an elevation view.
 - 4) Flat roofs projecting from a street-facing arcade or active wall shall include a cornice; this cornice shall return back to a wall or roof or shall be continuous around the entire projection.

5) A parapet more than ninety (90) feet in length shall include a change in parapet height or pitched roof height at least every ninety (90) feet. This change in height shall align with the vertical building bays. Non-industrial buildings larger than 50,000 square feet shall include both pitched and flat roofs with parapets.

Example 4.21.C.2.c: Parapets and Cornices		
		
<u>Simple Parapet with Stone or Brick Cap</u>	<u>Parapet with Cornice</u>	
Building Fronts		
		
<u>Two Building Fronts: Wrap cornice 8' around exterior corners</u>	<u>One Building Front: Wrap cornice 8' around exterior corners</u>	<u>Building Front Building Projection: Wrap cornice around entire projection</u>

D. Building Materials

1. Building Materials and Usage: General Regulations

- a. Intent. Buildings shall be attractive and durable. To ensure this, buildings shall be constructed of high- quality materials and require minimal maintenance.
- b. Location. Heavy materials shall be located below medium and light materials; medium materials shall be located below light materials. Heavy materials should extend to grade.
- c. Building Rehabilitation. The rehabilitation of existing buildings shall comply with the requirements for exterior building materials. Use of alternate exterior materials for the rehabilitation of existing buildings is subject to approval by the Plan Commission upon recommendation of the Design Review Committee. See Article 4.21.G: Waivers.

2. Building Modes, Façade Points, and Façade Point Values. The following will be used for Article 4.21.D.3 and Table 4.21.D.4.

- a. Building Modes are classifications of building categories with similar characteristics. These Building Modes will have specific Primary, Accent, and Discouraged façade materials.
- b. Façade Points are the means by which façade materials are classified with more desirous façade materials earning a higher amount of Façade Points in comparison to less desirous façade materials.
- c. The Façade Point values for each specific façade material may differ based upon the application upon a differing Building Mode. Façade Point Value (FPV) is the sum of the Façade Points for each individual façade.

3. Building Modes and Minimum Façade Point Values. Table 4.21.D.3 (below) provides the Building Modes, their description, and applicable minimum Façade Point Values (FPV)

Table 4.21.D.3 Building Modes **Façade Point Value (FPV)**

	<u>Mode</u>	<u>Description</u>	<u>Principal Facade</u>	<u>Secondary Facade</u>
<u>Multifamily and Mixed Use</u>	<u>Apartments (Apts.)</u>	<u>Buildings with 7 or more residential units that do not have independent non-residential uses.</u>	<u>600</u>	<u>550</u>
	<u>Mixed Use</u>	<u>Buildings with 7 or more residential units that have independent non-residential uses.</u>	<u>650</u>	<u>650</u>
<u>Commercial Uses</u>	<u>Small Commercial</u>	<u>Single story commercial uses that have a footprint smaller than 10,000 square feet.</u>	<u>600</u>	<u>550</u>
	<u>Large Commercial</u>	<u>Multi-story commercial uses or commercial uses that have a footprint larger than 10,000 square feet. Shall not have residential uses.</u>	<u>600</u>	<u>550</u>
<u>Industrial/ Distribution Uses</u>	<u>Small Industrial</u>	<u>Industrial or distribution uses with less than 100,000 square feet of gross floor area</u>	<u>550</u>	<u>500</u>
	<u>Large Industrial</u>	<u>Industrial or distribution uses with at least 100,000 square feet of gross floor area</u>	<u>450</u>	<u>400</u>
<u>Building Modes Not Included Above</u>		<u>Design Requirement</u>		
<u>One and Two Family Residential</u>		<u>Residential Design Guidelines (requires Developer commitment)</u>		
<u>Master Plan</u>		<u>As approved by Master Plan</u>		
<u>Three to Six Family Residential</u>		<u>Residential Design Guidelines</u>		

3. Materials and Usage: Specific Regulations. For the purpose of this Article, materials are divided into classifications as follows.
- a. Primary (P): Primary Materials are those deemed most desirable due to aesthetic quality, permanence, and/or durability.
 - b. Accent (A): Accent Materials are those deemed desirable as a material to complement a Primary Material, but not be a Primary Material.
 - c. Discouraged (D): Discouraged Materials are those deemed not desirable for typical use, but could be approved in very limited quantities.
 - d. Unclassified Materials may be employed pursuant to submission, review, and approval by the *Plan Commission* through the Enhanced Alternative Material process. (See Article 4.21.G: Waivers, below)

<u>Table 4.21.D.3 Materials and Usage</u>		<u>Residential</u>		<u>Industrial</u>		<u>Commercial</u>	
<u>Material</u>		<u>Apts</u>	<u>Mixed</u>	<u>Small</u>	<u>Large</u>	<u>Small</u>	<u>Large</u>
<u>Brick</u>	<u>Full depth</u>	P	P	P	P	P	P
	<u>Thin veneer (with outside corners)</u>	P	P	P	P	P	P
-	<u>Ceramic tile</u>	P	P	P	P	P	P
<u>Concrete Panels</u>	<u>Unpainted</u>	D	D	D	D	D	D
	<u>Painted</u>	D	D	A	A	D	D
	<u>Formliner (painted)</u>	D	D	P	P	D	A
	<u>Formliner (embedded brick/stone, etc)</u>	P	P	P	P	A	P
<u>Concrete Masonry</u>	<u>Smooth</u>	D	D	D	D	D	D
	<u>Smooth scored</u>	D	D	A	A	D	D
	<u>Specialty block (e.g) textured, ground face or other decorative face</u>	D	D	A	A	D	D
-	<u>Copper</u>	P	P	P	P	P	P
-	<u>Exterior Insulation and Finish System (EIFS)</u>	A	A	A	A	A	A
<u>Fiber Cement</u>	<u>Panels</u>	P	P	P	P	P	P
	<u>Siding (medium density)</u>	P	P	P	P	P	P
<u>Glass</u>	<u>Block</u>	D	D	A	A	A	A
	<u>Transparent</u>	P	P	P	P	P	P
	<u>Tinted</u>	P	A	P	P	A	A

	<u>Reflective</u>	A	A	P	P	A	P
Metal	<u>Exposed fastener</u>	D	D	D	D	D	D
	<u>Flat non-ornamental or non-architectural</u>	D	D	D	D	D	D
	<u>Ornamental or architectural</u>	P	P	P	P	P	P
	<u>Standing Seam</u>	D	A	D	D	A	A
-	<u>Phenolic Panel</u>	P	A	P	P	P	P
Stone	<u>Natural or cultured</u>	P	P	P	P	P	P
	<u>Thin veneer</u>	P	P	P	P	P	P
-	<u>Stucco</u>	A	A	A	A	A	A
-	<u>Vinyl Siding</u>	D	D	D	D	D	D
-	<u>Wood, natural</u>	A	A	A	D	A	A

e. Incorporation of Material Classes

1) Façade Point Values (FPV) are calculated using the method below:

Classification	Measurement Unit	Multiplier	Façade Points (FP)
P (Primary)	% of Façade	8	% of Façade x 8
A (Accent)	% of Façade	2	% of Façade x 2
D (Discouraged)	% of Façade	0	% of Façade x 0
Façade Point Value = Sum of Façade Points			

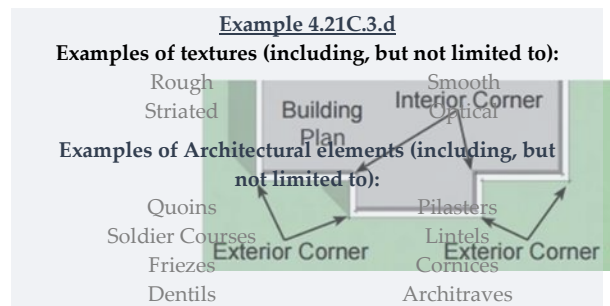
Material	%	Mixed Use		Large Comm.		Large Industrial	
		Type	FP	Type	FP	Type	FP
Brick (Full Depth)	13.7	P	109.6	P	109.6	P	109.6
Concrete Panels (painted)	35.8	D	0	D	0	A	71.6
Formliner (Painted)	26.6	D	0	A	53.2	P	212.8
Glass, Transparent	21	P	168	P	168	P	168
Metal, Ornamental or Architectural	2.9	P	23.2	P	23.2	P	23.2
Façade Point Value= Sum of Façade Points (FP)			300.8		354.0		585.2
Result, based upon Table 4.21.D.2			Fail		Fail		Pass

2) Buildings may be constructed primarily of one specific class I material provided the design is obviously superior to the general intent of this article, provides variation in detailing, footprint of the structure, or derivations in long wall sections to provide visual interest as approved by the Plan Commission after the review and recommendation of the Design Review Committee.

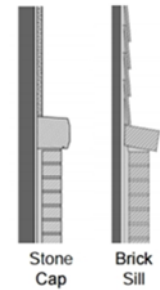
3) The Material Classes must be supplemented with the use of multiple colors, textures and/or architectural elements. Window and door trim, flashing, accent items, awnings, canopies, wall coping, gutter(s), and downspout(s) do not count toward the material class requirements.

4. Building Materials and Usage: Changes in Materials

a. Vertical Changes of Materials. A vertical change of materials from stone or brick to another material shall occur at an interior corner. Materials used on exterior walls shall not



- terminate at exterior corners.
- b. Horizontal Changes of Material. Horizontal changes of material from brick or stone to another material shall include a stone cap or a brick sill. In all other cases, the material above the brick or stone shall extend over the top edge of the masonry with trim or siding. Horizontal changes of material using a stone cap or brick sill shall not have the cap or brick sill interrupted by window or door opening.
- c. Masonry Openings. Openings in a brick or stone facade shall have a stone lintel, a stone or brick arch, or a brick soldier course.
- d. Signage and Design Elements.
 - 1) Individual corporate image, trademark, or marketing architectural design elements and colors shall be incorporated only as secondary design elements to the development and not as dominant elements.
 - 2) Signage material shall be incorporated into the overall design of the building. Signs shall be located to complement the architectural features of a building such as above the building entrance, storefront opening, or similar features.
 - 3) The Town reserves the right to require significant departures from standardized architectural themes that are intended to market or brand any type of entity that will inhabit the structure.



E. Massing and Articulation

1. The intent of the following standards is to create a built environment in which the massing of buildings contributes to a sense of human scale, with ground floor design, horizontal and vertical articulation, manipulation of building forms, and use of various materials, fenestration and architectural details to avoid long, monolithic building shapes and surfaces.
2. Horizontal Articulation. Each primary structure shall use horizontal articulation elements to break up long, flat walls.
 - a. Requirements

Table 4.21.E.2: Horizontal Articulation Requirements

	Mode	Minimum Horizontal Articulation Types	Maximum Interval Between Articulations
<u>Multifamily and Mixed Use</u>	<u>Apartments (Apts.)</u>	<u>2</u>	<u>50 feet</u>
	<u>Mixed Use</u>	<u>2</u>	<u>50 feet</u>
<u>Commercial Uses</u>	<u>Small Commercial</u>	<u>1</u>	<u>50 feet</u>
	<u>Large Commercial</u>	<u>2</u>	<u>100 feet</u>
<u>Industrial/ Distribution Uses</u>	<u>Small Industrial</u>	<u>1</u>	<u>50 feet</u>
	<u>Large Industrial</u>	<u>2</u>	<u>100 feet</u>
<u>Building Modes Not Included Above</u>		<u>Design Requirement</u>	
<u>One and Two Family Residential</u>		<u>Residential Design Guidelines (requires Developer commitment)</u>	
<u>Master Plan</u>		<u>As approved by Master Plan</u>	
<u>Three to Six Family Residential</u>		<u>Residential Design Guidelines</u>	

- b. Examples of Horizontal Articulation Methods. Shown below are examples of horizontal articulation. The Plan Commission, at the advice of the Design Review Committee may approve alternate examples.

Table 4.21.E.2 Examples of Horizontal Articulation Methods.

<u>a. Change in material texture, patterning, or color - A change in material texture, patterning or color that extends the full height of the primary façade. Color is not an allowable articulation for Industrial or Distribution buildings.</u>		
<u>Attached Single Family (Townhomes)</u>	<u>Mixed Use, Multifamily, and Multi-Story Commercial</u>	<u>Single Story (Commercial/Industrial/Distribution)</u>



b. Horizontal offset or projection - A horizontal wall plane offset of at least 3 ft. extending for at least 50% of the average height of the primary façade

Attached Single Family (Townhomes)	Mixed Use, Multifamily, and Multi-Story Commercial	Single Story Commercial/Industrial

c. Change in fenestration pattern - A change in window size, style, or placement

Attached Single Family (Townhomes)	Mixed Use, Multifamily, and Multi-Story Commercial	Single Story Commercial/Industrial

d. Change in roof height or form - A variation in parapet height of at least 3 ft. or a change in roof form

Attached Single Family (Townhomes)	Mixed Use, Multifamily, and Multi-Story Commercial	Single Story Commercial/Industrial

e. Wall notch combination - A combination using at least one option from above, plus a wall notch. Wall notches shall be a minimum of 3 ft. deep and 8 ft. wide.

Attached Single Family (Townhomes)	Mixed Use, Multifamily, and Multi-Story Commercial	Single Story Commercial/Industrial



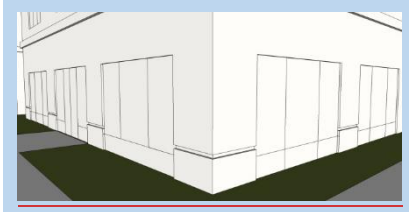



3. Vertical Articulation.

- 1) Each primary structure, or portion of primary structure, with a height of 30 feet or more and more than two stories shall use vertical articulation to present a clear base, middle and cap to the building on each façade facing a street or a Residential zone district.

2) The “base” is generally the portion of the building that meets the ground. It is at least 24 inches tall, but for taller buildings could be as tall as the first two stories. It shall include pedestrian oriented elements, high transparency, and be made of high-quality and durable materials. The “middle” is the least dominant façade element. It is generally located between the “base” (anywhere above 24 inches above the ground) and the “cap”, or roofline. The “cap” is where the building meets the sky. This is generally a predominant roofline or architectural element indicating the end-top of a building.



3) At least one of the following vertical articulation options shall be used for each of the three vertical element categories.

Table 4.23.E.3 Vertical Articulation Methods for Base, Middle, and Cap of Buildings	
Vertical Articulation for Base	Vertical Articulation for Middle
<p>a. Use of “heavy” material on ground floor</p> <p>Use masonry such as brick or stone, or other durable material to delineate the ground floor.</p> 	<p>e. Stepback in massing</p> <p>A stepback in massing a minimum of 5 ft. from the ground floor façade.</p> 
<p>b. Horizontal reveal line at base</p> <p>A horizontal reveal line a minimum of 24 in. from the ground.</p> 	<p>f. Change in material</p> <p>A change in material occurring between the first and second floors</p> 
<p>c. Arcade, gallery, or colonnade</p> <p>Use an arcade, gallery, or colonnade to accentuate the ground floor.</p> 	<p>g. Variation in window size</p> <p>Visible variation in window size from ground floor to upper floor(s) (typically smaller as the building gets taller.)</p> 
Vertical Articulation for Cap	

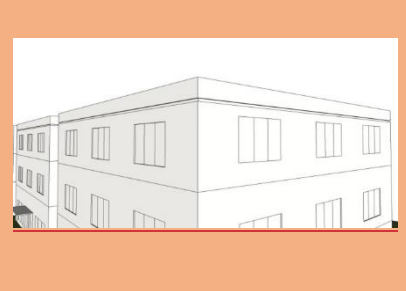
d. Architectural detailing
Use enhanced architectural detailing or fenestration on the ground floor.



h. Cornice
Use of cornice (on flat-roof buildings) or projecting roof line (for sloping roofs)



i. Reveal line at top of building
A "reveal" line or change in material, texture, patterning or color (min. 24 in. from top)



F. Additional Standards for Specific Uses or Locations

1. Additional Development Regulations for multi-building Multifamily


- a. Intent. To ensure building diversity, multi-building developments shall contain buildings that exhibit different building typologies. Accessory buildings including, but not limited to, detached clubhouses, garages, activity centers, leasing centers shall not count as a different building typology.
- b. Standard. Developments with at least five (5) residential buildings shall be required to use more than one building typology according to the following table.

Table 4.21.F.1: Building Variety	
<u>Total Number of Residential Buildings</u>	<u>Minimum Number of Building Typologies Required:</u>
<u>At least five; less than 15</u>	<u>2 different building typologies</u>
<u>At least 15</u>	<u>3 different building typologies</u>

- c. Different Building typology. Different building typology shall mean a building contains at least two (2) of the following when compared to another building:
 - 1) A distinct change in building footprint.
 - 2) A distinct change in building height. A distinct change in building height shall be a difference in building height of at least one story for the entire footprint of the building.
 - 3) A distinct change in building materials.
 - 4) A distinct change in building details. A distinct change in building details shall include, but shall not be limited to, one of the following:
 - a) Change in window type.
 - b) Change in window, door, or wall trim.
 - c) Change in roof, excluding changes in roof pitch.

Example 4.21.F.1.c.:


Not Allowed



<p><u>This duplex development of more than 15 buildings repeats the same building typology for the entire length of the development; it should contain at least three different building typologies.</u></p>	<p><u>The apartment complex of more than 15 buildings repeats a single building typology throughout the development; it should contain at least three different building typologies.</u></p>
--	--

Examples of Changing Building Typologies

Building Typology #1




Initial Building Typology. This building elevation and footprint will be altered below to two different building typologies.

Change #1

↓


Building Typology #1 with One Distinct Change



Change #1: A Distinct Change in Building Height.
The building changes in height from three stories to two stories for the entire footprint of the building.

↓

Building Typology #1 with One Distinct Change




Change #1: A Distinct Change in Building Footprint.

Change #2

↓

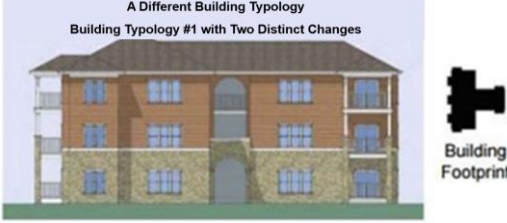
A Different Building Typology
Building Typology #1 with Two Distinct Changes



Change #2: A Distinct Change in Building Details.
The building changes in roof type from hipped to gabled and the window type changes from double-hung to casement.

↓

A Different Building Typology
Building Typology #1 with Two Distinct Changes



Change #2: A Distinct Change in Building Materials.
The building changes in materials from brick and stucco to stone and lap siding.

2. Additional Development Regulations for Town Center.

- 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
- 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; and,
- 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;
- d. Minimum lot coverage. The minimum lot coverage shall not be less than 50%;
- e. Off-street parking. Off-street parking areas shall be located to the rear of a building.
- f. Off-street loading. Off-street loading facilities shall be located at the rear of the building or at the rear of the lot.

G. Waivers

1. Enhanced Alternative Materials

- a. Creation of an Enhanced Alternative Material Initial Classification. To encourage the use of new materials or materials heretofore unclassified by this Article, the *Plan Commission* may grant a waiver to the *Development Requirements* specified in this Article subject to the findings shown in Section b below and the following procedures:
 - 1) The *Design Review Committee* shall make a classification recommendation to the *Plan Commission* upon inspection of technical specifications and/or material samples. If the classification recommendation results in the façade point requirements not being met, the *Design Review Committee* may:
 - a) Recommend an alternative, either a complete replacement of the material or enough of a replacement so as to meet the façade point requirements; or,
 - b) Recommend a Waiver to Development Standards based upon the proposed design.
 - 2) The Plan Commission shall be the final arbiter of classification.
 - a) Regardless of classification, the Plan Commission may request a replacement of the material.
 - b) If accepted by the *Plan Commission*, the material shall be assigned an interim classification, which can be used by *Staff*, the *Design Review Committee* and the *Plan Commission* for determination of façade point requirements for a period of one year from the Certificate of Occupancy of the building which received the interim classification. This interim classification may be used for additional buildings through the interim period.
- b. Findings for an Enhanced Alternative Material Initial Classification. The *Plan Commission* may approve an interim material classification for a heretofore unclassified material upon a finding that:
 - 1) The existing material classifications do not adequately describe this material;
 - 2) The *Design Review Committee* has inspected the technical specifications and/or material samples and has provided guidance to the *Plan Commission*;
 - 3) The *Plan Commission* will direct the *Design Review Committee* to review the interim classification no later than one year after than the *Certificate of Occupancy* for recommendation of permanent classification.
- c. Final Classification of the Material.
 - 1) When the interim classification period ends, the *Design Review Committee* shall forward a permanent classification recommendation to the *Plan Commission*, or recommend that it retain an interim classification, subject to further review. This recommendation may be based upon, but not limited to, the following:
 - a) Inspection of technical specifications, including reviews and information from other applications not within the Town; and,

- b) Inspection of the workmanship, quality, and durability of the material in its application on the structure.
- 2) The Plan Commission shall either certify the recommendation, determine its own classification, allow the material to retain its interim classification, subject to further review, or reject the material for further use.
- 3) Should the Plan Commission desire to formalize the classification, they shall direct that the ordinance is amended to reflect the new material within an expedient amount of time.

2. Existing Building Waivers. To encourage façade renovation of existing legal non-conforming *building* facades, and innovative *Building* designs capable of enhancing the quality of the built environment, the *Plan Commission*, upon review and recommendation of the Design Review Committee, may grant a materials waiver based upon the findings in section c below.

a. Information required. Material type and square footages of materials for both the existing and proposed facades. A Façade Point calculation shall be made for each elevation of both the existing and proposed façade(s). Should the proposed façade be less than the required minimum Façade Points on any of the proposed facades, a waiver or redesign is necessary.

b. The applicant shall provide the information necessary to calculate the Façade Points as listed in the article above for both the existing building and the building after the proposed renovation.

c. Findings for Existing Building Materials. The *Plan Commission* may approve a waiver to allow an existing façade to not meet the minimum Façade Point Value upon finding that:

- 1) The proposed Façade Points Value is increased by at least half of the difference between the existing Façade Point Value and required Façade Point Value.
- 2) The proposed façade is more aesthetically pleasing than the existing façade.

Example: 4.21.G.2.c.1 Façade Point Value (Waiver for Existing Building)

If an existing façade has a Façade Point Value (FPV) of 400 and the required Façade Point Value is 600, then the applicant must bring the façade value up by at least half the difference between the values to be eligible for the waiver.

Calculation 1	
Explanation	E.g.
Required FPV	600
Minus Existing FPV	- 400
Difference	200
Half the Difference	100

Calculation 2	
Explanation	E.g.
Half the Difference	100
Existing FPV	+ 400
Minimum FPV for Waiver	500

In this case, this required minimum Façade Point Value to request a waiver would be 500.

ARTICLE 5.1. DEVELOPMENT INCENTIVES RESERVED

~~**A. INTENT.** It is the intent of this Article to provide incentives to developers which encourage: creativity and imagination in the process of development; efficient, aesthetic and desirable use of open space; variety in physical development patterns; and special considerations for property with outstanding features (i.e., historical significance, unusual topography, landscape amenities, size and shape).~~

~~**B. GENERAL PROCEDURES.**~~

- 1. ~~Within each zoning district contained in this ordinance which refers to development incentives, there shall be two opportunities available for development:~~
 - a. ~~Any development which demonstrates full compliance with the permitted use and development standards section of that district shall be entitled to the issuance of an~~

- improvement location permit; or
- b. ~~Any development which desires to take advantage of the development incentives set forth in this Article, shall file for and obtain development plan approval from the Plan Commission or Director, as specified for each development incentive, prior to the issuance of an improvement location permit.~~
- 2. ~~If, at any point in the approval process of a development plan, the petitioner elects to forgo the pursuit of development plan approval, the petitioner shall be allowed to withdraw the application for development plan approval and apply for an improvement location permit in full compliance with the permitted use and development standards section of that district and the Subdivision Control Ordinance.~~

~~C. WAIVER OF DEVELOPMENT REQUIREMENTS.~~

- 1. ~~To accomplish the purpose of this Article, the Plan Commission or Director, as appropriate, may approve a waiver of the development requirements specified for that district to the extent provided for in this Article.~~
- 2. ~~All development requirements and development standards of this ordinance and the Subdivision Control Ordinance for which a waiver provision is not provided for in this Article shall remain applicable unless a variance of this ordinance is granted by the Board of Zoning Appeals or waiver of the Subdivision Control Ordinance is granted by the Plan Commission.~~

ARTICLE 5.2. DEVELOPMENT INCENTIVES IN R-1, R-2 AND R-3 DISTRICTS RESERVED

~~5.2 DEVELOPMENT INCENTIVES IN R-1, R-2 AND R-3 DISTRICTS.~~

~~—(A) The following development incentives are available for the development of single-family dwelling subdivisions in the R-1, R-2 and R-3 Districts. The following development incentives are not available for the development in the R-4 or R-5 Districts.~~

~~—(B) All development plans which utilize the development incentives specified below in the R-1, R-2 and R-3 Districts shall be filed for review and approval by the Plan Commission.~~

~~A. DEVELOPMENT REQUIREMENTS.~~

- 1. ~~Project area (minimum size of overall subdivision). The minimum acreage for any overall subdivision to be developed utilizing the provision of this Article shall be five acres.~~
- 2. ~~Project density. The overall maximum number of lots within an overall subdivision to be developed pursuant to this Article shall remain the same as that permitted by developing the same real estate into developable lots in full compliance with all zoning, health, flood control and subdivision laws, ordinances and regulations applicable to such real estate.~~
- 3. ~~Water and sewer availability. Attachment to public water and sanitary sewer facilities shall be mandatory for any overall subdivision to be developed pursuant to this Article.~~
- 4. ~~Public streets/individual lot access. Each lot within an overall subdivision developed pursuant to this Article shall be served by:~~
 - a. ~~Public streets; or~~
 - b. ~~Private streets, where each such private street:~~
 - 1) ~~Is designed and built to town standards for depth and materials;~~
 - 2) ~~Is designed so as to provide adequate maneuverability and access for school buses, fire trucks and other emergency vehicle access; and~~
 - 3) ~~Is approved by the Plan Commission as a waiver of the Subdivision Control~~

~~Ordinance.~~

- ~~5.—Project open space. The amount of permanent open space created by the development of an overall single-family dwelling subdivision pursuant to this Article shall be equivalent to, or more than, the total reduction in area contained within developable lots based upon a comparison of Sketch Plan One and Sketch Plan Two as required by Article 5.2E below.~~
- ~~6.—Compliance with Residential Design Guidelines. Each subdivision shall demonstrate compliance with the following provisions of the Town of Plainfield Residential Design Guidelines:

 - ~~a.—Section 2—Single-Family and Two-Family Guidelines;~~
 - ~~b.—Section 4—Open Space;~~
 - ~~c.—Section 5—Vehicular Design and Pedestrian Circulation; and~~
 - ~~d.—Section 7—Building Materials and Craftsmanship.~~~~
- ~~7.—Compliance with other applicable laws. Each subdivision shall demonstrate compliance with all applicable development standards of the zoning district and Subdivision Control Ordinance for which a waiver is not otherwise provided for in this Article.~~

~~**B. WAIVER OF DEVELOPMENT REQUIREMENTS IN R-1, R-2 AND R-3 DISTRICTS.**~~

~~Individual lots within an overall subdivision that receives development plan approval from the Plan Commission to be developed pursuant to this Article may be granted a waiver of the development requirements specified in this ordinance to the extent permitted below:~~

- ~~1.—Minimum lot area, except as provided below.

 - ~~a.—The minimum lot area requirements shall remain applicable to all lots which abut the perimeter of a subdivision section.~~
 - ~~b.—The minimum lot area for all lots which do not abut the perimeter of a subdivision section may be reduced in area up to the extent provided for below:~~~~

<i>District</i>	<i>Minimum Lot Area</i>
R-1	20,000 sq. ft.
R-2	10,000 sq. ft.
R-3	7,000 sq. ft.

- ~~c.—When a minimum lot area requirement is reduced as provided for in this Article for the first tier of lots in from the perimeter of a subdivision, a provision shall be made for a landscape and buffering area of not less than:

 - ~~1) Fifty feet in dimension between said first tier of lots and any perimeter street; or~~
 - ~~2) Thirty feet in dimension between said first tier of lots and the perimeter of that portion of the overall subdivision for which this waiver is being requested, with landscaping and buffering details equivalent to a Level 5 (see Article 4.7—Landscape Provisions) and as approved by the Plan Commission in connection with the approval of a development plan pursuant to this Article.~~~~
- ~~2.—Minimum lot width, except as provided below.

 - ~~a.—The minimum lot width requirements shall remain applicable to all lots which abut the perimeter of a subdivision section.~~
 - ~~b.—The minimum lot width for all lots which do not abut the perimeter of a subdivision section may be reduced in area up to the extent provided for below:~~~~

<i>District</i>	<i>Minimum Lot Width</i>
R-1	80 ft.
R-2	70 ft.
R-3	60 ft.

- ~~c.—When a minimum lot width requirement is reduced as provided for in this Article for~~

~~the first tier of lots in from the perimeter of a subdivision, a provision shall be made for a landscape and buffering area of not less than:~~

- ~~1) Fifty feet in dimension between said first tier of lots and any perimeter street; or~~
- ~~2) Thirty feet in dimension between said first tier of lots and the perimeter of that portion of the overall subdivision for which this waiver is being requested, with landscaping and buffering details equivalent to a Level 5 (see Article 4.7- Landscape Provisions) and as approved by the Plan Commission in connection with the approval of a development plan pursuant to this Article.~~

~~3. Minimum front yard, except as provided below.~~

~~a. The minimum front yard requirements may be reduced as follows:~~

- ~~1) To 25 feet for any portion of a structure with a front loading garage; or~~
- ~~2) To 15 feet for any portion of a structure containing finished floor area or a side-loaded garage.~~

~~b. In those subdivisions where, in the determination of the Plan Commission, the product type may present a similar or repetitive appearance from lot to lot, a provision shall be provided on the plat or through other legally binding documents satisfactory to the Plan Commission, to:~~

- ~~1) Create a variable build-to-line; or~~
- ~~2) Assure significant variation will exist in the design and appearance of adjacent single-family dwelling units;~~

~~4. Maximum lot coverage, except as provided below. The maximum lot coverage may not exceed:~~

<i>District</i>	<i>Maximum % of Lot Coverage</i>
R-1	30%
R-2	35%
R-3	40%

~~5. Minimum side yard and aggregate side yard requirements.~~

~~a. The minimum side yard and aggregate side yard requirements may be reduced in compliance with the following:~~

<i>District</i>	<i>Minimum Side Yard</i>	<i>Aggregate Side Yard</i>
R-1	5 ft.	20 ft.
R-2	5 ft.	15 ft.
R-3	0 ft.	15 ft. (between buildings)

~~b. Provided, however, where a minimum side yard of less than five feet is approved, a procedure shall be provided, recorded and maintained as part of the secondary plat for the continual maintenance of that portion of any structure that is located within five feet of the side yard.~~

~~6. Minimum rear yard requirements. The minimum rear yard requirements of the applicable zoning district shall remain applicable to all lots.~~

~~7. Lot frontage on a public street. The requirement for lot frontage on a public street and for each lot to gain direct access from said public street or an abutting alley may be waived to allow for direct access from a lot to a private street or private alley.~~

~~8. Compliance. The requirement for each single-family dwelling to demonstrate compliance with the *Town of Plainfield Residential Design Guidelines* may be waived to allow for the provision of: alternate architectural embellishments or building design features; alternate open space accommodations; alternate vehicular design and pedestrian circulation accommodations; or alternate building materials which are determined by the Plan Commission to be superior to the recommendations of the *Town of Plainfield Residential Design Guidelines*.~~

~~C. GENERAL REQUIREMENTS FOR PROJECT OPEN SPACE.~~

- ~~1. The open space created by any development which utilizes the provisions of this Article shall be:

 - ~~a. Preserved in its naturally occurring state;~~
 - ~~b. Developed only to the extent required to provide for:

 - ~~1) The passive recreational activities of walking, biking, hiking, picnicking;~~
 - ~~2) Developed and maintained as landscape features including, but not limited to, common areas, landscape easements and boulevard entry ways; and~~
 - ~~3) Other recreational or amenity features approved by the Plan Commission.~~~~
 - ~~c. Developed into an active recreational area; and~~
 - ~~d. 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.~~~~

- ~~2. The development of such open space shall be subject to the following additional requirements:

 - ~~a. Land area devoted to a perimeter landscape and buffering area as required above by Article 5.2B(1) for a lot area waiver or by Article 5.2B(2) for a lot width waiver, shall not qualify as open space under this Article 5.2C – General Requirements for Project Open Space or under Article 5.2D – Calculation of Open Space.~~
 - ~~b. At least 75% of the total open space created by development pursuant to this Article shall consist of tracts of land at least 50 feet wide in its smallest dimension;~~
 - ~~c. The open space shall be accessible to all owners or residents within the subdivision or project, and their guests, by way of sidewalk, footpath or combined walkway/bikeway; and~~
 - ~~d. At least 50% of the open space created by the development of an overall subdivision pursuant to this Article shall be either:

 - ~~1) Preserved in its natural state;~~
 - ~~2) Utilized for passive recreational activities; or~~
 - ~~3) Maintained as landscape features.~~~~~~

~~**D. CALCULATION OF OPEN SPACE.** Open space shall be calculated by taking the total land area within lots contained in Sketch Plan One (as defined below) and subtracting the total land area within lots contained in Sketch Plan Two (as defined below).~~

~~**E. PLAN DOCUMENTATION AND SUPPORTING INFORMATION.** All requests for development plan approval within the R-1, R-2 and R-3 Districts pursuant to this Article shall include the following:~~

- ~~1. *Sketch Plan One.* Sketch Plan One shall depict the development of the overall subdivision in full compliance with all use and development standards of the applicable zoning district and all other applicable health, flood control and subdivision laws, ordinances and regulations of the town.~~
- ~~2. *Sketch Plan Two.* Sketch Plan Two shall depict the development of the overall subdivision pursuant to this Article.~~
- ~~3. *Development plans.*
 - ~~a. Development plans shall contain a proposed breakdown of sections to be contained in the overall subdivision.~~
 - ~~b. Section One of such overall subdivision shall include an amount of open space equivalent to, or more than, the total reduction in lot area contained within developable lots within that Section One of the overall subdivision and shall be the first section of the subdivision to be developed.~~~~

~~c. Any subsequent section of the subdivision may utilize the “excess” permanent open space created and existing in Section One (and all prior sections) of such subdivision to provide for lot area reductions within that subsequent section provided that the total amount of open space remains equivalent to, or more than, the total reduction in lot area contained within developable lots within all approved sections of the subdivision (including the section in question).~~

~~4. Open space. Documentary evidence of the provision of open space in a manner and amount equal to or in excess of that required by this Article shall be provide either in written format or in tabular format incorporated into Sketch Plan Two above.~~

~~5. Residential design guidelines. Documentary evidence, through the provision of: typical building elevations; typical building renderings; photographic and text explanations of architectural details; overall site plan; material samples; manufacturer specifications; written commitments; or proposed covenants, to demonstrate compliance with the Town of Plainfield Residential Design Guidelines.~~

~~**F. MAINTENANCE OF COMMON OPEN SPACE.** Prior to obtaining secondary plat approval, the petitioner shall file documentary assurances with the town that the permanent dedication and continuous maintenance of open space shall be made in accordance with the development plan approved by the Plan Commission, and that the common areas and recreation areas shall be made available to the residents of the overall subdivision at a reasonable and non-discriminatory rate of charge. Such documentary assurances shall be incorporated into the secondary plat that is recorded in the office of the County Recorder or otherwise provided for through legally binding perpetual agreements as approved by the Plan Commission. Such open space shall perpetually run with the subdivision section and shall not be developed or separated from the subdivision section at a later date (unless no development of any portion of the overall subdivision which utilizes the open space contained within that subdivision section for the purpose of lot area reductions has occurred and the entire area subject to the subdivision section is presented for replat).~~

~~**G. SERVICES FOR PRIVATE DRIVES.** Prior to obtaining secondary plat approval, the petitioner shall file documentary assurances with the town that all residences served by private drives shall be provided with the following services: regular trash pick-up; leaf pick-up; snow removal; daily mail delivery service; roadway maintenance and repair, including, but not limited to, driving surface, roadway subgrade, subsurface drainage, roadside drainage, curbs, sidewalks, street lights, street name signs, traffic control signs, and traffic control signals; and powers to enforce speed control and parking regulations. Such services shall be provided in accordance with the specifications approved by the Plan Commission, which shall include the establishment of a maintenance fund or escrow account by the petitioner, which may be supplemented by regular or special assessments against each lot owner provided such assessments are at reasonable and non-discriminatory rate of charge. Such documentary assurances shall be incorporated into the secondary plat that is recorded in the office of the County Recorder or otherwise provided for through legally binding perpetual agreements as approved by the Plan Commission.~~

~~**H. FINDINGS.** The Plan Commission may approve a development plan (and thereby grant the waivers requested by the petitioner) indicating compliance with this Article only upon finding that:~~

~~1. The use or value of area properties will not be adversely affected;~~

~~2. The proposed development will be in compliance with the applicable development requirements and general requirements for project open space;~~

~~3. The proposed development has demonstrated the use of building design features and site layout consistent with the intent and recommendations of the Town of Plainfield Residential Design Guidelines;~~

- ~~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.~~

~~ARTICLE 5.3. DEVELOPMENT PLANS REQUIRED FOR ARCHITECTURAL AND SITE DESIGN REVIEW IN THE R-6 DISTRICT~~RESERVED

~~**5.3 DEVELOPMENT PLANS REQUIRED FOR ARCHITECTURAL AND SITE DESIGN REVIEW IN THE R-6 DISTRICT.** In order to promote innovation and creativity in the design of the built environment and to mitigate the impacts of high density multi-family dwelling projects, all development located within the R-6 District shall be subject to the approval of a development plan by the Plan Commission.~~

~~**A. PROJECTS WITH A GROSS DENSITY OF UP TO 8.0 DWELLING UNITS PER ACRE.** Any proposed multi-family dwelling project located in the R-6 District which contains up to 8.0 dwelling units per acre shall provide the architectural and site design features specified in this Article 5.3A.~~

- ~~1.—*Plan documentation and supporting information.* All requests for development plan approval submitted under the Article 5.3A shall include a site plan, building elevations, landscape plan, sign plan and lighting plan as specified in Article 5.7 below, demonstrating compliance with the provisions of this Article.~~
- ~~2.—*Development requirements.* All multi-family dwelling projects in the R-6 District which are proposed comply with the development standards set forth in Article 2.7B shall provide architectural and site design features as specified below:~~
 - ~~a.—*Required multi-family dwelling architectural features.*~~
 - ~~1)—*Required architectural features.* All buildings, including community building/club house, storage buildings, maintenance buildings, garages, carports and buildings containing dwelling units shall utilize a minimum of two of the following five architectural features:~~
 - ~~a)—Building materials shall comply with the following:~~
 - ~~(1)—All brick or stone veneer supplemented with significant use of architectural elements (e.g., quoins, pilasters, soldier courses, friezes, cornices, dentils and the like);~~
 - ~~(2)—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.)~~
 - ~~(3)—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 pre-cast 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 offsets 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.~~



**Multi-Family
Townhouse with
Covered Front
Porch**

~~2) Additional architectural features for multi-family townhouses. Townhouse developments shall utilize the following architectural features:~~

~~a) (1) 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~~

~~(2) 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 Townhouses with Roof Line Changes

~~3) Mechanical equipment. See Article 4.1G Mechanical Equipment Screening.~~

~~b. Site design features required. The site design features listed below shall be utilized in all multi-family dwelling projects in the R-6~~

~~District which are not requesting any development incentives regarding gross density, use of interior yards or perimeter yards, maximum building height or the number of stories containing dwelling units:~~

~~1) The project shall include a community building/club house featuring two or more common recreational facilities including, but not limited to, a swimming pool, hot tub, tennis court, basketball court, lounge area, multi-purpose room, game room and the like which are appropriate to the project;~~



Alley Access to Townhouse Garages

~~2) Non-Motorized Transportation Access. See Article 4.1H.~~

~~3) The provision of parking spaces and dwelling units accessible to individuals with disabilities, as defined in Title III of the Americans with Disabilities Act, in excess of the minimum requirements specified by applicable federal rule.~~

~~3. Waiver of development requirements. In order to encourage innovative building and site designs capable of enhancing the quality of the built environment within the R-6 District, a waiver of any of the architectural features and site design features specified in this Article 5.3A may be heard and determined in connection with the approval of a development plan for architectural and site design review.~~

~~4. Findings required for the approval of a waiver of development requirements of this Article 5.3A. A waiver of the architectural features and site design features specified in this Article 5.3A may only be granted upon the finding that:~~

~~a. 1) The proposed development represents an innovative use of building materials, site design features or landscaping which will enhance the use or value of area~~

~~properties beyond the enhancement that would otherwise occur under the strict application of the architectural and site design requirements set forth in the R-6 District; or~~

~~2) The strict application of the terms of the architectural features or site design features set forth in Article 5.3A represents an inappropriate pattern of development given the specific location and surroundings of the proposed development.~~

- ~~b. The proposed development is consistent with and compatible with other development located within the R-6 District and the surrounding area; and~~
- ~~c. The proposed development is consistent with the intent and purpose of this ordinance.~~

~~**B. PROJECTS WITH A GROSS DENSITY OF BETWEEN 8.0 DWELLING UNITS PER ACRE AND 12.0 DWELLING UNITS PER ACRE.**~~

- ~~1. *Development incentives.* Multi-family dwelling projects shall be eligible to receive development plan approval from the Plan Commission to be developed pursuant to this Article 5.3B and may be granted a waiver of the development requirements specified in this ordinance to the extent permitted below:

 - ~~a. *Maximum project gross density.* Maximum project gross density may be increased by the Plan Commission up to a maximum of 12 dwelling units per acre;~~
 - ~~b. *Minimum interior yards.* In projects containing two or more buildings, interior yard requirements may be waived by the Plan Commission to provide for interior yards as follows:

 - ~~1) The requirements for yards around buildings containing dwelling units and requirement that the a minimum distance between buildings shall be the sum of each applicable minimum interior yard may be modified to provide a minimum distance between buildings of 20 feet; or~~
 - ~~2) Interior yards may be modified to provide for the overlap of interior yards with required perimeter yards.~~~~
 - ~~c. *Maximum building height.* The maximum building height may be waived by the Plan Commission to provide for a maximum building height of 50 feet, but not to exceed three stories containing dwelling units.~~~~
- ~~2. *Plan documentation and supporting information.* All requests for development plan approval submitted under the Article 5.3B 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 applicable zoning 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; and~~
 - ~~c. *Other supporting information.* A site plan, building elevations, landscape plan, sign plan and lighting plan as specified in Article 5.7 below, demonstrating compliance with the provisions of this Article.~~~~
- ~~3. *Development requirements.* All multi-family dwelling projects in the R-6 District which are proposed to be in excess of eight dwelling units per acre, proposed to contain buildings which are over 35 feet in height or are proposed to contain buildings with more than two stories containing dwelling units shall provide architectural features and site design features as specified below:

 - ~~a. *Required multi-family dwelling architectural features.*
 - ~~1) *Required architectural features.* 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:~~

- ~~(1) 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~~
- ~~(2) 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.)~~~~
- ~~(3) 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 pre-cast 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 offsets 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.~~

~~2) Additional features. 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) (1) 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~~



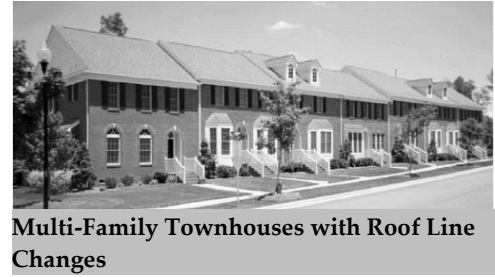
Examples of Multiple Building Materials, Multiple Textures, Facade Modulation, Architectural Elements, and Multiple Colors



Multi-Family Townhouse with Covered Front Porch

- ~~(2) 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.~~
- ~~4) Mechanical equipment. See Article 4.1G: Mechanical Equipment Screening.~~
- ~~b. Site design features required.~~
 - ~~1) Each multi-family dwelling project which proposes to be developed under the development incentives of this Article 5.3B shall provide site design features as specified below:~~
 - ~~a) A minimum of two site design features shall be utilized for each additional dwelling unit per acre, or fraction thereof, above eight dwelling units per acre;~~
 - ~~b) A minimum of two site design features shall be utilized for any increase in maximum building height above 35 feet or two stories containing dwelling units;~~
 - ~~c) A minimum of two site design features shall be utilized for an overlap of interior yards or an overlap of interior yards with required perimeter yards; and~~
 - ~~d) Each site design feature selected shall be considered separate from and in addition to the other site design features listed below and in no event shall one site design feature be credited toward compliance with any other site design feature.~~
 - ~~2) Site design features.~~
 - ~~a) Recreational opportunities are provided in manner and amount which:

 - ~~(1) Exceed the minimum requirements of the R-6 District by at least 50% in area;~~
 - ~~(2) Are superior in design and layout from minimum requirements; and~~
 - ~~(3) Are appropriate to the anticipated resident profile of the project.~~~~
 - ~~b) The project includes a community building/club house featuring four or more common recreational facilities including, but not limited to, a swimming pool, hot tub, tennis court, basketball court, lounge area, multi-purpose room, game room and the like which are appropriate to the project;~~
 - ~~c) Centralized Trash Collection. See Article 4.1J Refuse/Reuse Container Enclosures;~~
 - ~~d) The provision of perimeter yard landscaping which is, at a minimum, two times greater than the minimum required plant unit value for a perimeter yard;~~
 - ~~e) The provision of foundation landscaping for all buildings equivalent to a Level 2;~~
 - ~~f) The provision of a fenced pet run;~~
 - ~~g) On-site covered parking, subject to the following requirements:~~



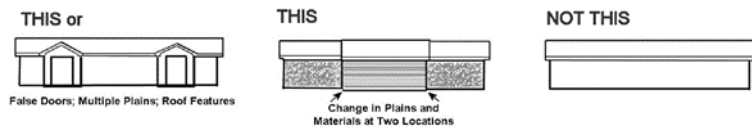
Multi-Family Townhouses with Roof Line Changes



Alley Access to Townhouse Garages

- ~~(1) Parking spaces may be in garages or carports;~~
- ~~(2) The total number of parking spaces in garages or carports should not be less than 40% of the total number of dwelling units;~~
- ~~(3) If a garage or carport is located between a primary building containing dwelling units and a front yard, side yard or rear yard, any elevation located parallel to or within 30 degrees of being parallel to such front yard, side yard or rear yard shall include at least two of the following:

 - ~~(a) Facade modulation of at least six inches for every 30 feet of wall length;~~
 - ~~(b) Multiple building materials (e.g., brick, fieldstone, limestone, marble, granite, textured block, architectural pre-cast concrete, concrete composite siding, wood clapboard siding, wood beaded siding, stucco, E.F.I.S., vinyl siding, aluminum siding and the like);~~
 - ~~(c) Multiple surface textures (e.g., rough, striated, imprinted and the like) or patterns;~~
 - ~~(d) Separation in roof pitch, variation in direction of roof pitches, inclusion of dormers, or other variation on roof design; or~~
 - ~~(e) Use of false door or window openings, defined by frames, sills and lintels.~~~~



Example of Architectural Features for On-Site Garages

- ~~h) Centralized, on-site self-storage units, in addition to any storage closets that may be provided on any patios or balconies, in an amount not less than 20% of the total number of dwelling units;~~
- ~~i) On-site area set aside as a car wash facility, either covered or open, available to residents;~~
- ~~j) Any multi-family dwelling project shall include a walkway or pedestrian/bikeway system complying with the following requirements as part of the site design:~~
 - ~~1) Shall functionally connect front doors or primary building entries with planned or existing public sidewalks on each public street frontage of the multi-family dwelling project;~~
 - ~~2) Shall provide a direct linkage to any planned or existing town greenway which abuts or is adjacent to the multi-family dwelling project;~~
 - ~~3) Shall provide a direct and functional connection from the front doors or primary building entries to any on-site, off-street parking area;~~
 - ~~4) Shall provide for identifiable pedestrian crossing treatments along functional pedestrian routes wherever a private walkway or pedestrian/bikeway system crosses an interior access drive or interior~~



Example of On-Site Self Storage Units



Example of On-Site Car Wash Area

- ~~access driveway; and~~
- ~~5) Shall functionally connect to the various required open space elements within the multi-family dwelling project.~~
- ~~6) The owner of the real estate shall be responsible for the perpetual maintenance of any private walkways or pedestrian/bikeway systems.~~
- ~~k) The provision of parking spaces and dwelling units accessible to individuals with disabilities, as defined in Title III of the Americans with Disabilities Act, which exceed of the minimum requirements specified by applicable federal rule by 50% or more; and~~
- ~~l) A fire protection system which includes a sprinkler system and which provides access to all buildings over an improved driving surface (grass-crete or similar surfaces may be used in yards between buildings).~~
- ~~4. Waiver of architectural and site design requirements. In order to encourage innovative building and site designs capable of enhancing the quality of the built environment within the R-6 District, a waiver of any of the architectural features and site design features specified in this Article 5.3B may be heard and determined in connection with the approval of a development plan for architectural and site design review.~~
- ~~5. Findings required for the approval of a waiver of architectural and site design requirements of this Article 5.3B. A waiver of the architectural and site design requirements specified in this Article 5.3B may only be granted upon the finding that:~~
 - ~~a. 1) The proposed development represents an innovative use of building materials, site design features or landscaping which will enhance the use or value of area properties beyond the enhancement that would otherwise occur under the strict application of the architectural features and site design features set forth in Article 5.3B; or~~
 - ~~2) The strict application of the terms of the architectural features and site design features set forth in Article 5.3B, represents an inappropriate pattern of development given the specific location and surroundings of the proposed development.~~
 - ~~b. The proposed development is consistent with and compatible with other development located within the R-6 District and the surrounding area; and~~
 - ~~c. The proposed development is consistent with the intent and purpose of this ordinance.~~

ARTICLE 5.4. DEVELOPMENT INCENTIVES FOR ALL COMMERCIAL AND INDUSTRIAL DISTRICTS (EXCEPT TC: TOWN CENTER DISTRICT)RESERVED

~~**5.4 DEVELOPMENT INCENTIVES FOR ALL COMMERCIAL AND INDUSTRIAL DISTRICTS (EXCEPT TC: TOWN CENTER DISTRICT).**~~

~~—(A) The following development incentives are provided in order to encourage flexibility and creativity in the design of commercial and industrial sites.~~

~~—(B) All development plans which utilize the development incentives specified below in the commercial or industrial districts shall be filed for review and approval by the Plan Commission or the Director, as specified below.~~

~~**A. DEVELOPMENT REQUIREMENTS.** Each commercial or industrial site shall demonstrate compliance with all applicable development standards of the commercial or industrial district in which the lot is located and all applicable provisions of the Subdivision Control Ordinance for which a waiver is not otherwise provided for in this Article.~~

~~**B. WAIVER OF DEVELOPMENT REQUIREMENTS IN COMMERCIAL OR INDUSTRIAL DISTRICTS.**~~

~~1. Reserved~~

~~2. Reserved~~

~~3. Depth of required yards and required bufferyards.~~

~~a. Purpose. In order to facilitate urban development and improve quality of landscaping in the built environment, the depth of a required yard or a required bufferyard may be reduced as follows:~~

~~1) A required front yard or front bufferyard may be reduced by up to 50% of its normally required depth, provided, however, that any required front yard or front bufferyard along a primary arterial street, secondary arterial street, collector street, local street or cul-de-sac street shall not be reduced to a depth of less than 20 feet; or~~

~~2) A required side or rear yard or required side or rear bufferyard may be reduced by up to 50% of its normally required depth.~~

~~b. Plan documentation and supporting information. All requests for development plan approval for reduction of depth of required yards and required bufferyards pursuant to this Article shall include the following:~~

~~1) Sketch Plan One. Sketch Plan One shall depict the development in full compliance with all use and development standards of the applicable zoning district and all other applicable health, flood control and subdivision laws, ordinances and regulations of the town;~~

~~2) Sketch Plan Two. Sketch Plan Two shall depict the development pursuant to this Article; and~~

~~3) Site plan. A site plan and landscape plan as specified in Article 5.7 below.~~

~~c. Findings. The Director may approve such depth of yard and required bufferyard reduction upon a finding that:~~

~~1) a) The plant unit value to be provided in the required yard or required bufferyard exceeds the normal standard for such yard by a multiple of 2.0 or more; or~~

~~b) For any building wall which is located completely or partially within a reduced yard or bufferyard, the entire length of such building wall shall be screened by foundation landscaping which has been increased by a multiple of 2.0 or more, and the site will be so designed and building placement so oriented that all parking areas, interior access drives, loading areas, outside storage and operations, or outdoor display areas shall be located so as to comply with the minimum setback requirements, use of minimum yards and bufferyards requirements, and landscaping requirements otherwise applicable to the site;~~

~~2) The proposed development is appropriate to the site and its surroundings; and~~

~~3) The proposed development is consistent with the intent and purpose of this ordinance.~~

~~4. Orientation of loading spaces.~~

~~a. Purpose. In order to facilitate urban development and to enhance the quality of landscaping in the built environment, the Plan Commission may approve the orientation of loading spaces toward a front lot line that faces a street classified as a collector or above or non-industrial district. In addition, the Plan Commission may approve the location of loading spaces between a front lot line that is located along a street classified as a collector or above or a street bordering directly on a non-industrial district and the front line of the building served.~~

~~b. Plan documentation and supporting information. All requests for development plan~~

~~approval for the front orientation or location of loading spaces pursuant to this Article shall include the following:~~

- ~~1) *Sketch Plan One.* Sketch Plan One shall depict the development in full compliance with all use and development standards of the applicable zoning district and all other applicable health, flood control and subdivision laws, ordinances and regulations of the town;~~
- ~~2) *Sketch Plan Two.* Sketch Plan Two shall depict the development pursuant to this Article; and~~
- ~~3) *Supporting information.* A site plan and landscape plan as specified in Article 5.7 below.~~

~~c. *Findings.* The Plan Commission may approve such loading space orientation or location upon a finding that:~~

- ~~1) a) The required front yard or required front bufferyard is effectively screened with a plant unit value which exceeds the standard for such yard by adding a plant unit value of 4.0 to the total plant unit value otherwise required by this ordinance or other development incentive (e.g., a plant unit value of 5.0 would be required as a base minimum [Level 1 + 4.0 = 5.0]; or a plant unit value of 6.0 would be required if another development incentive would require a multiple of 2.0 or more over a Level 1 [Level 1 X 2.0 = 2.0 + 4.0 = 6.0]; and so on); or~~
 - ~~b) The required front yard or required front bufferyard is effectively screened by the use of an architectural wall or screen which is in harmony with the character of the building and surrounding area and of sufficient height to screen the loading spaces, that said yards will contain, at a minimum, the standard plant unit value required for said yard, and that the architectural wall or screen shall be provided with foundation plantings as required for a building in such district;~~
- ~~2) The proposed development is appropriate to the site and its surroundings; and~~
- ~~3) The proposed development is consistent with the intent and purpose of this ordinance.~~

~~5. *Use of required yards in integrated centers or industrial parks.*~~

~~a. *Purpose.* In order to facilitate urban development and to enhance the quality of landscaping in the built environment, the Plan Commission may approve the use of required side and rear yards which abut other required side or rear yards of lots located within the same integrated center or industrial park for parking areas, loading areas, interior drives, interior access drives or outdoor storage.~~

~~b. *Plan documentation and supporting information.* All requests for development plan approval for the use of required yards in integrated centers or industrial parks pursuant to this Article shall include the following:~~

- ~~1) *Sketch Plan One.* Sketch Plan One shall depict the development in full compliance with all use and development standards of the applicable zoning district and all other applicable health, flood control and subdivision laws, ordinances and regulations of the town;~~
- ~~2) *Sketch Plan Two.* Sketch Plan Two shall depict the development pursuant to this Article; and~~
- ~~3) *Supporting information.* A site plan, overall plan and landscape plan as specified in Article 5.7 below.~~

~~c. *Findings.* The Director may approve such use of required side and rear yards upon finding that:~~

- ~~1) The required plant unit value in all required front yards and required front bufferyards, whether located on a street internal to the integrated center or industrial park or on the perimeter of the integrated center or industrial park has~~

- ~~1) *Sketch Plan One.* Sketch Plan One shall depict the development in full compliance with all use and development standards of the applicable zoning district and all other applicable health, flood control and subdivision laws, ordinances and regulations of the town;~~
- ~~2) *Sketch Plan Two.* Sketch Plan Two shall depict the development pursuant to this Article; and~~
- ~~3) *Supporting information.* An overall plan, landscape plan and sign plans as specified in Article 5.7 below.~~
- ~~c. *Findings.* The Director may approve such reduction of required front yard depth along private streets upon finding that:~~
 - ~~1) a) The required plant unit value in all required front yards along such private street been increased by a multiple of 2.0 or more; or~~
 - ~~b) Adequate provision has been made for the development of common or combined driveways between adjacent lots so as to reduce the number of curb cuts and enhance the effectiveness of the required front yard landscaping;~~
 - ~~2) The proposed development is appropriate to the site and its surroundings; and~~
 - ~~3) The proposed development is consistent with the intent and purpose of this ordinance.~~

ARTICLE 5.5. DEVELOPMENT PLANS REQUIRED FOR ARCHITECTURAL AND SITE DESIGN REVIEW FOR ALL DEVELOPMENT LOCATED IN ALL COMMERCIAL DISTRICTS (EXCEPT TC: TOWN CENTER 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.

~~A. APPLICABILITY AND REVIEW AUTHORITY.~~

- ~~1. *Gateway Corridors.* All development located in any commercial district (except the TC: Town Center District, 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, 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.~~

<i>Table 5.5-A: Gateway Corridor Development Plans</i>	
<i>Development Activity</i>	
<i>Approval Authority</i>	
a.	New construction of a primary use building on lot with existing development *
Plan Commission	

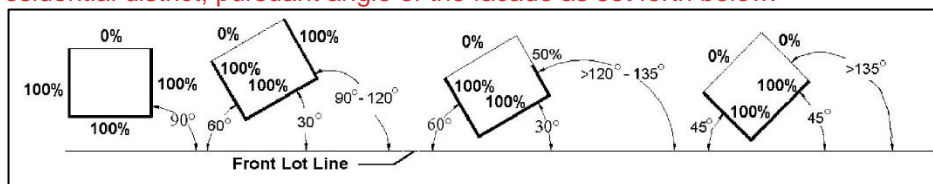
b.	Major building additions (greater than 10,000 sq. ft. or in excess of 20% of gross floor area of existing building(s)) ^{*.}	Plan Commission
e.	New outdoor display area, outdoor operations (i.e., outdoor seating/dining areas; processing; servicing; and the like), outside storage area, off-street parking 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		
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
e.	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

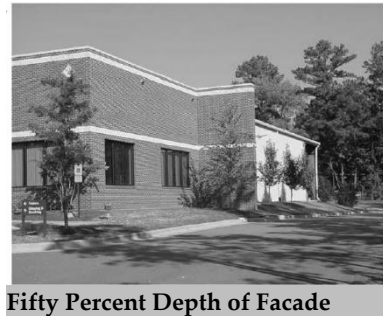
- B. IDENTIFICATION OF GATEWAY CORRIDORS.** Gateway Corridors include all land areas lying within the corporate limits of the town which are within 600 feet of the greater of the existing right-of-way or the proposed right-of-way of any of the following street segments:
1. S.R. 267 (Quaker Boulevard) 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.

- C. 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 Requirement

- ~~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;~~
- ~~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:

 - ~~(1) At least two architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves and the like); or~~
 - ~~(2) 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:

 - ~~(1) 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;~~
 - ~~(2) 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~~
 - ~~(3) 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.~~

A. GRADING ~~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 or adjacent to 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.~~

~~Signs. See Article 7: Sign Regulations~~

B. 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-5.C of this ordinance, are permitted within 600 feet of a Gateway Corridor or residential district.

C. EXCLUDED USES. The following uses shall be prohibited in all zoning districts within 600 feet of Gateway Corridor or residential district:

~~—(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.

~~**D. 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.~~

~~**E. 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.~~

~~**F.—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.~~

~~**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 RESERVED**~~

~~**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.** 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 shall be subject to the approval of a development plan by the Plan Commission.~~

~~**A.—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 District.* Development located within 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 filing of a development plan for architectural and site design review as set forth in Table 5.6-B: R-U: Urban Residential 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.~~
- ~~4.—*Nonresidential uses in RU District.* Notwithstanding anything above to the contrary, any nonresidential use located within 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 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 in exterior color, increase or decrease in facade fenestration in excess of 10%)	Director
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 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
e.	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		

~~B.—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.~~

~~e. *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.~~

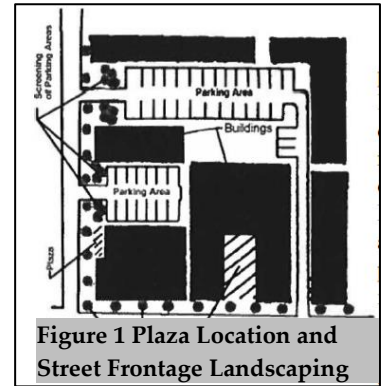


Figure 1 Plaza Location and Street Frontage Landscaping

~~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.*~~

~~(1) All shade trees shall be a minimum size of two and one-half inch caliper at time of planting; and~~

~~(2) 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.*~~

~~(1) All hedge plants shall be a minimum size of 24 inches at time of planting;~~

~~(2) All shade trees shall be a minimum size of two and one-half inch caliper at time of planting; and~~

- ~~(3) 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.~~

~~**G.—DEVELOPMENT REQUIREMENTS IN THE R-U: URBAN RESIDENTIAL 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 when located within the “Town Center Neighborhood” as~~

~~designated in the Town Center Plan, and for multi-family dwelling projects in the R-U: 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 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 (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 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:~~
 - ~~(1) 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~~
 - ~~(2) 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.)~~

- ~~(3) 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.~~
- ~~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) (1) 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~~
 - ~~(2) 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.~~~~
- ~~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;~~



Example of Multiple Building Materials, Multiple Textures, Facade Modulation, Architectural Elements, and Multiple Colors

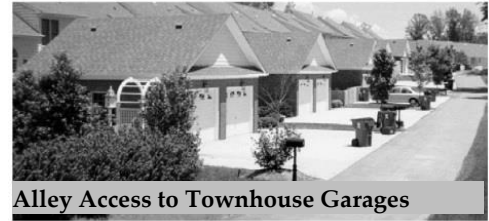


Multi-Family Townhouse with Covered Porch



Multi-Family Townhouse with Roof Line Changes

- ~~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 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.

 - ~~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.~~

~~**D. FINDINGS.** The Plan Commission shall grant development plan approval for architectural review in the TC: Town Center District, R-U: Urban Residential 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.~~

~~**E. 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 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.~~

~~F. 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 foot 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):	
<ul style="list-style-type: none"> • Fireplaces • Private Patios • Private Balconies 	<ul style="list-style-type: none"> • Washer / Dryer • Other In-Unit Amenity Approved by the Plan Commission
Project Amenities:	
<ul style="list-style-type: none"> • Pool • Hot Tub • Sun Deck • Garden • Game Court • Outdoor Fire Pit /Fireplace • Terrace • Lounge • Seating / Dining Area • Grilling Area • Dog Park 	<ul style="list-style-type: none"> • 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

<ul style="list-style-type: none"> • Dog Wash • Bicycle Storage Area • Bicycle Work/Repair Area 	
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ARTICLE 5.7. PLAN DOCUMENTATION AND SUPPORTING INFORMATION DEVELOPMENT PLANS AND PROCEDURES

~~5.7 PLAN DOCUMENTATION AND SUPPORTING INFORMATION.~~ In any case where the plan documentation and supporting information for a development plan requires the submission of a site plan, overall plan, landscape plan, building elevations, sign plan or lighting plans, such plans and elevations shall be submitted in compliance with the following requirements.

~~A. SITE PLAN.~~

~~(A) A site plan filed in connection with the submission of a development plan shall be drawn to scale of not more than one inch equals 100 feet and shall include the following items:~~

- ~~1. North arrow and scale;~~
- ~~2. Address of the site;~~
- ~~3. Proposed name of the development;~~
- ~~4. Area map insert showing the general location of the site referenced to major streets and section lines;~~
- ~~5. Legal description of the real estate;~~
- ~~6. Boundary lines of the site including all dimensions of the site;~~
- ~~7. Names, centerlines and right of way widths of all streets, alleys and easements;~~
- ~~8. Layout, number and dimension of all lots and out lots with zoning setback lines or building setback lines;~~
- ~~9. Location and dimensions of all existing structures, including paved areas;~~
- ~~10. Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;~~
- ~~11. Location and name of all existing and proposed public or private streets, access easements and rights-of-way within 200 feet of the real estate;~~
- ~~12. Location of all floodway and floodway fringe areas within the boundaries of the site;~~
- ~~13. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;~~
- ~~14. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking – number of parking spaces required and provided, residence – number of dwelling units per acre, office – gross floor area);~~
- ~~15. Structures proposed for demolition should be indicated as such;~~
- ~~16. Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line);~~
- ~~17. Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);~~
- ~~18. All improvements to street system on site and off site;~~
- ~~19. Sidewalk plan or alternate plan for pedestrian ways;~~

- ~~20. Measurement of curb radius and/or taper;~~
 - ~~21. Names of legal ditches and streams on or adjacent to the site;~~
 - ~~22. Location, dimensions, and type (e.g. ground, pole, wall) of all signs on the site. Include separate elevations of proposed sign structures with all dimensions drawn to scale;~~
 - ~~23. Location, size and species of all proposed and existing trees over six inches in caliper at four and one-half feet above grade and all proposed and existing landscaping;~~
 - ~~24. Areas reserved for park, recreation, conservation, wetland, common area, lake or other similar uses;~~
 - ~~25. Building elevations, including building materials and colors; and~~
 - ~~26. Any other information requested in writing by the Plan Commission or Director.~~
- ~~(B) The Director, in his or her sole discretion, may waive or relax any of the site plan requirements listed above, as circumstances dictate.~~

~~B. OVERALL PLAN.~~

- ~~(A) An overall plan filed in connection with the submission of a development plan shall be drawn to scale of not more than one inch equals 100 feet and shall include the following items:~~
- ~~1. North arrow and scale;~~
 - ~~2. Address of the site;~~
 - ~~3. Proposed name of the development;~~
 - ~~4. Area map insert showing the general location of the site referenced to major streets and section lines;~~
 - ~~5. Legal description of the real estate;~~
 - ~~6. Boundary lines of the site including all dimensions of the site;~~
 - ~~7. Names, centerlines and right-of-way widths of all streets, alleys and easements;~~
 - ~~8. Layout, number and dimension of all lots and out lots with zoning setback lines and/or building setback lines;~~
 - ~~9. Location and name of all existing and proposed public or private streets, access easements and rights-of-way within 200 feet of the real estate;~~
 - ~~10. Location of all floodway and floodway fringe areas within the boundaries of the site;~~
 - ~~11. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;~~
 - ~~12. All improvements to street system on-site and off-site;~~
 - ~~13. Sidewalk plan or alternate plan for pedestrian ways;~~
 - ~~14. Location, dimensions, and type (e.g. ground, pole, wall) of all signs on the site. Include separate elevations of proposed sign structures with all dimensions drawn to scale;~~
 - ~~15. Areas reserved for park, recreation, conservation, wetland, common area, lake or other similar uses; and~~
 - ~~16. Any other information requested in writing by the Plan Commission or Director.~~
- ~~(B) The Director, in his or her sole discretion, may waive or relax any of the overall plan requirements listed above, as circumstances dictate.~~

~~C. BUILDING ELEVATIONS.~~

~~(A) Building elevations filed in connection with the submission of a development plan shall be drawn to scale and shall include the following items:~~

- ~~1. Address of the site;~~
- ~~2. Proposed name of the development;~~
- ~~3. Scale;~~
- ~~4. Elevations for each facade of the building;~~
- ~~5. Specification or sample of the type and color of building materials to be used for all wall, window, roof and other architectural features;~~
- ~~6. A separate true color rendering of the proposed building, including any proposed wall sign;~~
- ~~7. Placement, size, color and illumination details for any proposed wall sign;~~
- ~~8. Details of any exterior architectural lighting proposed on or around the building; and~~
- ~~9. Any other information requested in writing by the Plan Commission or Director.~~

~~(B) The Director, in his or her sole discretion, may waive or relax any of the building elevation requirements listed above, as circumstances dictate.~~

~~D. SIGN PLAN.~~

~~(A) Sign plans filed in connection with the submission of a development plan shall be drawn to scale and shall include the following items:~~

- ~~1. Address of the site;~~
- ~~2. Proposed name of the development;~~
- ~~3. Scale;~~
- ~~4. A site plan indicating the location of any existing or proposed freestanding signs;~~
- ~~5. A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;~~
- ~~6. Elevation of proposed signs including size, materials and color;~~
- ~~7. A true color rendering of the proposed signs;~~
- ~~8. Illumination details for proposed signs;~~
- ~~9. Placement, size, color and illumination details for any proposed wall sign; and~~
- ~~10. Any other information requested in writing by the Plan Commission or Director.~~

~~(B) The Director, in his or her sole discretion, may waive or relax any of the sign plan requirements listed above, as circumstances dictate.~~

~~E. LANDSCAPE PLAN.~~

~~(A) Landscape plans filed in connection with the submission of a development plan shall be drawn to scale of not more than one inch equals 100 feet and shall include the following items:~~

- ~~1. Address of the site;~~
- ~~2. Proposed name of the development;~~
- ~~3. Scale;~~
- ~~4. The location of any existing or proposed freestanding signs;~~

- ~~5.—Outline of all existing or proposed buildings or structures, including parking and loading areas;~~
- ~~6.—Boundary lines of the site;~~
- ~~7.—Location of all floodway and floodway fringe areas within the boundaries of the site;~~
- ~~8.—All existing elevations and proposed land contour lines having at least two-foot intervals;~~
- ~~9.—Proposed sidewalk or alternate plan for pedestrian ways;~~
- ~~10.—Size, species and spacing (on center) of all proposed trees, landscaping and ground cover;~~
- ~~11.—Survey of existing trees in required yards and required bufferyards, indicating exact location or existing trees over six inch caliber at four and one-half feet above grade and all flowering trees, shrubs and evergreens over six feet in height;~~
- ~~12.—Description of methods to preserve trees without injury and with sufficient area for the root system to sustain the tree;~~
- ~~13.—Description of protective care and physical restraint barriers at the drip line to prevent alteration, compaction or increased depth of the soil in the root system area prior to and during groundwork and construction; and~~
- ~~14.—Any other information requested in writing by the Plan Commission or Director.~~

~~(B) The Director, in his or her sole discretion, may waive or relax any of the landscape plan requirements listed above, as circumstances dictate.~~

~~F. LIGHTING PLANS.~~

~~(A) Lighting plans filed in connection with the submission of a development plan shall be drawn to scale of not more than one inch equals 100 feet and shall include the following items:~~

- ~~1.—North arrow and scale;~~
- ~~2.—Address of the site;~~
- ~~3.—Proposed name of the development;~~
- ~~4.—Boundary lines of the site including all dimensions of the site;~~
- ~~5.—Location and dimensions of all existing structures, parking areas and walkways;~~
- ~~6.—Type and location of all exterior of lighting fixtures, including, wattage and type of light;~~
- ~~7.—Intensity of lighting at base of light structure and at the lot line measured in footcandles; and~~
- ~~8.—If architectural building lighting is proposed, elevations for each facade of the building indicating the location, type and intensity of lighting on each building facade and the intensity of such lighting at the lot line measured in footcandles.~~

~~(B) The Director, in his or her sole discretion, may waive or relax any of the lighting plan requirements listed above, as circumstances dictate.~~

A. APPLICABILITY AND REVIEW AUTHORITY.

1. All development, excepting legal conforming single family attached dwellings, single family detached dwellings, and two-family dwellings, shall be subject to the filing, review and appeal procedures set forth in Article 5.7 – Development Plans.
2. The table below provides general approval responsibilities.

Table 5.7.A.2: General Approval Responsibilities

Type of Development Activity	PC	Dir
New Construction	X ⁽¹⁾	
Building Addition	PC	Dir
(Increase at least 30% ⁽²⁾)	X ⁽¹⁾	
(Increase of Less than 30% ⁽²⁾)		X ⁽¹⁾
Other	PC	Dir
Accessory (Structure, Building or Use)		X ⁽¹⁾

Notes

PC--Plan Commission
 Dir--Director

⁽¹⁾ Either the Plan Commission or Director may elect to defer their decisionmaking authority to the other at their discretion

⁽²⁾ Percent of gross floor area

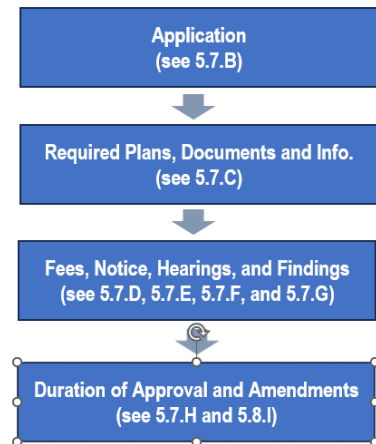
Additional Articles to Consider

In addition to the requirements within the underlying zoning district and the information found within this Article, additional requirements may be found in the Articles listed below. This is not an all-inclusive list:

<u>Article</u>	<u>Subject</u>
4.1	Accessory Uses
4.2	Temporary Uses and Structures
4.7	Landscape Provisions
4.8	Performance Standards
4.9	Lighting Standards
4.10	Off-Street Parking Regulations
4.11	Off-Street Loading Regulations
4.12	Additional Front, Side, and Rear Setback Provisions
4.13	Requirements for All Private Streets and Alleys
4.16	Outdoor Operations
4.20	Standard for Commercial Indoor Lodging Facilities
5.7	Development Plans and Procedures
6.2	Master Plan
7.0	Sign Regulations
14.1	Land Use Matrix
14.2	Development Standards Matrices

3. Regardless of delegation, the Director shall require any proposed development to file a Development Plan for review and determination by the Plan Commission if any of the following circumstances exist:

- a. At the discretion of the Director;
- b. The Development Plan requires:
 - 1) A Zone Map Amendment or includes parcel(s) that have received a Zone Map Amendment approval in the last twelve (12) calendar months;
 - 2) A Planned Unit Development or includes parcel(s) that have received Planned Unit Development approval in the last twelve (12) calendar months;
 - 3) A Primary Plat;
 - 4) Relief from the Zoning Ordinance including, but not limited to:
 - a) Variance of Use;
 - b) Variance of Development Standards;
 - c) Development Incentive;
 - d) Waiver; and/or,
 - e) Waiver or Variance to the Subdivision Control Ordinance.



- c. The area within the Development Plan is adjacent to legal conforming residential uses;

B. APPLICATION. Application for development plan approval by the Plan Commission shall be in compliance with the Rules of Procedure of the Plan Commission.

C. REQUIRED PLANS, DOCUMENTS AND SUPPORTING INFORMATION.

1. In any case where the plan documentation and supporting information for a development plan requires the submission of a narrative, site plan, overall plan, landscape plan, building elevations, sign plan or lighting plans, such plans and elevations shall be submitted in compliance with the following requirements.
2. Information required for Site, Overall, Landscape, and Lighting Plans:

Table 5.7.D.X Information Required for Site, Overall, Landscape, and Lighting Plans				
	Site	Overall	Landscape	Lighting
<u>Scale of not more than one (1) inch equals one hundred (100) feet</u>	X	X	X	X
<u>Address of the site;</u>	X	X	X	X
<u>Boundary lines of the site including all dimensions of the site;</u>	X	X	X	X
<u>North arrow and scale;</u>	X	X	X	X
<u>Proposed name of the development;</u>	X	X	X	X
<u>Sidewalk plan or alternate plan for pedestrian ways;</u>	X	X	X	
<u>Location of all floodway and floodway fringe areas within the boundaries of the site;</u>	X	X	X	
<u>All improvements to street system on-site and off-site;</u>	X	X		
<u>Area map insert showing the general location of the site referenced to major streets and section lines;</u>	X	X		
<u>Areas reserved for park, recreation, conservation, wetland, common area, lake or other similar uses;</u>	X	X		
<u>Building elevations, including building materials and colors; and</u>	X	X		
<u>Legal description of the real estate;</u>	X	X		
<u>Location and name of all existing and proposed public or private streets, access easements and rights-of-way within 200 feet of the real estate;</u>	X	X		
<u>Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;</u>	X	X		
<u>Location, dimensions, and type (e.g. ground, pole, wall) of all signs on the site. Include separate elevations of proposed sign structures with all dimensions drawn to scale;</u>	X	X		
<u>Names, centerlines and right-of-way widths of all streets, alleys and easements;</u>	X	X		
<u>Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line);</u>	X			
<u>Layout, number and dimension of all lots and out lots with zoning setback lines or building setback lines;</u>	X			
<u>Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;</u>	X			
<u>Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);</u>	X			
<u>Location, size and species of all proposed and existing trees over six inches in caliper at four and one-half feet above grade and all proposed and existing landscaping;</u>	X			
<u>Measurement of curb radius and/or taper;</u>	X			
<u>Names of legal ditches and streams on or adjacent to the site;</u>	X			
<u>Structures proposed for demolition should be indicated as such;</u>	X			
<u>Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - number of parking spaces required and provided, residence - number of dwelling units per acre, office - gross floor area);</u>	X			
<u>All existing elevations and proposed land contour lines having at least two-foot intervals;</u>			X	
<u>Description of methods to preserve trees without injury and with sufficient area for the root system to sustain the tree;</u>			X	
<u>Description of protective care and physical restraint barriers at the drip line to prevent alteration, compaction or increased depth of the soil in the root system area prior to and during groundwork and construction; and</u>			X	

<u>Outline of all existing or proposed buildings or structures, including parking and loading areas;</u>			X	
<u>Size, species and spacing (on center) of all proposed trees, landscaping and ground cover;</u>			X	
<u>Survey of existing trees in required yards and required bufferyards, indicating exact location or existing trees over six inch caliber at four and one-half feet above grade and all flowering trees, shrubs and evergreens over six feet in height;</u>			X	
<u>The location of any existing or proposed freestanding signs;</u>			X	
<u>If architectural building lighting is proposed, elevations for each facade of the building indicating the location, type and intensity of lighting on each building facade and the intensity of such lighting at the lot line measured in footcandles.</u>				X
<u>Intensity of lighting at base of light structure and at the lot line measured in footcandles; and</u>				X
<u>Location and dimensions of all existing structures, parking areas and walkways;</u>				X
<u>Type and location of all exterior of lighting fixtures, including, wattage and type of light;</u>				X
<u>Any other information requested in writing by the Plan Commission or Director.</u>	X	X	X	X

3. Information required for Building Elevation and Sign Plans

Table 5.7.D.X Information required for Building Elevation and Sign Plans			
		Building Elevations	Sign Plan
<u>Drawn to scale</u>		X	X
<u>A separate true color rendering of the proposed building, including any proposed wall sign;</u>		X	X
<u>Address of the site;</u>		X	X
<u>Proposed name of the development;</u>		X	X
<u>Scale;</u>		X	X
<u>Details of any exterior architectural lighting proposed on or around the building; and</u>		X	
<u>Elevations for each facade of the building;</u>		X	
<u>Placement, size, color and illumination details for any proposed wall sign;</u>		X	
<u>Specification or sample of the type and color of building materials to be used for all wall, window, roof and other architectural features;</u>		X	
<u>A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;</u>			X
<u>A site plan indicating the location of any existing or proposed freestanding signs;</u>			X
<u>A true color rendering of the proposed signs;</u>			X
<u>Elevation of proposed signs including size, materials and color;</u>			X
<u>Illumination details for proposed signs;</u>			X
<u>Placement, size, color and illumination details for any proposed wall sign; and</u>			X
<u>Any other information requested in writing by the Plan Commission or Director.</u>		X	X

4. Information required for a narrative. The applicant must provide a narrative that states the following, at a minimum:

- a. Provides a clear and concise description of the project.
- b. Lists and details all required petitions to achieve the development as requested.
- c. Details any requested relief from the ordinance, including but not limited to variances, waivers, and development incentives.
- d. For Planned Unit Developments, the following shall be required:
 - 1) Written Statement of Character. A written statement of character of the PUD District shall provide an explanation of the character of the PUD District and the reasons why it has been planned to take advantage of the flexibility of these regulations.
 - 2) Development Amenities and Open Space. The PUD District Ordinance must include a statement of recreational amenities and open space. Such statements shall designate and convey active and/or passive recreational areas in accordance with Article 8.4. Open Space, Common Area & Amenity Standards.

D. FEES. 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.

E. 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.

F. 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.

G. FINDINGS.

1. All findings specified above for the approval of a development plan shall be reduced to writing and signed by the Director of Planning 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.
2. The Plan Commission or the Director may approve a development plan for architectural and site design review upon a finding that:
 - a. The development plan complies with all applicable development standards of the district in which the site is located;
 - b. The development plan complies with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted;
 - c. The development plan complies with all applicable provisions for architectural and site design review for which a waiver has not been granted;
 - d. The proposed development is appropriate to the site and its surroundings; and
 - e. The proposed development is consistent with the intent and purpose of this ordinance.

H. DURATION OF DEVELOPMENT PLAN APPROVAL. Any development plan authorized by Article 5 - Development Plan Approvals shall be subject to the following duration provisions:

1. Initial Approval Duration. Development Plans may be approved by the Plan Commission or by the Director as an Improvement Location Permit.
2. Extension Explanation. Extensions may be granted by the Plan Commission or the Director. The Plan Commission may choose to extend an approval beyond the Director's extension. Once the Plan Commission has granted an extension, further extensions may only be granted by the Plan Commission.

Table 5.7.H.1 Duration of Development Plan or Development Plan approved as Improvement Location Permit		
Approval Authority	Plan Commission	Director
Approval Type	Development Plan	Improvement Location Permit
Approval Duration (Years)	3.0	3.0
Table 5.7.H.2 Extension of Development Plan and/or Development Plan approved as an Improvement Location Permit		
Extension Authority	Plan Commission	Director
Extension Duration (Years)	1.0	0.5
Maximum Number of Extensions	At the discretion of Plan Commission	One

I. 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 a reasonable time frame 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 as stated in Article 1.
 - b. 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.
 - 2) 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:
 - a) Deny the request; or
 - b) Refer to the request to the Plan Commission for determination.
 - 3) 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.
 - c. 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.
 - d. Appeal.
 - 1) Any decision of the Director regarding a minor amendment of a development plan or a minor addition may be appealed 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 5 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.

ARTICLE 5.8. PROCEDURES FOR SUBMISSION AND REVIEW OF DEVELOPMENT PLANS RESERVED

~~A. 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.~~

~~B. 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.~~

~~C. 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.~~

~~D. 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.~~

~~E. 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 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:

 - ~~(1) Deny the request; or~~
 - ~~(2) 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.~~

~~**F.—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.~~

~~**G.—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.~~

ARTICLE 6.1. PLANNED UNIT DEVELOPMENT DISTRICT

~~**A.—INTENT.**~~

- ~~1. The Planned Unit Development (PUD) District is designed to: encourage creativity and innovation in the design of developments; provide for more efficient use of land including the reduction of land area disturbed for utility lines and motor vehicle access; permit special consideration of property with outstanding natural or topographical features; facilitate use of the most appropriate construction techniques in the development of land; and to provide for any individual land use not otherwise specified elsewhere in this ordinance. The PUD District provides flexibility in land use regulations by allowing for the consolidation of the subdivision and zone map change procedures as set forth below. The PUD District encourages imaginative uses of open space, promotes high standards in design and construction, and furthers the purposes of the Comprehensive Plan.~~
- ~~2. The PUD District is not intended for the development of residential subdivisions or other~~

~~developments which are provided for as a matter of right within any individual district of this ordinance.~~

~~B. PERMITTED USES AND DEVELOPMENT REQUIREMENTS.~~

~~1. Permitted uses.~~

~~a. Primary uses in the PUD District shall be any use or range of uses specified in the PUD District ordinance establishing such District and shall be the same as those specified in the petition for zone map change, either in text form or as noted in the preliminary plan filed with the petition for zone map change. Primary uses, by way of example, may include any residential, commercial or industrial land use, or any individual land use or combination of land uses deemed appropriate for the real estate.~~

~~b. Accessory uses, home occupations or temporary uses, unless otherwise specified in the PUD District ordinance and the petition for zone map change, shall be permitted in a manner customarily associated with the primary use specified in the PUD District ordinance.~~

~~2. Development requirements. Development requirements applicable to a PUD shall be those development standards and other requirements specified in the PUD District ordinance establishing such District and shall be the same as those specified in the petition for zone map change, either in text form or as noted on the preliminary plan filed with the petition for zone map change. Every petition for zone map change to the PUD District shall specify development standards applicable to each permitted use in the development and, at a minimum, shall adopt or include a variation of each development standard that is applicable to each such use in a district in which each such use is listed as a primary use. In any case in which an applicable development requirement or development standard has not been specified in the petition for zone map change, the applicable development requirement or development standard shall be that which is specified in the district which lists such use as a primary use and which imposes the highest standard for site development (i.e., minimum yards, minimum bufferyards, landscaping, lighting, architectural and site design requirements and the like). If the petitioner does not want an otherwise applicable development requirement or development standard for any permitted use in the development to be applicable, then the petition for zone map change shall contain a statement to such effect.~~

~~C. PROCEDURE FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT.~~

~~1. Overview.~~

~~a. The complete review and approval process for a PUD consists of three elements:~~

- ~~1) Concept plan design review;~~
- ~~2) Zone map change, including a preliminary plan; and~~
- ~~3) Secondary review of a final detailed plan.~~

~~b. To facilitate the use of this PUD District, after completion of the concept plan review, a petitioner may elect to proceed with the zone map change, including a preliminary plan, approval of a final detailed plan, and primary plat approval separately or may elect to combine any or all of those elements for joint approval. If a petitioner elects to combine any or all of those elements, all elements elected to be combined shall be docketed before the Plan Commission for a joint hearing.~~

~~c. If filed separately, the procedure for filing for approval of a zone map change including a preliminary plan shall be the same as that required for any other petition for zone map change before the Plan Commission, except as otherwise provided for in this Article. The procedure for filing for approval of a final detailed plan is set forth in Article 6.1D.~~

~~2. Filing for concept plan review.~~

- ~~a. The petitioner shall submit a concept plan consisting of:

 - ~~1) A written description of the proposed preliminary PUD; and~~
 - ~~2) A sketch plan for the proposed development, for review by the staff prior to filing a petition for zone map change to the PUD District.~~~~
- ~~b. Staff shall review the proposed concept plan taking into consideration information regarding the terrain of the site and any unique natural features of the site. In doing so, the staff's review may include, but not be limited to, the following:

 - ~~1) Protection of unique topographical features on the site, including, but not limited to, slopes, streams and natural water features;~~
 - ~~2) Protection and preservation of wooded areas, individual trees of significant size, wetlands or other environmentally sensitive features;~~
 - ~~3) Development of common open space and recreational areas (passive or active) accessible to the residents or users of the PUD by way of sidewalks, footpaths or combined walkways/bikeways;~~
 - ~~4) A more efficient use of the land including the reduction of land area disturbed for utility lines and motor vehicle access;~~
 - ~~5) Creation of innovative residential and business environments;~~
 - ~~6) Minimize the alteration of the natural site features through the design and situation of individual lots, streets and buildings;~~
 - ~~7) Diversity and originality in lot layout;~~
 - ~~8) Utilization of individual building designs which achieve an enhanced relationship between the development and the land; and~~
 - ~~9) Relationship to surrounding properties.~~~~
- ~~c. The Director shall notify the petitioner of any staff comments related to the proposed concept plan within 15 days of the submittal.~~
- ~~d. The petitioner may modify the proposed concept plan and file a petition for zone map change, including a preliminary plan, after the earlier of:

 - ~~1) Receipt of comments from the staff; or~~
 - ~~2) The expiration of the 15-day period referred to above.~~~~
- ~~e. Notwithstanding anything contained in this ordinance to the contrary, neither the staff's review of the proposed concept plan submitted for review nor staff's comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed concept plan.~~
- ~~3. Filing for zone map change, including a preliminary plan, with the Plan Commission.

 - ~~a. Filing deadline. All petitions for zone map change, including a preliminary plan, shall be filed at least 45 days prior to the initial public hearing at which they are to be considered by the Plan Commission.~~
 - ~~b. Petition. After completion of the concept plan review, an application for zone map change to the PUD District, which includes a preliminary plan, may be filed with the Plan Commission. All petitions for zone map change to the PUD District shall contain a preliminary plan that satisfies the requirements of set forth below, and shall specify in either general terms or detailed terms the development requirements that will apply to the real property that is included in the petition.~~
 - ~~c. Detailed terms.

 - ~~1) For a preliminary plan to be deemed to have expressed development requirements in detailed terms, said preliminary plan shall include site plans, building elevations, landscape plans, lighting plans, sign plans or any other plan required by this ordinance in sufficient detail to fulfill the requirements for the issuance of an improvement location permit.~~
 - ~~2) If the preliminary plan expresses development requirements in detailed terms,~~~~~~

~~the petitioner may also request approval of a final detailed plan in connection with the approval of the zone map change, provided that any such approval shall be conditioned upon the Town Council adopting the zone map change to the PUD District. The requirements for approval of a final detailed plan are set forth in Article 6.1D below.~~

- ~~d. *General terms.* All preliminary plans or submittals which do not comply with the requirements above for detailed terms shall be deemed to have expressed the development requirements that apply to the proposed PUD in general terms only and shall be required to file for and obtain approval of a final detailed plan from the Plan Commission, as set forth below, prior to the issuance of an improvement location permit.~~
 - ~~e. *Preliminary plan.* A preliminary plan filed with the Plan Commission shall satisfy the following requirements:

 - ~~1) A preliminary plan shall include:

 - ~~a) A sketch plan which depicts the location of proposed land uses and maximum land use densities (i.e., lot area, floor area, ratio of floor area to lot area, identification of areas in which buildings may be located, open space, setback lines, distance between buildings, height of structures, signs, parking areas, loading areas and landscaping);~~
 - ~~b) Proposed layout of streets, open space and other basic elements of the development;~~
 - ~~c) Proposals for handling traffic, parking, sewage disposal, drainage, tree preservation and removal, and other pertinent development features;~~
 - ~~d) The current zoning of the area proposed to be developed as well as the current zoning of the adjacent land;~~
 - ~~e) A proposed breakdown of sections to be contained in the overall development along with a statement as to the order and timing of development;~~
 - ~~f) All public and private streets and pedestrian ways within 200 feet of the site;~~
 - ~~g) North arrow, written and graphic scale, general location map; and~~
 - ~~h) Percentage of site devoted to open space.~~~~
 - ~~2) The preliminary plan, which may be a sketch plan, shall be drawn to a scale of not more than one inch equals 100 feet.~~~~
 - ~~f. *Primary plat.* If desired, the petitioner may also file for primary plat approval before the Plan Commission in the manner set forth in the Subdivision Control Ordinance, provided that any such approval shall be conditioned upon the Town Council adopting the zone map change to the PUD District. Said primary plat approval shall be set for a joint hearing before the Plan Commission with the petition for zone map change, including a preliminary plan, and, notwithstanding anything in the Subdivision Control Ordinance to the contrary, shall comply with the 45 filing deadline set forth above.~~
- ~~4. *Determination by the Plan Commission.* In its determination of the appropriateness of the proposed PUD and whether to recommend approval of the zone map change, including a preliminary plan, to the Town Council, the Plan Commission shall be guided by the extent to which the proposal:~~
- ~~a. Accomplishes the intent set forth in Article 6.1A above; and~~
 - ~~b. Provides for the protection or provision of the site features and amenities outlined in Article 6.1C(2) above.~~
- ~~5. *Commitments, conditions or surety.*~~
- ~~a. *Commitments.* The Plan Commission may require or permit the owner of a parcel of property to make written commitments concerning the use or development of the~~

~~subject property in connection with the recommendation of approval of a PUD or a final detailed plan secondary approval pursuant to Article 4.15 of this ordinance.~~

- ~~b.—*Conditions.* Conditions may be imposed on the approval of a PUD District which are reasonably necessary to assure compliance with the permitted use, development requirements, development standards and other minimum requirements of the PUD District Ordinance.~~
- ~~c.—*Surety.* Bonds or other written assurance may be required which are reasonably necessary to guarantee the timely completion of a public improvement required by the proposed by the PUD District ordinance. Such bond or other written assurance shall be of a form and substance approved by the Town Engineer.~~

~~D.—SECONDARY REVIEW—FINAL DETAILED PLAN:~~

- ~~1.—*Secondary review required.* Secondary review of a final detailed plan is required in the PUD District as a prerequisite to the issuance of an improvement location permit for development of any real property in such district. The Plan Commission shall approve or disapprove each detailed final plan submitted to it for review pursuant to this Article.~~
- ~~2.—*Single family dwelling and two family dwelling exception.* The provisions of this Article regarding final detailed plans for single family dwelling and two family dwelling portions of a PUD shall be deemed to have been fulfilled through the review and approval of a primary plat and secondary plat in conformance with the procedures set forth in the Subdivision Control Ordinance and compliance with the terms of any commitments, conditions or surety required by the Plan Commission.~~
- ~~3.—*Time limit for approval of a final detailed plan.* If a final detailed plan is not approved by the Plan Commission in a joint hearing with the petition for zone map change, petitioner shall have a period of up to three years from the date of the approval of the petition for zone map change in which to file for approval of a final detailed plan, in total or in phases, for approval by the Plan Commission. The Plan Commission shall review the final detailed plan for consistency with the preliminary plan approved by the Town Council in connection with the petition for zone map change. If a request for approval of a final detailed plan is filed for in phases, each subsequent phase shall be filed for within three years of the approval of the prior phase.~~
- ~~4.—*Public hearing.* A determination by the Plan Commission on whether or not to approve a final detailed plan shall be made at a public hearing of the Plan Commission. The nature and type of application, and any other relevant matters for the review and approval of a final detailed plan shall be in accordance with the procedures set forth in Article 5.8A and as specified in the rules of the Plan Commission for a development plan petition submitted for architectural and site design review. Fees shall be in accordance with the schedule adopted pursuant to Article 10.2C(20) of this ordinance.~~
- ~~5.—*Expiration of preliminary plan.* In the event that approval of a final detailed plan is not obtained for all or a portion of the PUD within the time frames outlined above, the preliminary plan shall be deemed to have expired for that portion of the PUD that has not received approval of a final detailed plan, except for the location and density of proposed land uses depicted on such preliminary plan. Once a preliminary plan has expired for any portion of the PUD, no development shall occur within the expired portions of the PUD until:

 - ~~a.—A new preliminary plan is approved by the Plan Commission at a public hearing, notice of which shall be given in the same manner as for a petition for zone map change; and~~
 - ~~b.—Approval of a final detailed plan as required by this Article has been obtained.~~~~
- ~~6.—*Expiration of final detailed plan.*
 - ~~a.—A final detailed plan shall expire upon the later of:~~~~

- 1) ~~Three years after the date of approval by the Plan Commission; or~~
 - 2) ~~The expiration of a building permit issued for the use or development of the property.~~
 - b. ~~Once a final detailed plan has expired for any portion of the PUD, no development shall occur within the expired portions of the PUD until a new final detailed plan as required by this Article has been approved by the Plan Commission.~~
7. ~~Final detailed plan requirements. Before the Plan Commission approves a final detailed plan, the petitioner must submit a final detailed plan consisting of the following:~~
- a. ~~Area map insert showing the general location of the proposed development referenced to major streets and section lines;~~
 - b. ~~Location map showing the names of all metes and bounds property owners, boundary lines of recorded subdivisions, zoning and land uses of adjacent properties;~~
 - c. ~~Proposed name of the PUD;~~
 - d. ~~Legal description of the real estate;~~
 - e. ~~Boundary lines of the proposed PUD;~~
 - f. ~~Location and name of all existing and proposed public or private roads, access easements and rights-of-way within 200 feet of the real estate;~~
 - g. ~~Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;~~
 - h. ~~Layout, number and dimension of all lots and out lots with zoning setback lines;~~
 - i. ~~Location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the PUD;~~
 - j. ~~Drainage plan for all watersheds in and around the proposed PUD, indicating the general drainage pattern of lots, the location of all drainage channels and sub-surface drainage structures, the proposed method of disposing of all storm water runoff including data to show that the proposed outlet(s) are adequate to accommodate the drainage requirements of the PUD, and all existing and proposed detention facilities;~~
 - k. ~~An erosion control plan for all areas of site disturbance;~~
 - l. ~~Topographic contour every five feet superimposed upon the proposed final detailed plan;~~
 - m. ~~Proposed elevation of all building pads within the proposed development;~~
 - n. ~~All improvements to street system on-site and off-site;~~
 - o. ~~Sidewalk plan or alternate plan for pedestrian ways;~~
 - p. ~~Plans and specifications for all infrastructure improvements required or proposed in the PUD;~~
 - q. ~~Areas reserved for park, conservation, wetland, common area, lake or other similar uses;~~
 - r. ~~Proposed covenants, conditions and restrictions;~~
 - s. ~~The character and approximate density of all proposed uses and structures in the plan area; and~~
 - t. ~~Any other information requested in writing by the Plan Commission or staff.~~
8. ~~Findings.~~
- a. ~~The Plan Commission may approve a final detailed plan only upon a finding that:~~
 - 1) ~~The final detailed plan satisfies the development requirements and development standards specified in the PUD District ordinance establishing such District;~~
 - 2) ~~The final detailed plan accomplishes the intent set forth in this Article VI; and~~

- ~~3) The final detailed plan provides for the protection or provision of the site features and amenities outlined in Article 6.1C(2) above.~~
- ~~b. The Plan Commission shall specify any plan documentation or supporting information in addition to that required by this Article that must be supplied before an improvement location permit may be issued for the development of any real estate located in the PUD District.~~
- ~~c. The Plan Commission shall make written findings concerning each decision to approve or disapprove a final detailed plan, and each such written finding shall be signed by the President of the Plan Commission.~~
- ~~9. *Plan Commission seal.* Said final detailed plan, upon approval, shall be sealed with the Plan Commission seal and retained in the office of the Plan Commission to be used in its continuing administration of the PUD.~~

~~E. MODIFICATION OF PRELIMINARY PLAN.~~

- ~~1. Minor modifications to an approved PUD District ordinance which do not involve an increase in intensity of land uses or the designation of additional land uses may be authorized by the Director without a public hearing in its continuing administration of the PUD if, in the determination of the Director, the requested modifications do not adversely impact the purpose or intent of the overall development.~~
- ~~2. If the Director determines that the proposed modification is of such a nature as to adversely impact the purpose or intent of the overall development, or if the proposed modification includes an increase in intensity of any land use or if the proposed modification includes the designation of an additional land use(s), petitioner shall be required to file a new petition for zone map change.~~
- ~~3. Any decision of the Director under this Article 6.1E may be appealed by the petitioner to the Plan Commission within 30 days of being notified of such determination.~~
- ~~4. The Plan Commission is delegated the authority to establish rules governing the nature of proceedings and notice required to make a modification under this Article.~~

~~F. SECONDARY PLAT APPROVAL.~~ ~~Secondary plat approval for any development pursuant to this PUD ordinance shall be issued in a manner consistent with that for any other subdivision under the jurisdiction of the Plan Commission in compliance with the procedures set forth in the Subdivision Control Ordinance and with any additional requirements or commitments entered into in connection with the approval of the final detailed plan pursuant to this PUD ordinance.~~

~~G. MAINTENANCE OF COMMON OPEN SPACE.~~ ~~In those PUDs in which common areas or recreation areas are provided for the use and enjoyment of residents or users of the PUD, the petitioner shall file documentary assurances with the Plan Commission that the permanent dedication and continuous maintenance of open space shall be made in accordance with the preliminary plan and final detailed plan approved by the Plan Commission, and that the common areas and recreation areas shall be made available to the residents and users of the overall PUD at a reasonable and non-discriminatory rate of charge, prior to obtaining secondary plat approval. Such documentary assurances shall be incorporated into the secondary plat that is recorded in the office of the County Recorder or otherwise provided for through legally binding perpetual agreements as approved by the Plan Commission. Such open space shall perpetually run with the PUD and shall not be developed or separated from the PUD at a later date (unless no development of any portion of the PUD which is benefitted by the common areas or recreation areas has occurred and the entire area subject to the PUD is presented for zone map change).~~

~~H. EXTENSIONS.~~ ~~Extensions of time, in six month increments not to exceed a total of two years, for obtaining approval of a final detailed plan may be granted by the Director for good cause shown. In the event that the Director disallows a requested extension, the petitioner~~

~~may appeal said determination to the Plan Commission within 30 days of being notified of such determination.~~

A. Intent.

1. The Planned Unit Development (PUD) District is intended to:
 - a. Achieve a higher quality of project design than could be accomplished through the strict application of a general use district or set of general use districts;
 - b. Provide for more efficient use of land including the reduction of land area disturbed for utility lines and motor vehicle access;
 - c. Permit special consideration of property with outstanding natural or topographical features;
 - d. Facilitate use of the most appropriate construction techniques in the development of land;
 - e. Provide for any individual land use not otherwise specified elsewhere in this ordinance.
 - f. Encourage imaginative uses of open space, promote high standards in design and construction, and further the purposes of the Comprehensive Plan.
 - g. Provide for greater flexibility in applying the ordinances to mixed zoning classifications;
 - h. Provide for innovative approaches to meet the demands of the residential and non-residential markets;
 - i. Provide for the recognition of the interdependency of the residential and non-residential markets;
 - j. Provide for the establishment of creative and unique developments that would not otherwise be able to be developed under the provisions of the Town’s standard zoning district regulations;
2. The Planned Unit Development (PUD) District is not intended to:
 - a. Create developments which are provided for as a matter of right within any individual district of this ordinance.
 - b. Adversely impact the adequate facilities required to serve the property and surrounding area.

B. Process. The complete review and approval process for a PUD consists of four elements and a process for amendment. These are as follows:

1. Concept Plan Review. (see Article 6.1C)
2. Zone map Amendment, Preliminary Plan, Primary Plat. (see Article 6.1D)
3. Final Detailed Plan. (see Article 6.1E)
4. Approval or Denial. (see Article 6.1F)
5. Amendment (if necessary.) (see Article 6.1G)



C. Concept Plan. The intent of the concept plan is to provide Staff with a non-binding, initial review of the general concept of the PUD to be submitted.

1. Requirements for Filing a Concept Plan. At a minimum, the following documents shall be filed by the petitioner requesting a Concept Plan Review:
 - a. A written description of the proposed preliminary Planned Unit Development; and
 - b. A sketch plan for the proposed development, for review by Staff prior to the filing of a petition of the Zone Map Amendment to a Planned Unit Development district.

2. Staff Review of a Concept Plan Staff shall review the proposed concept plan taking into consideration information regarding the terrain of the site, any unique natural features of the site, and uses proposed in the plan. In doing so, the staff's review may include, but not be limited to, the following:
 - a. Protection of unique topographical features on the site, including, but not limited to, slopes, streams and natural water features;
 - b. Protection and preservation of wooded areas, individual trees of significant size, wetlands or other environmentally sensitive features;
 - c. Development of common open space and recreational areas (passive or active) accessible to the residents or users of the PUD by way of sidewalks, footpaths or combined walkways/bikeways;
 - d. A more efficient use of the land including the reduction of land area disturbed for utility lines and motor vehicle access;
 - e. Creation of innovative residential and business environments;
 - f. Minimize the alteration of the natural site features through the design and situation of individual lots, streets and buildings;
 - g. Diversity and originality in lot layout;
 - h. Utilization of individual building designs which achieve an enhanced relationship between the development and the land;
 - i. Relationship to surrounding properties; and
 - j. Consistency with the Goals and Objectives of the Comprehensive Plan.

3. Response to Concept Plan Submittal.

- a. The Director shall notify the petitioner of any staff comments related to the proposed concept plan. Notwithstanding anything contained in this ordinance to the contrary, neither the staff's review of the proposed concept plan submitted for review nor staff's comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed concept plan.
- b. The petitioner may modify the proposed concept plan and file a petition for zone map amendment, including a preliminary plan, after the earlier of:
 - 1) Receipt of comments from the staff; or
 - 2) The expiration of the 15-day period referred to above.

D. Zone Map Amendment / Preliminary Plan / Primary Plat. The following are required for the submittal of a Zone Map Amendment. Unless otherwise determined by the Director, these shall proceed concurrently.

1. Development Requirements.

- a. Development requirements applicable to a PUD shall:
 - 1) be those development standards and other requirements specified in the PUD District ordinance establishing such District;
 - 2) specify development standards applicable to each permitted use in the development and, at a minimum;
 - 3) adopt or include a variation of each development standard that is applicable to each such use in a district in which each such use is listed as a primary use.
- b. In any case in which an applicable development requirement or development standard has not been specified in the petition for zone map change, the applicable development requirement or development standard shall be that which is specified in the district of the Plainfield Zoning Ordinance which lists such use as a primary use and which imposes the highest standard for site development (e.g., minimum yards, minimum bufferyards, landscaping, lighting, architectural and site design requirements and the like).

- c. If the petitioner does not want an otherwise applicable development requirement or development standard for any permitted use in the development to be applicable, then the petition for zone map change shall contain a statement to such effect.
2. Planned Unit Development Ordinance
- a. Uses and Development Standards. The Planned Unit Development (PUD) Ordinance establishes the development standards and use standards for that Planned Unit Development District.
- 1) Any Planned Unit Developments with use standards that reference the Plainfield Zoning Ordinance shall be interpreted to reference the current Plainfield Zoning Ordinance, not the Ordinance at time of that specific PUD Ordinance adoption.
 - 2) Unless specifically stated to the contrary in the PUD Ordinance, any overlay district within the Town of Plainfield Zoning Ordinance shall remain in effect within the geographical boundary of the PUD Ordinance. In a case of regulatory conflict, the most stringent regulation shall apply. This determination shall be made by the Director.
 - 3) It is the intent of the PUD to provide flexibility regarding the mixture of land uses. Within a PUD, any land use may be permitted if such use or uses can be shown to:
 - a) Provide an orderly relation and function to other uses in the development and to existing land uses.
 - b) Be compatible with such existing land uses.
 - c) Be compatible with the Comprehensive Plan of the Town.
 - 4) Primary uses, accessory uses, home occupations, and temporary uses in the PUD District shall be any use or range of uses specified in the PUD District ordinance. Modification of use shall require an amendment to the PUD District.
- b. Process. See Article 6.0 Zone Map Amendment.
- c. Requirements. See Article 6.0 Zone Map Amendment.
3. Preliminary Plan. All petitions for zone map change to the PUD District shall contain a preliminary plan that satisfies the requirements of set forth below and shall specify in either general terms or detailed terms the development requirements that will apply to the real property that is included in the petition.
- a. Requirements.
- 1) Detailed Terms. Includes all the requirements in Article 6.1E.1 and may be advanced concurrently as a Final Detailed Plan; or,
 - 2) General Terms. Does not include all the requirements in Article 6.1E.1 and is advanced as a Preliminary Plan. Will require a Final Detailed Plan.
4. Primary Plat. May be incremental or non-incremental and shall follow the regulations and requirements set forth in the Subdivision Control Ordinance. Secondary Plat approval shall be issued in a manner consistent with the procedures set forth in the Subdivision Control Ordinance and with any additional requirements or commitments entered into in connection with the approval of the Final Detailed Plan pursuant to the PUD Ordinance

E. Final Detailed Plan

1. Requirements. At a minimum, the following plans and documents are required:
 - a. Site Plan (for requirements, see Article 5.7C.2)
 - b. Overall Plan (for requirements, see Article 5.7C.2)
 - c. Landscape Plan (for requirements, see Article 5.7C.2)
 - d. Lighting Plan (for requirements, see Article 5.7C.2)
 - e. Building Elevations (for requirements, see Article 5.7C.3)

- f. Sign Plan (for requirements, see Article 5.7C.3)
 - g. Narrative (for requirements, see Article 5.7C.4)
 - h. Traffic Study (Director’s discretion)
 - i. School Impact Study (Director’s discretion)
2. Process. See Article 5.7 Development Plans and the findings below.
3. Findings. The Plan Commission may approve a final detailed plan only upon a finding that:
- a. The Final Detailed Plan satisfies the Development Requirements and Development Standards specified in the PUD District ordinance establishing such District;
 - b. The Final Detailed Plan accomplishes the intent set forth in Article 6.1A of the Zoning Ordinance;
 - c. The Final Detailed Plan provides for the protection or provision of the site features and amenities outlined in Article 6.1C.2 of the Zoning Ordinance.

F. Approval.

1. Commitments, Conditions and/or Surety. The Plan Commission and/or Town Council may permit or require the following:
- a. Commitments. The Plan Commission may require or permit the owner of a parcel of property to make written commitments concerning the use or development of the subject property in connection with the recommendation of approval of a PUD or a final detailed plan approval pursuant to Article 4.15 of this ordinance.
 - b. Conditions. Conditions may be imposed on the approval of a PUD District which are reasonably necessary to assure compliance with the permitted use, development requirements, development standards and other minimum requirements of the PUD District Ordinance.
 - c. Surety. Bonds or other written assurance may be required which are reasonably necessary to guarantee the timely completion of a public improvement required by the proposed or approved PUD District ordinance. Such bond or other written assurance shall be of a form and substance approved by the Town.
2. Effective Approval. A PUD District Ordinance shall become effective after its approval by the Town Council and shall be recorded by the Town in the Office of the Recorder of Hendricks County, Indiana. The Zoning Map shall be amended accordingly. The use and development of the property shall thereafter be governed by the PUD District Ordinance, subject to review and approval of subsequent permits and approvals as required by the Town Code, and any other regulatory processes which may be required prior to commencement of construction within the PUD District.
3. Duration of Approval. Assuming no extensions of approval (See Article 6.1F.4), the following shall apply.

Table 6.1F.4. Duration of Approval		
Type of Approval	PUD Ordinance	Final Detailed Plan
<u>Definition of Expiry</u>	<u>Failure to start construction</u>	<u>Failure to start construction</u>
<u>Time to Expiry</u>	<u>5 years from Effective Approval (See 6.1F.2)</u>	<u>3 years from Plan Commission Approval or Expiration of Building Permit (whichever is later)</u>
<u>What has Expired</u>	<u>PUD Ordinance, Preliminary Plan, Concept Plan (note: the parcel(s) remain zoned PUD)</u>	<u>Final Detailed Plan</u>
<u>Approvals required for reestablishment</u>	<u>PUD Ordinance, Preliminary Plan, and Concept Plan</u>	<u>Final Detailed Plan</u>

4. Extension of Approval

- a. By Director. One-time extension of up to a maximum two (2) years may be granted from the date of expiration of the PUD District Ordinance by the Director when extenuating circumstances can be clearly shown by the petitioner. The request for same shall be submitted to the Director in writing prior to the expiration date and shall clearly state the reasons why construction has not commenced.
- b. By Plan Commission. The Commission may grant additional time extensions if there have not been adopted changes to Comprehensive Plan and zoning regulations that would impact the PUD District Ordinance.

G. Procedure for Amendment.

- 1. Standing for initiation of Amendment. In addition to the property owner(s), the Plan Commission or the Town Council shall have the standing to initiate a change or amend a PUD District Ordinance.
- 2. The procedure for amending an approved PUD District Ordinance (text amendment) shall be the same as the procedure for the adoption of the initial PUD District Ordinance as set forth herein. Changes that shall require an amendment to a PUD District Ordinance include changes which alter the Concept Plan, Preliminary Architectural Plans or intent of the initial PUD District, as determined by the Director, which shall include but are not limited to:
 - a. Significant increases in density or intensity.
 - b. Changes in the proportion or allocation of land uses.
 - c. Changes in the list of approved uses.
 - d. Changes in the locations of uses outside of the parameters set forth by the PUD District Ordinance.
 - e. Changes in functional uses of Open Space, where such change constitutes an intensification of use of the Open Space.
 - f. Changes in the Concept Plan such that it creates a conflict with the intent of the PUD District Ordinance established with the original Concept Plan.

ARTICLE 10 ADMINISTRATION

ARTICLE 10.1. ADMINISTRATION: TOWN COUNCIL

10.1 TOWN COUNCIL. The Town Council shall have the following powers and duties in connection with the implementation of the Comprehensive Plan and this ordinance:

- ~~A. Approve, reject or amend a Comprehensive Plan, or segment thereof, certified to it by the Plan Commission;~~
- ~~B. Initiate amendments to the text of this ordinance;~~
- ~~C. Adopt, reject or amend proposals to amend or partially repeal the text of this ordinance;~~
- ~~D. Initiate amendments to the text of the Subdivision Control Ordinance;~~
- ~~E. Adopt, reject or amend proposals to amend or partially repeal the text of the Subdivision Control Ordinance;~~
- ~~F. Adopt or reject proposals to amend zone maps;~~
- ~~G. Adopt, reject or amend a PUD District ordinance; and~~
- A. Powers and duties as set forth in IC 36-7-4 et seq., currently or as amended.

H.B. Such additional powers and duties as may be set forth for the Town Council elsewhere in

this ordinance or state law.

~~ARTICLE 10.2. ADMINISTRATION: PLAN COMMISSION~~

A. ESTABLISHMENT.

B. MEMBERSHIP, QUALIFICATION AND TERMS.

C. DUTIES AND POWERS.

The Plan Commission is hereby vested with the duties and powers imposed upon and granted to an Advisory Plan Commission under the Advisory Planning Law, including, without limitation, the powers and duties listed below. To effectuate the purposes of this ordinance, the Plan Commission may, to the fullest extent permitted by applicable laws:

- ~~1. Supervise and make rules for the administration of the affairs of the Plan Commission;~~
- ~~2. Prescribe uniform rules pertaining to investigations and hearings, and other matters authorized by state planning and zoning laws;~~
- ~~3. Keep a complete record of all departmental proceedings;~~
- ~~4. Record and file all bonds and contracts and assume responsibility for the custody and preservation of all papers and documents of the Plan Commission;~~
- ~~5. Prepare, publish and distribute reports, ordinances and other material related to the Plan Commission activities authorized by state law or this ordinance;~~
- ~~6. Adopt a seal;~~
- ~~7. Certify to all official acts;~~
- ~~8. Supervise the fiscal affairs of the Plan Commission;~~
- ~~9. Prepare and submit an annual budget and be limited in all expenditures to the provisions made for expenditures by the Town Council;~~
- ~~10. Prescribe the qualifications of, appoint, remove and fix the compensation of the employees of the Plan Commission;~~
- ~~11. Delegate authority to its employees to perform ministerial acts in all cases except where final action of the Plan Commission is necessary;~~
- ~~12. Designate a hearing examiner or a committee of the commission to conduct any public hearing required to be held by the Plan Commission;~~
- ~~13. Make recommendations to the Town Council concerning:

 - ~~a. The adoption of the Comprehensive Plan and amendments to the Comprehensive Plan;~~
 - ~~b. The adoption or text amendment of this ordinance or the Subdivision Control Ordinance;~~
 - ~~c. The adoption or amendment of a PUD District ordinance; and~~
 - ~~d. Proposals to change the official zone maps;~~~~
- ~~14. Render decisions concerning and approve plats or replats of subdivisions;~~
- ~~15. Render decisions concerning development plans and amendments to development plans;~~
- ~~16. Assign street numbers to lots and structures, renumber lots and structures, and to name or rename streets;~~
- ~~17. Establish advisory committees of citizens;~~
- ~~18. Establish executive committees;~~

- ~~19. Negotiate for grants-in-aid and agree to terms and conditions attached to such grants-in-aid;~~
- ~~20. Subject to final confirmation and approval by the Town Council, establish a schedule of reasonable fees to defray the administrative costs connected with:

 - ~~a. Processing and hearing administrative appeals and petitions for zone map change, special exceptions, variances, planned unit development approvals, and development plan approvals;~~
 - ~~b. Issuing improvement location permits and special exception permits; and~~
 - ~~c. Other official actions taken under this ordinance.~~~~
- ~~21. Invoke any legal, equitable or special remedy available under this ordinance or applicable law for the enforcement of the provisions of this ordinance or actions taken hereunder;~~
- ~~22. Establish an alternate procedure for the more expedient disposition of variances of development standards, special exceptions, variances of use and adopt rules governing the alternate procedure; and~~
- 1. Exercise powers and duties as set forth in IC 36-7-4 et seq., currently or as amended.
- ~~23.~~2. Exercise all powers conferred on it by state law in sections other than above, local ordinance, or rule in the manner so prescribed. This Article shall not be construed as a limitation on such powers.

D. COMMITMENTS.

- 1. The Plan Commission may, when in the discretion of the Plan Commission it is deemed necessary to:
 - a. Assure the compatibility of a proposed development with surrounding properties; or
 - b. ~~To m~~Minimize the potential for the occurrence of detrimental ~~affects-effects~~ from any attributes of a proposed development on surrounding properties, require or permit the owner of a parcel of property to make written commitments concerning the use or development of the subject property in connection with a development plan approval as provided for in this ordinance, or in connection with recommending approval of a zone map change to any zoning district classification contained in this ordinance to the Town Council as a condition of development.
- 2. Procedure
 - a. The commitments shall be reduced to writing in recordable form and signed by the owner(s) of the real estate.
 - b. The commitments shall be in effect for:
 - 1) As long as the real estate to which they apply remains zoned to the classification to which the real estate was zoned when the commitments were made; or
 - 2) Modified or terminated as provided below.
 - c. The commitments shall authorize their recording by staff in the office of the County Recorder ~~of the county~~ upon the final approval of the zone map change by the Town Council or approval of the Development Plan or Primary Plat by the Plan Commission. Following the recording of the commitments, staff shall return the original recorded commitments to petitioner and shall retain a copy of the recorded commitments in its file.
- 3. The Plan Commission, owners of all parcels of ground adjoining the real estate and all owners of real estate within the area included in the petition who were not petitioners for approval, and other specially affected persons designated in such commitments shall be entitled to enforce such commitments pursuant to I.C. 36-7-4-1015 or as otherwise provided by applicable law.

4. The commitments required by the Plan Commission shall be in substantially the form set forth in Exhibit A of this ordinance.

A. MODIFICATION OF COMMITMENTS BY THE PLAN COMMISSION.

1. Commitments required or permitted by the Plan Commission may be modified or terminated by a decision of the Plan Commission, made at a public hearing after notice to adjoining owners has been given pursuant to the rules of procedure of the Plan Commission.
2. Any modification or termination of the commitments shall not be effective until:
 - 1) ~~Reduced to writing;~~
 - 2) ~~Submitted to public hearing;~~
 - 3) ~~Approved by the Plan Commission;~~
 - 4) ~~Executed and notarized by the present owner(s) of the real estate; and~~
 - 5) ~~Recorded in the office of the Recorder of the county~~ County Recorder.
3. The modification or termination of commitments shall be in substantially the form set forth in Exhibit B of this ordinance.

ARTICLE 10.3. ADMINISTRATION: BOARD OF ZONING APPEALS

A. ESTABLISHMENT.

B. MEMBERSHIP, QUALIFICATION AND TERMS.

C. DUTIES AND POWERS.

1. *Duties and powers generally.* The Board of Zoning Appeals shall have the duty and power to: exercise the duties and powers as set forth in IC 36-7-4-900 et seq., currently or as amended.
 - ~~a. Hear and determine appeals from and review any order, requirement, decision or determination made by staff, Hearing Officer or administrative official under this ordinance;~~
 - ~~b. Hear and determine appeals from and review any order, requirement, decision or determination made by an administrative board or other body except the Plan Commission in relation to the enforcement of this ordinance;~~
 - ~~c. Hear and determine appeals from and review any order, requirement, decision or determination made by an administrative board or other body except the Plan Commission in relation to the enforcement of those provisions of this ordinance requiring the procurement of an improvement location permit or a certificate of zoning compliance;~~
 - ~~d. Hear, and approve or deny, all special exceptions in accordance with the provisions of Article 10.3C(5) below;~~
 - ~~e. Hear, and approve or deny, all variances from development standards of this ordinance. A variance from development standards may be approved only upon written determination that:

 - 1) ~~The approval will not be injurious to the public health, safety, morals and general welfare of the community;~~
 - 2) ~~The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and~~
 - 3) ~~The strict application of the terms of this ordinance will result in practical difficulties in the use of the property.~~~~
 - ~~f. Hear, and approve or deny, all variances of use from the terms of this ordinance. A variance of use may be approved only upon written determination that:~~

- 1) ~~The approval will not be injurious to the public health, safety, morals and general welfare of the community;~~
 - 2) ~~The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;~~
 - 3) ~~The need for the variance arises from some condition peculiar to the property involved;~~
 - 4) ~~The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and~~
 - 5) ~~The approval does not interfere substantially with the Comprehensive Plan.~~
2. *Conditions.* The Board of Zoning Appeals may impose reasonable conditions as a part of its approval of any special exception or variance from the terms of this ordinance.
 3. *Commitments.*
 - a. The Board of Zoning Appeals may permit or require the owner of a parcel of property to make a written commitment concerning the use or development of that parcel in the case of a petition for a special exception, variance from the terms of this ordinance or a variance of development standards. All such commitments shall be in recordable form and shall be recorded in the office of the County Recorder and shall take effect upon the granting of the special exception or variance. Unless modified by a decision of the Board of Zoning Appeals, a recorded commitment shall be binding on the owner of the parcel, each subsequent owner, and each other person acquiring an interest in the parcel.
 - b. The commitments required by the Board of Zoning Appeals shall be in substantially the form set forth in Exhibit C of this ordinance.
 - c. A commitment may be modified or terminated only by a decision of the Board of Zoning Appeals made at a public hearing after notice.
 - d. The modification or termination of commitments shall be in substantially the form set forth in Exhibit D of this ordinance.
 - e. By permitting or requiring commitments, the Board of Zoning Appeals does not obligate itself to approve or deny any request. This section does not affect the validity of any covenant, easement, equitable servitude, or other land use restriction created in accordance with law.
 4. *Rules.* The Board of Zoning Appeals shall adopt rules concerning: the filing of appeals; applications for special exceptions and variances; the giving of notice; the determination of interested parties to receive notice; the conduct of hearings; the determination ~~between of~~ use variances and development standards variances; the creation, form, recording, modification, enforcement and termination of commitments; and the designation of which specially affected persons and classes of specially affected persons are entitled to enforce commitments.
 5. *Special exceptions.*
 - a. *Statement of purpose.* Certain land uses have characteristics and locational impacts which, if inappropriately located, may have a detrimental effect upon other land uses within the town. It is therefore recognized that such land uses should be regulated ~~in order~~ to preserve property values, as well as promote the public health, safety, comfort, community moral standards, convenience and general welfare of the town.
 - b. *Uses permitted by special exception.* Only those uses identified in each individual zoning district as uses permitted by special exception ~~shall be permitted by special exception in each zoning district.~~
 - c. *Grant of a special exception.* The Board of Zoning Appeals is hereby authorized to grant special exceptions ~~to permit uses designated as uses permitted by special exception in each zoning district~~ subject to the following requirements-:

- 1) *Form of filing.* A petition for special exception shall be filed with the Board of Zoning Appeals in accordance with the requirements for the filing of a variance, except as such requirements may be modified in this Article. Such petition shall include proposed detailed findings of fact pursuant to Article 10.3C~~(5)(c)~~3. below, in support of the determinations required to be made by the Board of Zoning Appeals.
- 2) *Waiver of development standards.* A petition for special exception may contain a request to waive development standards of the zoning district determined to be inappropriate for the individual special exception use. The Board of Zoning Appeals may approve such a waiver only if such waiver is specifically requested in said petition and specifically approved by the Board of Zoning Appeals. Any development standards which are waived in this manner shall require additional findings by the Board of Zoning Appeals as specified in ~~Article 10.3C(1)(e) above~~C 36-7-4-918.5 et seq., for the grant of a variance of development standards.
- 3) *Findings of fact.* The Board of Zoning Appeals may grant a special exception only upon making a written determination and adopting appropriate findings of fact, based upon the evidence presented at a public hearing, that:
 - a) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
 - b) The proposed use will not injure or adversely affect the adjacent area or property values therein; and
 - c) The proposed use will be consistent with the character of the district, land uses authorized therein and the Town Comprehensive Plan.
- d. *Conditions for the grant of a special exception.* The grant of a special exception shall be subject to the following conditions.
 - 1) The proposed use shall conform to all development standards of the applicable zoning district (unless a waiver-variance of such development standards is requested as part of the special exception petition and approved by the Board of Zoning Appeals as set forth above).
 - 2) The proposed use shall conform to all conditions attached to the grant of the special exception by the Board of Zoning Appeals. Such conditions may include any reasonable site, development, operational standards, performance standards, requirements, and restrictions deemed necessary to ensure compliance with the findings of fact determinations. The grant of a special exception may be for a limited period of time, as specified by the Board of Zoning Appeals.
- e. *Basis of Board of Zoning Appeals review.* In reviewing a special exception petition and making a determination as to compliance with the required findings of fact, the Board of Zoning Appeals shall give consideration to the particular needs and circumstances of each special exception application and shall examine the following items as they relate to the proposed use:
 - 1) Topography and other natural site features;
 - 2) Zoning of the site and surrounding properties;
 - 3) Driveway locations and street access;
 - 4) On-site and off-site accommodations for vehicular and pedestrian circulation patterns;
 - 5) Amount, location and design of off-street parking areas and off-street loading areas;
 - 6) Building character, including height, intensity, materials and architecture;
 - 7) Landscaping, screening and buffering of adjacent properties;

- 8) Compatibility of the proposed use, site design and architecture with the district in which the use is proposed to be located;
 - 9) Extent to which the proposed use, site design and architecture comply with the regulations and development standards that would be applicable if the site were zoned to a commercial district or industrial district of this ordinance which would permit the proposed use as a primary use;
 - 10) Open space and other site amenities; and
 - 11) Availability and adequacy of streets, sanitary facilities, potable water, storm water management system and other utilities.
- f. *Amendments to approved special exceptions.*
- 1) The Director is hereby authorized to approve minor amendments or accessory buildings, structures or use additions to sites which are the subject of a special exception grant through the improvement location permit process and without a public hearing if, in the determination of the Director, the requested minor amendments or accessory buildings, structures or use additions:
 - ~~a) Do not constitute an expansion of the primary use authorized by the special exception grant;~~
 - ~~b) Do not adversely impact or alter the purpose or intent of the special exception use authorized by the Board of Zoning Appeals;~~
 - ~~b) Do not adversely impact the findings of fact made by the Board of Zoning Appeals;~~
 - ~~c) Do not include a substantial increase in intensity of any special exception use;~~
 - ~~d) Utilize site design and architectural features which are consistent and compatible with the existing improvements authorized for the special exception use; and~~
 - ~~e) Comply with the development standards of the district in which the special exception use is located or with the terms and conditions of any waiver authorized by Article 10.3.C.(5)(c).2. and granted by the Board of Zoning Appeals.~~
 - 2) If the Director determines that a request for minor amendments or accessory buildings, structures or use additions to a special exception use does not comply with the requirements set forth above, the Director shall deny the request. In the event of a denial by the Director, the petitioner shall have the right to appeal said denial to the Board of Zoning Appeals under Article 10.3.C.(1)(a) above, or file a petition for a special exception under Article 10.3C.(1)(d) above.
 - 3) Minor amendments or accessory buildings, structures or use additions to a special exception use shall be reported, in writing, to the Board of Zoning Appeals at the next regular meeting of the Board of Zoning Appeals.
6. *Other powers.* The Board of Zoning Appeals shall exercise all powers conferred on it by state law, local ordinance or rule in the manner so prescribed. This Article shall not be construed as a limitation on such powers.

ARTICLE 10.4. ADMINISTRATION: STAFF AGENCIES

- A. ESTABLISHMENT.**
- B. ADMINISTRATION OF PLANNING AUTHORITY.**
- C. DUTIES AND POWERS OF THE DIRECTOR.**
- D. STAFF.**

ARTICLE 10.5. ADMINISTRATION- DESIGN REVIEW COMMITTEE

A. ESTABLISHMENT AND PURPOSE. The Plan Commission is hereby authorized to establish, by resolution, a Design Review Committee as an advisory committee of citizens.

- ~~1. The Plan Commission is hereby authorized to establish, by resolution, a Design Review Committee as an advisory committee of citizens.~~
- ~~2. The purpose of the Design Review Committee shall be to study problems and issues identified by the Plan Commission in its resolution establishing the Design Review Committee and to advise the Plan Commission concerning such problems and issues. Such advise to the Plan Commission may be provided by of way technical assistance to staff and the Plan Commission in the exercise of their duties in connection with the administration of this ordinance.~~

B. DUTIES AND POWERS. The Design Review Committee shall ~~study problems and issues identified by the Plan Commission and advise the Plan Commission concerning such problems and issues~~ in sufficient detail to assist ~~the Plan Commission in~~ the Plan Commission's:

- 1. Review and determination of ~~all~~ development plans, ~~including, but not limited to, those development plans related to:~~
 - ~~a. Development incentives in RR, R-1, R-2 and R-3 Districts;~~
 - ~~b. Development incentives for the R-6 District;~~
 - ~~c. Development incentives for all commercial and industrial districts (except the TC: Town Center District);~~
 - ~~d. Development plans required for all development located in the R-6, all commercial districts and all industrial districts when located within 600 feet of a Gateway Corridor; and~~
 - ~~e.a. Development plans required for architectural review in the TC: Town Center District and all other commercial and industrial districts within 600 feet of a residential district.~~
- 2. Review and recommendation of Planned Unit Developments as to:
 - a. Preliminary plan conceptual design review;
 - b. Zone map change; and
 - c. Final detailed plan ~~secondary~~ review.
- 3. Site plan review for an improvement location permit applied for in connection with an economic revitalization area resolution adopted pursuant to Ord. 5-97;
- 4. Site plan review in connection with a special exception use application for wireless telecommunications facilities; and
- 5. Other applications or petitions identified by the Director as needing additional technical review, including, but not limited to, the review of applications or petitions for improvement location permits, zone map change, primary plat, secondary plat, variance of use, variance of development standards and special exceptions.

C. MEMBERSHIP, TERMS, VACANCIES AND REMOVAL.

- 1. *Membership.* Membership of the Design Review Committee shall be appointed by the Plan Commission ~~consist of a total of six members.~~ Such membership shall be determined as follows:
 - a. One ex officio, non-voting member may be appointed by the Plan Commission from its membership; and
 - b. Five voting citizen members ~~whom shall be appointed by the Plan Commission.~~
 - b.c. One alternate citizen member who may participate in discussion with the Design

Review Committee. This alternate citizen member shall not vote unless a voting-eligible citizen member has a conflict of interest or is absent from the meeting.

2. *Terms.*
 - a. Citizen members of the Design Review Committee shall serve three-year terms.
 - b. The term of ex officio, non-voting Plan Commission members shall be for a period of one year.
 - c. Initial terms of citizen members appointed pursuant to this ordinance shall be: two members for a period of one year; two members for a period of two years and one member for a period of three years.
 - ~~d. The Plan Commission may appoint an alternate member to participate with the Design Review Committee who may serve at any meeting, hearing or procedure in which the regular member of that has a conflict of interest or at any meeting, hearing or procedure for which a regular member may be absent.~~
3. *Vacancy.* In the case of a vacancy on the Design Review Committee, the Plan Commission shall, as soon as practicable, appoint a new member to the Design Review Committee to complete the term which was vacated.
4. *Removal.* The Plan Commission shall have the power to remove any member of the Design Review Committee at any time.

D. MEETINGS, HEARINGS AND PROCEDURES.

E. RECORDS. The Design Review Committee shall keep a record of its meetings detailing, at a minimum, all recommendations made. This record shall remain on file with the staff for a period of six months following the meeting.

- ~~1. The Design Review Committee shall keep minutes of its hearings of all petitions as well as any investigations and other official actions taken; and shall record the vote on all actions taken. A shorthand, steno type or electronic record shall be made of all hearings of the Design Review Committee and shall remain on file with the staff for a period of six months following hearing and determination. All minutes and records filed with the staff shall be public records.~~
- ~~2. A transcription of such verbatim record or any hearing may be ordered by any party, and the cost thereof shall be paid by the party ordering such copy or copies.~~

ARTICLE 10.6. ADMINISTRATION: HEARING OFFICER

- A. ESTABLISHMENT.**
- B. POWERS AND DUTIES.**
- C. APPOINTMENT AND TERM.**
- D. REMOVAL.**
- E. VACANCY.**
- F. RULES OF PROCEDURE.**
- G. CONDITIONS AND COMMITMENTS.**
- H. APPEALS.**

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.

C. Table of Uses.

D. Additional Types of Uses

E. Definitions and Specific Standards

1. Agricultural Land Uses
2. Commercial Land Uses
3. Industrial Land Uses
4. Institutional Land Uses
5. Lodging Land Uses
 - a. Residential indoor Lodging
 - b. Campground
 - c. Commercial Indoor Lodging

1) **Specific Standards.** ~~See Plainfield Zoning Ordinance, Article 4.20: Standards for Commercial Indoor Lodging Facilities~~The Intent is to establish physical and design requirements of Commercial Indoor Lodging facilities.

a) Types of Commercial Indoor Lodging facilities. This ordinance differentiates between two (2) types of Commercial Indoor Lodging facilities as stated in the requirements below:

(1) Transient Commercial Indoor Lodging

(2) Extended stay Commercial Indoor Lodging

b) General Requirements. All Commercial Indoor Lodging facilities shall comply with the following requirements, except where differentiated below.

(1) Operations Standards

(a) No operator, owner, keeper, or proprietor of any Commercial Indoor Lodging shall rent or provide a room for any number of persons greater than the sleeping accommodations provided within the particular rental unit

(b) No operator, owner, keeper, or proprietor, patron, visitor, or guest of any Commercial Indoor Lodging shall be allowed to congregate within any room or single rental unit a number of persons which is greater than two (2) times the number of persons for whom sleeping accommodations are provided within the single room or rental unit except when temporarily designated as a hospitality suite by the Commercial Indoor Lodging.

(c) The utilization of clotheslines or other clothes-drying equipment or facilities outside of a room that are located on or are visible from the outside of a room of Commercial Indoor Lodging are prohibited.

(d) Excepting dwelling units for an onsite manager/maintenance/security employee, Commercial Indoor Lodging facilities are not to serve as a residence.

(e) No occupational tax certificate shall be issued for the purpose of conducting business from a guest room of a Commercial Indoor Lodging facility.

Table 14.1.E.5.c.2.b.1: Operations Standards

	<u>Transient</u>	<u>Extended Stay</u>
<u>Duration of Stay</u>	<u>No more than 30 nights</u>	<u>Up to and more than 30 nights</u>
<u>Housekeeping</u>	<u>Required and included within standard room rate</u>	<u>Available and may be included at an extra charge</u>

(2) Building / Facility Amenities

(a) Room Access. Primary access to each guest room shall be through an inside lobby which is supervised at all hours the facility is open. Private balconies/patios are allowed.

<u>Table 14.1.E.5.c.2.b.2: Building/Facility Amenities Differentiated by Types of Commercial Indoor Lodging</u>		
	<u>Transient</u>	<u>Extended Stay</u>
<u>Minimum Height (in stories)</u>	<u>2</u>	<u>3</u>
<u>Required Facility Amenities</u>	<u>Transient</u>	<u>Extended Stay</u>
<u>24-hour desk staffing;</u>	<u>Optional</u>	<u>Yes</u>
<u>Prohibition of storage of any personal possessions within shared common areas or exterior balconies of the building and/or site;</u>	<u>Yes</u>	<u>Yes</u>
<u>In-room or common area (5 washer/dryer units per 100 rooms or portion thereof) laundry facilities</u>	<u>Optional</u>	<u>Yes</u>
<u>Optional Facility Amenities</u>	<u>Transient</u>	<u>Extended Stay</u>
<u>Business center of a size at least 120 square feet</u>	<u>Optional</u>	<u>(1)</u>
<u>Fitness center of at least 350 square feet for every 200 rooms or portion thereof</u>	<u>Optional</u>	<u>(1)</u>
<u>Swimming pool at least 375 sf x 4 feet of depth</u>	<u>Optional</u>	<u>(1)</u>
<u>Meeting areas or conference rooms</u>	<u>Optional</u>	<u>(1)</u>
<u>On-site restaurant or other available food options (such as room service on an on-site convenience retail store.)</u>	<u>Optional</u>	<u>(1)</u>
<u>Other options as approved by the Plan Commission</u>	<u>Optional</u>	<u>(1)</u>
<u>(1) At least four (4) of the optional amenities which must be maintained to retain Extended Stay status.</u>		

(3) Room Standards. All Commercial Indoor Lodging facilities shall comply with the following requirements, except where differentiated in Table 14.1.E.5.c.2.b.3.b.

(a) Every operator, owner, keeper, or proprietor of any Commercial Indoor Lodging shall keep and maintain in each rental unit, a telephone equipped to place a direct call to 911.

(b) Guest Room Amenities

<u>Table 14.1.E.5.c.2.b.3.b: Guest Room Amenities</u>		
<u>Required Amenities</u>	<u>Transient</u>	<u>Extended Stay</u>
<u>Room or space in which people sleep</u>	<u>Yes</u>	<u>Yes</u>
<u>Water Closet with bathtub and/or shower</u>	<u>Yes</u>	<u>Yes</u>
<u>Closet (enclosed or open)</u>	<u>Yes</u>	<u>Yes</u>
<u>Kitchen Facilities (which may not be located in the bedroom or bathroom) including a refrigerator, cooktop, dedicated sink, and cabinets for cooking/dining supplies.</u>	<u>Optional</u>	<u>Yes</u>
<u>Each guest room of an Extended Stay Commercial Indoor Lodging shall be equipped with a sprinkler system and hard-wired smoke detector approved by the fire marshal.</u>	<u>Optional</u>	<u>Yes</u>

c) Compliance

(1) The common areas and unoccupied rooms of an extended stay Commercial Indoor Lodging facility are subject to inspection by the Town of Plainfield. Such inspections will typically occur during business hours unless there is a situation deemed an emergency by appropriate authority.

- (2) No extended stay Commercial Indoor Lodging shall be initially constructed or thereafter operated, and no transient Commercial Indoor Lodging may be converted to be and operated as extended stay Commercial Indoor Lodging unless in full compliance with each of the above provisions.
- (3) An extended stay Commercial Indoor Lodging facility that fails to meet the requirements of this ordinance is then classified as transient and is thus prohibited from offering any extended stay Commercial Indoor Lodging in more than two (2) of its guest rooms.
- (4) Any Commercial Indoor Lodging operated, conducted, or maintained contrary to the provisions of this article may be declared to be unlawful and a violation of the Unsafe Building Ordinance. The Town may, in addition, or in lieu of all other remedies, commence actions or proceedings for abatement, removal or enjoinder thereof, in the manner provided by state law and this Code.

- 6. Office/Professional Land Uses
- 7. Recreational Land Uses
- 8. Residential Land Uses
- 9. Storage Land Uses
- 10. Vehicle Commercial Land Uses

14.2 Development Standards Matrices

A. Single Family Residential Districts

- 1. Districts Included
- 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	30
	Unenclosed Porch	Feet	20	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							
	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 Reserved		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

- Districts Included
- 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	

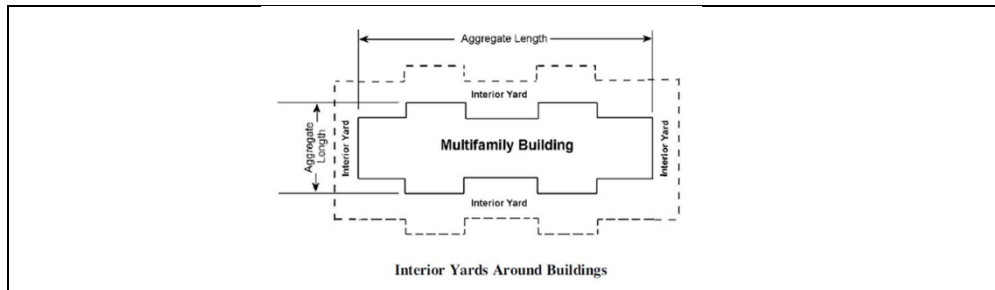
Driveways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
Walkways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
Parking Areas	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
Interior Access Drives	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
Interior Access Driveways	No	Yes ⁽¹⁾	Yes ⁽¹⁾	
Interior Yards around building containing dwelling units (See 14.2.B.3.a-c below)	R6	RU	RI	
Individual interior access 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 Reserved	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	RI
Percent of total lot are of the project area	Percent	10	(N/A)	(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~~

~~a.—The distance between buildings shall be the sum of each applicable minimum interior yard;~~

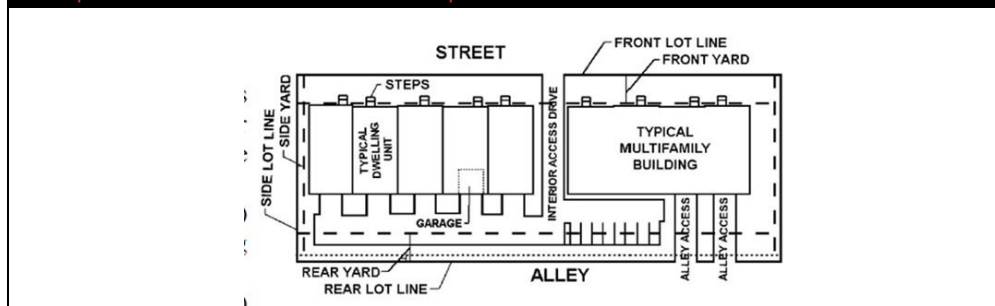
~~b.—Interior yards shall be measured perpendicular to the building or structure at all points; and,~~

~~Example 4.12B.3.a and b:—Interior Yard Around Buildings~~



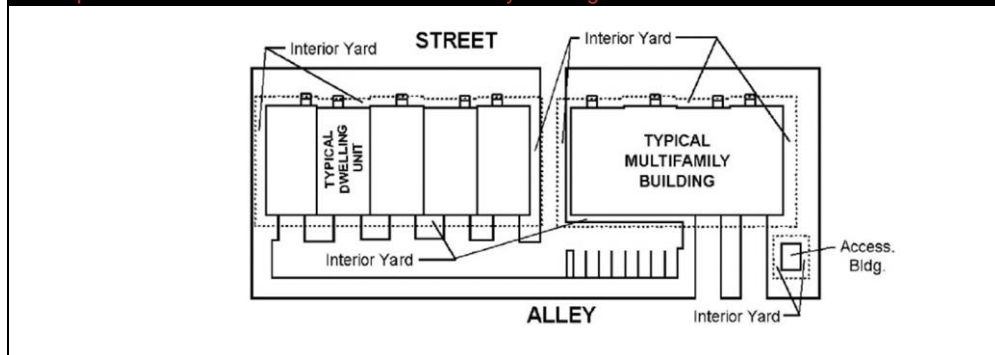
c. Interior yards shall not overlap any required perimeter yards (R-6) or lot line (RU).

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
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		Unit	TC	RF
Front-Town Center				
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.		
	Minimum front yards	TC	RF
	Driveways	Yes (1)	(2)
	Signs as regulated by Article VII	Yes (1)	(2)
	Plazas developed in compliance with Article 5.6C(3)(a)	Yes (1)	(2)
	Walkways from the sidewalk to a building entrance	Yes (1)	Yes (1)
	Minimum front Bufferyards	TC	RF
	Driveways	Yes (1)	(N/A)
	Signs as regulated by Article VII	Yes (1)	(N/A)
	Walkways from the sidewalk to a building entrance	Yes (1)	Yes (1)
	Minimum side and rear yards	TC	RF
	Driveways	Yes (1)	(2)
	Interior Access Driveways	Yes (1)	(2)
	Parking Areas	Yes (1)	(2)
	Loading Areas	Yes (1)	(2)
	Walkways or other pedestrian way connections to adjoining lots	Yes (1)	Yes (1)
	Minimum side and rear bufferyards	TC	RF
	Walkways or other pedestrian way connections to adjoining lots	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
	Primary Building Maximum Building Height	Feet	50 (N/A)
	Primary Buildings, not to exceed	Stories	4 (N/A)
	Two Family, Single Family Attached, Single Family Detached, Attached (Missing Middle Dwellings)	Feet	(N/A) 40
	Commercial Residential	Feet	(N/A) 60
	Dwelling Multifamily	Feet	(N/A) 60
	Other Master Plan Uses	Feet	(N/A) 40 (6)
	Accessory Dwelling Unit	Feet	(N/A) 20
	Accessory buildings	Feet	25 25
e.	Architectural Review	TC	RF
	Subject to the requirements for the filing of a development plan for architectural and site design review.	Yes	Yes
f.	Eligibility to use Development Incentives Reserved	TC	RF
	Eligible to use Development Incentives set forth in Article V of this ordinance.	Yes	No
g.	Off Street Loading	TC	RF
	Located on the lot served	Opt	Yes
	Located within fifty (50) feet of the lot served	Opt	No
	Compliant with Article V 4.11	Yes	Yes

h.	Reserved						
i.	Single Family, Two-Family, and Multi-Family Development Standards						
	Single Family Dwellings		TC		RF		
	Individual Lots		R-4 District		(2)		
	Part of a larger multi-family dwelling project		RU District		(2)		
	Two-Family Dwellings		TC		RF		
	Individual Lots		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							
j.	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			
		Street	Alley (1)	Front	Rear	Interior	
		Dwelling, Single Family Detached, Dwelling, Two Family	No	Req	No	Req	No
		Frontage Width: 60 feet or less	Opt	Opt	Opt	Opt	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
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	Unit	AC	GC	HB	NR	OD
	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⁾	
Minimum Front Bufferyards		AC	GC	HB	NR	OD	
Driveways		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⁾	
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 ⁽⁴⁾	Yes ⁽⁴⁾	Yes ⁽⁴⁾	Yes ⁽⁴⁾	Yes ⁽⁴⁾	
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	

E. Industrial and Distribution Districts

1. General Development Standards
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	
Maximum Lot Coverage	Percent	10%	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	
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⁾	
	Minimum Front Bufferyards	AG	CI	I1	I2	I3	I4	
	Driveways	⁽²⁾	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⁾	
	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⁾ Unlimited ⁽²⁾ 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. ⁽³⁾ Not addressed ⁽⁴⁾ 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.							
e. Minimum Main Floor Area								
	One Story Building	Unit	AG	CI	I1	I2	I3	I4
	Main Floor	Square Feet	1,200	(N/A)	(N/A)	(N/A)	(N/A)	(N/A)
	Two or More Story Building	Unit	AG	CI	I1	I2	I3	I4
	Main Floor	Square Feet	800	(N/A)	(N/A)	(N/A)	(N/A)	(N/A)
	Total Finished Floor Area	Square Feet	1,200	(N/A)	(N/A)	(N/A)	(N/A)	(N/A)
Notes:	(N/A) – Not Applicable							
f. Reserved								
g. Architectural Review.								
	Subject to the requirements for the filing of a development plan for architectural and site design review.	No	Yes ⁽⁺⁾	Yes ⁽⁺⁾	Yes ⁽⁺⁾	Yes ⁽⁺⁾	Yes ⁽⁺⁾	
Notes :	⁽¹⁾ If any portion of a lot is within 600 feet of a residential district or Gateway Corridor.							
h. Development Incentives.								
	Eligible to use Development Incentives set forth in Article V of this ordinance.	No	No	Yes	Yes	Yes	Yes	

F. Institutional and Master Planned Districts