Table of Contents

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Table of Contents

Article 1: Ordinance Foundation

1.01 Basic Provisions 1-02
1.02 Zoning Districts 1-05
1.03 Official Zoning Map 1-07
1.04 Plan Commission Certification 1-08
1.05 Town Council Adoption 1-09

Article 2: Zoning Districts

2.01 Parks and Recreation (PR) District Intent, Permitted Uses, and Special Exception Uses 2-02
2.02 Parks and Recreation (PR) District Development Standards 2-03
2.03 General Agriculture (AG) District Intent, Permitted Uses, and Special Exception Uses 2-04
2.04 General Agriculture (AG) District Development Standards 2-05
2.05 Residential Estate (RE) District Intent, Permitted Uses, and Special Exception Uses 2-06
2.06 Residential Estate (RE) District Development Standards 2-07
2.07 Low Density Single-family Residential (R1) District Intent, Permitted Uses, and Special Exception Uses 2-08
2.08 Low Density Single-family Residential (R1) District Development Standards 2-09
2.09 Medium Density Single-family Residential (R2) District Intent, Permitted Uses, and Special Exception Uses 2-10
2.10 Medium Density Single-family Residential (R2) District Development Standards 2-11
2.11 High Density Single-family Residential (R3) District Intent, Permitted Uses, and Special Exception Uses 2-12
2.12 High Density Single-family Residential (R3) District Development Standards 2-13
2.13 Traditional Residential (TR) District Intent, Permitted Uses, and Special Exception Uses 2-14
2.14 Traditional Residential (TR) District Development Standards 2-15
2.15 Low Density Multiple-family Residential (M1) District Intent, Permitted Uses, and Special Exception Uses 2-16
2.16 Low Density Multiple-family Residential (M1) District Development Standards 2-17
2.17 Medium Density Multiple-family Residential (M2) District Intent, Permitted Uses, and Special Exception Uses 2-18
2.18 Medium Density Multiple-family Residential (M2) District Development Standards 2-19
2.19 High Density Multiple-family Residential (M3) District Intent, Permitted Uses, and Special Exception Uses 2-20
2.20 High Density Multiple-family Residential (M3) District Development Standards 2-21
2.21 Manufactured Home Park (MP) District Intent, Permitted Uses, and Special Exception Uses 2-22
2.22 Manufactured Home Park (MP) District Development Standards 2-23
2.23 Institutional (IS) District Intent, Permitted Uses, and Special Exception Uses 2-24
2.24 Institutional (IS) District Development Standards 2-25
2.25 Neighborhood Commercial (NC) District Intent, Permitted Uses, and Special Exception Uses 2-26
2.26 Neighborhood Commercial (NC) District Development Standards 2-27
2.27 Urban Commercial (UC) District Intent, Permitted Uses, and Special Exception Uses 2-28
2.28 Urban Commercial (UC) District Development Standards 2-29
2.29 Moderate Intensity General Commercial (C1) District Intent, Permitted Uses, and Special Exception Uses 2-30
2.30 Moderate Intensity General Commercial (C1) District Development Standards 2-31
2.31 High Intensity General Commercial (C2) District Intent, Permitted Uses, and Special Exception Uses 2-32
2.32 High Intensity General Commercial (C2) District Development Standards 2-33
2.33 Highway Commercial (HC) District Intent, Permitted Uses, and Special Exception Uses 2-34
2.34 Highway Commercial (HC) District Development Standards 2-35
2.35 Employment Center (EC) District Intent, Permitted Uses, and Special Exception Uses 2-36
2.36 Employment Center (EC) District Development Standards 2-37
2.37 Low Intensity Industrial (I1) District Intent, Permitted Uses, and Special Exception Uses 2-38
2.38 Low Intensity Industrial (I1) District Development Standards 2-39
2.39 High Intensity Industrial (I2) District Intent, Permitted Uses, and Special Exception Uses 2-40
2.40 High Intensity Industrial (I2) District Development Standards 2-41
2.41 Motor Sports (MS) District Intent, Permitted Uses, and Special Exception Uses 2-42
2.42 Motor Sports (MS) District Development Standards 2-43
2.43 Regional Outdoor Entertainment (RO) District Intent, Permitted Uses, and Special Exception Uses 2-44
2.44 Regional Outdoor Entertainment (RO) District Development Standards 2-45
2.45 High Impact (HI) District Intent, Permitted Uses, and Special Exception Uses 2-46
2.46 High Impact (HI) District Development Standards 2-47
Table 2-A Appropriate Adjacent Districts 2-48

Table of Contents

Article 3: Overlay Districts

3.01 Groundwater Protection Overlay (GPO) District Intent, Effect on Uses, and Effect on Standards 3-02
3.02 GPO District Applicability 3-03
3.03 GPO District Boundary 3-03
3.04 GPO District Development Standards 3-03
3.05 Access Supplement 3-04
3.06 GPO Monitoring 3-04

Article 4: Planned Development District

4.01 Planned Development (PD) District Intent, Regulations, and Prerequisites 4-02
4.02 General Planned Development Standards 4-03
4.03 Origination of Proposals 4-03
4.04 Rules of Procedure 4-03
4.05 Limitation of Revisions to the Unified Development Ordinance 4-03
4.06 Designation of Permanent Open Space 4-03

Article 5: Development Standards

5.01 Icon Key 5-02
5.02 AS-01: General Accessory Structure Standards 5-03
5.03 AS-02: Parks and Recreation and Agricultural Accessory Structure Standards 5-03
5.04 AS-03: Residential Estate Accessory Structure Standards 5-04
5.05 AS-04: Single-family and Two-family Residential Accessory Structure Standards 5-04
5.06 AS-05: Traditional Residential Accessory Structure Standards 5-05
5.07 AS-06: Multiple-family Residential Accessory Structure Standards 5-05
5.08 AS-07: Manufactured Home Park Residential Accessory Structure Standards 5-06
5.09 AS-08: Institutional Accessory Structure Standards 5-07
5.10 AS-09: Neighborhood Commercial Accessory Structure Standards 5-07
5.11 AS-10: Urban Commercial Accessory Structure Standards 5-08
5.12 AS-11: General Commercial Accessory Structure Standards 5-08
5.13 AS-12: Regional Outdoor Entertainment Accessory Structure Standards 5-09
5.14 AS-13: Industrial Accessory Structure Standards 5-09
5.15 AR-01: Residential and Neighborhood Commercial Architectural Standards 5-10
5.16 AR-02: Traditional Residential Architectural Standards 5-10
5.17 AR-03: Multiple-family Residential Architectural Standards 5-11
5.18 AR-04: Commercial Architectural Standards 5-12
5.19 AR-05: Industrial Architectural Standards 5-13
5.20 CP-01: Canopy and Portico Standards 5-14
5.21 DI-01: Density and Intensity Standards 5-15
5.22 EN-01: Environmental Standards 5-16
5.23 FW-01: General Fence and Wall Standards 5-17
5.24 FW-02: Parks and Recreation Fence and Wall Standards 5-18
5.25 FW-03: Agricultural Fence and Wall Standards 5-18
5.26 FW-04: Residential Fence and Wall Standards 5-19
5.27 FW-05: Institutional and Commercial Fence and Wall Standards 5-19
5.28 FW-06: Regional Outdoor Entertainment Fence and Wall Standards 5-20
5.29 FW-07: Industrial and High Impact Fence and Wall Standards 5-20
5.30 FA-01: Floor Area Standards 5-21
5.31 HT-01: Height Standards 5-22
5.32 HB-01: Type 1 Home Business Standards 5-23
5.33 HB-02: Type 2 Home Business Standards 5-24
5.34 HB-03: Type 3 Home Business Standards 5-25
5.35 KA-01: Agricultural Keeping of Animals Standards 5-26
5.36 KA-02: Residential Estate Keeping of Animals Standards 5-26
5.37 KA-03: Single-Family Residential Keeping of Animals Standards 5-27
5.38 LA-01: Landscaping Standards 5-28
5.39 LA-02: Parking Lot Landscaping Standards 5-35
5.40 LA-03: Buffer Yard Planting Standards 5-37
5.41 LA-04: Outdoor Storage Screening Standards 5-40

Table of Contents

5.42 LT-01: Lighting Standards 5-41
5.43 LT-02: Agriculture and Residential Lighting Standards 5-41
5.44 LT-03: Parks and Recreation and Multiple-family Residential Lighting Standards 5-41
5.45 LT-04: Institutional and Commercial Lighting Standards 5-42
5.46 LT-05: Employment Center and Industrial Lighting Standards 5-42
5.47 LD-01: Loading Standards 5-43
5.48 LO-01: Lot Standards 5-44
5.49 MH-01: Manufactured Housing and Lease-lot Development Standards 5-45
5.50 OD-01: General Outdoor Dining Standards 5-46
5.51 OS-01: General Outdoor Storage Standards 5-47
5.52 OS-02: Agricultural Outdoor Storage Standards 5-47
5.53 OS-03: Merchandising Outdoor Storage Standards 5-48
5.54 OS-04: Industrial and High Impact Outdoor Storage Standards 5-49
5.55 OS-05: Regional Outdoor Entertainment Outdoor Storage Standards 5-49
5.56 PK-01: General Parking Standards 5-50
5.57 PK-02: Single-family Residential Parking Standards 5-51
5.58 PK-03: Traditional Residential Parking Standards 5-51
5.59 PK-04: Multiple-family Residential Parking Standards 5-51
5.60 PK-05: Manufactured Home Park Residential Parking Standards 5-51
5.61 PK-06: Urban Commercial Parking Standards 5-52
5.62 PK-07: Nonresidential Parking Standards 5-52
5.63 SB-01: Setback Standards 5-62
5.64 SW-01: Sewer and Water Standards 5-64
5.65 SX-01: Sexually Oriented Entertainment Business Standards 5-65
5.66 SI-01: General Sign Standards 5-66
5.67 SI-02: Parks and Recreation Sign Standards 5-71
5.68 SI-03: Agricultural Sign Standards 5-74
5.69 SI-04: Single-family and Two-family Residential Sign Standards 5-76
5.70 SI-05: Multiple Family and Manufactured Home Park Residential Sign Standards 5-77
5.71 SI-06: Institutional Sign Standards 5-79
5.72 SI-07: Neighborhood Commercial Sign Standards 5-82
5.73 SI-08: Urban Commercial Sign Standards 5-86
5.74 SI-09: Moderate Intensity Commercial Sign Standards 5-89
5.75 SI-10: High Intensity Commercial Sign Standards 5-94
5.76 SI-11: Highway Commercial Sign Standards 5-99
5.77 SI-12: Employment Center Sign Standards 5-104
5.78 SI-13: Industrial Sign Standards 5-108
5.79 SI-14: Regional Outdoor Sign Standards 5-111
5.80 SI-15: Street Classification Corridors 5-112
5.81 SE-01: Special Exception Standards 5-113
5.82 SE-02: General Commercial Special Exception Standards 5-113
5.83 ST-01: Structure Standards 5-114
5.84 TC-01: Telecommunication Facility Standards 5-115
5.85 TU-01: General Temporary Use and Structure Standards 5-117
5.86 TU-02: Agricultural and Residential Estate Temporary Use and Structure Standards 5-117
5.87 TU-03: Residential Temporary Use and Structure Standards 5-118
5.88 TU-04: Nonresidential Temporary Use and Structure Standards 5-118
5.89 TU-05: Regional Outdoor Entertainment Temporary Use and Structure Standards 5-119
5.90 TR-01: Trash Receptacle Standards 5-120
5.91 VC-01: Vision Clearance Standards 5-121
5.92 WT-01: Small Wind Turbine Systems 5-122
5.93 WT-02: Large Wind Turbine Systems 5-124

Table of Contents

Article 6: Subdivision Types

6.01 Simple Subdivision (SS) Intent 6-02
6.02 Simple Subdivision (SS) Prerequisites 6-02
6.03 Simple Subdivision (SS) Standards 6-03
6.04 Curvilinear Subdivision (CL) Intent 6-04
6.05 Curvilinear Subdivision (CL) Prerequisites 6-04
6.06 Curvilinear Subdivision (CL) Elective Incentives 6-04
6.07 Curvilinear Subdivision (CL) Standards 6-05
6.08 Conservation Subdivision (CN) Intent 6-06
6.09 Conservation Subdivision (CN) Prerequisites 6-06
6.10 Conservation Subdivision (CN) Elective Incentives 6-06
6.11 Conservation Subdivision (CN) Standards 6-07
6.12 Townhouse Subdivision (TN) Intent 6-08
6.13 Townhouse Subdivision (TN) Prerequisites 6-08
6.14 Townhouse Subdivision (TN) Elective Incentives 6-08
6.15 Townhouse Subdivision (TN) Standards 6-09
6.16 Traditional Subdivision (TD) Intent 6-10
6.17 Traditional Subdivision (TD) Prerequisites 6-10
6.18 Traditional Subdivision (TD) Elective Incentives 6-10
6.19 Traditional Subdivision (TD) Standards 6-11
6.20 Commercial Subdivision (CM) Intent 6-12
6.21 Commercial Subdivision (CM) Prerequisites 6-12
6.22 Commercial Subdivision (CM) Standards 6-13
6.23 Industrial Subdivision (ID) Intent 6-14
6.24 Industrial Park Subdivision (ID) Prerequisites 6-14
6.25 Industrial Park Subdivision (ID) Standards 6-15

Article 7: Design Standards

7.01 Using this Section 7-02
7.02 Icon Key 7-02
7.03 AD-01: Curvilinear Subdivision Architectural Diversity (AD) Standards 7-03
7.04 AD-02: Traditional and Conservation Subdivision Architectural Diversity (AD) Standards 7-04
7.05 AD-03: Townhouse Subdivision Diversity (AD) Standards 7-05
7.06 CA-01: Residential Common Area (CA) Standards 7-06
7.07 DD-01: General Dedication of Public Improvement (DD) Standards 7-07
7.08 DN-01: Development Name Standards 7-08
7.09 EA-01: Easement Standards 7-09
7.10 EF-01: Residential Entryway Feature Standards 7-12
7.11 EF-02: Non-Residential Entryway Feature Standards 7-13
7.12 EC-01: Erosion Control Standards 7-14
7.13 FH-01: Flood Hazard Standards 7-15
7.14 IC-01: Curvilinear Subdivision Incentive Standards 7-16
7.15 IC-02: Conservation Subdivision Incentive Standards 7-18
7.16 IC-03: Townhouse Subdivision Incentive Standards 7-19
7.17 IC-04: Traditional Subdivision Incentive Standards 7-20
7.18 LE-01: Residential Lot Establishment Standards 7-22
7.19 LE-02: Residential Lot Establishment Standards 7-23
7.20 LE-03: Non-residential Lot Establishment Standards 7-24
7.21 MB-01: Suburban Residential Mailbox Standards 7-25
7.22 MB-02: Urban Residential Mailbox Standards 7-25
7.23 MB-03: Non-Residential Mailbox Standards 7-26
7.24 MX-01: Mixed-use Development Standards 7-27
7.25 MM-01: Monument and Marker Standards 7-28
7.26 OP-01: Open Space Standards 7-29
7.27 OA-01: Owners' Association Standards 7-30
7.28 PN-01: Pedestrian Network Standards 7-32
7.29 PN-02: Mid-block Crossing Standards 7-33
7.30 PL-01: Perimeter Landscaping Standards 7-34

Table of Contents

7.31 PQ-01: Prerequisite Standards 7-35
7.32 SM-01: Stormwater Standards 7-36
7.33 SA-01: General Street Standards 7-37
7.34 SA-02: Private Street Standards 7-41
7.35 SA-03: Traditional and Townhouse Subdivision Alley Standards 7-42
7.36 SA-04: Curvilinear Subdivision Alley Standards 7-43
7.37 SA-05: Residential Access Standards 7-44
7.38 SA-06: Non-residential Access Standards 7-44
7.39 SA-07: Street Signs Standards 7-45
7.40 SL-01: Curvilinear Subdivision Street Lighting Standards 7-46
7.41 SL-02: Conservation Subdivision Street Lighting Standards 7-46
7.42 SL-03: Traditional and Townhouse Subdivision Street Lighting Standards 7-47
7.43 SL-04: Non-residential Street Lighting Standards 7-47
7.44 SY-01: Surety Standards 7-48
7.45 UT-01: Utility Standards 7-50

Article 8: Nonconformances

8.01 Intent of Nonconformance Rules 8-02
8.02 Distinction Between Conforming, Illegal Nonconforming, and Legal Nonconforming 8-02
8.03 Illegal Nonconforming Structures, Lots, and Uses 8-02
8.04 Legal Nonconforming Structures 8-02
8.05 Legal Nonconforming Lots 8-04
8.06 Legal Nonconforming Use 8-05

Article 9: Processes

9.01 Introduction to Processes 9-02
9.02 Improvement Location Permit 9-04
9.03 Temporary Improvement Location Permit 9-07
9.04 Administrative Appeal 9-09
9.05 Development Plan 9-10
9.06 Planned Development; General 9-12
9.07 Planned Development; District Ordinance 9-12
9.08 Planned Development; Detailed Site Plan 9-14
9.09 Planned Development; Final Site Plan 9-16
9.10 Special Exception Use 9-17
9.11 Text Amendment 9-18
9.12 Variance 9-19
9.13 Zoning Map Amendment (Rezoning) 9-20
9.14 Conditional Zoning Map Amendment (Conditional Rezoning) 9-21
9.15 Minor Subdivision Primary Plat 9-22
9.16 Minor Subdivision Final Plat 9-25
9.17 Major Subdivision Primary Plat 9-27
9.18 Major Subdivision Final Plat 9-30
9.19 Subdivision of Land; Administrative 9-32
9.20 Waiver from Design Standard 9-34

Table of Contents

Article 10: Enforcement
10.01 Actionable Violations 10-02
10.02 Enforcement Official 10-02
10.03 Discovery of Violations 10-02
10.04 Inspection of Property or Structure 10-02
10.05 Responsibility for Violations 10-02
10.06 New Permits at Location Where a Violation Exists 10-03
10.07 Enforcement Action Options 10-03
10.08 Request to Stop Work 10-03
10.09 Stop Work Order 10-04
10.10 Enforcing a Violation as a Common Nuisance 10-04
10.11 Request to Remedy 10-05
10.12 Invoke a Legal, Equitable, or Special Remedy 10-05
10.13 Enforce a Condition, Covenant, or Commitment 10-06
10.14 Request a Prohibitory or Permanent Injunction to Restrain 10-06
10.15 Request a Mandatory Injunction to Remove a Structure 10-07
10.16 Impose a Fine for Violation 10-07
10.17 Invoke a Fine for Violation 10-08
10.18 Other Remedy 10-08

Article 11: Definitions
11.01 General 11-02
11.02 Defined Words 11-02

Appendix A: Land Use Matrix

Appendix B: Recommended Plant Material

Appendix A: Amendment Tracking Table

Table of Contents

Article 1

Ordinance Foundation

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

1.01 Basic Provisions

A. Title: This ordinance shall be formally known as the "Town of Brownsburg Unified Development Ordinance," and may be cited and referred to as the "Unified Development Ordinance" or "Subdivision Control Ordinance."

B. Unified Development Ordinance: The Town of Brownsburg's Zoning Ordinance and Subdivision Control Ordinance have been combined into one ordinance for the purpose of maintaining consistency, shortening the overall length of the document, and to improve user-friendliness for the end users. Article 1, 7, 8, 9, 10, and 11 are shared by both the Zoning Ordinance and Subdivision Control Ordinance. Articles 2, 3, 4, and 5 are exclusively Zoning Ordinance components. Article 6 is exclusively a Subdivision Control Ordinance component.

C. Defined Words: Words used in a special sense in the Unified Development Ordinance are defined in *Article 11: Definitions*.

D. Authority: The Unified Development Ordinance is adopted by the Town of Brownsburg pursuant to its authority under the laws of the State of Indiana, *IC 36-7-4* et seq.

E. Purpose: The Unified Development Ordinance is intended to guide the growth and development of the Town of Brownsburg in accordance with the *Brownsburg Comprehensive Plan* for the following purposes:

1. *Basic Rights*: To secure adequate light, air, convenience of access, and safety from fire, flood, and other dangers which may include providing adequate open spaces for light, air, and outdoor uses.
2. *General Welfare*: To promote the public health, safety, morals, comfort, convenience, and general welfare.
3. *Development and Growth*: To promote the orderly, responsible and beneficial development and growth of the areas within the zoning jurisdiction in accordance with Town of Brownsburg land use policy.
4. *Character*: To protect the character and stability of agricultural, residential, institutional, commercial, industrial, and natural areas.
5. *Circulation*: To minimize or avoid congestion on public streets and to ensure safe, convenient, and efficient traffic circulation.
6. *Environmental Integrity*: To preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the zoning jurisdiction.
7. *Compatibility*: To bring about compatibility between different land uses and to protect the scale and character of existing development from the encroachment of incompatible uses.
8. *Intensity*: To regulate and restrict the use of structures and land for business, industry, residence, and other uses.
9. *Public Service*: To define the powers and duties of administrative officers and bodies, and to establish procedures for the implementation and enforcement of the Unified Development Ordinance.
10. *Compliance*: To require ongoing compliance with the regulations and punitive recourse for noncompliance regarding the provisions of the Unified Development Ordinance.
11. *Light Pollution*: To limit the amount of glare and light trespass caused by light fixtures.
12. *Landscaping*: To require a reasonable amount of plant materials to enhance the visual quality of developments, maintain community character, define the edges of streets for vehicular and pedestrian safety and flow, minimize stormwater runoff, and improve air quality.
13. *Minimum Buildable Lot*: To require a reasonable amount of land for each buildable lot.

F. Compliance:

1. *Structure*: No structure shall be located, erected, constructed, reconstructed, moved, altered, converted, enlarged or used, except when in full compliance with all provisions of the Unified Development Ordinance and when the permits and certificates required by the Unified Development Ordinance have lawfully been issued.
2. *Land*: No piece of land (e.g. lot) shall be used except when in full compliance with all provisions of the Unified Development Ordinance and when the permits and certificates required by the Unified Development Ordinance have lawfully been issued.
3. *Existing Use*: No existing use may be expanded except when in full compliance with all provisions of the Unified Development Ordinance and when the permits and certificates required by the Unified Development Ordinance have lawfully been issued.

G. Severability: If any provision or the application of any provision of the Unified Development Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Unified Development Ordinance or the application of such provision to other circumstances shall not be affected.

H. Interpretation

1. *Minimum Requirements*: The provisions of the Unified Development Ordinance are the minimum requirements necessary to achieve this ordinance's purpose.
2. *Conflict or Inconsistency*:
   a. Internal: Unless otherwise specifically stated within the Unified Development Ordinance, if two (2) or more provisions of the Unified Development Ordinance are in conflict or are inconsistent with one another, then the most restrictive provision shall apply.
   b. Federal, State, and Local:
      i. Whenever a provision of the Unified Development Ordinance imposes a greater restriction or a higher standard than is required by any State or Federal code or regulation, or other Town ordinance or regulation, the provision of the Unified Development Ordinance shall apply.
      ii. Whenever a provision of any State or Federal code or regulation, or other Town ordinance or regulation imposes a greater restriction or a higher standard than is required by the Unified Development Ordinance, the provision of the State or Federal code or regulation, or other Town ordinance or regulation shall apply.
   c. Other: Whenever a private covenant, contract, commitment, agreement, or other similar private land use regulation imposes a greater restriction or a higher standard than is required by a provision of the Unified Development Ordinance, the stricter standard would apply, albeit by a non-governmental regulation. However, if a project complies with the Unified Development Ordinance, the town is still obligated to issue the permit or otherwise approve the project.
3. *Illustrations*: If differences are found between the meaning or implication of any illustration or drawing, the regulating text of the Unified Development Ordinance shall apply.
4. *Text and Tables*: If differences are found between the meaning or implication of the text and tables, the stricter of the provisions shall apply.
5. *Time Frames*: Unless specifically noted otherwise, time frames stated within the Unified Development Ordinance shall be calculated to include weekdays, weekends, and holidays. If a time frame ends on a Saturday, Sunday, or holiday that the Town of Brownsburg offices are closed, the time frame will be extended to the end of the next business day.
6. *Delegation of Authority*: If a provision in the Unified Development Ordinance requires the Zoning Administrator or other Town officer to perform an act or duty, that provision shall also include any person working under the authority and supervision of the Zoning Administrator unless specified otherwise.
7. *Mandatory and Permissive Terms*: The words “shall” or “must” are always mandatory. The words “may” or “should” are always permissive.
8. *Words Used*: If words used in the Unified Development Ordinance are not defined in *Article 11: Definitions*, they shall be construed to be the common usage of the language. Any legal or technical words not defined in the Unified Development Ordinance shall be construed to be as defined by an appropriate lexicon or current and common dictionary.
9. *Tense*: If words are used in a specific tense (i.e. past, future or present) it shall be construed to include all tenses, unless the context clearly indicates a specific tense.
10. *Singular/Plural Form*: If words are used in singular form, the plural form shall apply and vice versa, unless the context clearly indicates the contrary.
11. *Gender*: If a feminine term is used, the masculine shall also apply and vice versa.
12. *Conjunctions*: The word “and” shall be construed to include all connected items, conditions, and provisions in a series, unless the context clearly suggests the contrary. The word “or” shall be construed to include one or more of the items, conditions, and provisions in a series, unless the context clearly suggests the contrary.
13. *Rounding*: If a regulatory formula is used within the Unified Development Ordinance and results in a non-whole number of an indivisible object or feature (i.e. a tree), the non-whole number shall be up rounded to the next highest whole number.
14. *Intent*: Any section within the Unified Development Ordinance under an “intent” or “purpose” heading shall not be binding regulation. Rather it is guidance for the reader to understand what the Town’s goals are for the forthcoming regulations.

I. Ordinance Jurisdictional Area: The Unified Development Ordinance applies to all land within the Town of Brownsburg's zoning jurisdiction.

J. Repealer: The following Town of Brownsburg ordinances are hereby repealed and are replaced by this Town of Brownsburg Unified Development Ordinance:
   1. *Zoning Ordinance*: The 2012 Town of Brownsburg Zoning Ordinance, as amended, excluding its associated Zoning Map.
   2. *Subdivision Control Ordinance*: The Town of Brownsburg Subdivision Control Ordinance, as amended.

K. Transition Rules
   1. *Plan Commission*: Any application (e.g. Development Plan Review or Primary Plat) filed with the Plan Commission that is full and complete prior to the effective date of the Unified Development Ordinance shall be regulated by the terms and conditions of the Unified Development Ordinance.
   2. *Rezone*: Any application for a Zone Map Amendment (i.e. Rezone) filed with the Plan Commission that is full and complete prior to the effective date of the Unified Development Ordinance shall continue through the process pursuant to the terms and conditions of the Unified Development Ordinance.
   3. *Board of Zoning Appeals*: Any appeal (e.g. Development Standards Variance, Administrative Appeal, and Special Exception Use) filed with the Board of Zoning Appeals that is full and complete prior to the effective date of the Unified Development Ordinance shall continue through the process to completion pursuant to the terms and conditions of the Unified Development Ordinance.
   4. *Planned Development*: An application for a Planned Development District filed with the Plan Commission that is full and complete prior to the effective date of the Unified Development Ordinance shall continue through the process pursuant to the terms and conditions of the Unified Development Ordinance.

L. Administrative Officer: The Zoning Administrator shall have the primary responsibility for administration and enforcement (or coordination of enforcement) of the Unified Development Ordinance within the Town of Brownsburg's zoning jurisdiction.

M. Saving Provision: The Unified Development Ordinance shall not be construed as eliminating or reducing any action now pending under, or by virtue of, an existing law, previous zoning ordinance, or related ordinance. The Unified Development Ordinance shall not be construed as discontinuing, reducing, modifying, or altering any penalty accruing or about to accrue.

N. Effect of Annexation or Vacation on Zoning: The Plan Commission shall be guided by the principles and directives of the *Brownsburg Comprehensive Plan* and the Town of Brownsburg Unified Development Ordinance in making recommendations to the Town of Brownsburg Town Council regarding the zoning district classifications for newly annexed areas.

O. Statutory Changes: Whenever the Indiana Code cited in the Unified Development Ordinance has been amended or superseded, the Unified Development Ordinance shall be deemed amended in reference to the new or revised code.

P. References: Whenever any agency, department, position, document, map, or publication referenced in the Unified Development Ordinance changes, the new or substitute agency, department, position, document, map, or publication shall be deemed incorporated into the Unified Development Ordinance.

1.02 Zoning Districts

A. Establishment of Standard Zoning Districts: Each of the standard zoning districts in the Unified Development Ordinance stand alone and is not a part of a hierarchy or pyramidal system of zoning. For example, what is permitted in one (1) zoning district is not related to what is permitted in another zoning district. Only those uses and development standards which are expressly permitted in the list for each zoning district apply to that zoning district.

For the purpose of this Unified Development Ordinance, the Town of Brownsburg has established the following standard zoning districts:

Standard District Code	Standard District Name	Standard District Purpose
PR	Parks and Recreation	This district is established for active and passive recreational areas, parks, linear trails, nature preserves, and other land in conservation.
AG	General Agriculture	This district is established for areas used for general agricultural purposes. This district is intended for land that may eventually be developed.
RE	Residential Estate	This district is established for single-family detached dwellings on estate sized lots.
R1	Low Density Single-family Residential	This district is established for single-family detached dwellings on large sized lots.
R2	Medium Density Single-family Residential	This district is established for single-family detached dwellings on medium sized lots.
R3	High Density Single-family Residential	This district is established for single-family detached dwellings on small sized lots.
TR	Traditional Residential	This district is established for single-family detached dwellings on very small lots. This district is intended primarily for historic plats and "traditional" neighborhoods.
M1	Low Density Multiple-family Residential	This district is established for single-family "attached" dwellings in the form of duplexes and triplexes.
M2	Medium Density Multiple-family Residential	This district is established for single-family attached dwellings in the form of condominiums, townhouses, and small apartment buildings.
M3	High Density Multiple-family Residential	This district is established for high density multiple-family dwellings in the form of apartment complexes.
MP	Manufactured Home Park	This district is established for leased lot developments (mobile or manufactured home parks) which typically lease dwelling sites for single-wide and double-wide manufactured homes.
IS	Institutional	This district is established for various institutional and office uses including governmental, hospital, educational, and religious institutions.
NC	Neighborhood Commercial	This district is established to accommodate the provision of small scale retail goods and services required for regular or daily convenience of nearby neighborhoods.
UC	Urban Commercial	This district is established to accommodate the unique mix of retail, commercial, entertainment, governmental, and professional uses with appropriate upper floor uses that occur in a village center setting.
C1	Moderate Intensity General Commercial	This district is established for a wide variety of retail, service, entertainment, and eating establishments that are small to medium in scale, and that in aggregate create a moderate intensity district.
C2	High Intensity General Commercial	This district is established for a wide variety of retail, service, entertainment, and eating establishments that are medium to large in scale, and that in aggregate create a high intensity district.
HC	Highway Commercial	This district is established for commercial uses that are closely related to the needs of the traveling public and interstate commerce, particularly along interstates and major state highways.
EC	Employment Center	This district is established for office uses in a technology or business park setting.
I1	Low Intensity Industrial	This district is established for low intensity industrial uses and light manufacturing facilities.
I2	High Intensity Industrial	This district is established for high intensity industrial uses and heavy manufacturing facilities.
MS	Motor Sports	This district will accommodate racing teams and other motor sport related enterprises.
RO	Regional Outdoor Entertainment	This district will accommodate large-scale regional entertainment facilities.
HI	High Impact	This district is established for specific uses that may have a high impact to the community.

B. Establishment of Overlay District: The overlay district as noted below has been established to modify the applicability of development standards and land uses which will help the Town of Brownsburg accomplish its goals. For the purpose of the Unified Development Ordinance, the following overlay district has been established for the purpose as stated:

Overlay District Code	Overlay District Name	Overlay District Purpose
GPO	Groundwater Protection Overlay	This district is established to prevent contamination of groundwater which may be used for potable water supply.

C. Zoning District Land Uses: The two-page layout for each standard zoning district in *Article 2: Zoning Districts* identifies land uses allowed in each respective district. Such land uses are of two (2) kinds: Permitted Uses and Special Exception Uses. The Town of Brownsburg's Permitted and Special Exception Uses for each district shall be as noted in the "Permitted Use" and "Special Exception Use" columns on each two-page layout for each particular standard zoning district.

D. Unlisted Land Uses: Any land use not listed in either the Permitted Use or Special Exception Use column of a particular standard zoning district shall be prohibited in that particular standard zoning district.

E. Administrative Interpretation: Any land use not listed in either the Permitted Use or Special Exception Use column of a particular standard zoning district, but that is significantly similar or related to a use that is a Permitted Use or a Special Exception Use in that particular standard zoning district may be deemed permitted through an Administrative Interpretation Process as described in *Article 9: Processes*.

1.03 Official Zoning Map

A. Description: The map labeled "Official Zoning Map" maintained by the Plan Commission is hereby included as part of the Unified Development Ordinance and is to function as the means to apply a zoning district to each parcel within the Town of Brownsburg's zoning jurisdiction. The zoning map shall be formally known as the "Official Zoning Map," and it may be cited and referred to as the "Town of Brownsburg Zoning Map" or the "Zoning Map."

B. Location: The Official Zoning Map as approved by the Plan Commission will be located in the Planning Department and maintained by the Plan Commission. Two (2) copies of the Official Zoning Map and two (2) copies of this Unified Development Ordinance shall be filed with the Clerk-Treasurer's Office.

C. Zoning District Boundaries:

1. *Standard Zoning Districts*: The standard zoning district boundaries shall be shown on the Official Zoning Map. The two-digit abbreviations for the standard zoning districts appearing in the Unified Development Ordinance or a specific color noted on the map legend shall be used to identify the standard zoning districts on the map.
2. *Overlay Districts*: The overlay district boundaries shown on the Official Zoning Map shall be interpreted as follows:
   a. Labeling: An overlay district shall be noted on the Official Zoning Map with a hatch or textured pattern and be noted as such on the map legend.
   b. Fully Covered: A lot that is fully covered (bounded) by an overlay district shall be interpreted to be subject to the overlay district standards found in *Article 3: Overlay Districts*.
   c. Partially Covered: A lot that is partially covered (i.e. transected) by an overlay district boundary shall be interpreted to be subject to the overlay district standards where the lot area is covered by the overlay district.
3. *Standards*: Zoning district boundaries on the Official Zoning Map shall be interpreted as follows:
   a. Streets: Zoning district boundaries shown within or parallel to the lines of streets, easements, and transportation rights-of-way shall be deemed to follow the centerline of the affected street, easement, or right-of-way.
   b. Section Lines: Zoning district boundaries indicated as following or being parallel to section lines, fractional sectional lines, or platted lot lines shall be construed as following or paralleling such lines.
   c. Water: Zoning district boundaries indicated as approximately following the centerline of streams, rivers or other moving bodies of water shall be construed to follow such centerlines.
   d. Vacated: Whenever any street, alley, public way, railroad right-of-way, waterway, or other similar area is vacated by proper authority, the zoning districts adjoining each side of vacated areas shall be extended automatically to the center of the vacated area. All areas included in the vacation shall thereafter be subject to all regulations of the extended zoning districts. In the event of a partial vacation, the adjoining zoning district, or zoning district nearest the portion vacated, shall be extended automatically to include all of the vacated area.
4. *Disputes*: Any dispute about an exact zoning district boundary shall be determined by the Zoning Administrator. The Zoning Administrator may refuse to make a determination when he/she cannot definitely determine the location of a zoning district boundary. The Plan Commission may then interpret the location of the zoning district boundary with reference to the scale of the Official Zoning Map and the purposes set forth in all relevant provisions of the Unified Development Ordinance.

D. Regular Revisions: The Official Zoning Map shall be formally revised by the Plan Commission as changes are made (e.g. rezonings, planned developments, or annexations) or as the Zoning Administrator determines necessary. During the time it takes for each revision to be made electronically, hand drawn lines and text on a printout of the previous Official Zoning Map will be appropriate to note official changes. Revisions may be made at any time to correct drafting errors, clerical errors or omissions in the Official Zoning Map.

E. Copies: Print copies of the Official Zoning Map may be distributed. Each copy of the Official Zoning Map shall be accurate only to the date on which it was last modified. The date of the latest revision shall be printed on copies of the Official Zoning Map.

F. Damage, Destruction, or Loss: In the event the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret, the Plan Commission may prepare a new map which shall depict the Official Zoning Map as best as possible, and shall thereafter supersede the damaged, destroyed, lost, or difficult to interpret map. The new map shall be adopted by resolution of the Plan Commission and shall thereafter be the Official Zoning Map.

1.04 Plan Commission Certification

The Unified Development Ordinance was certified with a favorable recommendation for adoption on the 27th day of May, 2015, by the Town of Brownsburg Plan Commission after holding a legally announced public hearing. The records that monumented the Plan Commission's public hearing and certification of the Brownsburg Unified Development Ordinance, with signatures, can be found on file in Plan Commission's minutes and records located in the office of Planning Department.

Since its adoption, the Brownsburg Unified Development Ordinance has been updated from time to time to adjust to new trends, calibrate regulations to current or future needs, close loopholes, or to comply with evolving case law or State Statutes. Each time amendments were adopted, the Plan Commission first held a legally advertised public hearing and certified the amendments for adoption to the Town Council. Those public hearings and certifications can be found on record in the office of Planning Department. Details about each successful amendment can be found in *Appendix C: Amendment Tracking Table* in, and further detail about the public hearings and certifications can be found in the Plan Commission's corresponding meeting minutes.

Town Council Adoption

1.05 Town Council Adoption

The Town of Brownsburg Unified Development Ordinance was adopted by the Town of Brownsburg Town Council by Ordinance 2015-18 on August 27th, 2015 by unanimous vote. The Town of Brownsburg Unified Development Ordinance became effective on December 16th, 2015. The ordinance instrument that adopted the Brownsburg Unified Development Ordinance, with signatures, can be found on file in the Clerk-Treasurer's Office.

Since its adoption, the Brownsburg Unified Development Ordinance has been updated from time to time to adjust to new trends, calibrate regulations to current or future needs, close loopholes, or to comply with evolving case law or State Law. The Town Council considered each amendment once the Plan Commission held a legally advertised public hearing and gave favorable recommendation to adopt the amendment. The ordinances that adopted each amendment to the Brownsburg Unified Development Ordinance are referenced in *Appendix C: Amendment Tracking Table*, and can be found, with signatures, in the Clerk-Treasurer's Office.

Article 2

Zoning Districts

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Parks and Recreation (PR) District

2.01 Parks and Recreation (PR) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The PR (Parks and Recreation) District is intended to be used as follows:

Use, Type, and Intensity
- All types of passive and active recreation including parks, picnic areas, trails, playgrounds, and sports fields

Application of District
- Existing and new parks and recreation areas
- Lot-specific zoning

Development Standards
- Promote high quality recreational areas for public use and enjoyment
- unshielded lighting restricted to early evening hours
- shielded and cutoff lighting allowed through late evening

Appropriate Adjacent Districts
- PR, AG, RE, R1, R2, R3, TR, M1, M2, M3, MP, IS, NC, UC, C1, C2, HC, EC, I1, I2, MS, and HI

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Agricultural Permitted Uses
- land conservation

Commercial Permitted Uses
- farmers market
- golf course

Institutional Permitted Uses
- botanical gardens
- nature center
- nature preserve
- park, public
- water tower
- wellhead, public

Residential Permitted Uses
- caretakers residence

Special Exception Uses

Accessory Special Exception Uses
- wind turbine system, large

Agricultural Special Exception Uses
- forestry

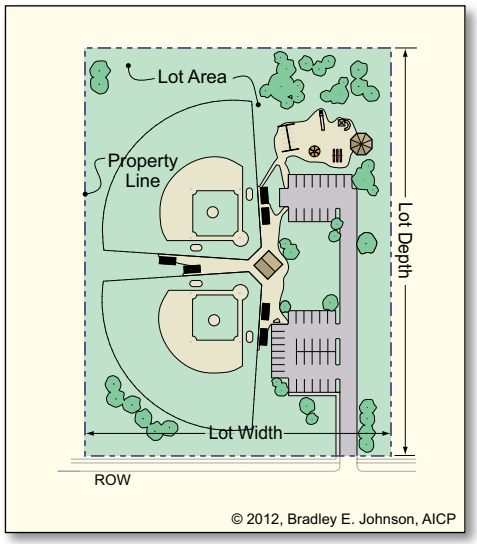
Commercial Special Exception Uses
- campground (primitive)
- campground (serviced)
- country club
- driving range
- paintball facility
- party facility
- recreational vehicle park
- sports field (indoor)
- sports field (outdoor)
- swimming pool

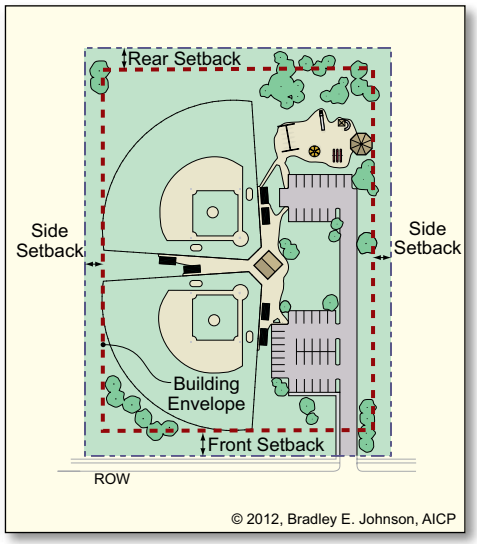
Industrial Special Exception Uses
- composting facility
- telecommunication facility

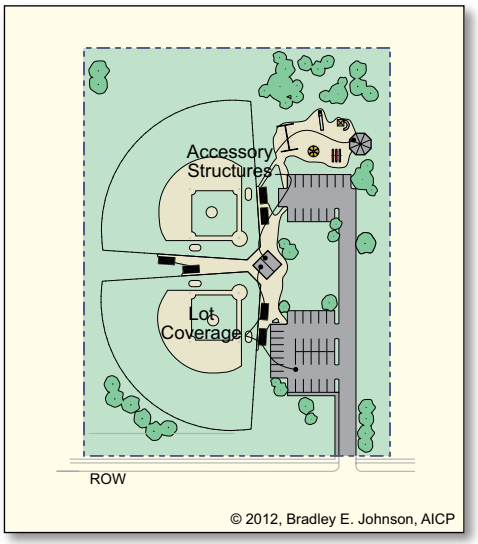
Institutional Special Exception Uses
- observatory
- performing arts center
- wildlife preserve
- zoo

Parks and Recreation (PR) District

2.02 Parks and Recreation (PR) District Development Standards







Minimum Lot Area
- no minimum

Minimum Lot Width
- no minimum

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 30 feet for primary and accessory structure

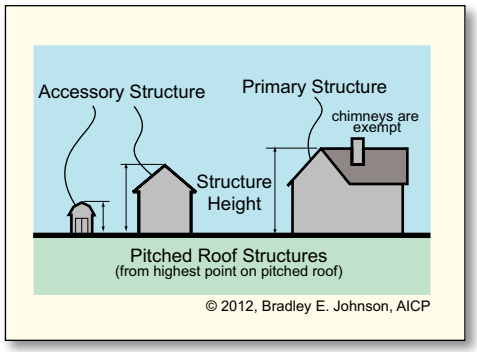
Minimum Side Yard Setback
- 25 feet for primary and accessory structure

Minimum Rear Yard Setback
- 25 feet for primary and accessory structure

Maximum Lot Coverage
- 20% of lot area

Minimum Dwelling Unit Size
- 1,100 square feet

Maximum Primary Structures
- 10



Maximum Structure Height
- 40 feet for primary structure
- 20 feet for accessory structure
- 2 ½ story

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-02 5-03

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-02 5-18
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-03 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-02 5-71

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Telecommunication
- TC-01 5-115

Temporary Use
- TU-01 5-117
- TU-04 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

General Agriculture (AG) District

2.03 General Agriculture (AG) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The AG (General Agricultural) District is intended to be used as follows:

Use, Type, and Intensity
- General agricultural operations
- Family farms

Application of District
- Existing agricultural land
- Large area zoning

Development Standards
- Enact development standards to protect existing traditional agricultural practices

Appropriate Adjacent Districts
- PR, AG, RE, R1, R2, R3, TR, M1, M2, M3, MP, IS, NC, UC, C1, C2, HC, EC, I1, I2, MS, and HI

Permitted Uses

Accessory Permitted Uses
- home business (type 1)
- wind turbine system, small

Agricultural Permitted Uses
- agricultural crop production
- agricultural crop production, organic
- agricultural products, storage
- agricultural tourism (type 1)
- forestry
- hobby farming
- land conservation
- orchard
- plant nursery, wholesale
- raising of farm animals
- stable (private)
- tree farm, wholesale
- vineyard

Commercial Permitted Uses
- farmers market

Institutional Permitted Uses
- nature preserve
- water tower

Residential Permitted Uses
- dwelling, single-family detached
- fair housing facility (small)

Special Exception Uses

Accessory Special Exception Uses
- home business (type 2)
- home business (type 3)
- wind turbine system, large

Agricultural Special Exception Uses
- agricultural products, processing
- agricultural products, sales
- agricultural tourism (type 2)
- bio-diesel production (micro)
- cider mill
- grain elevator
- stable (public)

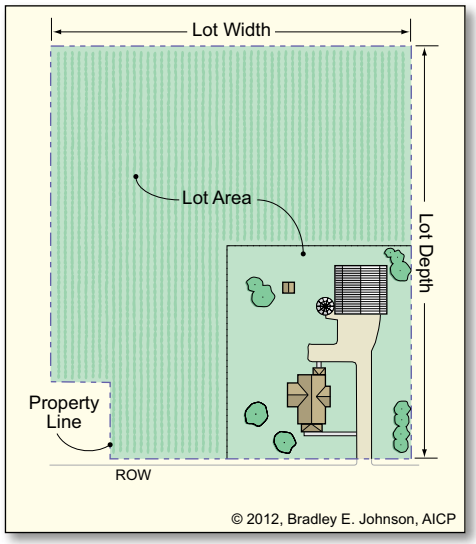
Commercial Special Exception Uses
- airport, private
- heliport, private
- kennel
- retail, agriculture related
- shooting range (outdoor)
- winery

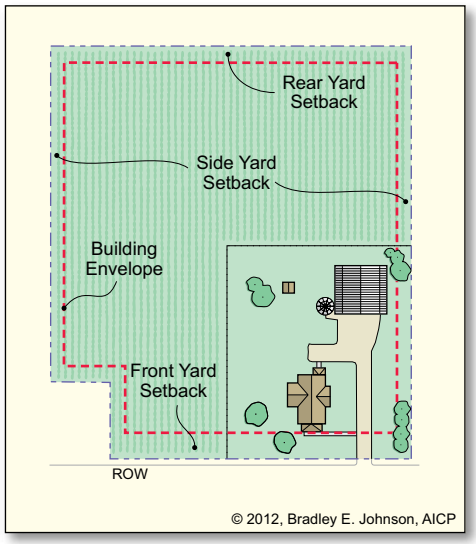
Industrial Special Exception Uses
- composting facility
- telecommunication facility

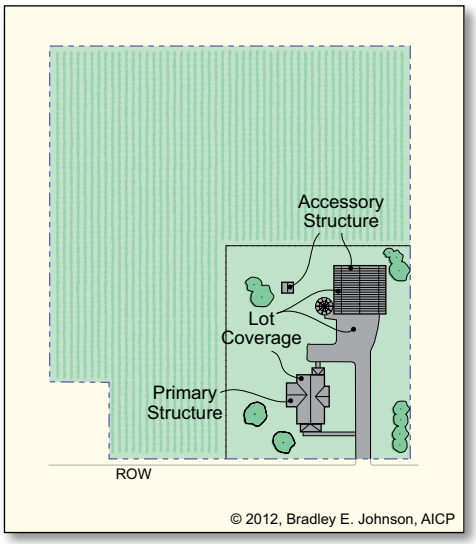
Residential Special Exception Uses
- bed and breakfast

General Agriculture (AG) District

2.04 General Agriculture (AG) District Development Standards







Minimum Lot Area
- 5 acres

Minimum Lot Width
- 200 feet

Sewer and Water
- sewer utility connection is required when available - and pursuant to *Section 5.59(A)(1)(c): Multiplier Rule*; the AG multiplier is 1.5
- water utility connection is not required

Minimum Front Yard Setback
- 60 feet for primary and accessory structure

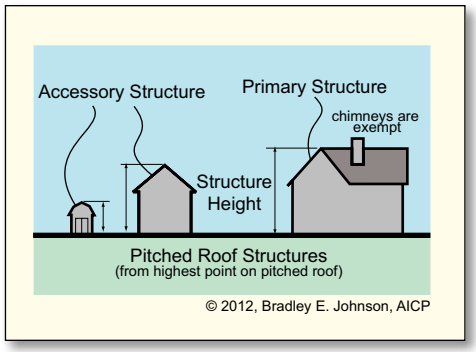
Minimum Side Yard Setback
- 25 feet for primary structure
- 20 feet for accessory structure

Minimum Rear Yard Setback
- 30 feet for primary structure
- 15 feet for accessory structure

Maximum Lot Coverage
- 20% of lot area

Minimum Dwelling Unit Size
- 1,100 square feet

Maximum Primary Structures
- 8 non-residential structures
- 1 primary dwelling



Maximum Structure Height
- 40 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-02 5-03

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-03 5-18

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23
- HB-02 5-24
- HB-03 5-25

Keeping of Animals
- KA-01 5-26

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-02 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-02 5-47

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-03 5-74

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Telecommunication
- TC-01 5-115

Temporary Use
- TU-01 5-117
- TU-02 5-117

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

Residential Estate (RE) District

2.05 Residential Estate (RE) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The RE (Residential Estate) District is intended to be used as follows:

Use, Type, and Intensity
- Residential estates and hobby farming
- Very low intensity single-family detached dwellings on very large lots

Application of District
- Existing and new development
- Lot-specific zoning
- Small area zoning

Development Standards
- Promote low-impact development in harmony with a natural setting and adjacent agricultural area

Appropriate Adjacent Districts
- PR, AG, RE, R1, R2, and IS

Permitted Uses

Accessory Permitted Uses
- home business (type 1)
- wind turbine system, small

Agricultural Permitted Uses
- agricultural crop production
- agricultural crop production, organic
- hobby farming
- land conservation
- orchard

Residential Permitted Uses
- dwelling, single-family detached
- fair housing facility (small)

Special Exception Uses

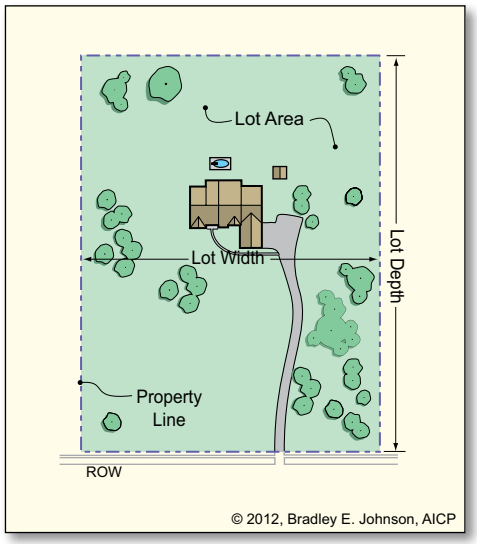
Accessory Special Exception Uses
- home business (type 2)
- home business (type 3)

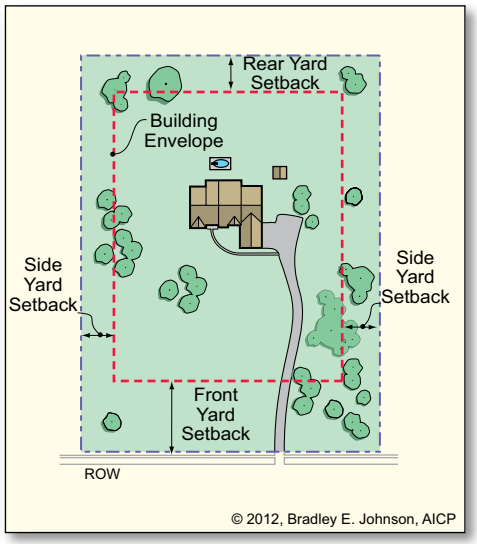
Agricultural Special Exception Uses
- forestry
- plant nursery, wholesale
- stable (private)
- tree farm, wholesale

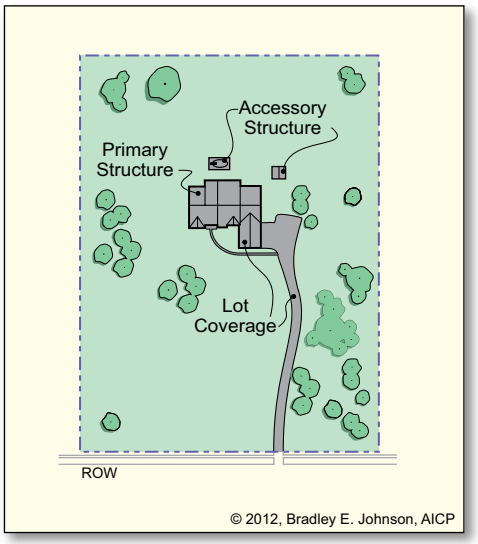
Residential Special Exception Uses
- bed and breakfast

Residential Estate (RE) District

2.06 Residential Estate (RE) District Development Standards







Minimum Lot Area
- 65,300 square feet

Minimum Lot Width
- 150 feet

Sewer and Water
- sewer utility connection is required when available - and pursuant to *Section 5.59(A)(1)(c): Multiplier Rule*; the RE multiplier is 1.5
- water utility connection is not required

Minimum Front Yard Setback
- 60 feet for primary and accessory structure

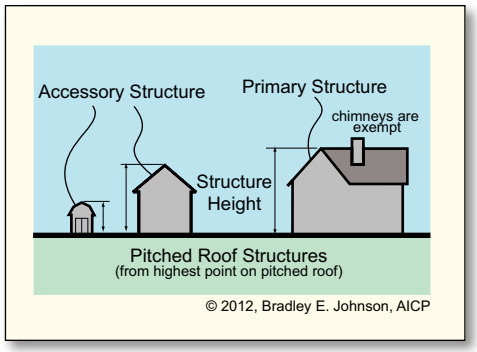
Minimum Side Yard Setback
- 35 feet for primary structure
- 20 feet for accessory structure

Minimum Rear Yard Setback
- 30 feet for primary structure
- 30 feet for accessory structure

Maximum Lot Coverage
- 20% of lot area

Minimum Dwelling Unit Size
- 2,000 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 35 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-03 5-04

Architectural
- AR-01 5-10

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23
- HB-02 5-24
- HB-03 5-25

Keeping of Animals
- KA-02 5-26

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-02 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-02 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-04 5-76

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-02 5-117

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

Low Density Single-family Residential (R1) District

2.07 Low Density Single-family Residential (R1) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The R1 (Low Density Single-family Residential) District is intended to be used as follows:

Use, Type, and Intensity
- Low intensity single-family detached dwellings on large sized lots

Application of District
- Existing and new development
- Small to medium area zoning

Development Standards
- Promote low impact development

Appropriate Adjacent Districts
- PR, AG, RE, R1, R2, IS, and NC

Permitted Uses

Accessory Permitted Uses
- home business (type 1)
- wind turbine system, small

Residential Permitted Uses
- dwelling, single-family detached
- fair housing facility (small)

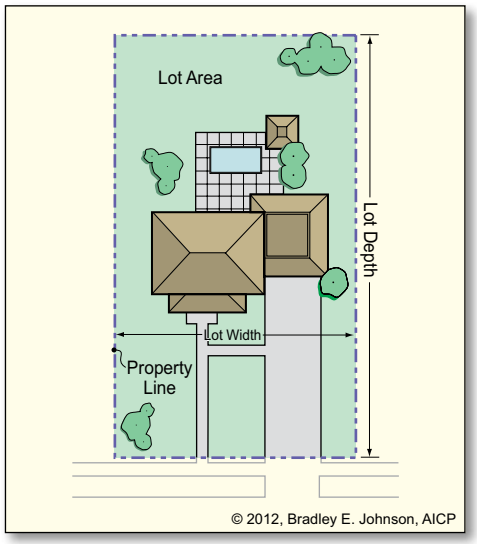
Special Exception Uses

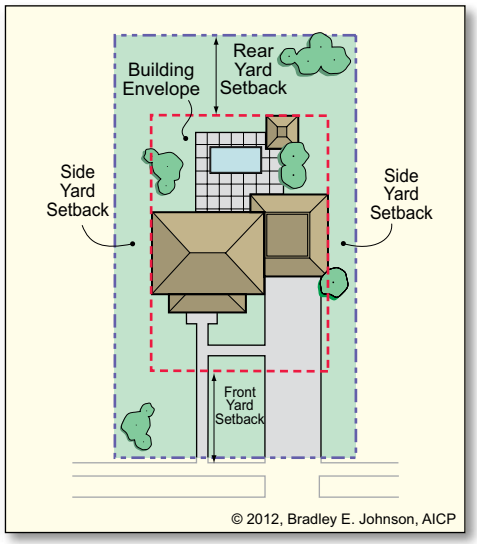
Accessory Special Exception Uses
- home business (type 2)

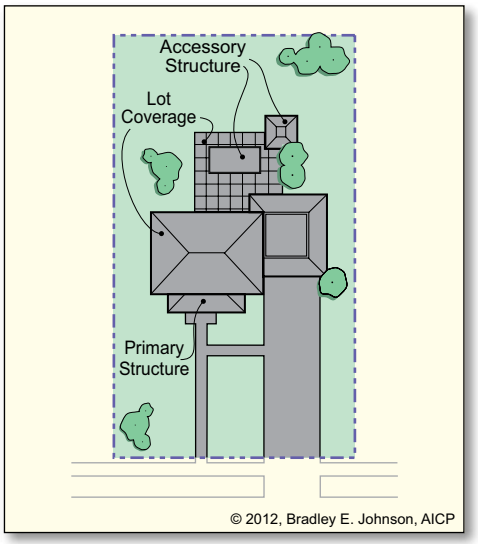
Residential Special Exception Uses
- bed and breakfast

Low Density Single-family Residential (R1) District

2.08 Low Density Single-family Residential (R1) District Development Standards







Minimum Lot Area
- 20,000 square feet

Minimum Lot Width
- 120 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 30 feet for primary and accessory structure

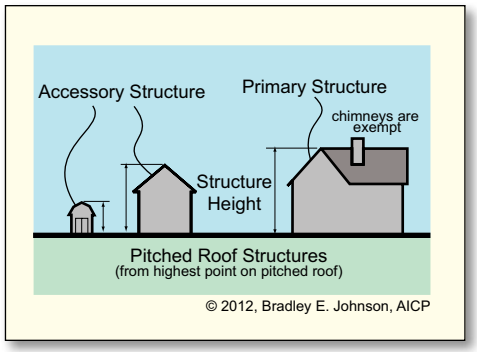
Minimum Side Yard Setback
- 15 feet for primary structure
- 10 feet for accessory structure

Minimum Rear Yard Setback
- 30 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 25%

Minimum Dwelling Unit Size
- 2,000 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 35 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-04 5-04

Architectural
- AR-01 5-10

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23
- HB-02 5-24

Keeping of Animals
- KA-03 5-27

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-02 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-02 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-04 5-76

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

2.09 Medium Density Single-family Residential (R2) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The R2 (Medium Density Single-family Residential) District is intended to be used as follows:

Use Type and Intensity
- Moderate density single-family detached on medium sized lots

Application of District
- Existing and new development

Appropriate Adjacent Districts
- PR, AG, RE, R1, R2, R3, TR, M1, M2, M3, IS, and NC

Permitted Uses

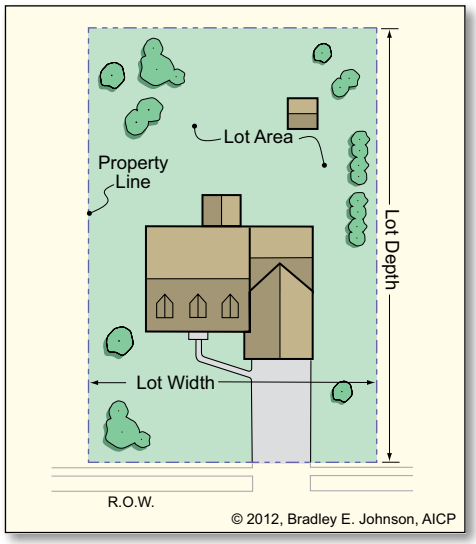
Accessory Permitted Uses
- home business (type 1)
- wind turbine system, small

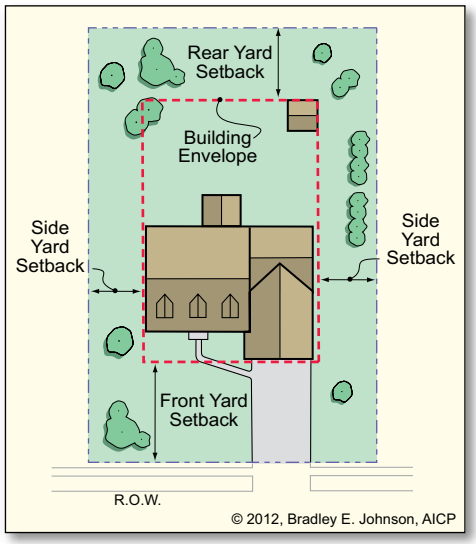
Residential Permitted Uses
- dwelling, single-family detached
- fair housing facility (small)

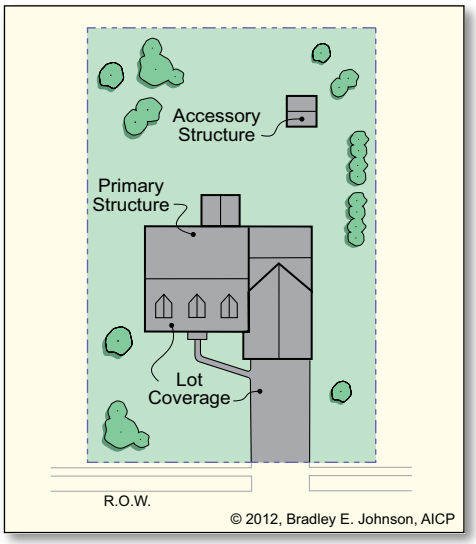
Special Exception Uses

Accessory Special Exception Uses
- home business (type 2)

2.10 Medium Density Single-family Residential (R2) District Development Standards







Minimum Lot Area
- 12,500 square feet

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 25 feet for primary and accessory structure

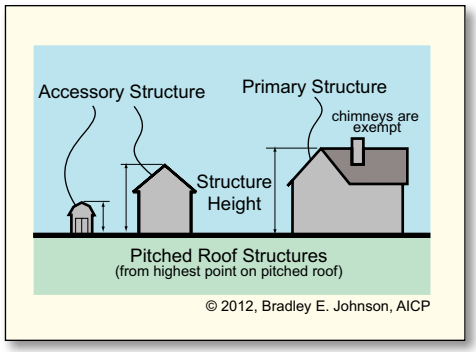
Minimum Side Yard Setback
- 10 feet for primary and accessory structures

Minimum Rear Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 40%

Minimum Dwelling Unit Size
- 1,600 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 35 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-04 5-04

Architectural
- AR-01 5-10

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23
- HB-02 5-24

Keeping of Animals
- KA-03 5-27

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-02 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-02 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-04 5-76

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

High Density Single-family Residential (R3) District

2.11 High Density Single-family Residential (R3) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The R3 (High Density Single-family Residential) District is intended to be used as follows:

Use, Type, and Intensity
- High intensity single-family detached dwellings on small sized lots

Application of District
- Existing and new development
- Lot-specific zoning
- Small area zoning

Appropriate Adjacent Districts
- PR, AG, R2, R3, TR, M1, M2, M3, MP, IS, NC, UC, and C1

Permitted Uses

Accessory Permitted Uses
- home business (type 1)

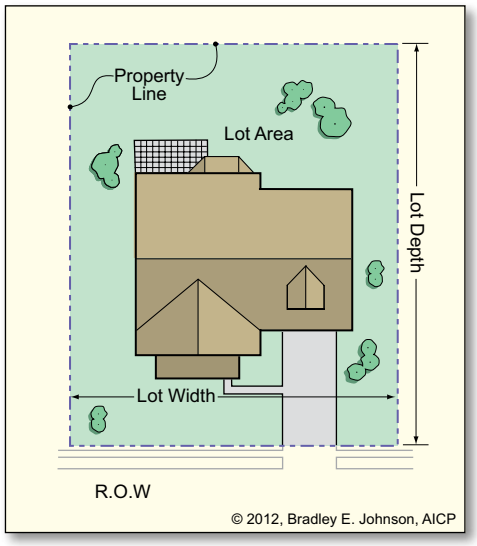
Residential Permitted Uses
- dwelling, single-family detached
- fair housing facility (small)

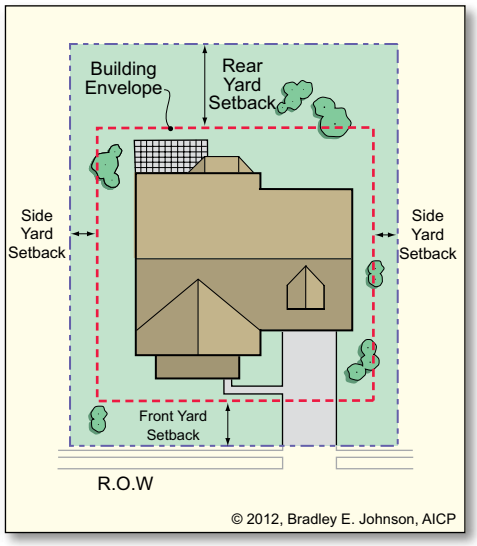
Special Exception Uses

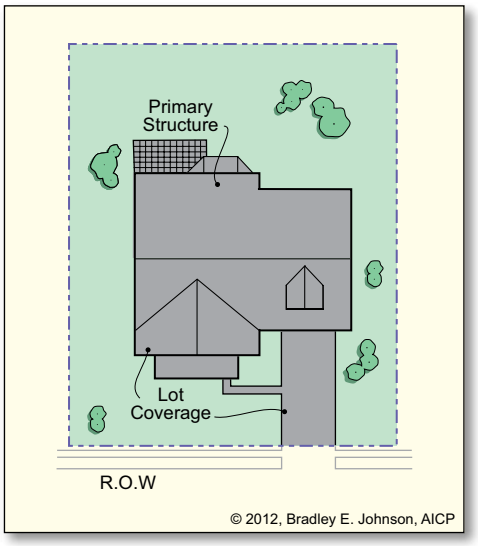
Accessory Special Exception Uses
- home business (type 2)
- wind turbine system, small

High Density Single-family Residential (R3) District

2.12 High Density Single-family Residential (R3) District Development Standards







Minimum Lot Area
- 9,000 square feet

Minimum Lot Width
- 80 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 25 feet for primary and accessory structure

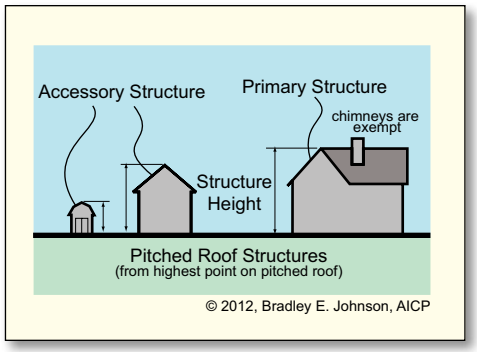
Minimum Side Yard Setback
- 10 feet for primary structure
- 5 feet for accessory structure

Minimum Rear Yard Setback
- 20 feet for primary structure
- 5 feet for accessory structure

Maximum Lot Coverage
- 45% of lot area

Minimum Dwelling Unit Size
- 1,400 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 35 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-04 5-04

Architectural
- AR-01 5-10

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23
- HB-02 5-24

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-02 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-02 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-04 5-76

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

2.13 Traditional Residential (TR) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The TR (Traditional Residential) District is intended to be used as follows:

Use, Type, and Intensity
- High intensity single-family detached dwellings on small to medium sized lots

Application of District
- Existing "old town" residential neighborhood development
- Infill development
- Medium and small area zoning

Development Standards
- Protect, maintain, and promote the "old town" residential character in Brownsburg

Appropriate Adjacent Districts
- PR, AG, R2, R3, TR, M1, M2, IS, and NC

Permitted Uses

Accessory Permitted Uses
- home business (type 1)

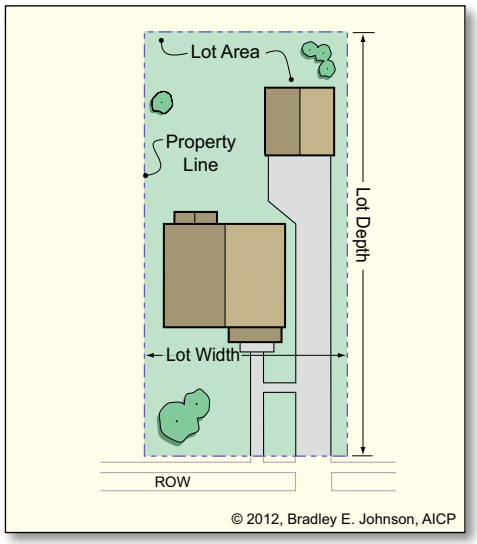
Residential Permitted Uses
- dwelling, single-family detached
- fair housing facility (small)

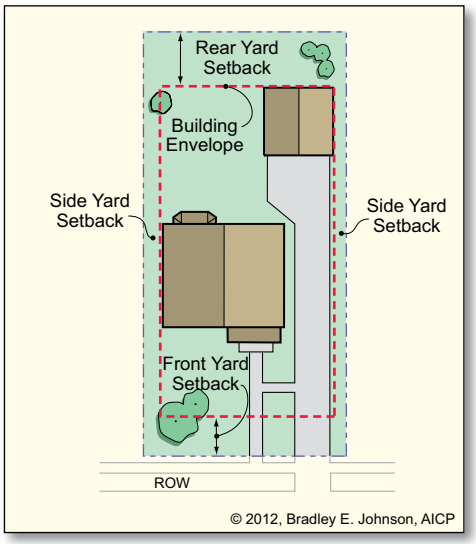
Special Exception Uses

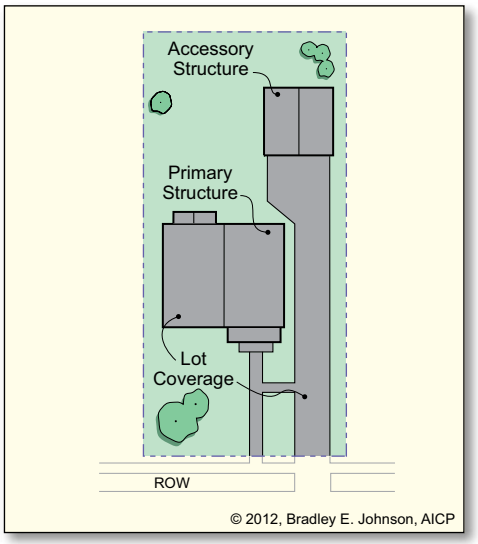
Accessory Special Exception Uses
- home business (type 2)
- wind turbine system, small

Residential Special Exception Uses
- assisted living facility
- bed and breakfast
- dwelling, duplex (2 units)
- dwelling, single-family attached

2.14 Traditional Residential (TR) District Development Standards







Minimum Lot Area
- 4,500 square feet

Minimum Lot Width
- 40 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 20 feet for primary and accessory structure

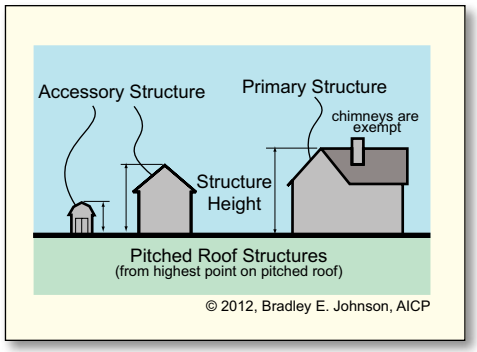
Minimum Side Yard Setback
- 5 feet for primary and accessory structure

Minimum Rear Yard Setback
- 15 feet for primary structure
- 5 feet for accessory structure

Maximum Lot Coverage
- 60% of lot area

Minimum Dwelling Unit Size
- 1,000 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 35 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-05 5-05

Architectural
- AR-02 5-10

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23
- HB-02 5-24

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-02 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-03 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-04 5-76

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

Low Density Multiple-family Residential (M1) District

2.15 Low Density Multiple-family Residential (M1) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The M1 (Low Density Multiple-family Residential) District is intended to be used as follows:

Use, Type, and Intensity
- Low density multiple-family buildings in the form of duplexes, triplexes and quadplexes

Application of District
- Existing and new development
- Lot-specific zoning
- Small area zoning

Appropriate Adjacent Districts
- PR, AG, R2, R3, TR, M1, M2, IS, and NC

Permitted Uses

Accessory Permitted Uses
- home business (type 1)

Residential Permitted Uses
- dwelling, duplex (2 units)
- dwelling, multiple-family (3 to 4 units)

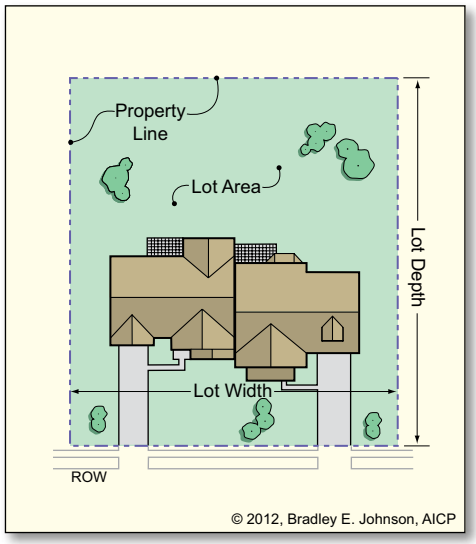
Special Exception Uses

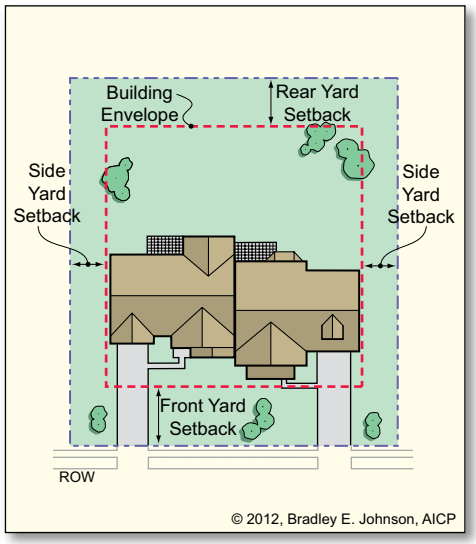
Accessory Special Exception Uses
- wind turbine system, small

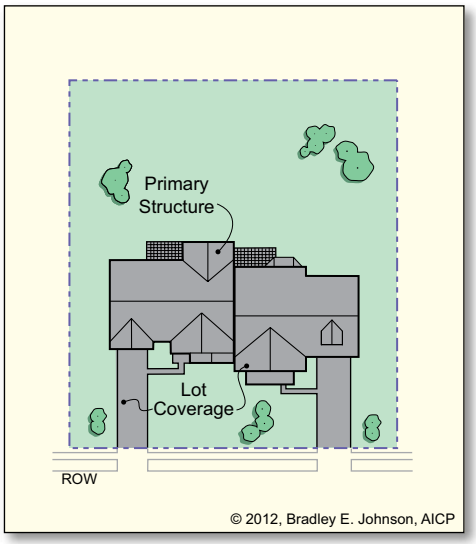
Residential Special Exception Uses
- assisted living facility
- dwelling, single-family attached
- dwelling, single-family detached
- fair housing facility (small)

Low Density Multiple-family Residential (M1) District

2.16 Low Density Multiple-family Residential (M1) District Development Standards







Minimum Lot Area
- 21,800 square feet

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 30 feet for primary and accessory structure

Minimum Side Yard Setback
- 15 feet for primary structure
- 5 feet for accessory structure

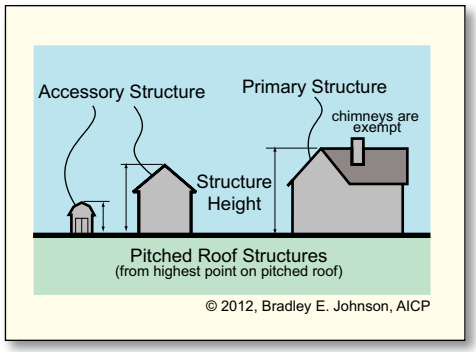
Minimum Rear Yard Setback
- 20 feet for primary structure
- 15 feet for accessory structure

Maximum Lot Coverage
- 35% of lot area

Minimum Dwelling Unit Size
- 1,000 square feet per dwelling unit

Maximum Density
- 4 units per acre

Maximum Primary Structures
- 1



Maximum Structure Height
- 35 feet for primary structure
- 20 feet for accessory structure
- 2 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-04 5-04

Architectural
- AR-01 5-10

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-02 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-04 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-04 5-76

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

Medium Density Multiple-family Residential (M2) District

2.17 Medium Density Multiple-family Residential (M2) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The M2 (Medium Density Multiple-family Residential) District is intended to be used as follows:

Use, Type, and Intensity
- Medium density multiple-family buildings in the form of condominiums, townhouses, and small apartment buildings

Application of District
- Existing and new development
- Lot-specific zoning
- Small area zoning

Development Standards
- Enact development standards to protect the quality of life for tenants and surrounding zoning districts

Appropriate Adjacent Districts
- PR, AG, R2, R3, TR, M1, M2, IS, and NC

Permitted Uses

Accessory Permitted Uses
- home business (type 1)

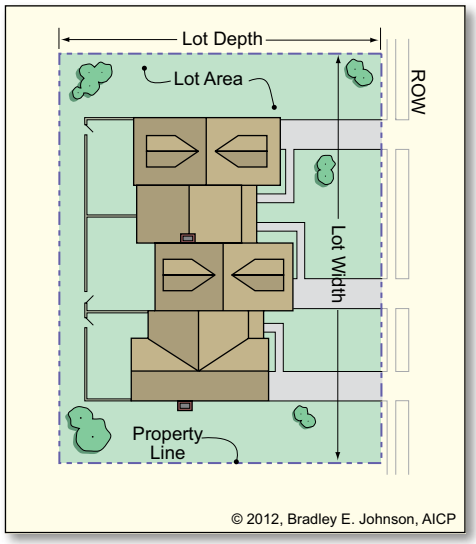
Residential Permitted Uses
- assisted living facility
- dwelling, duplex (2 units)
- dwelling, multiple-family (3 to 4 units)
- dwelling, multiple-family (5 to 8 units)
- dwelling, single-family attached
- retirement community

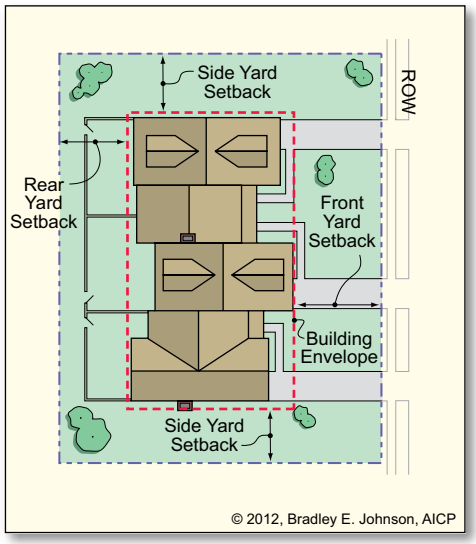
Special Exception Uses

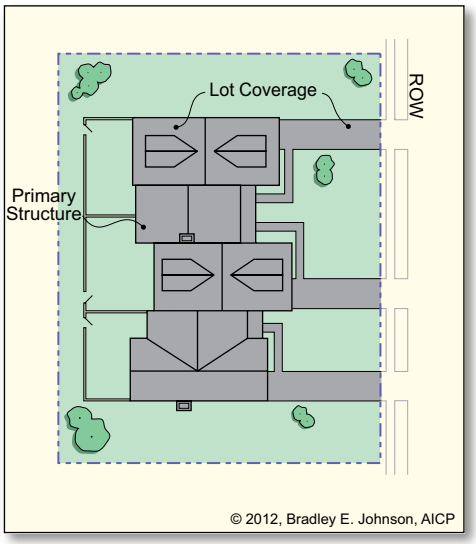
Accessory Special Exception Uses
- wind turbine system, small

Residential Special Exception Uses
- dwelling, multiple-family (9 to 16 units)
- fair housing facility (large)
- nursing home

2.18 Medium Density Multiple-family Residential (M2) District Development Standards







Minimum Lot Area
- 32,600 square feet

Minimum Lot Width
- 120 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 30 feet for primary and accessory structure

Minimum Side Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

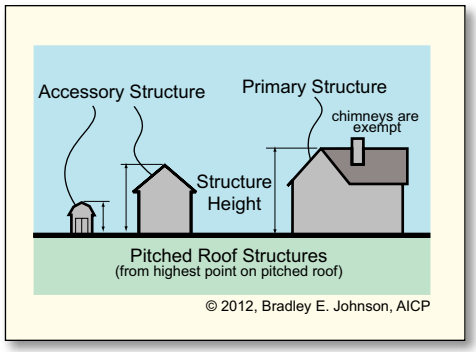
Minimum Rear Yard Setback
- 30 feet for primary structure
- 20 feet for accessory structure

Maximum Lot Coverage
- 45% of lot area

Minimum Dwelling Unit Size
- 800 square feet per dwelling unit for multiple-family dwelling units with a minimum average of 900 square feet

Maximum Density
- 8 units per acre

Maximum Primary Structures
- 4



Maximum Structure Height
- 40 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-06 5-05

Architectural
- AR-03 5-11

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-03 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-04 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-05 5-77

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

High Density Multiple-family Residential (M3) District

2.19 High Density Multiple-family Residential (M3) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The M3 (High Density Multiple-family Residential) District is intended to be used as follows:

Use, Type, and Intensity
- Medium to high density multiple-family buildings in the form of apartment complexes

Application of District
- Existing and new development
- Lot-specific zoning
- Small area zoning

Development Standards
- Enact development standards to protect the quality of life for tenants and surrounding zoning districts

Appropriate Adjacent Districts
- PR, AG, R2, R3, M2, M3, MP, IS, and NC

Permitted Uses

Accessory Permitted Uses
- home business (type 1)

Residential Permitted Uses
- assisted living facility
- dwelling, multiple-family (3 to 4 units)
- dwelling, multiple-family (5 to 8 units)
- dwelling, multiple-family (9 to 16 units)
- nursing home
- retirement community

Special Exception Uses

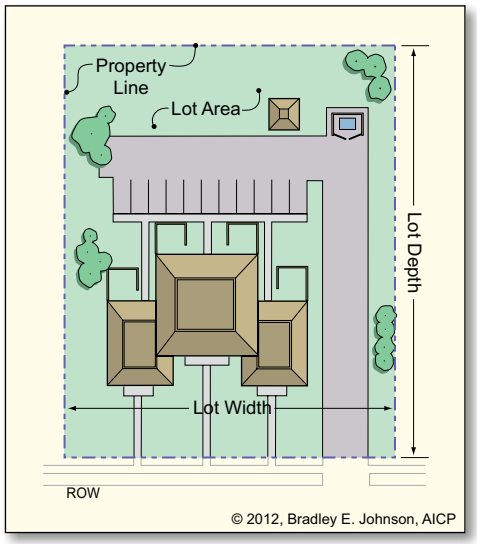
Accessory Special Exception Uses
- wind turbine system, small

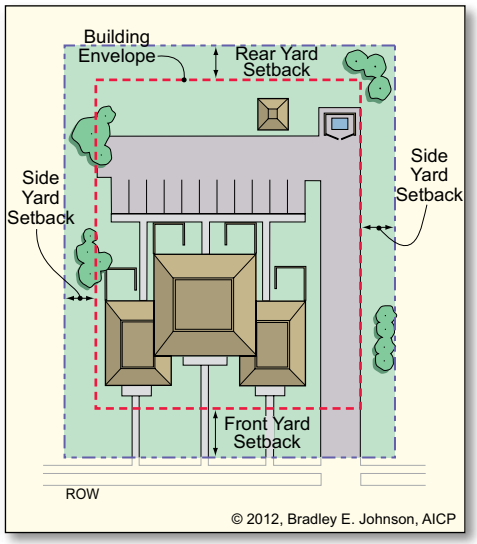
Institutional Special Exception Uses
- hospice facility

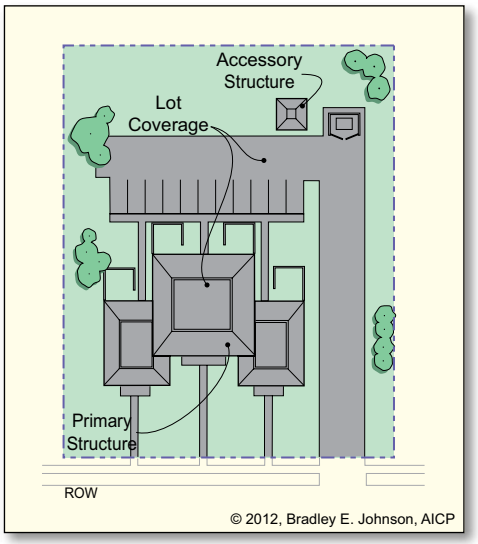
Residential Special Exception Uses
- dwelling, duplex (2 units)
- dwelling, multiple-family (17+ units)

High Density Multiple-family Residential (M3) District

2.20 High Density Multiple-family Residential (M3) District Development Standards







Minimum Lot Area
- 1 acre

Minimum Lot Width
- 150 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 35 feet for primary and accessory structure

Minimum Side Yard Setback
- 25 feet for primary and accessory structure

Minimum Rear Yard Setback
- 30 feet for primary structure
- 20 feet for accessory structure

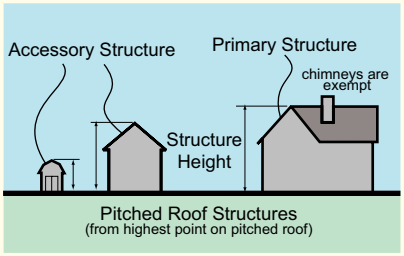
Minimum Building Separation
- 25 feet for primary structure
- 15 feet for accessory structure

Maximum Lot Coverage
- 55% of lot area

Minimum Dwelling Unit Size
- 700 square feet per dwelling unit for multiple-family dwelling units with a minimum average of 800 square feet

Maximum Density
- 20 units per acre

Maximum Primary Structures
- 10



© 2012, Bradley E. Johnson, AICP

Maximum Structure Height
- 40 feet for primary structure
- 20 feet for accessory structure
- 3 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-06 5-05

Architectural
- AR-03 5-11

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-03 5-41

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-04 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-05 5-77

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

Manufactured Home Park (MP) District

2.21 Manufactured Home Park (MP) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The MP (Manufactured Home Park) District is intended to be used as follows:

Use, Type, and Intensity
- Medium to high intensity lease-lot housing developments

Application of District
- Existing and new development
- Lot-specific zoning

Development Standards
- Enact development standards to protect the quality of life of tenants and surrounding zoning districts

Appropriate Adjacent Districts
- PR, AG, R3, M3, MP, IS, NC, C1, and C2

Permitted Uses

Accessory Permitted Uses
- home business (type 1)

Residential Permitted Uses
- dwelling, manufactured home
- manufactured home park

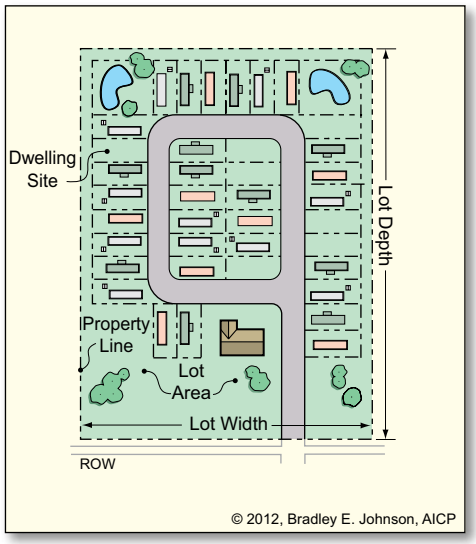
Special Exception Uses

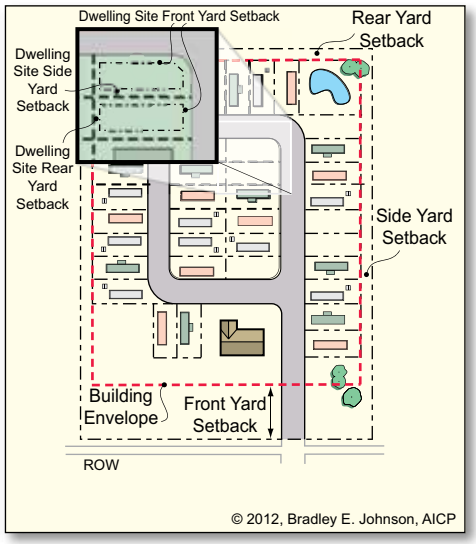
Accessory Special Exception Uses
- wind turbine system, small

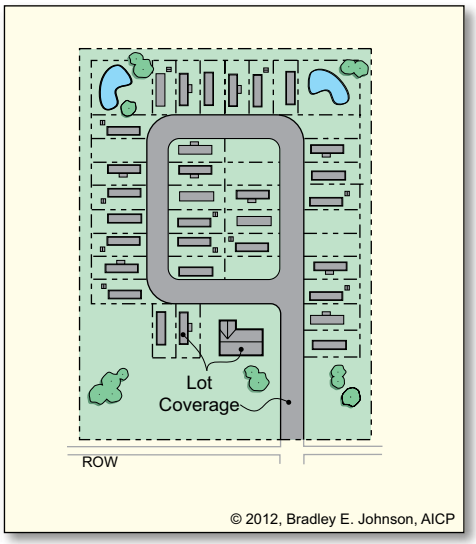
Residential Special Exception Uses
- dwelling, single-family detached
- retirement community

Manufactured Home Park (MP) District

2.22 Manufactured Home Park (MP) District Development Standards







Minimum Lot Area
- 3 acres

Minimum Lot Width
- 250 feet

Minimum Front Yard Setback
- 35 feet for primary and accessory structure

Minimum Side Yard Setback
- 20 feet for primary and accessory structure

Minimum Rear Yard Setback
- 30 feet for primary structure
- 20 feet for accessory structure

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Dwelling Site Area
- 2,700 square feet

Minimum Dwelling Site Width
- 30 feet

Minimum Dwelling Site Front Yard Setback
- 20 feet from edge of pavement of interior streets

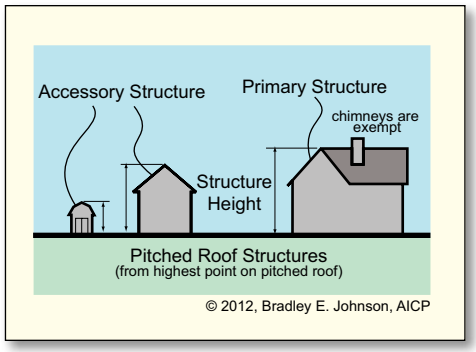
Minimum Dwelling Site Side Yard Setback
- 8 feet for primary structure
- 3 feet for accessory structure

Minimum Dwelling Site Rear Yard Setback
- 10 feet for primary structure
- 5 feet for accessory structure

Maximum Lot Coverage
- 65% of lot area

Minimum Dwelling Unit Size
- 860 square feet

Maximum Primary Structures
- 1 per dwelling site
- 5 in non-dwelling site areas (i.e. not leased lots)



Maximum Structure Height
- 25 feet for primary structure
- 20 feet for accessory structure
- 2 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-07 5-06

Architectural
- AR-01 5-10

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-04 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Home Business
- HB-01 5-23

Landscaping
- LA-01 5-28
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-03 5-41

Lot
- LO-01 5-44

Manufacured Housing
- MH-01 5-45

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-05 5-51

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-05 5-77

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-03 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

2.23 Institutional (IS) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The IS (Institutional) District is intended to be used as follows:

Use, Type, and Intensity
- Varying intensity institutionally owned lands, including Federal, State, and local government facilities

Application of District
- Existing and new development
- Buffer district or transitional district
- Small area zoning
- Lot-specific zoning

Development Standards
- Enact development standards to minimize impacts on adjacent residential properties while serving the needs of the overall community

Appropriate Adjacent Districts
- PR, AG, RE, R1, R2, R3, TR, M1, M2, M3, MP, IS, NC, UC, C1, C2, HC, EC, I1, I2, MS, and HI

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- farmers market

Institutional Permitted Uses
- amateur sports stadium
- botanical gardens
- cemetery or mausoleum
- child care institution
- community center
- emergency service training facility
- fairground
- fire, police, or rescue station
- government office
- government operations facility
- hospice facility
- hospital
- information center
- library
- museum
- observatory
- parking garage, public
- parking lot, public
- performing arts center
- place of worship
- police substation
- post office
- school (P-12), private
- school (P-12), public
- sewage treatment facility, public
- transit station (local hub)
- transit station (regional)
- university or college
- water tower
- water treatment facility, public
- wellhead, public
- zoo

Residential Permitted Uses
- nursing home

Special Exception Uses

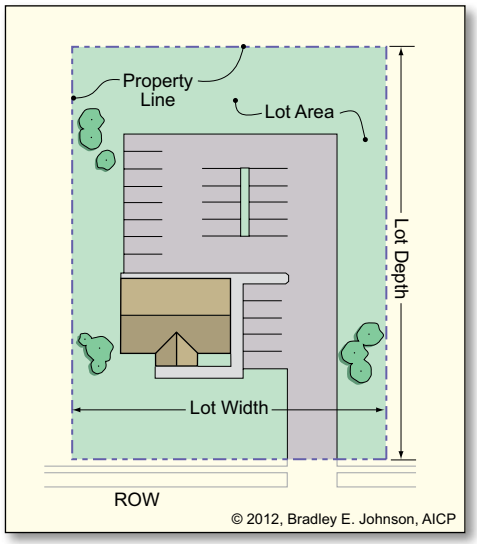
Accessory Special Exception Uses
- wind turbine system, large

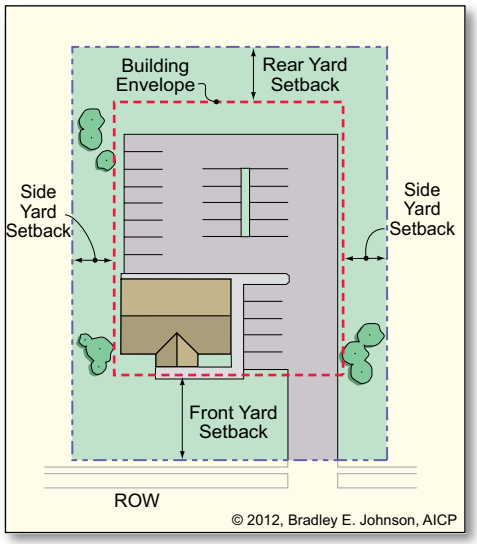
Commercial Special Exception Uses
- crematory
- day care
- software development
- trade or business school

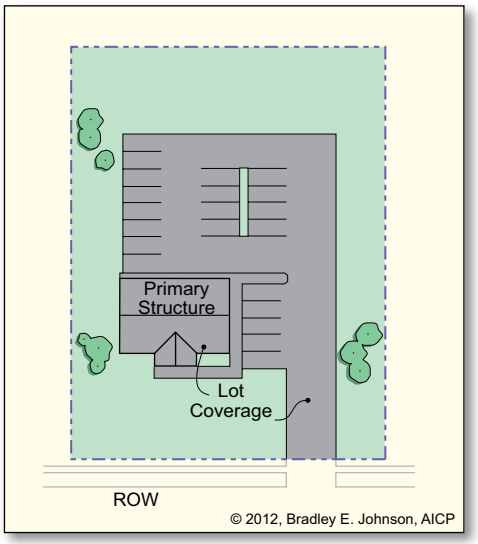
Institutional Special Exception Uses
- aquarium
- heliport, public
- homeless shelter
- jail
- juvenile detention facility
- recycling collection point
- rehabilitation clinic, drug
- shelter
- wildlife preserve

Residential Special Exception Uses
- assisted living facility
- fair housing facility (large)
- hostel

2.24 Institutional (IS) District Development Standards







Minimum Lot Area
- no minimum

Minimum Lot Width
- no minimum

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 35 feet for primary and accessory structure

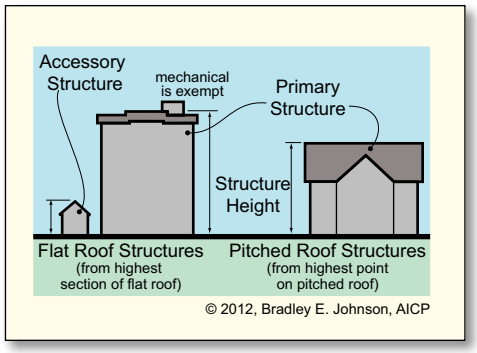
Minimum Side Yard Setback
- 15 feet for primary and accessory structure

Minimum Rear Yard Setback
- 20 feet for primary and accessory structure

Maximum Lot Coverage
- 65% of lot area

Minimum Main Floor Area
- no minimum

Maximum Primary Structures
- 10



Maximum Structure Height
- 50 feet for primary structure
- 20 feet for accessory structure
- 5 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-08 5-07

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-05 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-04 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-06 5-79
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-04 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

Neighborhood Commercial (NC) District

2.25 Neighborhood Commercial (NC) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The NC (Neighborhood Commercial) District is intended to be used as follows:

Use, Type, and Intensity
- Low intensity commercial uses
- Allow uses that are compatible with residential development

Application of District
- Existing and new development
- Buffer district or transitional district
- Small area zoning
- Lot-specific zoning

Development Standards
- Disallow commercial developments that would notably exceed the building mass of surrounding residential structures
- Require quality development standards to minimize impacts on adjacent residential properties while encouraging economic vitality
- Minimize light, noise, and water pollution

Appropriate Adjacent Districts
- PR, AG, R1, R2, R3, TR, M1, M2, M3, MP, IS, NC, UC, C1, and C2

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- bakery
- atm, drive-up
- atm, walk-up
- barber or beauty shop
- coffee shop
- country club
- day care
- delicatessen
- dry cleaning pickup and drop-off
- ice cream shop
- media rental
- nail salon
- office, general
- office, medical
- restaurant
- retail (type 1) very low intensity
- tanning salon
- wellness facility

Institutional Permitted Uses
- community center
- police substation

Residential Permitted Uses
- dwelling, upper floor (1 unit)

Special Exception Uses

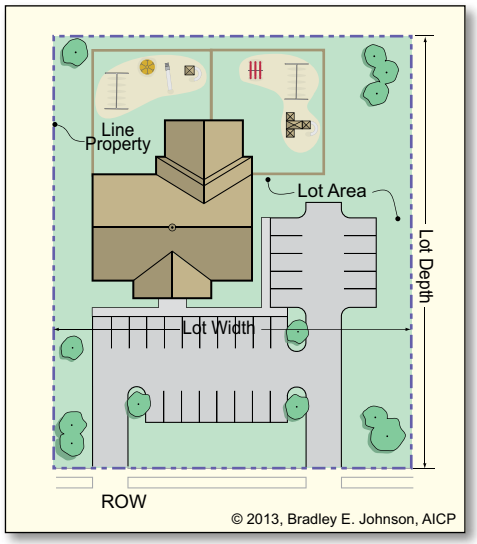
Commercial Special Exception Uses
- automobile oriented business (type 1)
- bank
- bar or tavern
- coin laundry
- counseling center
- design services
- parcel shipping
- photography studio
- real estate office
- retail (type 2) low intensity
- studio arts
- swimming pool

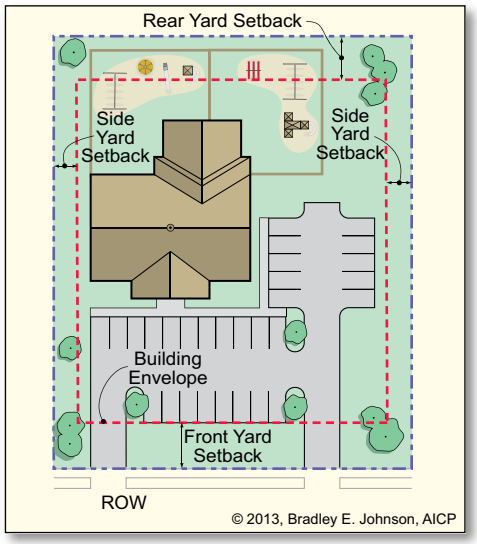
Institutional Special Exception Uses
- school (P-12), private
- transit station (local hub)

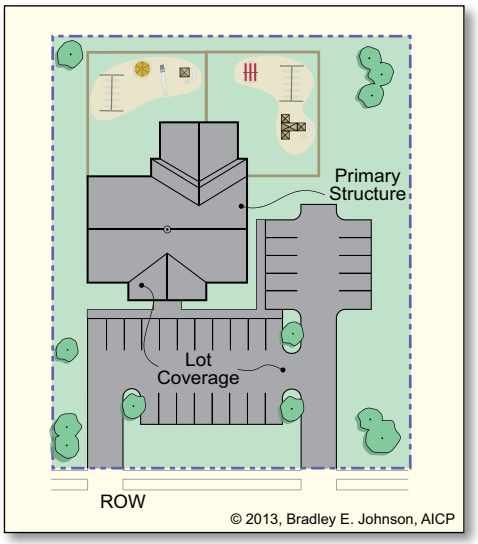
Residential Special Exception Uses
- dwelling, upper floor (multiple-family)

Neighborhood Commercial (NC) District

2.26 Neighborhood Commercial (NC) District Development Standards







Minimum Lot Area
- 21,800 square feet

Maximum Lot Area
- 2 acres

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 10 feet for primary and accessory structure

Minimum Side Yard Setback
- 5 feet for primary and accessory structure

Minimum Rear Yard Setback
- 15 feet for primary structure
- 5 feet for accessory structure

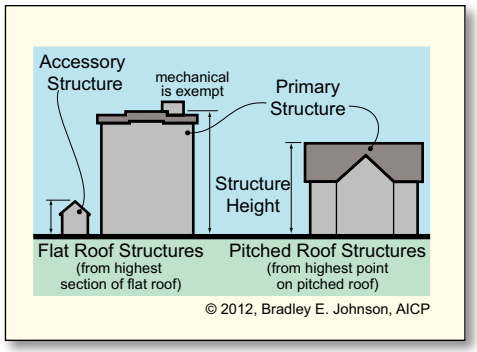
Maximum Lot Coverage
- 65% of lot area

Minimum Dwelling Unit Size
- 900 square feet for a single-unit development on upper floor
- 800 square feet per dwelling unit for multiple-family dwelling units with a minimum average of 900 square feet

Minimum Main Floor Area
- 500 square feet

Maximum Main Floor Area
- 10,000 cumulative square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 35 feet for primary structure
- 20 feet for accessory structure
- 2 ½ stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-09 5-07

Architectural
- AR-01 5-10

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-05 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-04 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-07 5-82
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

2.27 Urban Commercial (UC) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The UC (Urban Commercial) District is intended to be used as follows:

Use Type and Intensity
- Medium intensity commercial, institutional, and office uses
- Medium density housing and office uses in upper floors of multiple-story buildings

Application of District
- Existing downtown development
- New "village center" development

Development Standards
- Pedestrian friendly development standards
- Downtown style buildings
- Building form and design

Appropriate Adjacent Districts
- PR, AG, R3, TR, M1, M2, M3, IS, NC, UC, C1, and C2

Permitted Uses

Commercial Permitted Uses
- atm walk-up
- bakery
- bank
- bar or tavern
- barber or beauty shop
- brew pub
- club or lodge
- coffee shop
- computer service
- copy center
- counseling center
- delicatessen
- design services
- dry cleaning pickup and drop-off
- express shipping center
- farmers market
- ice cream shop
- media rental
- mobile device dealer
- nail salon
- office, general
- office, medical
- pharmacy
- real estate office
- repair shop, electronics
- restaurant
- retail (type 1) very low intensity
- retail (type 2) low intensity
- retail (type 3) medium intensity
- seamstress/tailor
- shoe repair
- spa
- studio arts
- tanning salon
- title company
- travel agency

Institutional Permitted Uses
- community center
- government office
- information center
- parking garage, public
- parking lot, public
- police substation

Residential Permitted Uses
- assisted living facility, upper floor
- dwelling, upper floor (multiple-family)
- dwelling, upper floor (1 unit)

Special Exception Uses

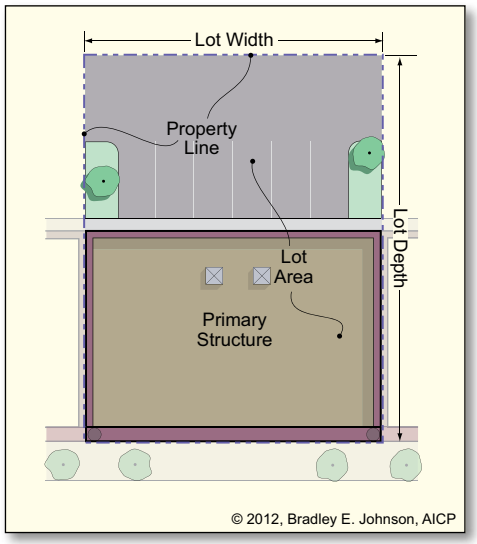
Accessory Special Exception Uses
- wind turbine system, small

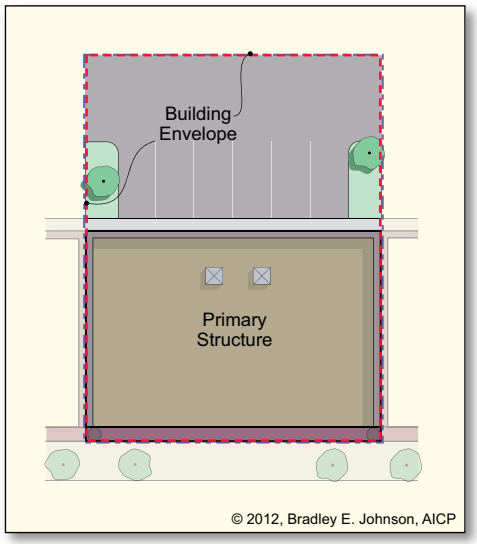
Commercial Special Exception Uses
- automobile oriented business (type 1)
- atm, drive-up
- banquet hall
- billiard hall or arcade
- day care
- funeral home
- hotel
- medical clinic
- parking lot, pay
- party facility
- repair shop, general
- retail (type 4) high intensity
- tattoo/piercing parlor
- theater, movie (indoor)
- wellness facility

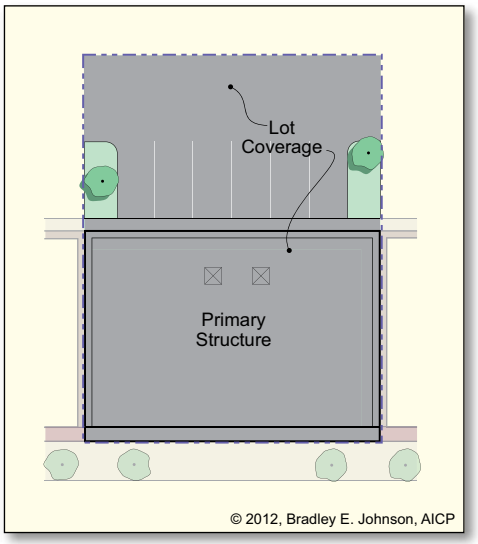
Institutional Special Exception Uses
- hospice facility
- performing arts center
- place of worship
- shelter
- transit station (local hub)
- university or college

Residential Special Exception Uses
- bed and breakfast

2.28 Urban Commercial (UC) District Development Standards







Minimum Lot Area
- 1,500 square feet

Maximum Lot Area
- 4 acres

Minimum Lot Width
- 15 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 0 feet for primary and accessory structure

Maximum Front Yard Setback
- 20 feet for primary and accessory structure

Minimum Side Yard Setback
- 0 feet for primary and accessory structure

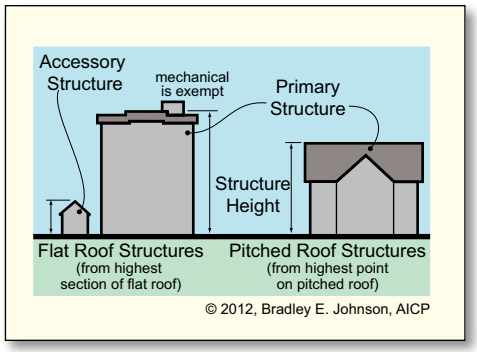
Minimum Rear Yard Setback
- 0 feet for primary and accessory structure

Maximum Lot Coverage
- 95% of lot area

Minimum Main Floor Area
- 500 square feet

Minimum Dwelling Unit Size
- 575 square feet per dwelling unit for multiple-family dwelling units with a minimum average of 650 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 130 feet for primary structure
- 20 feet for accessory structure
- 6 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-10 5-08

Architectural
- AR-04 5-12

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-05 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-04 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Dining
- OD-01 5-46

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-06 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-08 5-86
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

Moderate Intensity General Commercial (C1) District

2.29 Moderate Intensity General Commercial (C1) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The C1 (Moderate Intensity General Commercial) District is intended to be used as follows:

Use, Type, and Intensity
- Small to medium intensity commercial uses

Application of District
- Existing and new development
- Medium to small area zoning

Development Standards
- Disallow commercial structures that notably exceed the building mass of surrounding commercial structures
- Require quality development standards to minimize impacts on adjacent properties while encouraging economic vitality
- Minimize light, noise, and water pollution

Appropriate Adjacent Districts
- PR, AG, R3, M1, M2, MP, IS, NC, C1, and C2

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- animal grooming
- automobile oriented business (type 1)
- bakery
- bank
- atm, drive-up
- bar or tavern
- barber or beauty shop
- billiard hall or arcade
- brew pub
- catering service
- club or lodge
- coffee shop
- coin laundry
- computer service
- copy center
- counseling center
- day care
- delicatessen
- design services
- donation collection point
- dry cleaning pickup and drop-off
- express shipping center
- farmers market
- gas station
- ice cream shop
- media rental
- medical clinic
- mobile device dealer
- nail salon
- office, general
- office, home improvement trades
- office, medical
- party facility
- pharmacy
- photography studio
- printing, commercial
- real estate office
- recreation center (indoor)
- rehabilitation clinic, medical
- repair shop, electronics
- repair shop, equipment
- repair shop, general
- restaurant
- restaurant, drive-in
- retail (type 1) very low intensity
- retail (type 2) low intensity
- seamstress/tailor
- shoe repair
- spa
- studio arts
- tanning salon
- tattoo/piercing parlor
- theater, movie (indoor)
- title company
- travel agency
- veterinary clinic
- wellness facility

Institutional Permitted Uses
- parking lot, public
- place of worship
- police substation

Residential Permitted Uses
- nursing home

Special Exception Uses

Accessory Special Exception Uses
- wind turbine system, large

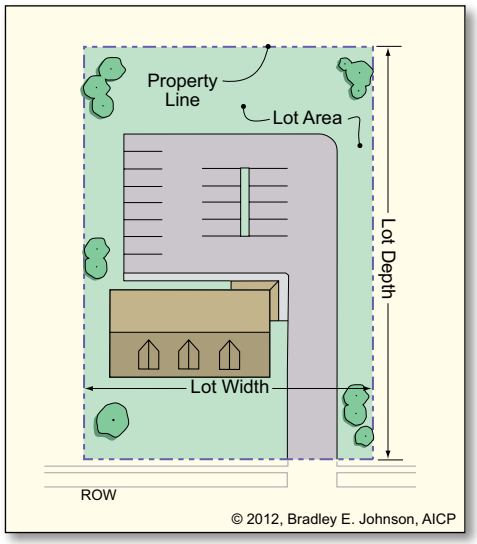
Commercial Special Exception Uses
- auction (indoor)
- automobile oriented business (type 2)
- banquet hall
- bowling alley
- broadcast studio
- car rental
- country club
- funeral home
- hotel
- recreation center (outdoor)
- restaurant, drive-through only
- restaurant with drive-up window
- retail (type 3) medium intensity
- retail (type 4) high intensity
- self-storage warehouse
- veterinary hospital
- winery

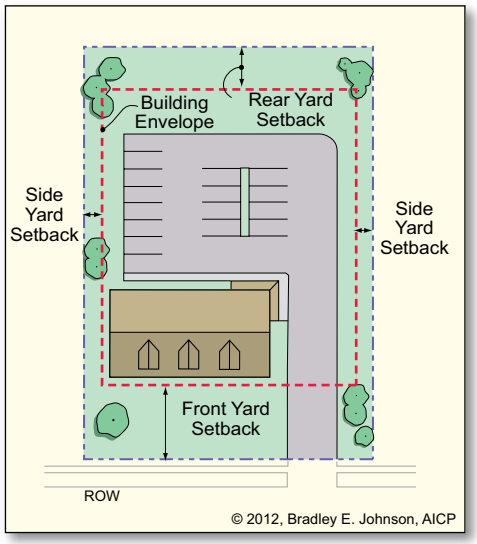
Institutional Special Exception Uses
- hospice facility
- school (P-12), private
- transit station (local hub)

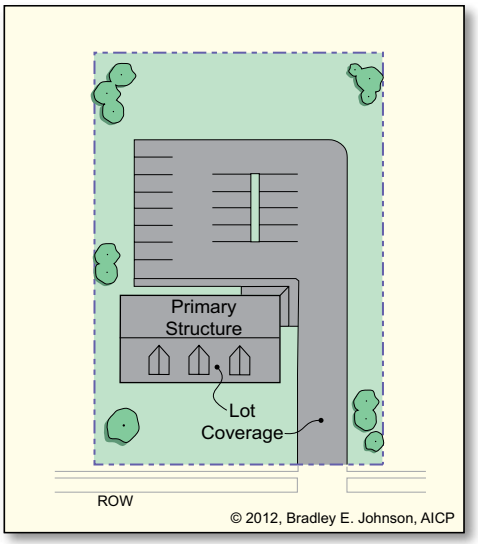
Residential Special Exception Uses
- dwelling, upper floor (1 unit)

Moderate Intensity General Commercial (C1) District

2.30 Moderate Intensity General Commercial (C1) District Development Standards







Minimum Lot Area
- 15,000 square feet

Minimum Lot Width
- 80 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 40 feet for primary structure
- 20 feet for accessory structure

Minimum Side Yard Setback
- 20 feet for primary structure
- 15 feet for accessory structure

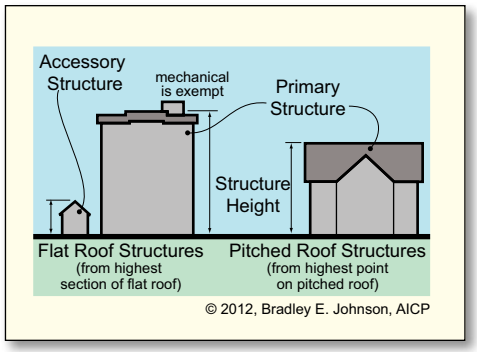
Minimum Rear Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 65% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Main Floor Area
- 80,000 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 40 feet for primary structure
- 20 feet for accessory structure
- 2 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-11 5-08

Architectural
- AR-04 5-12

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-05 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-04 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47
- OS-03 5-48

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-09 5-89
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-04 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

High Intensity General Commercial (C2) District

2.31 High Intensity General Commercial (C2) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The C2 (High Intensity General Commercial) District is intended to be used as follows:

Use, Type, and Intensity
- Medium to high intensity commercial uses

Application of District
- Existing and new development
- Medium to small area zoning

Development Standards
- Disallow commercial structures that notably exceed the building mass of surrounding commercial structures
- Require quality development standards to minimize impacts on adjacent properties while encouraging economic vitality
- Minimize light, noise, and water pollution

Appropriate Adjacent Districts
- PR, AG, M2, M3, MP, IS, NC, UC, C1, C2, HC, EC, I1, and I2

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- animal grooming
- auction (indoor)
- automobile oriented business (type 1)
- automobile oriented business (type 2)
- bakery
- bank
- bank/atm, drive-up
- banquet hall
- bar or tavern
- barber or beauty shop
- brew pub
- broadcast studio
- car rental
- catering service
- club or lodge
- coffee shop
- coin laundry
- computer service
- copy center
- delicatessen
- design services
- donation collection point
- dry cleaning pickup and drop-off
- express shipping center
- exterminator
- funeral home
- gas station
- hotel
- ice cream shop
- media rental
- medical clinic
- mobile device dealer
- nail salon
- night club
- office, general
- office, home improvement trades
- office, medical
- party facility
- pharmacy
- photography studio
- printing, commercial
- recreation center (indoor)
- recreation center (outdoor)
- repair shop, electronics
- repair shop, equipment
- restaurant
- restaurant, drive-in
- restaurant, drive-through only
- restaurant with drive-up window
- retail, agriculture related
- retail (type 1) very low intensity
- retail (type 2) low intensity
- retail (type 3) medium intensity
- retail (type 4) high intensity
- seamstress/tailor
- spa
- studio arts
- tanning salon
- tattoo/piercing parlor
- theater, movie (indoor)
- tool/equipment rental (indoor)
- trade or business school
- veterinary clinic
- wellness facility
- winery

Institutional Permitted Uses
- parking lot, public
- place of worship
- police substation
- school (P-12), private

Special Exception Uses

Accessory Special Exception Uses
- wind turbine system, large

Commercial Special Exception Uses
- auction (outdoor)
- automobile oriented business (type 3)*
- check cashing service
- crematory
- day care
- kennel
- motel
- office, construction trade
- paintball facility
- retail (type 5) very high intensity
- self-storage warehouse*
- sexually oriented entertainment
- shooting range (indoor)
- sports field (indoor)
- swimming pool
- theater, movie (outdoor)
- tool/equipment rental (outdoor)
- veterinary hospital
- water park

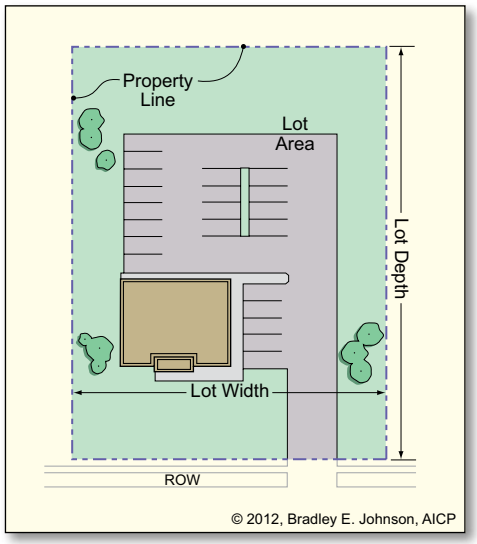
Industrial Special Exception Uses
- dry cleaning processing
- warehouse

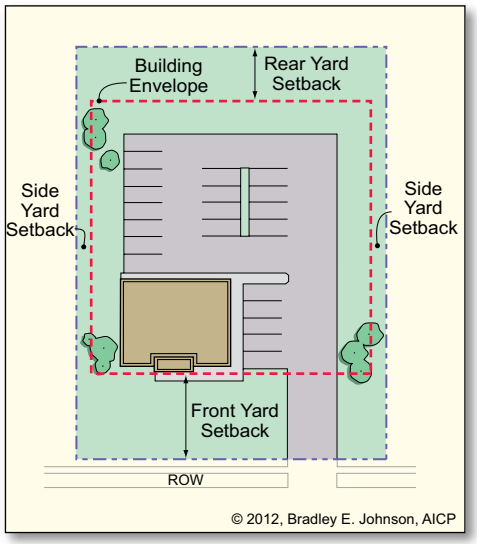
Institutional Special Exception Uses
- recycling collection point
- transit station (local hub)

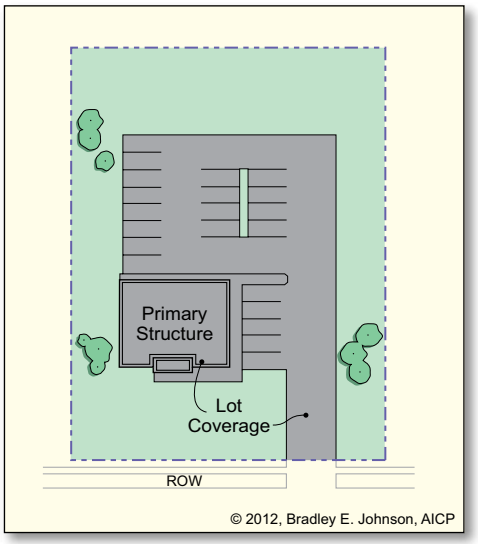
*** See *Section 5.82: General Commercial Special Exception Standards*.**

High Intensity General Commercial (C2) District

2.32 High Intensity General Commercial (C2) District Development Standards







Minimum Lot Area
- 20,000 square feet

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 50 feet for primary structure
- 30 feet for accessory structure

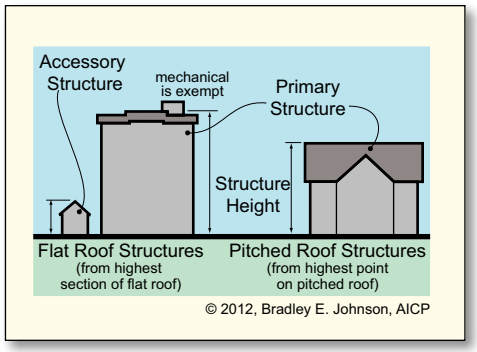
Minimum Side Yard Setback
- 25 feet for primary structure
- 20 feet for accessory structure

Minimum Rear Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 75% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Primary Structures
- 5



Maximum Structure Height
- 40 feet for primary structure
- 20 feet for accessory structure
- 3 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-11 5-08

Architectural
- AR-04 5-12

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-05 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-04 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-03 5-48

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Sexually Oriented Business
- SX-01 5-65

Signs
- SI-01 5-66
- SI-10 5-94
- SI-15 5-112

Special Exception
- SE-01 5-113
- SE-02 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-04 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

Highway Commercial (HC) District

2.33 Highway Commercial (HC) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The HC (Highway Commercial) District is intended to be used as follows:

Use, Type, and Intensity
- Highway oriented commercial uses

Application of District
- Permitted within proximity of an interstate interchange
- Existing and new development
- Small area zoning
- Lot-specific zoning

Development Standards
- Require development standards that optimize accessibility while minimizing the impacts on surrounding areas
- Minimize light, noise, and water pollution

Appropriate Adjacent Districts
- PR, AG, IS, C1, C2, HC, EC, I1, I2, and MS

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- automobile oriented business (type 1)
- bakery
- atm, drive-up
- coffee shop
- delicatessen
- gas station
- hotel
- ice cream shop
- restaurant
- restaurant, drive-in
- restaurant, drive-through only
- restaurant with drive-up window

Institutional Permitted Uses
- information center
- parking lot, public
- police substation

Special Exception Uses

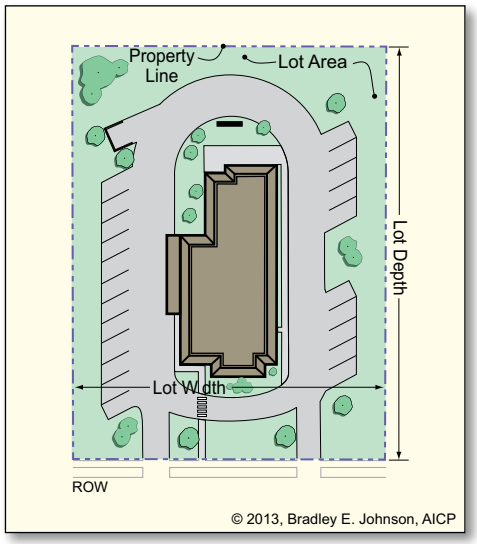
Accessory Special Exception Uses
- wind turbine system, large

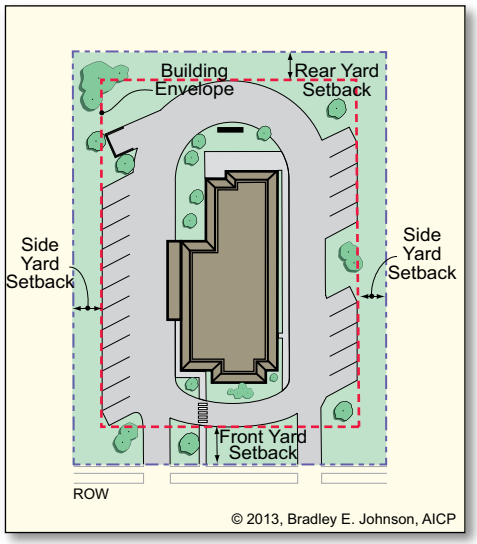
Commercial Special Exception Uses
- automobile oriented business (type 2)
- day care
- motel
- recreation center (indoor)
- recreation center (outdoor)
- retail (type 1) very low intensity
- retail (type 2) low intensity

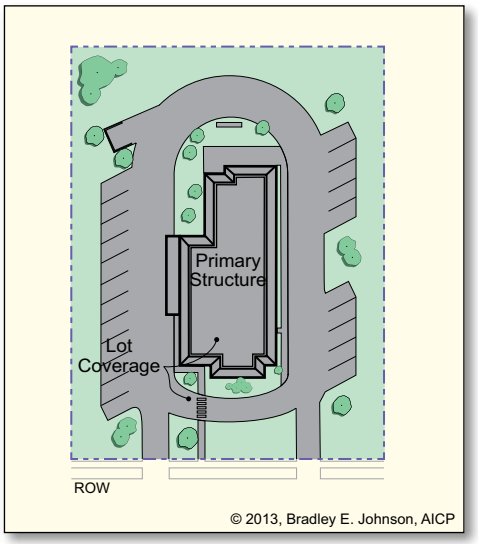
Institutional Special Exception Uses
- transit station (local hub)

Highway Commercial (HC) District

2.34 Highway Commercial (HC) District Development Standards







Minimum Lot Area
- 15,000 square feet

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 30 feet for primary structure
- 20 feet for accessory structure

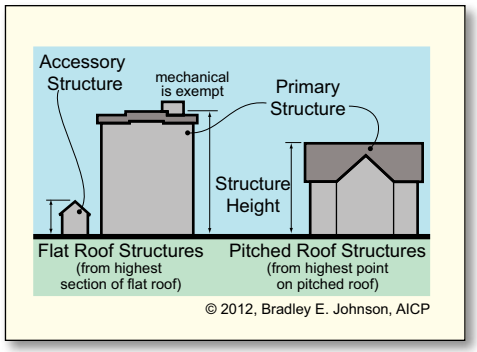
Minimum Side Yard Setback
- 15 feet for primary structure
- 10 feet for accessory structure

Minimum Rear Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 75% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Primary Structures
- 1



Maximum Structure Height
- 80 feet for primary structure
- 20 feet for accessory structure
- 4 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-11 5-08

Architectural
- AR-04 5-12

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-04 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-11 5-99
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-04 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

Employment Center (EC) District

2.35 Employment Center (EC) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The EC (Employment Center) District is intended to be used as follows:

Use, Type, and Intensity
- Moderate intensity office, technology, and business park

Application of District
- Existing and new development
- Small to medium area zoning

Development Standards
- Require development standards that optimize accessibility while minimizing the impacts on surrounding areas
- Unified and organized arrangement of structures, parking areas, lighting, and related facilities
- Minimize light, noise, and water pollution

Appropriate Adjacent Districts
- PR, AG, IS, C2, HC, EC, I1, I2, and MS

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- bank
- atm, drive-up
- coffee shop
- computer service
- copy center
- delicatessen
- express shipping center
- office, general
- office, medical
- rehabilitation clinic, medical
- software development
- title company
- travel agency
- wellness facility

Industrial Permitted Uses
- call center
- flex space
- research center, general
- research center, medical
- testing lab, electronics

Institutional Permitted Uses
- police substation
- transit station (local hub)
- university or college

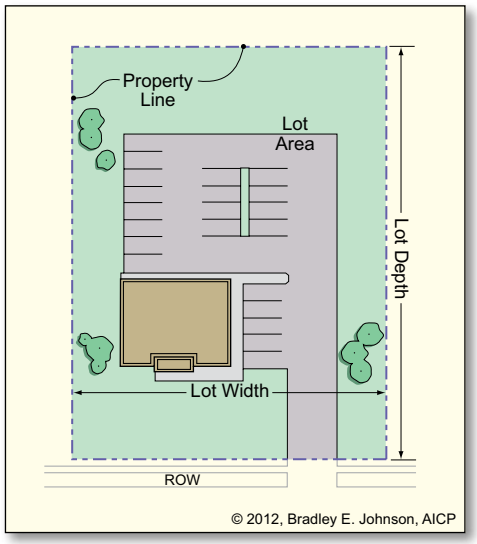
Special Exception Uses

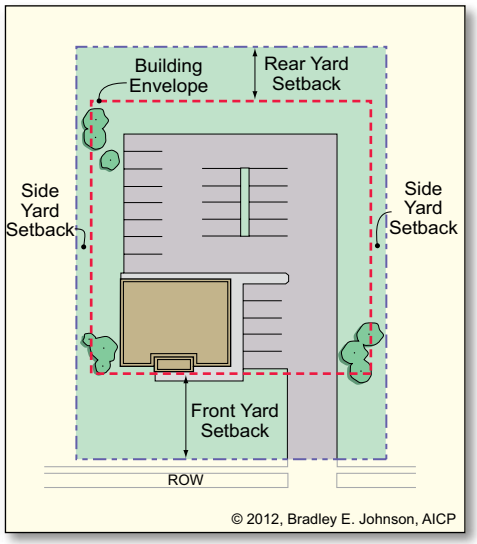
Commercial Special Exception Uses
- counseling center
- day care
- medical clinic
- office, home improvement trades
- restaurant
- trade or business school

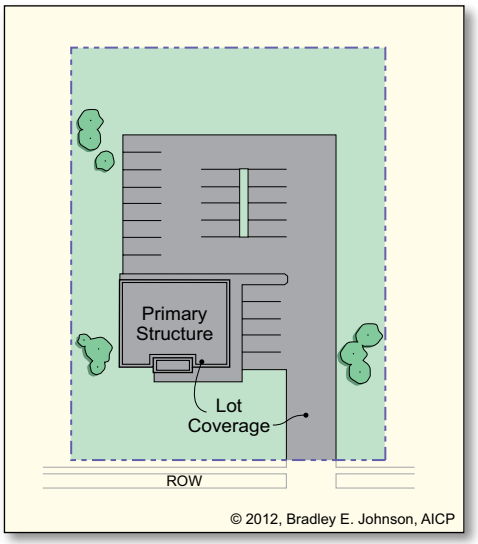
Industrial Special Exception Uses
- assembly
- testing lab, materials

Employment Center (EC) District

2.36 Employment Center (EC) District Development Standards







Minimum Lot Area
- 1 acre

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 30 feet for primary structure
- 40 feet for accessory structure

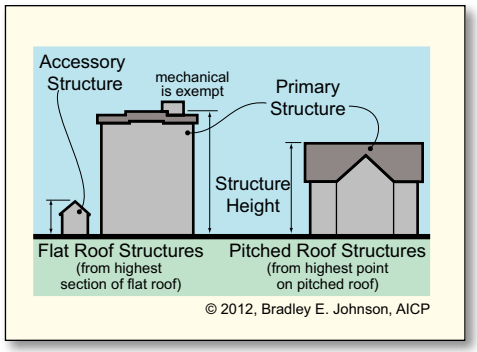
Minimum Side Yard Setback
- 30 feet for primary structure
- 20 feet for accessory structure

Minimum Rear Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 65% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Primary Structures
- 5



Maximum Structure Height
- 70 feet for primary structure
- 20 feet for accessory structure
- 4 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-13 5-09

Architectural
- AR-04 5-12

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-05 5-19

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37

Lighting
- LT-01 5-41
- LT-05 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-01 5-47

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-12 5-104
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117
- TU-04 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122

Low Intensity Industrial (I1) District

2.37 Low Intensity Industrial (I1) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The I1 (Low Intensity Industrial) District is intended to be used as follows:

Use, Type, and Intensity
- Low to moderate intensity industrial uses
- Business parks, distribution operations, and industrial parks
- Stand alone buildings or multiple primary structures

Application of District
- Existing and new development
- Buffer between heavier industrial uses and lower intensity districts

Development Standards
- Enact quality time, place, and manner development standards that minimize the impacts on surrounding areas
- Allow small outdoor storage areas with screening
- Minimize light, noise, water, and air pollution

Appropriate Adjacent Districts
- PR, AG, IS, C2, HC, EC, I1, I2, and MS

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- automobile oriented business (type 3)
- broadcast studio
- exterminator
- lumberyard
- office, construction trade
- office, general
- printing, commercial
- self-storage warehouse
- software development
- tool/equipment rental (indoor)
- tool/equipment rental (outdoor)
- trade or business school
- veterinary hospital

Industrial Permitted Uses
- assembly
- bottling/canning
- brewery
- composting facility
- distribution facility
- dry cleaning processing
- flex space
- freight terminal
- industrial park
- materials recycling (type 1)
- printer, industrial
- produce terminal
- research center, general
- research center, medical
- sign fabrication
- storage tanks (non-hazardous)
- testing lab, electronics
- testing lab, materials
- tool and die shop
- utility facility, above ground
- warehouse
- welding service
- wholesale business

Institutional Permitted Uses
- government operations facility
- recycling collection point
- water tower

Special Exception Uses

Accessory Special Exception Uses
- wind turbine system, large

Agricultural Special Exception Uses
- agricultural products, processing
- agricultural products, storage
- grain elevator

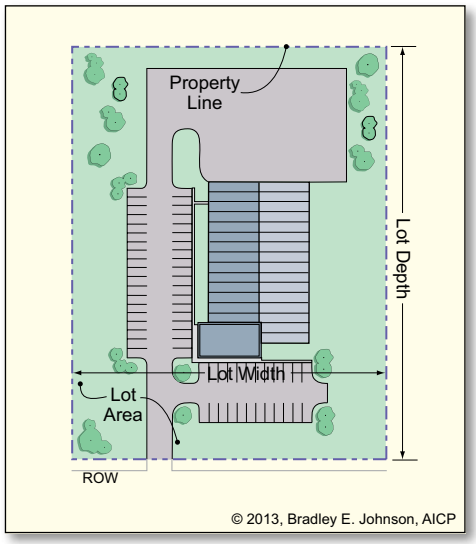
Commercial Special Exception Uses
- party facility
- recreation center (indoor)
- restaurant
- sports field (indoor)
- wellness facility

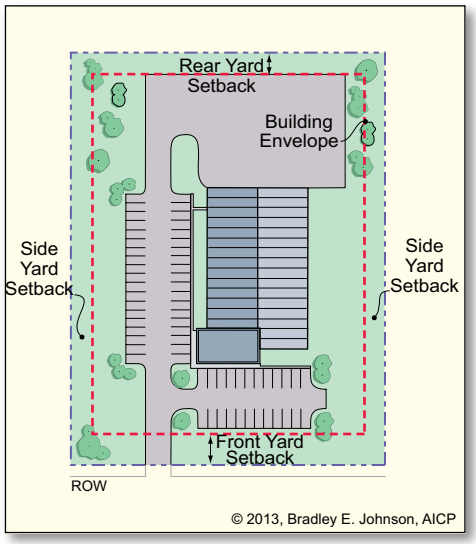
Industrial Special Exception Uses
- bio-diesel production
- broadcast facility
- fleet vehicle storage
- food processing
- liquid fertilizer distribution
- materials recycling (type 2)
- metal casting
- outdoor storage
- telecommunication facility
- transfer station

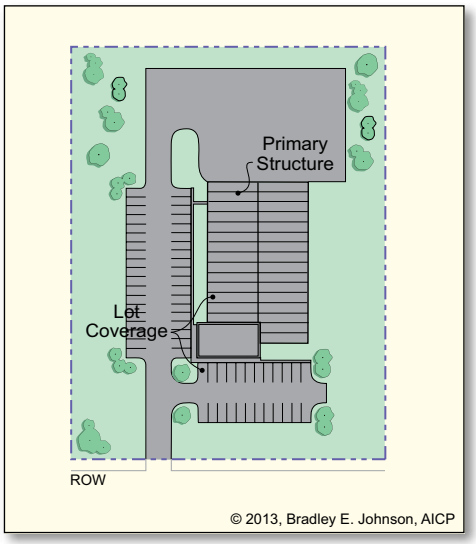
Institutional Special Exception Uses
- school (P-12), public
- transit station (local hub)

Low Intensity Industrial (I1) District

2.38 Low Intensity Industrial (I1) District Development Standards







Minimum Lot Area
- 1 acre

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 35 feet for primary structure
- 45 feet for accessory structure

Minimum Side Yard Setback
- 20 feet for primary and accessory structure

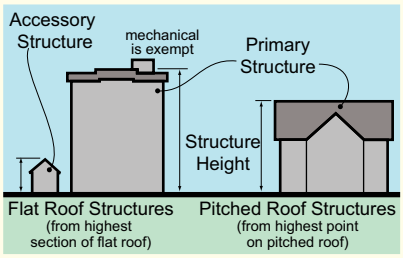
Minimum Rear Yard Setback
- 20 feet for primary and accessory structure

Maximum Lot Coverage
- 70% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Main Floor Area
- 150,000 square feet

Maximum Primary Structures
- 5



Maximum Structure Height
- 50 feet for primary structure
- 35 feet for accessory structure
- 3 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-13 5-09

Architectural
- AR-05 5-13

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-07 5-20

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-03 5-37
- LA-04 5-40

Lighting
- LT-01 5-41
- LT-05 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-04 5-49

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-13 5-108
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Telecommunication
- TC-01 5-115

Temporary Use
- TU-01 5-117
- TU-04 5-118

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

High Intensity Industrial (I2) District

2.39 High Intensity Industrial (I2) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The I2 (High Intensity Industrial) District is intended to be used as follows:

Use, Type, and Intensity
- Moderate to high intensity industrial uses
- Business parks, distribution operations, and industrial parks
- Stand alone buildings or multiple primary structures

Application of District
- Existing and new development
- Buffer between heavier industrial uses and lower intensity districts

Development Standards
- Enact quality time, place, and manner development standards that minimize the impacts on surrounding areas
- Allow small outdoor storage areas with screening
- Minimize light, noise, water, and air pollution

Appropriate Adjacent Districts
- PR, AG, IS, C2, HC, EC, I1, I2, and HI

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Agricultural Permitted Uses
- agricultural products, processing
- agricultural products, storage

Commercial Permitted Uses
- tool/equipment rental (outdoor)

Industrial Permitted Uses
- assembly
- bio-diesel production
- bottling/canning
- brewery
- broadcast facility
- composting facility
- distribution facility
- dry cleaning processing
- fleet vehicle storage
- flex space
- food processing
- freight terminal
- heavy equipment repair
- industrial park
- liquid fertilizer distribution
- manufacturing, light
- materials recycling (type 1)
- materials recycling (type 2)
- metal casting
- outdoor storage
- printer, industrial
- produce terminal
- sign fabrication
- stone cutting
- storage tanks (non-hazardous)
- telecommunication facility
- testing lab, electronics
- testing lab, materials
- tool and die shop
- transfer station
- utility facility, above ground
- warehouse
- welding service
- wholesale business

Institutional Permitted Uses
- government operations facility
- recycling collection point
- water tower

Special Exception Uses

Accessory Special Exception Uses
- wind turbine system, large

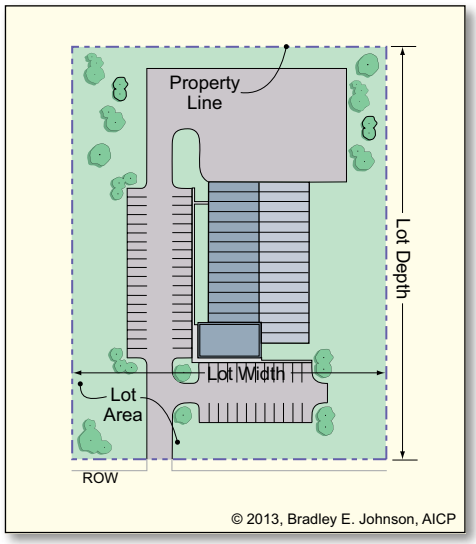
Commercial Special Exception Uses
- crematory
- restaurant
- sports field (indoor)

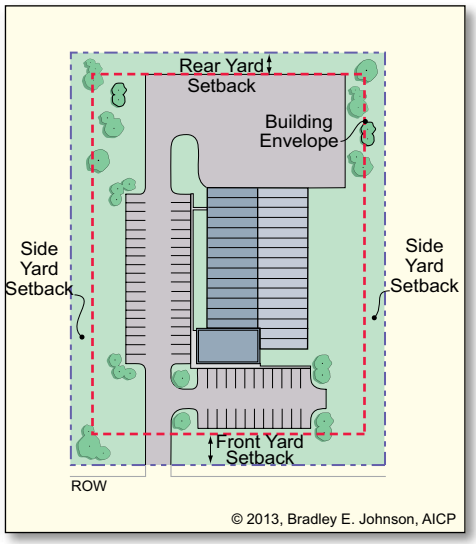
Industrial Special Exception Uses
- chemical manufacturing
- concrete plant
- incinerator
- manufacturing, heavy
- meat processing
- mining, rock or sand
- research center, general
- testing, general

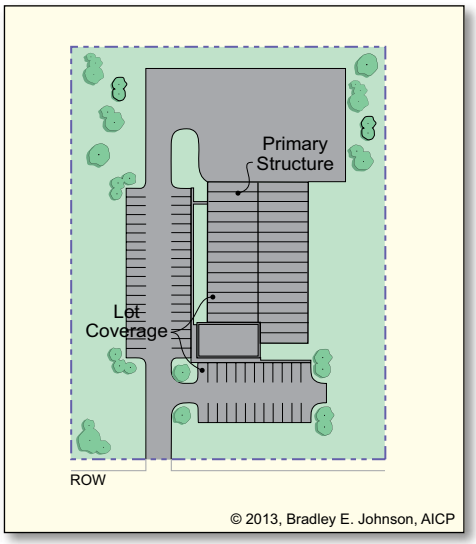
Institutional Special Exception Uses
- transit station (local hub)

High Intensity Industrial (I2) District

2.40 High Intensity Industrial (I2) District Development Standards







Minimum Lot Area
- 3 acres

Minimum Lot Width
- 250 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 45 feet for primary and accessory structure

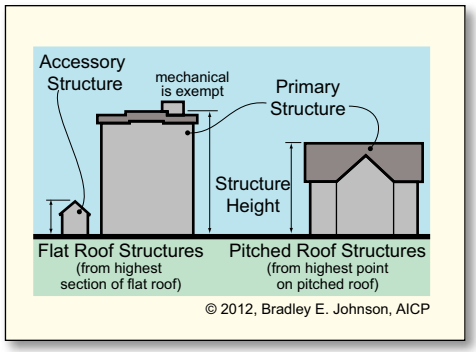
Minimum Side Yard Setback
- 20 feet for primary and accessory structure

Minimum Rear Yard Setback
- 20 feet for primary and accessory structure

Maximum Lot Coverage
- 70% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Primary Structures
- 10



Maximum Structure Height
- 50 feet for primary structure
- 35 feet for accessory structure
- 3 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-13 5-09

Architectural
- AR-05 5-13

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-07 5-20

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-03 5-37
- LA-04 5-40

Lighting
- LT-01 5-41
- LT-05 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-04 5-49

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-13 5-108
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Telecommunication
- TC-01 5-115

Temporary Use
- TU-01 5-117

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

Motor Sports (MS) District

2.41 Motor Sports (MS) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The MS (Motor Sports) District is intended to be used as follows:

Use, Type, and Intensity
- Low to moderate intensity operations related to motor sports
- Stand alone buildings or multiple primary structures

Application of District
- Existing and new development
- Lot-specific zoning
- Small area zoning

Appropriate Adjacent Districts
- PR, AG, IS, HC, EC, I1, and MS

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- automobile oriented business (type 3)
- design services
- recreation center (indoor)
- repair shop, equipment
- retail (type 1) very low intensity
- retail (type 2) low intensity
- trade or business school

Industrial Permitted Uses
- assembly
- coatings and finishes
- distribution facility
- fleet vehicle storage
- flex space
- manufacturing, light
- motor sports team
- outdoor storage
- research center, general
- tool and die shop
- warehouse
- welding service

Institutional Permitted Uses
- museum

Residential Permitted Uses
- dwelling, accessory

Special Exception Uses

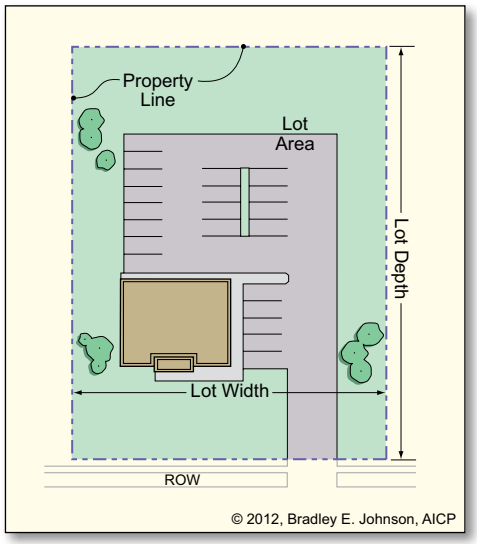
Accessory Special Exception Uses
- wind turbine system, large

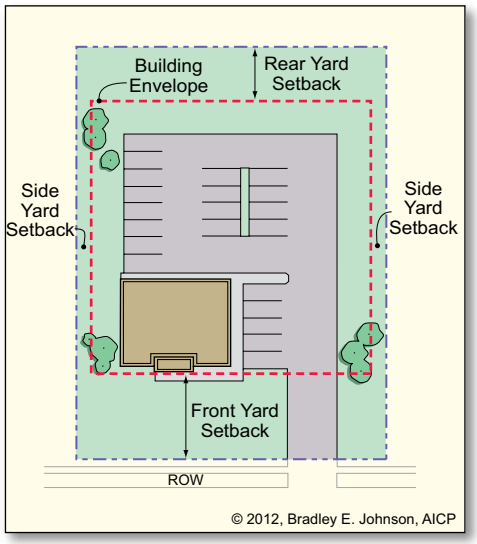
Commercial Special Exception Uses
- recreation center (outdoor)
- restaurant

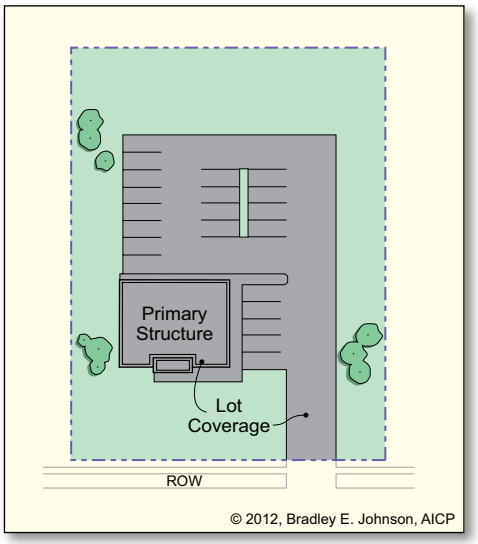
Industrial Special Exception Uses
- fuel dealer
- heavy equipment repair
- heliport, private

Motor Sports (MS) District

2.42 Motor Sports (MS) District Development Standards







Minimum Lot Area
- 1 acre

Minimum Lot Width
- 100 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 35 feet for primary and accessory structure

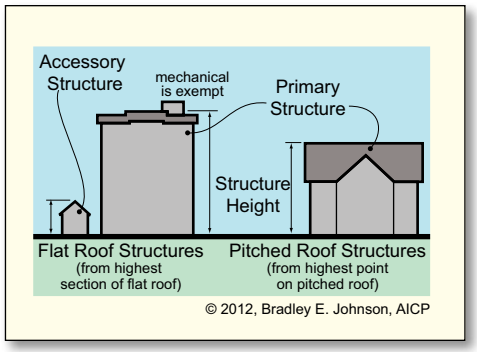
Minimum Side Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

Minimum Rear Yard Setback
- 20 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 80% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Primary Structures
- 3



Maximum Structure Height
- 50 feet for primary structure
- 35 feet for accessory structure
- 2 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-13 5-09

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-07 5-20

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-03 5-37
- LA-04 5-40

Lighting
- LT-01 5-41
- LT-05 5-42

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-04 5-49

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-13 5-108
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

Regional Outdoor Entertainment (RO)

2.43 Regional Outdoor Entertainment (RO) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The RO (Regional Outdoor Entertainment) District is intended to be used as follows:

Use, Type, and Intensity
- High intensity operations related to a motor vehicle race track
- High intensity outdoor entertainment uses (e.g. amusement park or water park)
- Stand alone buildings or multiple primary structures

Application of District
- Existing and new development
- Lot-specific zoning

Appropriate Adjacent Districts
- PR, AG, IS, HC, EC, I1, I2, and MS

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- amphitheater
- race track, motor vehicle
- recreation center (indoor)
- retail (type 1) very low intensity
- retail (type 2) low intensity
- stadium

Institutional Permitted Uses
- museum
- sports stadium

Special Exception Uses

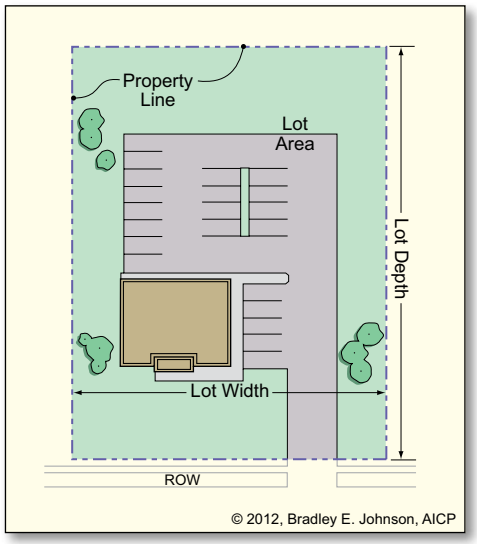
Commercial Special Exception Uses
- recreation center (outdoor)
- restaurant
- theme park
- water park

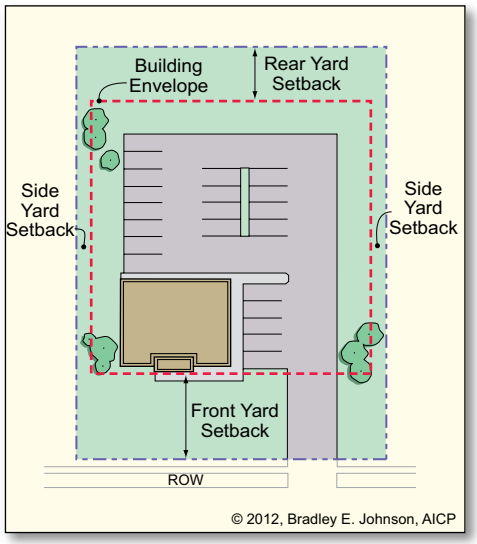
Industrial Special Exception Uses
- fuel dealer
- heliport, private

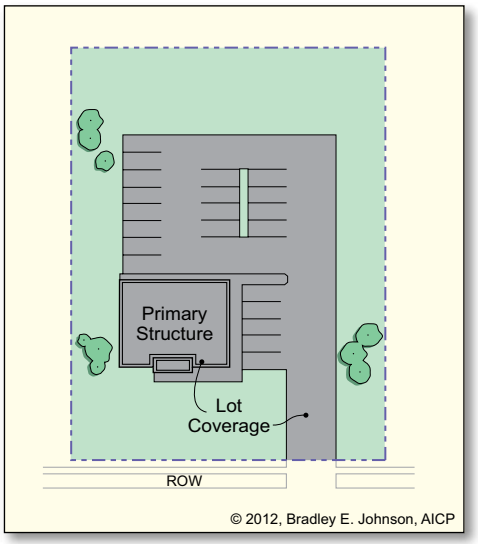
Institutional Special Exception Uses
- arena

Regional Outdoor Entertainment (RO)

2.44 Regional Outdoor Entertainment (RO) District Development Standards







Minimum Lot Area
- 25 acres

Minimum Lot Width
- 1,000 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 50 feet for primary structure
- 10 feet for accessory structure

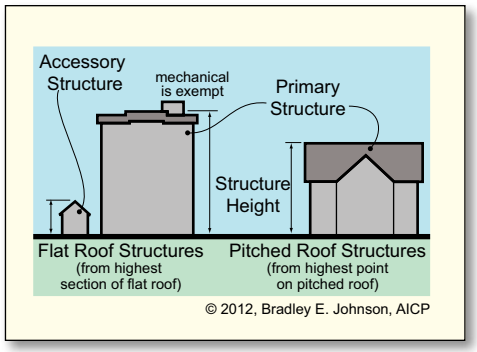
Minimum Side Yard Setback
- 50 feet for primary structure
- 10 feet for accessory structure

Minimum Rear Yard Setback
- 50 feet for primary structure
- 10 feet for accessory structure

Maximum Lot Coverage
- 75% of lot area

Minimum Main Floor Area
- not applicable

Maximum Primary Structures
- 10



Maximum Structure Height
- 65 feet for primary structure
- 50 feet for accessory structure
- 3 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-12 5-09

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-06 5-20

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28

Lighting
- LT-01 5-41
- LT-05 5-42

Lot
- LO-01 5-44

Outdoor Storage
- OS-05 5-49

Parking
- PK-01 5-50

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-14 5-111

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Telecommunication
- TC-01 5-115

Temporary Use
- TU-05 5-119

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

High Impact (HI) District

2.45 High Impact (HI) District Intent, Permitted Uses, and Special Exception Uses

District Intent

The HI (High Impact) District is intended to be used as follows:

Use, Type, and Intensity
- All intensities of high impact uses

Application of District
- Existing and new development
- Lot-specific zoning

Development Standards
- Enact development standards to minimize impacts on adjacent properties
- Minimize light, noise, water, and air pollution

Appropriate Adjacent Districts
- PR, AG, IS, I2, and HI

Permitted Uses

Accessory Permitted Uses
- wind turbine system, small

Commercial Permitted Uses
- amusement park
- shooting range (outdoor)

Industrial Permitted Uses
- asphalt plant
- bio-fuels production
- blast furnace
- chemical manufacturing
- coke oven
- concrete plant
- construction materials landfill
- electrical generation plant
- explosives manufacturing
- fireworks manufacturing
- incinerator
- junk yard
- materials recycling (type 3)
- mining, rock or sand
- petroleum processing
- rail yard
- rendering plant
- rock crushing
- sanitary landfill/refuse dump
- saw mill
- scrap metal yard
- smelting
- storage tanks (hazardous)
- utility facility, above ground

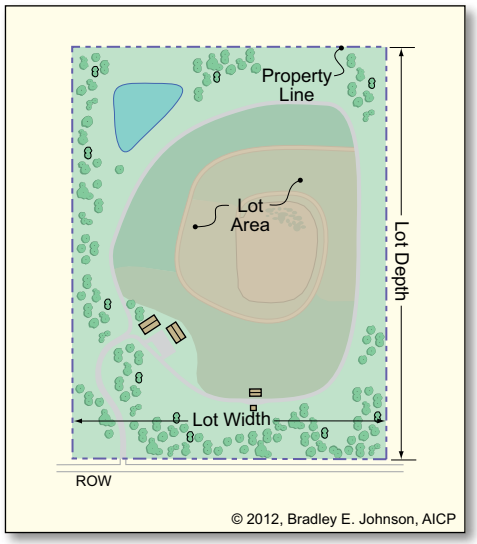
Institutional Permitted Uses
- jail
- juvenile detention facility
- prison

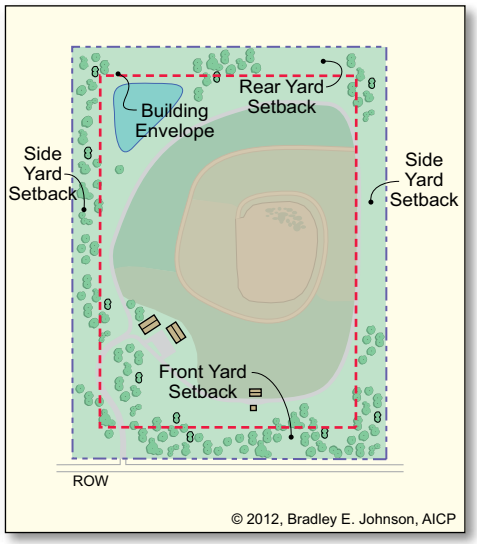
Special Exception Uses

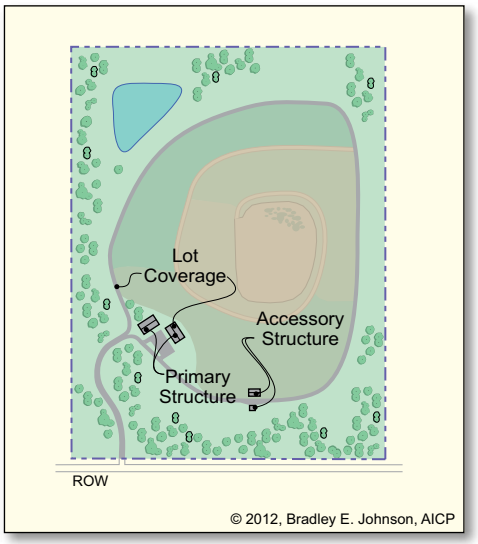
Accessory Special Exception Uses
- wind turbine system, large

High Impact (HI) District

2.46 High Impact (HI) District Development Standards







Minimum Lot Area
- 20 acres

Minimum Lot Width
- 250 feet

Sewer and Water
- sewer utility connection is required
- water utility connection is required

Minimum Front Yard Setback
- 200 feet for primary and accessory structure

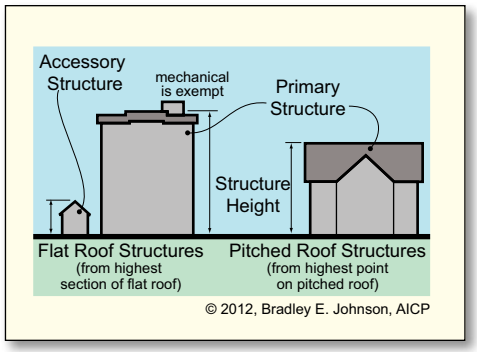
Minimum Side Yard Setback
- 150 feet for primary and accessory structure

Minimum Rear Yard Setback
- 150 feet for primary and accessory structure

Maximum Lot Coverage
- 50% of lot area

Minimum Main Floor Area
- 500 square feet

Maximum Primary Structures
- 10



Maximum Structure Height
- 50 feet for primary structure
- 35 feet for accessory structure
- 4 stories

Additional Development Standards that Apply

Accessory Structure
- AS-01 5-03
- AS-13 5-09

Canopy and Portico
- CP-01 5-14

Density and Intensity
- DI-01 5-15

Environmental
- EN-01 5-16

Fence and Wall
- FW-01 5-17
- FW-07 5-20

Floor Area
- FA-01 5-21

Height
- HT-01 5-22

Landscaping
- LA-01 5-28
- LA-02 5-35
- LA-03 5-37
- LA-04 5-40

Lighting
- LT-01 5-41

Loading
- LD-01 5-43

Lot
- LO-01 5-44

Outdoor Storage
- OS-04 5-49

Parking
- PK-01 5-50
- PK-07 5-52

Setback
- SB-01 5-62

Sewer and Water
- SW-01 5-64

Signs
- SI-01 5-66
- SI-13 5-108
- SI-15 5-112

Special Exception
- SE-01 5-113

Structure
- ST-01 5-114

Temporary Use
- TU-01 5-117

Trash Receptacle
- TR-01 5-120

Vision Clearance
- VC-01 5-121

Wind Turbine Systems
- WT-01 5-122
- WT-02 5-124

Appropriate Adjacent Districts

Table 2-A Appropriate Adjacent Districts

Adjacent District	Zoning District of Subject Property																						
	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
PR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
AG	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
RE	X	X	X	X	X							X											
R1	X	X	X	X	X							X	X										
R2	X	X	X	X	X	X	X	X	X	X		X	X										
R3	X	X			X	X	X	X	X	X	X	X	X	X	X								
TR	X	X			X	X	X	X	X			X	X	X									
M1	X	X			X	X	X	X				X	X	X	X								
M2	X	X			X	X	X		X			X	X	X	X	X							
M3	X	X			X	X				X	X	X	X	X		X							
MP	X	X				X				X	X	X	X		X	X							
IS	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
NC	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X							
UC	X	X				X						X	X	X		X							
C1	X	X				X		X	X		X	X	X	X	X	X							
C2	X	X							X	X	X	X	X	X	X	X	X	X	X	X			
HC	X	X										X				X	X	X	X	X	X	X	
EC	X	X										X				X	X	X	X	X	X	X	
I1	X	X										X				X	X	X	X	X	X	X	
I2	X	X										X				X	X	X	X	X			X
MS	X	X										X					X	X	X		X	X	
RO	X	X										X					X	X	X		X	X	
HI	X	X										X								X			X

Article 3

Overlay Districts

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Groundwater Protection Overlay (GPO) District

3.01 Groundwater Protection Overlay (GPO) District Intent, Effect on Uses, and Effect on Standards

District Intent

The Groundwater Protection Overlay (GPO) District is intended to prevent contamination of groundwater which may be used for potable water supply based on guidelines from the EPA, IDEM, Indiana State Chemist Office, and Purdue University Cooperative Extension Service.

Land Use Restrictions
- Uses that utilize or contain volatile, poisonous, toxic, or other material hazardous to the potability of water shall be restricted or prohibited

Development Standard Restrictions
- Require municipal sewer connection
- Require best management practices
- Prevent underground storage tanks

Effect on Uses

All permitted uses in the base zoning district are permitted in the GPO District except as prohibited below. All Special Exception Uses permitted in the base zoning district are allowed as such in the GPO District except as prohibited below.

The following land uses and site features shall not be permitted in the GPO District:
- agricultural products, processing
- animal feed lot
- airport
- auto salvage
- bio-fuels production (e.g. ethanol plant)
- body shop (automobile oriented)
- car wash (automobile oriented)
- cesspools
- chemical storage or distribution
- coal mining
- confined feeding operation
- construction material landfill
- dry wells
- fertilizer storage or distribution
- gas station
- golf course
- gravel or sand mining
- heliport, private
- incinerator
- industry that uses heavy metals or toxic chemicals in its manufacturing process or other operations
- infiltration basins
- injection type wells
- junk yard
- mineral mining
- oil change facility (automobile oriented)
- recycling processing
- rendering plant
- repair shop, equipment
- sanitary landfill or refuse dump
- scrap metal yard
- septic systems
- sewage disposal
- sewage holding tanks
- sewage lagoons
- spreading of animal waste on land
- spreading of sewage treatment plant sludge on land
- storage tanks (hazardous)
- sewage treatment plant
- truck stop
- waste disposal wells

Effect on Standards

The development standards from the base zoning district shall apply to the GPO District in addition to the development standards described in *Section 3.04: GPO District Development Standards***.**

3.02 GPO District Applicability

The following requirements apply to all land within the GPO District as defined in *Section 3.03: GPO District Boundary*. Under no circumstances shall a planned development or rezoning of property change the applicability of the GPO District's land use restrictions and additional development standards.

3.03 GPO District Boundary

The boundaries for the GPO District shall be the 5-year recharge area shown on the Groundwater Protection Area Map and may be shown on the Official Zoning Map as a hatched or textured pattern and noted on the map legend as the GPO District.

3.04 GPO District Development Standards

A. Exemptions: Single-family and two-family dwelling units connected to a municipal sewer system are exempt from the GPO District requirements

B. Best Management Practices: Uses within the GPO District shall implement best management practices known to its particular industry, including:
   1. *Avoid Excess Potential Contaminant Usage*: Use the minimal amount of the potential contaminant that is necessary to achieve the desired result. Employ waste reduction and management strategies, and mandate responsible purchasing to reduce the threat of hazardous materials.
   2. *Proper Use and Handling*: Train employees to follow instructions on labels to ensure proper use, handling, and application of potential contaminants.
   3. *Proper Storage and Disposal*: Create and implement a chemical management plan that includes a list of chemicals and potential contaminants used, the method of disposal, and procedures for assuring that chemicals and potential contaminants are not discharged into waterways or, to wellfield.

C. Sewer and Water Standards
   1. *Abandoned Wells*: All known abandoned wells shall be identified and sealed at the surface or plugged with impervious materials in accordance with *Rule 10* in *IAC 312* and *IAC 13*.
   2. *Sanitary Sewer*: Connection to a municipal sanitary sewer system shall be required unless the cost to connect to the municipal sanitary sewer exceeds three times (3X) the cost of a septic (i.e. on-site waste treatment) system.

D. Storage Tank Standards:
   1. *Above Ground Storage Tanks*:
      a. All tanks shall have corrosion protection for the tank and piping. Corrosion protection measures shall include elevating tanks, resting tanks on continuous concrete slabs, installing double-walled tanks, cathodically protecting the tanks, internally lining tanks, or a combination of the aforementioned options. All piping to the tank should be double-walled or cathodically protected.
      b. Above ground storage of liquid and/or petroleum products shall be limited to 1,000 cumulative gallons in all on-site storage tanks.
      c. Storage of more than forty (40) gallons of liquid chemical or petroleum products for more than twenty-four (24) hours shall meet the following secondary containment requirements:
         i. Secondary containment shall be capable of containing one hundred ten percent (110%) of the volume of the tank; or 100% of the volume of the tank, plus sufficient freeboard to contain precipitation from a 25-year storm.
         ii. Secondary containment shall be designed to prevent and control the escape of the contaminant into ground water for a minimum of seventy-two (72) hours; or designed and built with an outer shell and a space between the tank wall and the outer shell that allows and includes monitoring between the tank wall and outer shell.
         iii. The secondary containment structure shall be properly maintained and shall be free of vegetation, cracks, open seams, open drains, siphons, or other openings that jeopardize the integrity of the structure.
         iv. The secondary containment structure shall be designed to prevent the infiltration of precipitation.

2. *Underground Storage Tanks*:
   a. New underground storage tanks (USTs) shall not be permitted.
   b. Existing underground storage tanks shall only be replaced or upgraded with above ground storage tanks.

3.05 Access Supplement

A. Additional Reviews: If a subdivision of land, planned development, Special Exception Use, Variance, rezoning, or Improvement Location Permit is applied or requested for a site that lies fully or partially within the GPO District, the proposed development and process shall be subject to an additional review and requirements by the water utility who maintains the wellhead.

B. Additional Notice: In addition to any notice an applicant is required to give, an applicant shall give notice to the water utility who maintains the wellhead when fully or partially contained within a GPO District. See *Article 9: Processes*.

3.06 GPO Monitoring

A. Inspection: Land uses involving the storage or use of potential contaminants are subject to periodic inspection by the Fire Marshall or the water utility who maintains the wellhead. The scope of inspections shall be limited to issues related to the storage and use of potential contaminants.

B. Testing: The water utility who maintains the wellhead, may request periodic testing for spillage or soil contamination. Testing may not exceed one (1) test site per year for each 500 gallons of chemicals, fertilizer, or petroleum product for sites that have never had a violation, or significant leak or spill.

C. Reporting: The water utility who maintains the wellhead shall be notified within twenty-four (24) hours from the time a leak or spill is discovered that exceeds one (1) gallon onto the soil.

Article 4

Planned Development District

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Planned Development (PD) District

4.01 Planned Development (PD) District Intent, Regulations, and Prerequisites

District Intent

The PD (Planned Development) District is intended to provide flexible development standards for medium to large scale developments that do not easily comply to zoning district standards due to any of the following:

- Interest in an integrated mixed-use development
- Existence of unique geological or natural features
- Interest in unique or innovative development design

The need for waivers or variances shall not by itself justify the pursuit of a Planned Development

Application of District

- Should be used for innovative developments with unique features that will enhance not only the development but the entire town

Plan Commission

- Any parcel that meets the prerequisites specified herein may be rezoned to a Planned Development District after Plan Commission review and approval, and after the Town of Brownsburg Town Council reviews and adopts the Planned Development Ordinance in accordance with the Brownsburg Comprehensive Plan and *Article 4: Planned Developments*
- Under no circumstances are the Plan Commission or Town Council required to rezone a property to a PD District.

Regulations

Permitted Uses

- Predominantly in line with the permitted uses in the original zoning district
- Predominantly in line with the Brownsburg Comprehensive Plan
- Compatible with surrounding land uses and adjacent zoning districts
- Flexible only to the extent permitted in *Article 4: Planned Developments*

Development Standards

- Generally in line with the intent of the original zoning district
- Predominantly in line with the Brownsburg Comprehensive Plan
- Compatible with surrounding land uses and adjacent zoning districts
- Flexible only to the extent permitted in *Article 4: Planned Developments*

Design Standards

- Predominantly in compliance with Town of Brownsburg's Subdivision Control Ordinance.
- Flexible only to the extent permitted in *Article 4: Planned Developments*

Construction Standards

- Fully in compliance with Town of Brownsburg's Standard Details

Prerequisites

Ownership

- The site proposed for a Planned Development shall be under single ownership, or if multiple owners exist a legal document, legal partnership, or corporation shall be provided indicating that all owners of property support and desire to develop the land. Said legal document shall also indicate who the owners appoint as their representative

Site Area

- The minimum site area required for a Planned Development is 5 acres

Zoning Districts

- Only the following standard zoning districts may be rezoned to a Planned Development District: PR, AG, RE, R1, R2, R3, M1, M2, M3, IS, C1, C2, HC, EC, I1, I2, and MS

4.02 General Planned Development Standards

A. Description: A Planned Development (PD) District is a special district that can be pursued by an applicant in which a stand alone ordinance regulating the development is drafted and which binds the development to its unique language.

B. Creation: The procedure for the creation of a PD District shall be consistent with the process set forth in *Article 9: Processes* of the Unified Development Ordinance.

C. Maps: PD Districts shall be identified as such on the Official Zoning Map.

D. Regulations:

1. *Development Standards*: The requirements of *Article 5: Development Standards* of the Unified Development Ordinance shall apply to Planned Developments unless alternate standards are deemed appropriate by the Plan Commission in order to accomplish the intent of the Planned Development. Any lessening of the required standards of the Unified Development Ordinance shall be directly linked to the intent of the Planned Development to provide a mixed-use development, accommodate a creative and unique design not otherwise achievable using standard zoning districts and subdivision control regulations, or address unusual physical conditions.
2. *Preliminary Plan*: The Preliminary Plan shall indicate the proposed land uses, location of all proposed improvements, and a proposed ordinance that includes development standards, and other specifications which shall govern the Planned Development. If the Preliminary Plan or PD Ordinance is silent or does not address a particular land use, development standard, design standard, or other specification, the standard of the base zoning district or other applicable regulations shall apply.

4.03 Origination of Proposals

A proposal for a PD District shall be initiated by the property owner(s). The site proposed for a Planned Development shall be under single ownership, or if multiple owners exist a legal document, legal partnership, or corporation shall be provided indicating that all owners of property support and desire to develop the land. Said legal document shall also indicate who the owners appoint as their representative.

4.04 Rules of Procedure

All proceedings brought under *Article 4: Planned Developments* are subject to the Rules of Procedure of the Plan Commission. All applications that involve subdivision of land shall also be subject to the Town of Brownsburg Subdivision Control Ordinance.

4.05 Limitation of Revisions to the Unified Development Ordinance

A. Public Health and Safety: Changes to the Unified Development Ordinance that directly affect public health and safety shall apply to any Planned Development whether prior to or during development.

B. Failure to Comply: If a Planned Development is no longer proceeding in accordance with its ordinance, the commitments, or time requirements imposed by its ordinance, the Town of Brownsburg may follow the process for violations outlined in *Article 10: Enforcement*.

C. Rezoning to Standard District: All Planned Developments or subdistricts thereof, once ninety percent (90%) built-out are subject to being rezoned into an appropriate standard zoning district if the Town of Brownsburg deems it necessary to better or more efficiently administer the development.

4.06 Designation of Permanent Open Space

A. Designation of Open Space: A Planned Development shall not be approved, unless the design provides for permanent landscaped or natural open space. Open space shall be provided in at least the following percentage of the total gross area of the Planned Development by type of use:

1. *Single-family Residential Use*: Fifteen percent (15%) of all land being developed shall be open space, and 25% of that open space shall be usable space for recreation, accessible to residents, and conveniently located.
2. *Multiple-family Residential Use*: Fifteen percent (15%) of all land being developed shall be open space, and 25% of that open space shall be usable space for recreation, accessible to residents, and conveniently located.
3. *Office Use*: Ten percent (10%) of all land developed shall be usable open space.
4. *All Other Uses*: Five percent (5%) of all land developed shall be usable open space.

B. Maintenance of Open Space: Open space shall be owned and maintained in perpetuity by either the:
   1. Applicant/developer;
   2. An owner's association or other not for profit corporation established for the purpose of maintaining common area and common structures;
   3. A not-for-profit corporation, like a land trust;
   4. Lot owner(s) within the development on which permanent no-build, no disturb, conservation, or landscape easement are established to protect the open space, whichever is most appropriate; or
   5. A municipal or public corporation, if it agrees to accept it.

C. Mixed-uses: In the case of mixed-uses, permanent open space shall be allocated to the property in proportion to the uses assigned to the Planned Development and shall be located in close proximity to those uses. The permanent open space need not be located in proximity to the use in the case of preservation of existing natural features.

D. Development in Stages: If the Preliminary Plan provides for the Planned Development to be constructed in stages, open space shall be provided for each stage of the development in proportion to that stage, and conveyed or guaranteed.

Article 5

Development Standards

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

District Icons

5.01 Icon Key

The following District Icons represent the described standard zoning districts.

- PR - Parks and Recreation District
- AG - General Agricultural District
- RE - Residential Estate District
- R1 - Low Density Single-family Residential District
- R2 - Medium Density Single-family Residential District
- R3 - High Density Single-family Residential District
- TR - Traditional Residential District
- M1 - Low Density Multiple-family Residential District
- M2 - Medium Density Multiple-family Residential District
- M3 - High Density Multiple-family Residential District
- MP - Manufactured Home Park District
- IS - Institutional District
- NC - Neighborhood Commercial District
- UC - Urban Commercial District
- C1 - Moderate Intensity General Commercial District
- C2 - High Intensity General Commercial District
- HC - Highway Commercial District
- EC - Employment Center District
- I1 - Low Intensity Industrial District
- I2 - High Intensity Industrial District
- MS - Motor Sports District
- RO - Regional Outdoor Entertainment District
- HI - High Impact District

Section Name	Page Number
Accessory Structure Standards (AS)	5-03
Architectural Standards (AR)	5-10
Canopy and Portico Standards (CP)	5-14
Density and Intensity Standards (DI)	5-15
Environmental Standards (EN)	5-16
Fence and Wall Standards (FW)	5-17
Floor Area Standards (FA)	5-21
Height Standards (HT)	5-22
Home Business Standards (HB)	5-23
Keeping of Animals Standards (KA)	5-26
Landscaping Standards (LA)	5-28
Lighting Standards (LT)	5-41
Loading Standards (LD)	5-43
Lot Standards (LO)	5-44
Manufactured Housing Standards (MH)	5-45
Outdoor Dining Standards (OD)	5-46
Outdoor Storage Standards (OS)	5-47
Parking Standards (PK)	5-50
Setback Standards (SB)	5-62
Sewer and Water Standards (SW)	5-64
Sexually Oriented Entertainment Business Standards (SX)	5-65
Sign Standards (SI)	5-66
Special Exception Standards (SE)	5-113
Structure Standards (ST)	5-114
Telecommunication Facility Standards (TC)	5-115
Temporary Use and Structure Standards (TU)	5-117
Trash Receptacle Standards (TR)	5-120
Vision Clearance Standards (VC)	5-121
Wind Turbine System Standards (WT)	5-122

Accessory Structure Standards (AS)

5.02 AS-01: General Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Cross Reference: Some structures are regulated independent of the Accessory Structure Standards. The following types of structures are regulated in other sections.
   1. *Fences and Walls*: See *Fence and Wall Standards (FW)*.
   2. *Signs*: See *Sign Standards (SI)*.
   3. *Swimming Pools*: Swimming pools shall meet the regulations within these Accessory Structure Standards sections and the Indiana Administrative Code (675 IAC 20: Swimming Pool Code).
   4. *Telecommunication Facilities*: See *Telecommunication Facility Standards (TC)*.
   5. *Trash Receptacles*: See *Trash Receptacle Standards (TR)*.

B. Applicability:
   1. *Minimum Front Yard Setback*: The minimum front yard setback for accessory structures shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
   2. *Minimum Side Yard Setback*: The minimum side yard setback for accessory structures shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
   3. *Minimum Rear Yard Setback*: The minimum rear yard setback for accessory structures shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
   4. *Maximum Structure Height*: The maximum structure height shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.

C. Permits: An Improvement Location Permit shall be required prior to installation or construction of an accessory structure unless specifically noted otherwise. See *Section 9.02(B): Exemption from Improvement Location Permit* for exemptions for small structures (e.g. structures 90 sq. ft. or less). In circumstances where a permit is not required, the accessory structure shall still meet all applicable Accessory Structure Standards.

D. Types:
   1. *Prohibited Accessory Structures*:
      a. A mobile home, manufactured home, recreational vehicle, semi-tractor trailer, boat, motor vehicle, or trailer; in part, in whole, or of the like, shall not be permitted as an accessory structure.
      b. Portable storage units shall not be permitted as a permanent accessory structure.

E. Maintenance: Accessory structures shall be properly maintained and kept in good condition.

5.03 AS-02: Parks and Recreation and Agricultural Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning districts:

PR AG

The following standards apply:

A. Types:
   1. *Storage-based*: Storage-based accessory structures shall be permitted. Storage-based accessory structures shall include barns, carports, detached garages, greenhouses, mini-barns, pool houses, sheds, and other structures used primarily for storage purposes.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include decks, gazebos, hot tubs, ground-mounted satellite dishes, sport courts, swimming pools, and other structures used primarily for recreational purposes.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the lot or the zoning district's permitted uses.
   2. *Timing*: An accessory structure may be installed or built on a lot prior to the construction of a primary structure or without the existence of the primary structure.

C. Quantity: There is no limit on storage-based or recreation-based accessory structures.

D. Location: There is not a limit on the location of storage-based or recreation-based accessory structures.

5.04 AS-03: Residential Estate Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning district:

RE

The following standards apply:

A. Types:
   1. *Storage-based*: Storage-based accessory structures shall be permitted. Storage-based accessory structures shall include barns, carports, detached garages, greenhouses, pole structures, pool houses, sheds, and other structures used primarily for storage purposes.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include decks, gazebos, hot tubs, ground-mounted satellite dishes, sport courts, swimming pools, pergolas, and other structures used primarily for recreational purposes.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the lot.
   2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:
   1. *Maximum Number*: No more than three (3) storage-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.
   2. *Maximum Size*: The cumulative square footage of all storage-based accessory structures shall not exceed two times (2X) the footprint of the primary structure.

D. Materials: The exterior finish and facade of all storage-based accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: Storage-based and recreation-based accessory structures shall only be allowed in side yard and rear yards with the following exceptions:
   1. *Basketball Goals*: A basketball goal along a driveway or mounted on the garage shall not be considered a sport court. However, the minimum setback for a basketball goal shall be one-half (½) the minimum front hard setback applicable to primary structures.
   2. *Detached Garage*: A detached garage may be placed forward of a primary structure, but only if it is side loading, less than 700 square feet of space, and to the side of the primary structure's facade.

5.05 AS-04: Single-family and Two-family Residential Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning districts:

R1 R2 R3 M1

The following standards apply:

A. Types:
   1. *Storage-based*: Storage-based accessory structures shall be permitted. Storage-based accessory structures shall include detached garages, greenhouses, pool houses, cabana, sheds, and other structures used primarily for storage purposes.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include decks, gazebos, hot tubs, ground-mounted satellite dishes, sport courts, swimming pools, pergolas, and other structures used primarily for recreational purposes.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the lot.
   2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:
   1. *Maximum Number*: No more than two (2) storage-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.
   2. *Maximum Size*: The cumulative square footage of all storage-based accessory structures shall not exceed fifty percent (50%) of the footprint of the primary structure.

D. Materials: The exterior finish and facade of all storage-based accessory structures greater than 200 square feet in area shall match or closely resemble, and significantly complement the materials and colors used on the primary structure.

E. Location: Storage-based and recreation-based accessory structures shall only be allowed in side and rear yards with the following exceptions:
   1. *Basketball Goals*: A basketball goal along a driveway or mounted on the garage shall not be considered a sport court. However, the minimum setback for a basketball goal shall be one-half (½) the minimum front hard setback applicable to primary structures.

5.06 AS-05: Traditional Residential Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning district:

TR

The following standards apply:

A. Types:
   1. *Storage-based*: Storage-based accessory structures shall be permitted. Storage-based accessory structures shall include detached garages, greenhouses, pool houses, sheds, and other structures used primarily for storage purposes.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include decks, gazebos, hot tubs, ground-mounted satellite dishes, sport courts, swimming pools, pergolas, and other structures used primarily for recreational purposes.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the lot.
   2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:
   1. *Maximum Number*: No more than one (1) storage-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.
   2. *Maximum Size*: The cumulative square footage of all storage-based accessory structures shall not exceed fifty percent (50%) of the footprint of the primary structure.

D. Materials: The exterior finish and facade of all storage-based accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: Storage-based and recreation-based accessory structures shall only be allowed in side and rear yards.

5.07 AS-06: Multiple-family Residential Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning districts:

M2 M3

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures may include a management office, sales office, maintenance facility, indoor fitness room, indoor or outdoor sport courts, indoor or outdoor swimming pool, pergola, indoor or outdoor play equipment, enclosed vending, laundry, and other structures customarily incidental to the development. All support-based accessory structures shall be subordinate to the residential component of the development; be located, designed, and intended to serve only the needs of the development and its residents; and shall present no visible evidence of its non-residential nature to areas outside the development.
   2. *Storage-based*: Except for garages and carports, storage-based accessory structures specific to each dwelling unit shall not be permitted.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the primary use.
   2. *Timing*:
      a. Support-based: A support-based accessory structure may be installed or built on a lot prior to the construction of a primary structure.
      b. Storage-based: A storage-based accessory structure shall not be installed or built on a lot prior to the construction of a primary structure.

C. Quantity: No more than four (4) support-based accessory structures shall be permitted for any development. There is no limit on storage-based accessory structures.

D. Materials: The exterior finish and facade of all accessory structures shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: There is no limit on the location of storage-based or accessory-based accessory structures.

5.08 AS-07: Manufactured Home Park Residential Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning district:

MP

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include a management office, sales office, maintenance facility, indoor fitness room, indoor and outdoor sport courts, indoor and outdoor swimming pool, pergola, indoor and outdoor play equipment, enclosed vending, laundry, emergency storm shelter, and other structures customarily incidental to the development. All support-based accessory structures shall be subordinate to the residential component of the development; be located, designed, and intended to serve only the needs of the development and its residents; and present no visible evidence of its non-residential nature to areas outside the development.
   2. *Storage-based*: Storage-based accessory structures in the form of detached garages, carports, and sheds shall be permitted for dwelling sites.
   3. *Recreation-based*: Recreation-based accessory structures in the form of decks and ground-mounted satellite dishes shall be permitted on dwelling sites.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the primary use.
   2. *Timing*:
      a. Support-based: A support-based accessory structure may be installed or built on a lot prior to the construction of a primary structure.
      b. Storage-based and Recreation-based: Storage-based accessory structures and recreational-based accessory structures shall not be installed or built on a dwelling site prior to the construction or installation of a dwelling unit.

C. Quantity and Size:
   1. *Maximum Number per Development*: No more than four (4) support-based accessory structures shall be permitted for any development. There is no limit on recreation-based accessory structures.
   2. *Maximum Number per Dwelling Site*: Each dwelling site shall be permitted one (1) shed in addition to a carport or garage. No additional storage-based accessory structures shall be permitted on a dwelling site. There is no limit on recreation-based accessory structures.
   3. *Maximum Size*: The total area of storage-based accessory structures on a dwelling site shall not exceed twenty-five percent (25%) of the dwelling site area or 600 square feet, whichever is less.

D. Materials: The exterior finish and facade of all accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure with which it is associated.

E. Location: Storage-based and recreation-based accessory structures on dwelling sites shall only be allowed in side yard and rear yards with the following exception:
   1. *Basketball Goals*: A basketball goal along a driveway shall not be considered a sport court. However, the minimum setback for a basketball goal shall be one-half (½) the minimum front hard setback applicable to primary structures.

5.09 AS-08: Institutional Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning district:

IS

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted. A support-based accessory structure shall include a maintenance facility, mechanical structure, freestanding canopy, stand-alone restroom facilities, storage building, enclosed vending, kiosk, or structures used in support of the primary structure.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. A recreational-based accessory structure shall include a deck, fountains, pavilion, picnic shelter, public art display, sport courts, terrace, playground equipment or other structures that add a recreational element to the primary use of the land.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
   2. *Timing*: An accessory structure may be installed or built on a lot prior to the construction of a primary structure.

C. Quantity and Size: Up to eight (8) support-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.

D. Materials: The exterior finish and facade of all accessory structures shall match, closely resemble, or significantly complement the character of the district.

E. Location: Support-based accessory structures shall be allowed in front yards, side yards and rear yards. There is no limit on the location of recreation-based accessory structures.

5.10 AS-09: Neighborhood Commercial Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning district:

NC

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include a storage building, refrigeration or freezer unit, freestanding canopy, mechanical structure, or other structure used in support of the primary structure.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. A recreational-based accessory structure shall include a deck, terrace, play equipment, or other structures that add a recreational element to the primary structure that is consistent with the intent of the district.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
   2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:
   1. *Maximum Number*: No more than two (2) support-based accessory structure shall be permitted on a lot. There is no limit on recreation-based accessory structures.
   2. *Maximum Size*: The cumulative square footage of all storage-based accessory structures shall not exceed 800 square feet in area or ten percent (10%) of the area of the footprint of the primary structure, whichever is greater.

D. Materials: The exterior finish and facade of all accessory structures shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: Support-based and recreation-based accessory structures shall only be allowed in side yards and rear yards.

5.11 AS-10: Urban Commercial Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning district:

UC

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted for non-residential uses. Support-based accessory structures shall include a storage building, refrigeration or freezer unit, mechanical structure, or other structure used in support of the primary structure.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted for non-residential uses. Recreation-based accessory structures shall include a deck, fountain, pavilion, public art display, terrace, or other structures that add a recreational element to the primary structure that is consistent with the intent of the district.
   3. *Prohibited*: Accessory structures for residential uses shall not be permitted.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
   2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:
   1. *Maximum Number*: One (1) support-based accessory structure shall be permitted on a lot. There is no limit on recreation-based accessory structures.
   2. *Maximum Size*: A support-based accessory structure shall not exceed 250 square feet in area or five percent (5%) of the area of the footprint of the primary structure, whichever is larger.

D. Materials: The exterior finish and facade of any accessory structure shall match, closely resemble, or significantly complement the materials and color used on the primary structures.

E. Location: Support-based and recreation-based accessory structures shall only be allowed in side yards and rear yards.

5.12 AS-11: General Commercial Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning districts:

C1 C2 HC

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include a maintenance facility, mechanical structure, freestanding canopy, storage building, refrigeration or freezer unit, menu boards, or other structures used in support of the primary structure.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include a deck, fountain, pavilion, picnic shelter, public art display, sport court, terrace, play equipment, or other structures that add a recreational element to the primary use of the land.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
   2. *Timing*: An accessory structure shall not be permitted prior to the construction of a primary structure.

C. Quantity and Size: No more than four (4) support-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.

D. Materials: The exterior finish and facade of all accessory structures shall match, closely resemble, or significantly complement the materials and color used on the primary structures.

E. Location:
   1. *Support-based Accessory Structures*: Support-based accessory structures shall only be allowed in side yards and rear yards, with the exception of canopies and porticos. Canopies and porticos and their ancillary appurtenances (e.g. pedestrian benches, safety bollards, fuel dispensers, trash receptacles, and automated payment points) are allowed in front yards, side yards, or rear yards. See *Section 5.20: Canopy and Portico Standards*.
   2. *Recreation-based Accessory Structures*: Recreation-based accessory structures shall only be allowed in side yards and rear yards.

5.13 AS-12: Regional Outdoor Entertainment Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning districts:

RO

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include concession stands, restroom facilities, first aid stations, food preparation, communication devices, grandstands, ticket booths, emergency service facilities, or other structures used in support of the primary structure.
   2. *Storage-based*: Storage-based accessory structures in the form of garages, barns, and sheds shall be permitted.
   3. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include a deck, fountain, pavilion, picnic shelter, public art display, sport court, terrace, play equipment, or other structures that add a recreational element to the primary use of the land.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
   2. *Timing*: Accessory structures may be installed or built on a lot prior to the construction of the primary structures.

C. Quantity and Size: No more than five (5) storage-based accessory structures shall be permitted on a lot. There is no limit on support-based or recreation-based accessory structures.

D. Materials: There are no regulations on materials.

E. Location: Support-based, storage-based, and recreation-based accessory structures shall be allowed in front yards, side yards and rear yards.

5.14 AS-13: Industrial Accessory Structure Standards

This Accessory Structure Standards (AS) section applies to the following zoning districts:

EC I1 I2 MS HI

The following standards apply:

A. Types:
   1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include a cooling tower, maintenance facility, mechanical structure, storage building, water tower, or other structures used in support of the primary structure.
   2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include a deck, fountain, pavilion, picnic shelter, public art display, sport court, terrace, play equipment, or other structures that add a recreational element to the primary use of the land.

B. Relationship:
   1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
   2. *Timing*: Accessory structures may be installed or built on a lot prior to the construction of the primary structures.

C. Quantity and Size: There is no limit on support-based or recreation-based accessory structures.

D. Materials: The exterior finish and facade of any accessory structures over ten percent (10%) of the area of the footprint of the primary structure shall match, closely resemble, or significantly complement the materials used on the primary structures.

E. Location: Support-based and recreation-based accessory structures shall only be allowed in side yards and rear yards.

5.15 AR-01: Residential and Neighborhood Commercial Architectural Standards

This Architectural Standards (AR) section applies to the following districts:

RE R1 R2 R3 M1 MP NC

The following standards apply:

A. Project Applicability: Architectural details shall be required when an Improvement Location Permit for a new primary structure is obtained.

B. Architectural Elements:
   1. *Materials*: The front facade shall have a minimum of fifty percent (50%) brick, stone or other decorative masonry material.
   2. *Front Facade*: The front facade of single-family and two-family dwellings shall be parallel or thirty degrees (30°) of parallel to the street to which the dwelling gains primary access, except as described below:
      a. On corner lots, the front facade may face either street.
      b. A single-family dwelling that is setback 200 feet or more from the street to which the dwelling gains primary access may orient the front facade up to ninety degrees (90°) from parallel to that street.
   3. *Roof*:
      a. The minimum pitch for primary and accessory structures shall be five vertical units to twelve horizontal units (5:12 pitch) for at least eighty percent (80%) of all roofs (e.g. allowing flat roofs over porches or shed dormers).
      b. Single-family and two-family dwellings shall have eaves or overhangs a minimum of eight (8) inches from the facade's siding material on at least eighty percent (80%) of the roof line. The eave or overhang shall be measured after the installation of masonry.
   4. *Garages*:
      a. At minimum, a two-car, attached garage shall be required for all single-family dwellings, and a one-car attached garage shall be required for each unit in a two-family dwelling.
      b. Front-loading garages shall not be located in front of the main living area of the dwelling by more than eight (8) feet.
   5. *Corner Lots*: The primary front facade and secondary front facade of a structure located on a corner lot shall have similar architectural details and features on both street-facing facades.

C. Mechanical Equipment: Mechanical equipment, central air conditioner units located on the ground, propane tanks, and the like shall not be located in front of the front facade. On corner lots this standard applies to each facade that faces a right-of-way.

5.16 AR-02: Traditional Residential Architectural Standards

This Architectural Standards (AR) section applies to the following district:

TR

The following standards apply:

A. Project Applicability: Architectural details consistent with the requirements of this Unified Development Ordinance shall be required when an Improvement Location Permit for a new primary structure is obtained.

B. Architectural Elements:
   1. *Front Facade*: The front facade of single-family and two-family dwellings shall be parallel or thirty degrees (30°) of parallel to the street to which the dwelling gains primary access, except as described below:
      a. On corner lots, the front facade may face either street.
      b. A single-family dwellings that is setback 200 feet or more from the street to which the dwelling gains primary access may orient the front facade up to ninety degrees (90°) from parallel to that street.
   2. *Roof*:
      a. The minimum pitch for primary and accessory structures shall be five vertical units to twelve horizontal units (5:12 pitch) for at least eighty percent (80%) of all roofs (e.g. allowing flat roofs over porches or shed dormers).
      b. Single-family and two-family dwellings shall have eaves or overhangs a minimum of eight (8) inches from the facade's siding material on at least eighty percent (80%) of the roof line. The eave or overhang shall be measured after the installation of masonry.
   3. *Garages*:
      a. A one-car garage, attached or detached, shall be required for all single-family dwellings.
      b. Front-loading garages shall not be located in front of the main living area of the dwelling by more than eight (8) feet.

C. Mechanical Equipment: Mechanical equipment, central air conditioner units located on the ground, propane tanks, and the like shall not be located in front of the front facade. On corner lots this standard applies to each facade that faces a right-of-way.

5.17 AR-03: Multiple-family Residential Architectural Standards

This Architectural Standards (AR) section applies to the following districts:

M2 M3

The following standards apply:

A. Building Material: The front and side facades shall have a minimum of fifty percent (50%) brick, stone or other decorative masonry material.

B. Building Variety: Multiple-family buildings are distinguished from one another if it has at least three characteristics that clearly distinguish it from other multiple-family buildings including but not limited to different floor plans, exterior materials, roof lines, garage placement or building facade.

1. *Required Variation of Building Types*:
   a. Any development with ten (10) or more multiple-family units shall have at least two (2) different types of housing models.
   b. Any development of twenty-five (25) or more multiple-family units shall have at least three (3) different types of housing models.
   c. Any development of fifty (50) or more multiple-family units shall have at least four (4) different types of housing models.

5.18 AR-04: Commercial Architectural Standards

This Architectural Standards (AR) section applies to the following districts:

UC C1 C2 HC EC

The following standards apply:

A. Project Applicability: Architectural details consistent with the requirements of this Unified Development Ordinance shall be required when an Improvement Location Permit for a new primary structure is obtained.

B. Architectural Features:

1. *Materials*: The front facade shall have a minimum of seventy-five percent (75%) brick, stone or other decorative masonry material. The sides and rear facade shall have a minimum of fifty percent (50%) brick, stone or other decorative masonry material. The facade area does not include area used for windows.
2. *Facades*:
   a. The front facade shall face the street to which the business gains primary access, except on corner lots, the front facade may face either street.
   b. Any facade that faces a right-of-way shall be finished to a standard similar to the architectural quality of the front facade, including building materials, architectural detail, windows, and faux windows.
   c. Long facades (30 feet or greater) or large areas (420 square feet or greater) of a facade without visual relief shall not be permitted. Visual relief may include a window, faux window, column, a change in materials, or any change of the plane of the facade.
   d. Facades greater than 100 feet shall have a change in plane, a minimum two (2) foot projection or recess, extending at least twenty percent (20%) of the overall length of the facade.
3. *Roof Treatment*:
   a. Flat roof buildings shall have a recognizable "top" consisting of a cornice or other architectural band utilizing a change in materials and color.
   b. Sloped roof buildings shall have a minimum pitch of be five vertical units to twelve horizontal units (5:12 pitch) applicable to eighty percent (80%) of all roofed areas. Sloped roofs shall also have eaves with a minimum eighteen (18) inch overhang.
4. *Entries*: A building greater than 15,000 square feet in area shall have clearly defined, highly visible customer entrances with at least two (2) of the following features:
   a. Canopies or porticos,
   b. Overhangs,
   c. Arcades,
   d. Raised corniced parapets over the door,
   e. Peaked roof forms,
   f. Arches,
   g. Outdoor patios,
   h. Architectural details such as tile work and moldings that are integrated into the building structure and design,
   i. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting,
   j. Columns,
   k. Awnings, or
   l. Enframed window walls.

C. Site Planning and Layout: Linear or strip development shall incorporate variation in building height, building mass, roof forms, and changes in wall planes.

5.19 AR-05: Industrial Architectural Standards

This Architectural Standards (AR) section applies to the following districts:

I1 I2

The following standards apply:

A. Project Applicability: Architectural details consistent with the requirements of this Unified Development Ordinance shall be required when an Improvement Location Permit for a new primary structure is obtained.

B. Architectural Features:

1. *Materials*: The front facade of industrial buildings shall be designed to be aesthetic by either having prominent architectural feature (e.g. a corporate office or integrated architectural feature); or shall be constructed predominantly using decorative precast panels, decorative masonry, EIFS, or the like. Buildings with a prominent architectural feature may utilize decorative precast panels, decorative masonry, EIFS, decorative metal siding, wood siding, or the like for the remaining portions of the front facade.

2. *Compatibility*: All primary structures on a site shall generally have compatible design, theme, materials, and architectural features.

3. *Exterior adjacent to Residential*: The exterior of all primary structures adjacent to residentially zoned or residentially occupied structures shall predominantly using decorative precast panels, decorative masonry, EIFS, or the like.

C. Roof: No standards apply.

D. Mechanical and Utility Equipment Screening: All mechanical equipment, trash compactors, pallets, and the like shall generally be screened from view from public streets or residential areas. Screening can be achieved through the use of landscaping, fences, or walls for ground placed equipment; or parapet walls or other roof features for roof-mounted equipment. Screening enclosures shall be architecturally compatible with the primary structure.

5.20 CP-01: Canopy and Portico Standards

This Canopy and Portico Standards (CP) section applies to the following districts:

PR M1 M2 M3 IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Project Applicability: Any new canopy, portico or similar structure placed after the effective date of this Unified Development Ordinance shall be permitted if the following standards are met.

B. Permits: An Accessory Structure Improvement Location Permit shall be required.

C. Design:
   1. *Integration*: Integration of a canopy, portico or similar structure to the building is desirable. Multiple canopies or canopies that express differing architectural masses are encouraged.
   2. *Tank Vents*: Any tank vents associated with the use shall be an integral part of the design in terms of form, color and texture.
   3. *Ceilings*: Ceiling should be textured or have a flat finish; glossy or highly reflective materials are not permitted.
   4. *Finish Materials*:
      a. The support elements of the canopy shall consist of the same exterior finish materials as the primary structure.
      b. The canopy fascia shall match the color and texture of the primary structure.
      c. The roofing materials of canopies with pitch roofs shall match the color and texture of the primary structure.
   5. Signage shall not be permitted on canopies, porticos or similar structures.

D. Height:
   1. *Maximum Height*: As measured from the finished grade to the lowest point on the canopy fascia, should not exceed fourteen (14) feet. The clearance height of canopies should be clearly indicated on the structure.
   2. *Overall Height for Flat Roofs*: The overall height of flat roofed canopies should not exceed seventeen (17) feet.
   3. *Overall Height for Sloped Roofs*: The overall height of canopies with sloped roofs shall be determined based on the pitch of the roof. The roof pitch of the canopy shall match the roof pitch of the primary structure.

E. Location: Canopies, porticos or similar structures shall be permitted in the front yard, side yard, and rear yard.

F. Setbacks: The minimum front yard, side yard and rear yard setbacks shall be as described in the applicable two-page layout in *Article 2: Zoning Districts* for accessory structures.

G. Maintenance: All canopies, porticos or similar structures shall be properly maintained and kept in good condition.

5.21 DI-01: Density and Intensity Standards

This Density and Intensity Standards (DI) section applies to the following districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Applicability: If a density or intensity standard does not appear on the two-page layout in *Article 2: Zoning Districts* for a zoning district, then a density or intensity standard shall not apply to that particular zoning district.

1. *Maximum Density*: The maximum density shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
2. *Maximum Lot Coverage*: The maximum lot coverage shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.

5.22 EN-01: Environmental Standards

This Environmental Standards (EN) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Prohibitive Geology: A lot or portions thereof shall be unsuitable for structures when it contains any of the characteristics listed below. Structures may be permitted if an engineered site plan is submitted and approved. Such engineered site plan shall show and commit to adequate measures for erosion control; minimum site disturbance; soil stability for structural load; stormwater management; aesthetic treatment of engineered structures; and final landscaping.
   1. *Slope*: Pre-development slopes greater than twenty percent (20%).
   2. *Rock*: Adverse rock formations.
   3. *Soil*: Adverse soils.
   4. *Stability Limitations*:
      a. Has a low loading rate.
      b. Has a low weight-bearing strength.
      c. Has any other feature which will significantly accelerate the deterioration of a structure or significantly reduce the structure's stability.

B. Air Quality:
   1. *Generally*: A use shall not discharge fly ash, dust, smoke, vapors, noxious toxic or corrosive matter, or other air pollutants in such concentration as to conflict with public air quality standards or be detrimental to humans, animals, vegetation, or property.
   2. *Outdoor Burners*: Outdoor wood burners and corn burners shall not discharge ash, smoke, or fine particulate matter such that it is detectable beyond the lot lines of the lot on which it is located. This provision does not include fire pits, gas or charcoal grills, chimineas, patio propane heaters , and the like.

C. Soil and Water Quality:
   1. *Fill*: All fill materials shall be free of environmentally hazardous materials, and the Zoning Administrator or Stormwater Coordinator may request representative samples of the fill for testing purposes.
   2. *Production*: No use shall produce pollutants in such a quantity as to pollute soils, water bodies, adjacent properties, or conflict with public water standards.
   3. *Storage*: No use shall accumulate within the lot or discharge beyond the lot lines any waste, debris, refuse, trash, discarded construction materials, discarded appliances, scrap metals, or rotting wood that are in conflict with applicable public health, safety, and welfare standards unless expressly permitted by this Unified Development Ordinance.
   4. *Disposal*: No waste materials such as garbage, rubbish, trash, construction material, gasoline, oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature that it may contaminate, pollute, or harm the waters or soils shall be deposited, located, stored, or discharged on any lot unless expressly permitted by this Unified Development Ordinance.

D. Environmental Feature Protective Setback: Primary structures, accessory dwellings, storage-based accessory structures, and support based-accessory structures shall be at least a twenty-five (25) feet from the delineated boundary of a wetland or the edge of the water at normal pool of a lake, pond, or stream.

Fence and Wall Standards (FW)

5.23 FW-01: General Fence and Wall Standards

This Fence and Wall Standards (FW) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Cross Reference:
   1. *Vision Clearance*: Fences and walls shall meet all vision clearance standards in *Vision Clearance Standards (VC)*.
   2. *Outdoor Storage*: Fences are mandated for some types of outdoor storage. See the Outdoor Storage Standards (OS) for those regulations.
   3. *Trash Receptacles*: Trash Receptacles enclosures are mandated in some zoning districts. See the Trash Receptacle Standards (TR) for those regulations.
   4. *Covenants*: *See Section 1.01(H)(2)(c)*.

B. Permits:
   1. *Fence*: An Improvement Location Permit for a fence shall not be required. However, district-specific standards may apply. See the following cross reference for each zoning district.

PR District	See *FW-02: Parks and Recreation Fence and Wall Standards*
AG District	See *FW-03: Agricultural Fence and Wall Standards*
RE, R1, R2, R3, TR, M1, M2, M3, and MP Districts	See *FW-04: Residential and Fence and Wall Standards*
IS, NC, UC, C1, C2, HC, and EC Districts	See *FW-05: Institutional and Commercial Fence and Wall Standards*
RO District	See *FW-06: Regional Outdoor Entertainment Fence and Wall Standards*
I1, I2, MS, and HI Districts	See *FW-07: Industrial and High Impact Fence and Wall Standards*

   2. *Wall*: An Improvement Location Permit for a wall shall be required.

C. Positioning:
   1. *Presentation*: Fences and walls shall present the non-structural face outward.
   2. *Property Line*:
      a. Regional Outdoor Entertainment (RO) District: Fences and walls shall not be permitted on the property line and shall be at least three (3) feet from the property line.
      b. All Other Districts: Fences and walls shall be permitted on the property line, but if not on the property line shall be at least two (2) feet from the property line so both sides of the fence can be maintained by the owner of the fence.
   3. *Easement*: No wall shall be located within an easement unless written permission from the easement holder has been granted. Fences may be located within non-drainage easements at the risk of the owner. If the easement holder needs to gain access to the easement and the fence needs to be removed to gain that access, the owner shall be responsible for removing the fence, temporarily or permanently, to accommodate the easement holder. Fences may be located in a drainage easement if the fence is no more than ten percent (10%) opaque or otherwise does not impede drainage. Under no circumstances shall a fence block or notably impede drainage.

D. Height Exemptions: Fences that surround sport courts shall be exempt from the maximum height regulations, but shall meet the applicable setback standards in *Article 2: Zoning Districts* for the Accessory Structure with which they are associated.

E. Maintenance: All fences and walls shall be properly maintained and kept in good condition.

5.24 FW-02: Parks and Recreation Fence and Wall Standards

This Fence and Wall Standards (FW) section applies to the following zoning district:

PR

The following standards apply:

A. Types:
   1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, and PVC shall be permitted materials for fences and walls. Vinyl, zinc, or powder coated chain link and galvanized chain link shall only be permitted materials for fences and walls that surround swimming pools, sport courts, or similar recreational amenities.
   2. *Prohibited Materials*: Fences and walls shall not incorporate barbed wire, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials.

B. Location:
   1. *Front Yards*: Only fences that are decorative in nature and do not serve as an enclosure shall be permitted in front yard.
   2. *Side and Rear Yards*: Fences and walls shall be permitted in side and rear yards.

C. Height:
   1. *Front Yards*: Fences and walls shall not exceed three (3) feet in height.
   2. *Side and Rear Yards*: Fences and walls shall not exceed six (6) feet in height.

5.25 FW-03: Agricultural Fence and Wall Standards

This Fence and Wall Standards (FW) section applies to the following zoning district:

AG

The following standards apply:

A. Types:
   1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl, zinc, or powder-coated chain link, and galvanized chain link shall be permitted materials for fences and walls. Chicken wire, wire mesh, agricultural wire (e.g. typical farm field fence), and fences that incorporate barbed wire or above ground electrified wires shall only be permitted materials for fences that are used for the containment of livestock or to surround fields.
   2. *Prohibited Materials*: Fences and walls shall not incorporate razor wire, glass, sharpened top spikes, or other similarly hazardous materials.

B. Location:
   1. *Front Yards*: Fences and walls shall be permitted in the front yard if one (1) of the following conditions is met.
      a. The fence or wall is decorative in nature and does not serve as an enclosure.
      b. The fence is for the containment of livestock.
      c. The fence is around a field.
   2. *Side and Rear Yards*: Fences and walls shall be permitted in side and rear yards.

C. Height:
   1. *Front Yards*: Fences and walls shall not exceed three (3) feet in height; except containment fences and fences around fields shall not exceed six (6) feet in height within the front yard.
   2. *Side and Rear Yards*: Fences and walls shall not exceed eight (8) feet in height.

5.26 FW-04: Residential Fence and Wall Standards

This Fence and Wall Standards (FW) section applies to the following zoning districts:

RE R1 R2 R3 TR M1 M2 M3 MP

The following standards apply:

A. Types:
   1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl, zinc, or powder coated chain link, and galvanized chain link shall be permitted materials for fences and walls.
   2. *Prohibited Materials*: Fences and walls shall not incorporate chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, barbed wire, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials.

B. Location:
   1. *Front Yards*: Only fences that are decorative in nature and do not serve as an enclosure shall be permitted in the front yard, except as described below in *Section 5.26(C)(1): Front Yards*.
   2. *Side and Rear Yards*: Fences and walls shall be permitted in side yard and/or rear yard.

C. Height:
   1. *Front Yards*: Fences and walls shall not exceed three (3) feet in height when located in a front yard. Corner lots shall be allowed to have a front yard fence project into the "secondary" front yard. The secondary front yard shall be considered the front yard that the primary structure's front door does not face or gain access. The fence may project into the front yard by up to fifty percent (50%) of the front yard setback.
   2. *Side and Rear Yards*: Fences and walls shall not exceed six (6) feet in height when located in a side yard or rear yard.

5.27 FW-05: Institutional and Commercial Fence and Wall Standards

This Fence and Wall Standards (FW) section applies to the following zoning districts:

IS NC UC C1 C2 HC EC

The following standards apply:

A. Types:
   1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl, zinc, or powder coated chain link, and galvanized chain link shall be permitted materials for fences and walls.
   2. *Prohibited Materials*: Fences and walls shall not incorporate chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, barbed wire, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials.
   3. *Administrative Discretion*: While barbed wire, above ground electrified wires, and razor wire are not permitted by right, the Zoning Administrator may permit the use of barbed wire or razor wire in special circumstances (e.g. prison) when such use can be deemed safe for the general public and an extraordinary need can be demonstrated.

B. Location:
   1. *Front Yards*: Fences and walls shall not be permitted in front yards.
   2. *Side and Rear Yards*: Fences and walls shall be permitted in side and rear yards.

C. Height: Fences and walls shall not exceed six (6) feet in height.
   1. *Administrative Discretion*: The Zoning Administrator may permit the height of a fence to exceed six (6) feet in special circumstances (e.g. prison) when such a fence can be deemed necessary and an extraordinary need can be demonstrated. Discretion shall be limited to ten (10) feet in total fence height.

5.28 FW-06: Regional Outdoor Entertainment Fence and Wall Standards

This Fence and Wall Standards (FW) section applies to the following zoning districts:

RO

The following standards apply:

A. Types:
   1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl, zinc, or powder coated chain link, and galvanized chain link shall be permitted materials for fences and walls.
   2. *Prohibited Materials*: Fences and walls shall not incorporate chicken wire, mesh wire, agricultural wire above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials. The above listed prohibited materials only apply to fences within the required setback applicable to primary structures.

B. Location:
   1. *Front Yards*: Fences and walls shall not be permitted in front yards.
   2. *Side and Rear Yards*: Fences and walls shall be permitted in side and rear yards.

C. Height: Fences and walls shall not exceed ten (10) feet in height.

5.29 FW-07: Industrial and High Impact Fence and Wall Standards

This Fence and Wall Standards (FW) section applies to the following zoning districts:

I1 I2 MS HI

The following standards apply:

A. Types:
   1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl, zinc, or powder coated chain link, barbed wire, and galvanized chain link shall be permitted materials for fences and walls.
   2. *Prohibited Materials*: Fences and walls shall not incorporate chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials. However, chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, above ground electrified wires, and razor wire shall be permitted in rear yards and side yards when they meet the required setback for a primary structure.

B. Location:
   1. *Front Yards*: Fences and walls shall not be permitted in front yards.
   2. *Side and Rear Yards*: Fences and walls shall be permitted in side and rear yards.

C. Height: Fences and walls shall not exceed eight (8) feet in height.
   1. *Administrative Discretion*: The Zoning Administrator may permit the height of a fence to exceed eight (8) feet in special circumstances (e.g. prison) when such a fence can be deemed necessary and an extraordinary need can be demonstrated. Discretion shall be limited to twelve (12) feet in total fence height.

Floor Area Standards (FA)

5.30 FA-01: Floor Area Standards

This Floor Area Standards (FA) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Applicability: If a floor area standard does not appear on the two-page layout for a zoning district, then a standard does not apply to that particular zoning district.

1. *Minimum Main Floor Area*: The minimum main floor area shall be per each two-page layout in *Article 2: Zoning Districts*.
2. *Maximum Main Floor Area*: The maximum main floor area shall be per each two-page layout in *Article 2: Zoning Districts*.
3. *Minimum Dwelling Unit Size*: The minimum dwelling unit size shall be per each two-page layout in *Article 2: Zoning Districts*.

Height Standards (HT)

5.31 HT-01: Height Standards

This Height Standards (HT) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Cross Reference: See *Telecommunication Facility Standards (TC)*.

B. Applicability: If a height standard does not appear on the two-page layout for a zoning district, then a standard does not apply to that particular zoning district.

1. *Primary Structure*: The maximum height for primary structures shall be per each two-page layout in *Article 2: Zoning Districts*.
2. *Accessory Structure*: The maximum height for accessory structures shall be per each two-page layout in *Article 2: Zoning Districts*.
3. *Exceptions*: The following types of structures or features shall be exempt or partially exempt from the maximum structure height standards, assuming they are permitted uses or structural features, as stated:
   a. Grain elevators and grain silos used for agricultural purposes may exceed the maximum structure height but shall not exceed 150 feet in height.
   b. Church steeples, bell towers, and religious symbols may exceed the maximum structure height but shall not exceed 200% of the height of the primary structure or 150% of the maximum allowed height for primary structures, whichever is greater.
   c. Functional chimneys may exceed the maximum structure height but shall not extend more than ten (10) feet above the roof's highest point.
   d. Utility structures and water towers may exceed the maximum structure height, but shall not exceed one hundred fifty (150) feet.
   e. Roof-mounted antennas that are not located on the front roof plane may exceed the maximum structure height, but shall not exceed five (5) feet over the maximum primary structure height or ten (10) feet above the primary structure's height, whichever is less.
   f. Pole-mounted antennas located in a rear yard may exceed the maximum structure height but shall not exceed twenty (20) feet over the maximum primary structure height or thirty (30) feet above the primary structure's height, whichever is less.
   g. Roof-mounted mechanical equipment, including elevator bulkheads, may exceed the maximum structure height but shall not extend any more than fifteen (15) feet above the roof's highest point; provided that it is architecturally integrated into the building's features or is generally screened from view by an architectural enclosure, parapet, or similar feature. Industrial uses shall be exempt from the integration and screening requirement.
   h. Flagpoles in all circumstances may be twenty-five (25) feet in height. Taller flagpoles are permitted when the flagpole is at least one (1) foot from the property line for every foot of its height above the ground (e.g. a 100 foot tall flagpole is permitted if it is at least 100 feet from all property lines).
   i. Ham radio towers shall be exempt from the maximum structure height if the ham radio tower is located on a lot owned by a ham radio operator that has a valid and active license from the Federal Communication Commission (FCC).

5.32 HB-01: Type 1 Home Business Standards

This Home Business Standards (HB) section applies to the following zoning districts:

AG RE R1 R2 R3 TR M1 M2 M3 MP

The following standards apply:

A. Exemption: A home daycare is not regulated by these home business standards.

B. Personnel:
   1. *Residency*: The primary operator shall reside in the dwelling unit where the home business is located.
   2. *Employees*: Only the residents of the dwelling unit in which the home business is located shall be employed and work in the type 1 home business. Employees who work exclusively outside the hosting residence shall not be regulated by the employee standard.

C. Operations:
   1. *Prohibited Types*: The home business shall not include walk-in retail sales.
   2. *Nuisance*: The type 1 home business shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.
   3. *Traffic*: The home business shall not generate vehicular traffic in greater volumes than would normally be expected in the neighborhood in which it is located.
   4. *Customers*: The home business shall not have patron or customer visits to the home business.
   5. *Hours*: The hours of operation of the home business shall not interfere with the use and enjoyment of adjacent properties.

D. Design:
   1. *Primary Structure*:
      a. The home business shall be conducted entirely within the primary structure.
      b. The home business shall not exceed twenty percent (20%) of the square footage of the primary structure.
      c. There shall be no visible evidence of the home business, including but not limited to alterations to the exterior of the residence which change the character of the residence, exterior displays, or the outdoor storage of materials or equipment used in the home business.
   2. *Accessory Structure*: An accessory structure shall not be utilized for any part of the home business.
   3. *Parking and Loading*:
      a. Off-street parking and loading facilities beyond what is common for a residential structure shall not be permitted.
      b. The home business shall not receive more deliveries per week than the average residential dwelling. Deliveries shall be made primarily between 8:00 AM and 8:00 PM by a vehicle not larger than a utility truck (e.g FedEx or UPS delivery vehicles). A home business shall not utilize scheduled pick-up by couriers in excess of one (1) time per week.
   4. *Mechanical Equipment*: The home business shall not require the installation of mechanical equipment other than that which is common in a residential structure.
   5. *Utility Service*: The home business shall not require the installation of a sewer, water, or electrical utility service that is beyond what is common in a residential structure. Exceeding typical phone, cable, or internet services for residential property shall be permitted.
   6. *Signs*: Signs shall not be permitted.

5.33 HB-02: Type 2 Home Business Standards

This Home Business Standards (HB) section applies to the following zoning districts:

AG RE R1 R2 R3 TR

The following standards apply:

A. Exemption: Home daycares are not regulated by these home business standards.

B. Personnel:
   1. *Residency*: The primary operator shall reside in the dwelling unit where the home business is located.
   2. *Employees*: One (1) employee who does not reside in the dwelling unit where the home business is located may be employed and work at the home business. Employees who work exclusively outside the hosting residence shall not be regulated by the employee standard.

C. Operations:
   1. *Prohibited Types*: The home business shall not include walk-in retail sales.
   2. *Nuisance*: The home business shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.
   3. *Traffic*: The home business shall not generate vehicular traffic in greater volumes than would normally be expected in the neighborhood in which it is located.
   4. *Customers*: The home business shall be limited to three (3) patron or customer visits to the home business per day on average during any given week.
   5. *Hours*: The hours of operation of the home business shall be no earlier than 6:00 AM and no later than 9:00 PM for the employee that does not reside in the dwelling unit where the home business is located, and the hours of operation of the home business shall not interfere with the use and enjoyment of adjacent residential properties.

D. Design:
   1. *Primary Structure*:
      a. The home business shall be conducted entirely within the primary structure.
      b. The home business shall not exceed thirty percent (30%) of the square footage of the primary structure or 500 square feet, whichever is less.
      c. There shall be no visible evidence of the home business, including but not limited to alterations to the exterior of the dwelling unit which change the character of the dwelling unit, exterior displays, or the outdoor storage of materials or equipment used in the home business.
   2. *Accessory Structure*: One accessory structure may be utilized for storage and other home business purposes; however, an accessory building shall not be utilized as a space for an employee to work or for patrons or customers to visit.
   3. *Parking and Loading*:
      a. Off-street parking and loading facilities beyond what is common for a residential structure shall not be permitted.
      b. The home business shall not receive more than three (3) deliveries per week. Deliveries shall be made primarily between 8:00 AM and 8:00 PM by a vehicle not larger than a utility truck (e.g FedEx or UPS delivery vehicles). A home business shall not utilize scheduled pick-up by couriers in excess of two (2) times per week.
   4. *Mechanical Equipment*: The home business shall not require the installation of mechanical equipment other than that which is common in a residential structure.
   5. *Utility Service*: The home business shall not require the installation of a sewer, water, or electrical utility service that is beyond what is common in a residential structure. Exceeding typical phone, cable, or internet services for residential property shall be permitted.
   6. *Signs*: One (1) wall sign, not to exceed four (4) square feet, shall be permitted. The sign shall be permanently attached to the primary structure. Signs in the yard shall not be permitted. The maximum height of the sign shall be the height of the primary structure's front door. The sign shall not be lighted, except inadvertently from a common porch light.

5.34 HB-03: Type 3 Home Business Standards

This Home Business Standards (HB) section applies to the following zoning district:

AG RE

The following standards apply:

A. Exemption: Home daycare and farming operations are not regulated by these home business standards.

B. Personnel:
   1. *Residency*: The primary operator of the home business shall reside in the primary dwelling on the same lot where the home business is located.
   2. *Employees*: Three (3) employees who do not reside in the primary dwelling where the home business is located may be employed by the home business. Employees who work exclusively outside the hosting residence shall not be regulated by the employee standard. However, employees that arrive on site to pick up work trucks or equipment shall be considered on-site employees.

C. Operations:
   1. *Prohibited Types*: The home business shall not include walk-in retail sales.
   2. *Nuisance*: The home business shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.
   3. *Hours*: The hours of operation of the home business shall be no earlier than 6:00 AM and no later than 9:00 PM for anyone who does not reside on the premises and for any activity that involves the accessory structure where the home business is primarily located. There are no limits on the hours of operation of the office component of the home business.

D. Design:
   1. *Primary Structure*:
      a. The office component of the home business may be operated in the primary structure (i.e. the residence).
      b. The home business shall not exceed fifteen percent (15%) of the square footage of the primary structure.
      c. There shall be no evidence of the home business from alterations to the exterior of the primary structure (i.e. the residence). However, the character of the property may show minimal evidence of its business use, including exterior storage of materials, vehicles, or equipment used in the home business.
   2. *Accessory Structure*:
      a. The home business shall be predominantly conducted within an accessory structure.
      b. The home business may consume one hundred percent (100%) of the square footage of the accessory structure.
   3. *Parking and Loading*:
      a. Off-street parking and loading facilities beyond what is common for a residential structure or agricultural use shall not be permitted.
      b. There shall be no more than six (6) motor vehicles parked on the lot at any time.
      c. The home business shall not receive more than five (5) deliveries per week. Deliveries shall be made primarily between 8:00 AM and 8:00 PM by a vehicle not larger than a utility truck (e.g FedEx or UPS delivery vehicles). A home business shall not utilize scheduled pick-up by couriers in excess of five (5) time per week.
   4. *Exterior Storage*:
      a. Vehicles, trailers, and other equipment used in the home business shall be stored and/or parked in an organized manner that is in an inconspicuous location.
      b. All exterior storage shall be located behind the footprint of the primary structure and behind or beside the accessory structure that is used for the home business.
      c. All exterior storage shall be screened as to not be obvious from neighboring primary structures and from any right-of-way.
   5. *Mechanical Equipment*: The home business shall not require the installation of industrial-grade mechanical equipment. Commercial-grade mechanical equipment shall be permitted.
   6. *Utility Service*: The home business shall not require the installation of a sewer or water utility service beyond what is common in a residential structure. Commercial-grade electrical services and exceeding typical phone, cable, or internet services for residential property shall be permitted.
   7. *Sign Standards*: One (1) wall sign shall be permitted on the front facade of the accessory structure but shall not exceed ten (10) square feet in area, regardless of its distance from the street. The maximum height of the sign shall be nine (9) feet. The sign shall not be lighted.

Keeping of Animals Standards (KA)

5.35 KA-01: Agricultural Keeping of Animals Standards

This Keeping of Animals Standards (KA) section applies to the following zoning districts:

AG

The following standards apply:

A. Exotic Animals: None Permitted.

B. Farm Animals: Pastured farm animals are permitted as follows:

1. *Minimum Lot Area*: The minimum lot area to qualify for raising farm animals shall be five (5) acres.
2. *Maximum Animal Units*: Twenty (20) animal units per acre. Each type of animal is assigned an animal unit as determined in the table below.

Animal Type	Animal Unit	Additional Standards
Cattle	10 units per animal (2 per acre)	0.5 acres per animal shall be a fenced pasture with a minimum pasture of 1 acre
Horse	10 units per animal (2 per acre)	0.5 acres per animal shall be a fenced pasture with a minimum pasture of 1 acre
Llama and Alpaca	6 units per animal (3 per acre)	0.4 acres per animal shall be a fenced pasture with a minimum pasture of 1 acre
Goat and Sheep	5 units per animal (4 per acre)	0.1 acres per animal shall be fenced pasture with a minimum pasture of .5 acre
Swine	5 units per animal (4 per acre)	0.1 acres per animal shall be a fenced containment area
Chickens (hens only)	2.5 units per animal (8 per acre)	required minimum acreage may include the entire lot's acreage

5.36 KA-02: Residential Estate Keeping of Animals Standards

This Keeping of Animals Standards (KA) section applies to the following zoning district:

RE

The following standards apply:

A. Exotic Animals: None permitted.

B. Farm Animals: Pastured farm animals are permitted as follows:

1. *Minimum Lot Area*: The minimum lot area to qualify for raising chickens shall be one-half (½) acre, and for raising any other farm animal shall be one and one-half (1 ½) acres.
2. *Limitation on Animal Types*: Only the animal types listed in the table below are permitted.
3. *Maximum Animal Units*: Five (5) animal units per acre. Each type of animal is assigned an animal unit as determined in the table below.

Animal Type	Animal Unit	Additional Standards
Cattle	10 units per animal (1 per 2 acres)	0.5 acres per animal shall be a fenced pasture with a minimum pasture of 1 acre. The absolute maximum number of cattle on any lot shall be 3.
Horse	10 units per animal (1 per 2 acres)	0.5 acres per animal shall be a fenced pasture with a minimum pasture of 1 acre. The absolute maximum number of horses on any lot shall be 3.
Llama and Alpaca	6 units per animal (1 per 1.2 acre)	0.4 acres per animal shall be a fenced pasture with a minimum pasture of 1 acre. The absolute maximum number of llama and/or alpaca on any lot shall be 5.
Goat (doe and wether only) and Sheep	5 units per animal (1 per acre)	0.1 acres per animal shall be fenced pasture with a minimum pasture of .5 acre. The absolute maximum number of goat and/or sheep on any lot shall be 6.
Chickens (hens only)	1.25 units per animal (4 per acre)	required minimum acreage may include the entire lot's acreage. The absolute maximum number of chickens on any lot shall be 10.

5.37 KA-03: Single-Family Residential Keeping of Animals Standards

This Keeping of Animals Standards (KA) section applies to the following zoning district:

R1 R2

The following standards apply:

A. Exotic Animals: None permitted.

B. Farm Animals: Pastured farm animals are permitted as follows:

1. *Minimum Lot Area*: The minimum lot area to qualify for raising farm animals shall be one-half (½) acre.
2. *Limitation on Animal Types*: Only hens are permitted.
3. *Maximum Animal Units*: Up to three (3) chickens shall be permitted per lot under one (1) acre, and up to four (4) chickens shall be permitted on lots one (1) acre or greater.
4. *Containment*: Best practices shall be used to contain chickens to the subject lot.

5.38 LA-01: Landscaping Standards

This Landscaping Standards (LA) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Cross Reference: See *Fence and Wall Standards (FW)* for other elements related to landscaping.

B. General Provision:

1. *Applicability*: Detached single-family residences, except subdivisions, and accessory buildings shall be exempt from the landscaping standards.
2. *Exemptions*: The requirements of the landscaping standards shall not apply to the following:
   a. Construction of a previously authorized building permit, a final site plan approved by the Plan Commission/Administrator or an approved subdivision plan, any one of which remains valid on the effective date of this section.
   b. A platted lot which is zoned for single-family or duplex dwellings.
   c. Unplatted parcels of land being developed for:
      i. Institutional uses.
      ii. The process of subdividing property for the purpose of creating streets and extending utilities.
      iii. Other residential developments that require a final site plan, special exception use or site plan review.
3. *Enforcement*: Wherever a site plan review is required, a landscape plan shall be a required part of such site plan. A certificate of occupancy may be issued for the building for a period of one (1) year when weather conditions do not permit landscape installation. Failure to implement the approved landscape plan, including preservation of existing features, or to maintain the landscaping as long as incompatibility of adjoining uses exists, shall be a violation of this section.
4. *Content of Landscape Plan*: A landscape plan shall conform to the following requirements:
   a. A landscape plan is required for residential subdivisions and for individual non-residential lots. It is recommended that the landscape plan be prepared by a licensed landscape architect, nurseryman, or other professional experienced in landscape design and the installation and care of plant materials.
   b. All landscape plans submitted for approval as a component of a required site plan shall show the entire lot to scale, on standard sized sheets (minimum 24 inches by 36 inches), and shall contain the following information:
      i. The name and address of the owner, developer, and plan preparer, the date the plan was prepared, scale, and north arrow;
      ii. The location and dimensions of all existing and proposed structures, parking lots and driveways, roadways and right-of-ways, sidewalks and other designated pedestrian or bicycle pathways, ground signs, refuse disposal areas, bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines and easements, freestanding structural features, and other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courts or paved areas;
      iii. The location, quantity, size, and common name of all proposed planting materials;
      iv. The location, size and common name of an existing individual stand alone tree with a caliper of ten (10) inches or greater, areas of dense trees or shrubs, and other natural areas which are to be preserved and used in the calculation to determine compliance with this section;
      v. The approximate location of existing structures and generic identification of plant materials within twenty-five (25) feet of the property line of adjoining properties;
      vi. Existing and proposed grading of the site, including proposed berming, indicating contours at not more than two (2) foot intervals;
      vii. Specification of the type and boundaries of all proposed vegetative ground cover;
      viii. Design of fences and other significant accessory structures;
      ix. The location of barriers to be placed at or beyond the drip line of any trees to be preserved, and the type of material to be use for the barrier;
      x. Planting and installation details as necessary to ensure conformance with all required standards;
      xi. Details indicating specific grading measures or other protective devices where trees are to be preserved in areas of cut and fill; and

xii. A table clearly displaying the relevant statistical information including the number of existing trees, number of trees preserved, and the like, necessary for the Administrator to evaluate compliance with the provisions of this section.

5. *Modifications*:
   a. The Administrator may approve any landscape proposal that it deems to be equivalent to the foregoing minimum requirements. No such approval shall have the effect of reducing the required setbacks or reducing the landscaping requirements for any particular setbacks, buffer or parking area.
   b. When a change in use or improvements or repairs of an existing structure occurs, the amount of landscaping required will be directly proportional to the percentage of improvements or repairs. The Administrator may approve a proposed landscape plan that is equal to or greater than the landscaping requirements in this section.
6. *Unit Value Standards*:

Unit Value Landscaping and Buffer Yard Landscape Materials

Landscape Materials Categories - Minimum Size at Time of Planting	Unit Value
Deciduous Shade Tree (Overstory) (2½ inch caliper)	0.75
Evergreen Tree (9 feet tall)	0.75
Deciduous Ornamental Tree (Understory) (1½ inch caliper)	0.50
Evergreen Tree (6 feet tall)	0.50
Evergreen Shrub-Narrow Spread (4 feet tall)	0.25
Hedge Plant (deciduous) (24 to 30 inches tall)	0.10
Hedge Plant (evergreen) (24 to 30 inches tall)	0.15
* Earthen Mound (3 feet tall)	0.50
* Earthen Mound (6 feet tall)	1.00
* Earthen Mound (9 feet tall)	2.00
*Note: In no case when using an Earthen Mound, can the value of plant material used on the mound be less than 2.	

C. Preservation and Replacement of Trees:
1. *Purpose and Intent*: It is the intent of this section to ensure that developers take reasonable measures to design and locate the proposed improvements so that the number of trees to be removed is minimized.
2. *Preservation*: To the greatest extent possible, existing trees shall be saved upon development of a property unless it can be demonstrated that site design restrictions necessitate their removal.
3. *Tree Inventory*: Prior to the approval of the development and the issuance of an improvement location permit, the developer shall inventory trees on the site which have a caliper of ten (10) inches or greater, following the "American Standard for Nursery Stock" standards that are intended to be saved. The inventory shall contain the location, size, and common name of an existing stand-alone tree, areas of dense trees or shrubs, and other natural features. Existing trees saved in the development of the site shall be credited toward required landscaping requirements based on the size of the preserved trees. Trees on the site may be removed only after the inventory has been submitted and an improvement location permit obtained.
4. *Preservation Principles*: The determination of which trees shall be saved shall be guided by the following principles:
   a. The practicability of arranging site plan components around existing features. In general, plans for groups of structures should be designed so as to preserve tree masses, individual tree specimens, and small stands of trees and shrubs.
   b. The condition of the vegetation with respect to continued vitality.
   c. The practical and economic possibility of designing the location and grades of proposed structures and paving to preserve existing vegetation.
   d. The desirability or lack thereof of a particular tree or species by reason of its appearance, historic or ecological significance, botanical characteristics, and the function the vegetation would fulfill as a site plan component.
   e. The potential for interference with utility services or with passage or visibility along streets or walkways.
   f. The possibility of preserving the vegetation while meeting the development needs through pruning rather than removal.

5. *Tree Preservation Credits*: Existing trees that are preserved will contribute to the required on-site landscaping, based on individual tree types. For each shade tree that is preserved, which is greater than ten (10) inches in caliper and is found on the approved list, the amount of new shade trees to be installed shall be reduced by two (2) trees. Shrubbery will be evaluated in the same manner as new shrubbery based on the species. Such credit shall apply only to the required landscaping for the specific buffer yard, parking lot, commercial strip, or residential plot in which the existing vegetation is located.
6. *Tree Protection*: Barriers will be used to protect trees during the development of the site. Substantial barriers shall be specified on the landscape plan and shall be placed at or beyond the dripline of trees to be protected. These barriers shall remain in place during heavy construction on the site and no vehicles, machinery, tools, chemicals, construction materials, or temporary soil deposits may be permitted within the barriers, nor may any notice or other object be nailed or stapled to protected trees.

D. Selection, Installation, and Maintenance of Plant Materials:

1. *Selection*:
   a. Artificial plants are prohibited. All plant materials used shall be living plants and shall be in conformance with the provisions of this section, the standards of the American Association of Nurserymen, and shall have passed any inspections required under local state regulations.
   b. Planting materials used in conformance with the provisions of this section shall be of good quality, a species hardy to central Indiana, pest and disease free, and capable of withstanding the extremes of individual site microclimates.
   c. Size and density of plant material, both at the time of planting and at maturity, are additional criteria which shall be considered when selecting plant materials. At their time of planting and maturity, plants should comply with the vision clearance standards.
   d. Selection of plant material should be based on the year round interest (i.e. color, spring flower, fruits or branching patterns) as well as form, texture and shape.
   e. All shade trees shall have a minimum trunk size of two and one-half (2½) inches in caliper, unless otherwise specified. The removal of trees within the public right-of-way is prohibited without the approval of the Administrator.
   f. All shrubs shall have a minimum height of eighteen (18) inches at planting, unless specified elsewhere in this section, so they do not interfere with vision clearance standards.
   g. Yards shall be landscaped primarily with turf or other plant materials. Pavement of yards other than for parking and loading purposes is prohibited.
   h. The tables of materials included in this section are classified by type. Trees are grouped into three (3) categories: shade trees, ornamental trees, and evergreens. Shrubs are grouped by height: small shrubs (less than two (2) feet), medium shrubs (two (2) to six (6) feet), and large shrubs (greater than six (6) feet). Plant materials not listed on the tables will be assigned a classification based on height, spread, and/or crown at maturity, using the best available resources to determine mature characteristics.
2. *Installation*:
   a. All landscaping materials shall be installed in accordance with the current planting procedures established by the American Association of Nurseryman.
   b. All required landscaping of a development project shall be completed prior to the issuance of a certificate of occupancy. A certificate of occupancy may be issued when the landscaping was not able to be completed because of any of the following:
      i. Periods of adverse weather.
      ii. Conflicts between construction scheduling and proper planting seasons.
      iii. For other similar conditions.

c. A certificate of occupancy granted due to incomplete landscaping shall require:
   i. Granting of temporary access to the town for completion of the landscaping.
   ii. An irrevocable letter of credit, certified check, or performance bond payable to the town, a dual-obligee rider on an existing performance bond or escrow account with the project's lending institution or a combination of such methods.
   iii. The amount shall be equal to one hundred ten percent (110%) of the estimated installation cost of all uncompleted landscaping, including a one (1) year guaranty cost, as determined by a landscape architect, commercial landscape nursery, or commercial landscape contractor and deemed reasonable by the Administrator. Written assurance and detailed itemization containing:
      [a] Material, types, quantities, and unit prices of all improvements yet to be completed.
      [b] An assurance that all such landscaping will be completed within a specified time period satisfactory to the Administrator, but
      [c] In no event longer than six (6) months from the date of occupancy.
   iv. If the installation is not completed within the next growing season, or another agreed upon, specified time period, the security shall be used by the town to complete the installation.
   v. Upon completion of the installation by the town, any portion of the security deposit remaining after payment of the cost of the installation, and the town's total personnel, administrative, legal, and other costs, shall be returned to the applicant.

3. *Maintenance*:
   a. All newly planted vegetative material shall be guaranteed to meet minimum "American Standard for Nursery Stock" standards at the time of planting and for three (3) year thereafter.
   b. The property owner of record, the property owner's agent or tenant or a homeowner's association which has assumed landscape maintenance responsibility shall keep all landscaping in a well maintained and healthy growing condition. This means taking the following actions as needed:
      i. Irrigating, weeding, fertilizing, pruning, mowing and other maintenance for all outside plant materials in the property.
      ii. Mature trees may not be topped. Instead, they may be pruned according to the procedures established in the National Arborist Association Standards published by the National Arborist Association.
      iii. Treating plant materials that exhibit evidence of insect pest or disease damage.
      iv. Replacing dead or dying plant materials with specimens in good and healthy growing condition. Replacement shall be with the same or alternate plant materials that enable the property to achieve or maintain compliance with the provisions of this section.
      v. Replacing dead plant materials within one (1) year. If adverse weather (e.g. winter) conditions prevent installation a letter of agreement may be submitted, committing to a reasonable extension, the Zoning Administrator may grant an extension by accepting the letter of agreement.
      vi. Replenishing natural landscape materials such as rock, stone, bark chips and shavings which no longer cover the area in which they were originally deposited so that they again achieve full coverage to a minimum depth of three (3) inches.
      vii. Repairing, replacing or maintaining structural landscaping features including but not limited to fountains, reflecting pools, outdoor art work, screening walls, retaining walls, fences, benches or other street furniture elements, as necessary to maintain these items in good condition, if readily seen from an adjoining street or sidewalk.
      viii. Landscaping areas shall be kept proper, neat and in orderly appearance, free from refuse and debris at all time.
      ix. Any other action necessary to maintain landscaping installed in accordance with an approved landscape plan.
   c. All plantings and natural and man-made landscaping features required by an approved plan shall be subject to periodic inspection by the town when necessary to assure compliance with this section.

E. Landscape Design Standards: All development subject to *Section 5.38(B):General Standards* shall include the following types of landscaping and buffering:
   1. On-site.
   2. Street frontage.
   3. Buffer yard.
   4. Parking area:
      a. Interior parking lot landscaping.
      b. Perimeter parking lot landscaping.
   5. *Scale and Nature of Landscaping*: The scale and nature of landscaping materials shall be appropriate to the size of the structures. Large scaled buildings, for example, should generally be complemented by larger scaled plants. Plant materials shall be selected for their form, texture, color, pattern of growth and adaptability to local conditions.
   6. *Clearance*: Trees shall be planted or preserved so that when they reach maturity, there will be a minimum ten-foot clearance between the tree trunk and structures, building overhangs, walls, fences and other trees.
   7. *Materials*: Grass and other vegetative ground cover shall be used for all green space areas, including parking lot islands, except for decorative mulch planting beds containing trees and/or shrubs and inert stabilization in areas subject to severe runoff, erosion or ponding.
   8. *Vision Clearance Areas*: Landscaping in landscaped areas shall not obstruct the sight lines between the street and the access drives and parking aisles near the entries and exits in accordance with the standards provided for in the vision clearance standards. Landscaping shall not be located where it creates an obstruction of view in the radius of any curb return. See *Vision Clearance Standards (VC)*.
   9. *Energy Conservation*: Plantings shall be arranged to promote energy conservation wherever practical. This includes using deciduous trees on the south and west sides of buildings to provide shade from the summer sun and planting evergreens on the north of buildings to dissipate the effect of winter winds.
   10. *Noise Reduction.*
      a. Properties next to noisy streets or businesses shall arrange landscaping to reduce the intensity of noise by reflecting, deflecting and absorbing sound. Some techniques to accomplish this include using earth berms, walls and fences to provide a physical separation in combination with deciduous or evergreen trees to absorb the noise. A noise reduction fence shall not exceed six (6) feet in height. Any additional height requirement shall be accommodated by using earthen mounds.
      b. Where stone or other inert materials are to be used for ground cover, they shall be specifically identified on the landscape plan. Any area not so designated shall be required to have grass or ground cover.
   11. *Trash and Loading Facilities*: All trash dumpsters, trash pads, loading areas consisting of two (2) or more loading spaces, loading docks, and service and maintenance areas shall be screened from other residential uses or zoning districts and all adjacent public streets. Such screening may be achieved by using a six-foot (6') high, completely opaque fence or wall, a six-foot (6') high berm, or a six-foot (6') high evergreen screen planted nine (9) feet on center in a double staggered row.
   12. *Heating and Cooling Facilities*: Ground-mounted heating and cooling units for nonresidential or multi-family structures shall be adequately screened by landscaping so as not to be visible from streets and/or adjacent properties.
   13. *Softening of Walls and Fences*: Plant materials shall be placed intermittently against long expanses of building walls, fences and other barriers to create a softening effect.
   14. *Detention/Retention Basins and Ponds*: Detention/retention basins and ponds shall be landscaped and are encouraged to be shaped to replicate a natural form of a pond. Such landscaping should include shade and ornamental trees, evergreens, shrubbery, hedges, and/or other plant materials.
   15. *Screening Requirements for Wireless Communications Facilities*: The communications tower base and all accessory equipment shall be enclosed by a security fence of at least six (6) feet in height with an access gate that remains locked except when attended by authorized personnel. In addition, the enclosure shall be screened on all sides, and both the fence and screening shall meet the following provisions:
      a. The security fence shall be opaque and shall be of colors that are compatible with the natural and built environments.
      b. The screen shall be of dense evergreen plant material with a mature height of at least six (6) feet.

16. *Service Structures*: Any new development is encouraged to be served by underground utilities such as electricity, cable, etc., where feasible. Any service structure that can be seen from the first floor of a residence or from any street shall be screened. Structures may be grouped together; however, screening height requirements shall be based upon the tallest of the structures. Service structures shall include, but are not limited to: loading docks, propane tanks, dumpsters, electrical transformers, utility vaults which extend above ground, ground mounted utility equipment and any electrical or other equipment or elements providing service to a building or a site. All service structures shall not be visible from adjacent residential developments or public right-of-way.
17. *Other Site Elements*: Site elements such as outdoor lighting, signage, trash receptacles and fencing should be considered integral parts of the landscaped plans. The end result should be one, which incorporates a pleasing appearance from both on and off the site.
18. *Curbing*: Concrete or similar curbing should be installed around all landscape areas to continue landscape material and to provide protection from vehicles. Alternatively, recessed planting areas may be used to capture and filter surface water. If recessed, stop blocks shall be used. Also, if recessed, plant material shall be selected to function as a rain garden, or similar vegetated infiltration practice.

F. On-site and Street Frontage Landscaping Standards

1. *On-site standards.*
   a. Yards, setbacks and other green space areas within the development shall be landscaped with live vegetation. The minimum number of trees to be planted on each lot and common open space areas is a function of the number of dwelling units or square footage of non-residential buildings. The number of plants required on a site is determined by the use. The following table specifies the minimum tree requirements:

On-site Requirements

Land Use Type	Minimum Number of Shade Trees	Minimum Number of Evergreen Trees	Minimum Number of Ornamental Trees	Minimum Number of Shrubs	Notes
Residential					
PR	N/A	N/A	N/A	N/A	In-lieu-of one (1) of the trees required, twelve (12) shrubs of a 5-gallon size or greater can be substituted.
AG, RE, R1, R2, R3, M1	2 trees per dwelling unit	1 tree per dwelling unit	1 tree per dwelling unit	4 large shrubs per dwelling unit	
TR	2 trees per dwelling unit	N/A	1 tree per dwelling unit	3 large shrubs per dwelling unit	
M2, M3	1.5 trees per dwelling unit	1 tree per dwelling unit	1 tree per dwelling unit	3 large shrubs per dwelling unit	
MP	1 tree per dwelling unit	.5 trees per dwelling unit	.5 trees per dwelling unit	.5 trees per dwelling unit	
Non-Residential					
IS	1 tree per 5,000 sq. ft. of gross building area	1 tree per 5,000 sq. ft. of gross building area	2 trees per 5,000 sq. ft. of gross building area	10 large shrubs per 5,000 sq. ft. of gross building area	Trees should be grouped together to form a natural looking area where feasible.
UC	.5 tree per 5,000 sq. ft. of gross building area			N/A	
NC, HC, C1, C2	2 trees per 5,000 sq. ft. of gross building area	2 trees per 5,000 sq. ft. of gross building area	3 trees per 5,000 sq. ft. of gross building area	16 large shrubs per 5,000 sq. ft. of gross building area	
EC	3 trees per 5,000 sq. ft. of gross building area	1 tree per 5,000 sq. ft. of gross building area	3 trees per 5,000 sq. ft. of gross building area	12 large shrubs per 5,000 sq. ft. of gross building area	
I1, I2	3 trees per 5,000 sq. ft. of gross building area	3 trees per 5,000 sq. ft. of gross building area	2 trees per 5,000 sq. ft. of gross building area	12 large shrubs per 5,000 sq. ft. of gross building area	
MS	2 trees per 5,000 sq. ft. of gross building area	1.5 trees per 5,000 sq. ft. of gross building area	1.25 trees per 5,000 sq. ft. of gross building area	10 large shrubs per 5,000 sq. ft. of gross building area	
RO	N/A	N/A	N/A	N/A	
HI	N/A	N/A	N/A	N/A	

   b. Trees should be grouped together to simulate natural tree stands.
   c. Existing trees or woodlands that are preserved may be counted toward the minimum planting requirements as set forth in *Section 5.38(C)(5): Tree preservation credits*.

d. Trees required in this section and *Section 5.39(A)(1): Interior Parking Lot Landscaping* and *5.39(A)(2): Perimeter Parking Lot Landscaping* may be credited toward the on-site landscaping requirements, street frontage landscaping requirements and the interior and perimeter parking lot landscaping requirements for non-residential landscaping. Credit for residential subdivisions are at the discretion of the Administrator and must be requested in writing.

2. *Street frontage standards.*

a. In developments where the site and individual lots have frontage along primary and secondary streets, there shall be trees planted along the frontage as required by the following table:

Street Facing Landscaping Requirements

District	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	HI
Landscaping Values	1	N/A	1	1	1	1	N/A	2	2	2	2	1	1	N/A	2	2	2	1	3	3	1	4
Note: Residential PUD's level number will be based upon average housing density bordering any exterior roadway.																						

b. The trees shall be planted thirty (30) feet apart on-center and adjacent to the public right-of-way on the site being developed or grouped together to form a natural looking area where feasible.

c. Based upon the zoning district of the parcel to be developed, the applicant shall provide the level of landscaping as required under each corresponding district.

i. Level 1. Shall provide any combination of materials selected from the plant materials listed in *Appendix B: Recommended Plant Material* which equals or exceeds a unit value of 2.0 for each one hundred (100) linear feet, as set forth in *Section 5.38(B)(6): Unit Value Standards*. Unit value shall be calculated for any exterior roadways, provided that at least thirty percent (30%) of the unit value shall be derived from evergreen trees, evergreen shrub-narrow spread, or evergreen hedge plants.

ii. Level 2. Shall provide any combination of materials selected from the plant materials listed in *Appendix B: Recommended Plant Material* which equals or exceeds a unit value of 3.0 for each one hundred (100) linear feet, as set forth in *Section 5.38(B)(6): Unit Value Standards*. Unit value shall be calculated for any exterior roadways, provided that at least forty percent (40%) of the unit value shall be derived from evergreen trees, evergreen shrub-narrow spread, evergreen hedge plant or earthen mound.

iii. Level 3. Shall provide any combination of materials selected from the plant materials listed in *Appendix B: Recommended Plant Material* which equals or exceeds a unit value of 4.0 for each one hundred (100) linear feet, as set forth in *Section 5.38(B)(6): Unit Value Standards*. Unit value shall be calculated for any exterior roadways, provided that at least sixty percent (60%) of the unit value shall be derived from evergreen trees, evergreen shrub-narrow spread, evergreen hedge plants or earthen mounds.

iv. Level 4. Shall provide any combination of materials selected from the plant materials listed in *Appendix B: Recommended Plant Material* which equals or exceeds a unit value of 4.0 for each one hundred (100) linear feet, as set forth in *Section 5.38(B)(6): Unit Value Standards*. Unit value shall be calculated for any exterior roadways, provided that at least ten percent (10%) of the unit value shall be derived from deciduous shade trees or deciduous ornamental trees, and at least seventy-five percent (75%) of the unit value shall be derived from evergreen trees, evergreen shrub-narrow spread or earthen mounds.

5.39 LA-02: Parking Lot Landscaping Standards

This Landscaping Standards (LA) section applies to the following zoning districts:

M2 M3 IS NC UC C1 C2 HC EC HI

The following standards apply:

A. General: The following landscape requirements shall be applied to parking lots and shall be intended to screen parking areas from the street, prevent large expanses of unbroken paving, and provide shade to cool paved areas during the hot summer months. The requirements are established for two (2) areas: the parking lot interior and the parking lot perimeter.

1. *Interior Parking Lot Landscaping*:

a. Applicability: Any open parking area (excluding loading, unloading and storage areas) containing twenty (20) or more vehicular parking spaces, shall provide interior parking lot landscaping.

b. Landscaped Area: A minimum of one (1) parking island per eleven (11) parking spaces, or one hundred eighty (180) square feet of parking island per eleven (11) parking spaces, must be provided.

i. Parking islands.

[a] Parking islands shall be a minimum of six (6) inches above the surface of the parking lot or be recessed stormwater infiltration sites (as described below in item [i]) with wheel stops used to protect the vegetation.

[b] Parking islands shall be a minimum of one hundred eighty (180) square feet in area.

[c] A maximum of seven hundred twenty (720) square feet in area within a single parking island will qualify for the minimum parking island area requirement.

[d] Minimum island width from back of curb to back of curb is nine (9) feet.

[e] Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking to a maximum of two hundred (200) feet.

[f] A minimum of one (1) tree per parking island or per one hundred eighty (180) square feet of parking island area must be provided. (Any calculation that equals a fraction of a whole number must round up to the next whole number.)

[g] A minimum of five (5) shrubs per parking island or per one hundred eighty (180) square feet of parking island area must be provided. (Any calculation that equals a fraction of a whole number must round up to the next whole number.)

[h] One hundred percent (100%) of parking islands shall be landscaped with plant material, turf or organic mulch.

[i] Parking islands designed for stormwater management or other environmental functions shall be reviewed and considered by the Advisory Plan Commission.

[j] Each parking lot that requires parking islands must include “end islands” at the terminus of all parking rows.

[k] Each island shall have a minimum of one (1) shade tree or one (1) evergreen tree. For a list of recommended low maintenance trees, see *Appendix B: Table B-2: Plant Use*.

[l] In accordance with the vision clearance standards, no landscaping within the landscape islands may obstruct visibility for vehicles entering, maneuvering in, or exiting the parking area.

[m] Grass and ground cover. Grass or ground cover shall be planted on all portions of the landscaped areas not occupied by other landscaped material.

[n] Vehicle overhang. Parked vehicles may hang over the interior landscaped area or sidewalk no more than one (1) foot, as long as concrete or other wheel stops are provided to insure no greater overhang or penetration of landscaped area, unless in case of the sidewalks the parked vehicle may not reduce the usable width of the sidewalk to less than four (4) feet.

2. *Perimeter Parking Lot Landscaping.*
   a. Intent. Perimeter parking lot landscaping is to provide for the enhancement of parking lots by requiring a uniform scheme of landscaping along public streets. The perimeter landscaping shall require a higher level of landscaping for residential uses (principally multi-family uses) than for non-residential uses.
   b. Application.
      i. Perimeter landscaping is required for parking lots with twenty (20) or more spaces and where the lot is located within a required yard or within twenty (20) feet of a lot line and shall be established along the corresponding edge of the parking lot in conformance with the provisions of this subsection.
      ii. A perimeter parking lot landscape area shall be at least ten (10) feet wide and extending the full length of the parking lot.
      iii. Trees required by division (b) may be credited toward both the total on-site and/or interior parking lots requirements as set forth in division (a) of this section and *Section 5.38(F): On-site and Street Frontage Landscaping Standards*.
   c. Requirements. The perimeter landscape area shall provide the following landscape improvements:
      i. There shall be one (1) tree per thirty (30) linear feet of yard length. Trees may be clustered based on the specific site requirements.
      ii. There shall be one (1) medium shrub per three (3) feet of yard length either clustered or spaced linearly.
      iii. Grass or ground cover shall be planted on all portions of the landscaped areas not occupied by other landscaped material, excluding organic mulch around plantings of landscape material. Such materials fulfill required perimeter landscaping.

5.40 LA-03: Buffer Yard Planting Standards

This Landscaping Standards (LA) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS HI

A. Requirements: The following buffer yard requirements are intended to physically separate and visually screen adjacent zoning districts that are not fully compatible. Plants used exclusively for screening must reach a minimum height of forty-eight (48) inches within three (3) years of installation, and be at least twenty-four (24) inches tall when planted.

B. Size: The size of the buffer yard is determined by the zoning district adjacent to the subject lot's zoning district. *Table 1: Minimum Required Buffer Yard Level* below indicates the minimum required buffer yard level. Simply find the subject lot's zoning district across the top of the chart and then each adjacent lot's zoning district to determine when a buffer yard is required.

Table 1: Minimum Required Buffer Yard Level

		Subject Lot's Zoning District																					
	District	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	HI
Neighboring Lot's Zoning District	PR	0	0	0	1	2	3	0	2	3	3	3	0	1	0	2	3	4	2	3	3	2	4
	AG	0	0	1	1	2	3	3	3	3	3	3	1	2	0	3	3	3	3	3	3	2	4
	RE	0	0	0	1	2	3	3	4	4	4	4	2	2	2	4	4	4	3	4	4	4	4
	R1	0	0	0	0	1	2	3	4	4	4	4	2	2	2	4	4	4	3	4	4	4	4
	R2	0	0	0	0	0	1	2	3	4	4	4	1	1	2	4	4	4	2	4	4	3	4
	R3	0	0	0	0	0	0	1	2	3	3	4	1	1	1	4	4	4	2	4	4	3	4
	TR	0	0	0	0	0	0	0	1	2	2	4	0	0	0	4	4	4	1	4	4	2	4
	M1	0	0	0	0	0	0	0	0	1	1	3	0	0	0	3	4	3	2	3	4	2	4
	M2	0	0	0	0	0	0	0	0	0	1	3	0	0	0	3	3	3	1	3	4	2	4
	M3	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	3	3	1	3	4	2	4
	MP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	3	1	3	4	2	4
	IS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	3	0	3	4	1	4
	NC	0	0	0	0	0	0	0	0	0	0	2	0	0	0	1	1	2	0	3	4	1	4
	UC	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	1	2	0	3	4	1	4
	C1	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	1	1	0	2	3	1	4
	C2	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	1	0	2	3	1	4
	HC	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	2	2	1	4
	EC	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	3	3	1	4
	I1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	3
	I2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
	MS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
	HI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

1. If the subject lot develops adjacent to property outside the Town of Brownsburg's planning jurisdiction, the most similar zoning district from this Unified Development Ordinance will be used to determine if, and what type of buffer yard would be required for the adjacent property.

Minimum Buffer Yard Width

	District	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	HI
Existing Uses	PR	0	0	0	5	5	5	0	10	10	15	15	0	0	0	10	15	25	10	50	50	50	100
	AG	0	0	10	10	10	10	0	10	10	10	15	10	10	0	25	25	25	10	50	50	20	100
	RE	0	0	0	20	20	30	30	40	40	40	75	25	25	30	35	35	35	50	100	100	50	100
	R1	0	0	0	0	10	20	20	30	30	30	60	25	15	25	25	25	25	25	75	100	40	100
	R2	0	0	0	0	0	10	10	20	20	20	50	10	10	20	20	20	20	25	75	100	30	100
	R3	0	0	0	0	0	0	5	10	10	10	40	10	10	15	20	20	20	20	75	100	25	100
	TR	0	0	0	0	0	0	0	5	5	5	30	0	0	0	5	5	10	15	50	75	20	100
	M1	0	0	0	0	0	0	0	0	5	5	25	0	0	0	10	10	15	10	50	75	25	100
	M2	0	0	0	0	0	0	0	0	0	5	20	0	0	0	10	10	15	10	50	75	25	100
	M3	0	0	0	0	0	0	0	0	0	0	15	0	0	0	10	10	15	10	50	75	25	100
	MP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	15	20	10	50	75	25	100
	IS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15	0	50	75	20	100
	NC	0	0	0	0	0	0	0	0	0	0	10	0	0	0	0	10	15	0	25	75	20	100
	UC	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	0	0	0	25	75	20	100
	C1	0	0	0	0	0	0	0	0	0	0	10	0	0	0	0	0	10	0	25	60	10	75
	C2	0	0	0	0	0	0	0	0	0	0	10	0	0	0	0	0	0	0	25	60	10	75
	HC	0	0	0	0	0	0	0	0	0	0	10	0	0	0	0	0	0	0	15	25	5	75
	EC	0	0	0	0	0	0	0	0	0	0	15	0	0	0	0	0	0	0	25	50	10	75
	I1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	50
	I2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	40
	MS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	0	50
	HI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

(#) Commercial, motor sports, industrial, and/or mixed use PUD's buffer yard width will be established during the development of the PUD, subject to the uses permitted in the PUD.
(x) All M-1 uses found in Permitted Uses for the MS District that are identified with the symbol "x" are subject to the C-3 buffer yard width requirements.

2. A front, side or rear yard setback requirement may include up to fifty percent (50%) of the buffer yard requirement.
3. All distances are measured in feet, and are exclusive of easements that cannot be planted.
4. Any property that develops adjacent to property outside of the zoning jurisdiction of the Town of Brownsburg an equivalent zoning district will be determined for the property outside of the zoning jurisdiction of the Town of Brownsburg by the Administrator for the purposes of determining a buffer yard width.

C. For Incompatible Districts: there shall be an earthen mound or wall constructed between incompatible districts to minimize impacts.

1. *Earthen mounds*: Where earthen mounds are required, they shall be physical barriers that block or screen the view, similar to a hedge, fence or wall.
   a. Mounds shall be constructed with proper and adequate plant materials to prevent erosion.
   b. All mounding shall have no greater than 3:1 slope.
   c. A difference in elevation between areas requiring screening does not constitute an existing earthen mound and may not be considered as fulfilling any screening requirements.
   d. All mounds shall be undulating with a minimum height of four (4) feet six (6) inches and an average height of six (6) feet.
   e. The height of the mounds will be measured from the proposed first floor elevation of the primary structure.
   f. The mounds required for the incompatible districts may be included in the minimum required buffer yard level calculation.
   g. Every mound must have a top that has a minimum width of five (5) feet with a maximum 20:1 slope.
2. *Walls*: Where walls are required, they shall be physical barriers that block or screen the view, similar to a hedge, fence or earthen mound.
   a. The minimum height of a wall is six (6) feet.
   b. The height of the walls will be measured from the proposed first floor elevation of the primary structure.
   c. The minimum thickness of a wall is seven and five-eighths (7 5/8) inches.
   d. The length of the wall cannot exceed one hundred sixty percent (160%) of the height of the wall.
   e. A column must be placed at intervals equal to one hundred sixty percent (160%) of the height of the wall.

5.41 LA-04: Outdoor Storage Screening Standards

This Landscaping Standards (LA) section applies to the following zoning districts:

I1 I2 MS HI

The following outdoor storage screening standards shall apply to all new outdoor storage areas and any substantial expansion to an existing outdoor storage area based on the following table:

When An Existing Outdoor Storage Area Is	A Substantial Expansion Is
0 - 1,000 Sq. Ft.	50% or Greater
1,001 - 10,000 Sq. Ft.	40% or Greater
10,001 - 25,000 Sq. Ft.	30% or Greater
25,001 - 50,000 Sq. Ft.	20% or Greater
50,001 Sq. Ft. and larger	10% or Greater

A. Purpose and intent: The intent of this section is to adequately screen all outdoor storage areas from surrounding uses, specifically residential and any exterior roadway. The Zoning Administrator may reduce the following standards by up to twenty-five percent (25%) during the site development plan review process if adequately justified. The landscape and mounding materials should be arranged to provide the maximum amount of screening.

B. Perimeter landscaping: Any combination of materials selected from *Appendix B: Table B-1: Recommended Plant Material* which equals or exceeds a unit value of 10.00 for each one hundred (100) linear feet. along any property that is zoned or used as residential, provided that at least sixty-five percent (65%) of the unit value shall be derived from evergreen trees, shrubs or earthen mounds and twenty-five percent (25%) from deciduous shade trees (overstory) or deciduous ornamental trees (understory).

C. Exterior Roadway Landscaping: Any combination of materials from *Appendix B: Table B-1: Recommended Plant Material* which equals or exceeds a unit value of seven (7.00) for each one hundred (100) linear feet of outdoor storage area that is visible from an exterior roadway, provided that at least sixty-five percent (65%) of the unit value shall be derived from evergreen trees, shrubs or earthen mounds and twenty-five percent (25%) from deciduous shade trees (overstory) or deciduous ornamental trees (understory).

5.42 LT-01: General Lighting Standards

This Lighting Standards (LT) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Exemption: Any light that emits 1200 lumens or less shall be exempt.

B. Cross Reference:
   1. *Parking Lot Lighting*: See *Parking Standards (PK)* for parking lot lighting requirements.
   2. *Illumination of Signs*: See *Sign Standards (SI)* for standards regarding the illumination of signs.

C. Measurement Rules: Measurements of light readings shall be taken at any point along the property line of the subject property with a light meter facing the center of the property at any height from the ground level to thirty-five (35) feet above the ground.

D. Types: All lighting fixtures and poles within a single development shall be consistent in style, color, size, height, and design.
   1. *Permitted*:
      a. Site Lighting: Pole, wall, or ground mounted fixtures shall be full-cutoff fixtures.
      b. Facade Highlighting: Modest intensity up-lighting of structure facades and landscaping from ground-mounted fixtures shall be permitted.
   2. *Prohibited*: Non-cutoff fixtures and semi-cutoff fixtures shall not be permitted.
   3. *Exemptions*: Sport field and sport court lights shall be semi-cutoff or cutoff fixtures, shall not exceed 100 feet in height, and shall be shut-off by 10:00 PM Sunday through Thursday and 11:00 PM Friday through Saturday.
   4. *Administrative Discretion*: Special events may be granted permission by the Zoning Administrator when such events are short term, serve the public good, and need for the event can be demonstrated.

E. Glare: Light fixtures shall be fully shielded to prevent direct lighting on streets, alleys, and adjacent properties. Any structural part of the light fixture providing this shielding shall be permanently affixed.

F. Light Trespass: The maximum allowable light at a property line shall be determined by the zoning district of the subject lot and the adjacent property. When the subject lot's zoning district is less restrictive than that of an adjacent property (e.g. commercial next to residential), the adjacent zoning district shall apply:
   1. *Commercial Zoning Districts*: When the subject property is located within a commercial zoning district and the adjacent property is also located within a commercial zoning district or an industrial zoning district, then the allowable light at the property line shall be twenty (20) lux, but only along the sides of the property that are adjacent to the specified zoning districts. However, no light shall cross an adjacent commercial or industrial property and reach a property line with a non-commercial or non-industrial district with greater than five (5) lux.
   2. *Industrial Zoning Districts*: When the subject property is located within an industrial zoning district and the adjacent property is also located within an industrial zoning district, then the allowable light at the property line shall be thirty (30) lux, but only along the sides of the property that are adjacent to the specified zoning district.

5.43 LT-02: Agriculture and Residential Lighting Standards

This Lighting Standards (LT) section applies to the following zoning districts:

AG RE R1 R2 R3 TR M1

The following standards apply:

A. Light Trespass: The maximum allowable light at a property line shall be five (5) lux.

5.44 LT-03: Parks and Recreation and Multiple-family Residential Lighting Standards

This Lighting Standards (LT) section applies to the following zoning districts:

PR M2 M3 MP

The following standards apply:

A. Light Trespass: The maximum allowable light at a property line shall be ten (10) lux.

5.45 LT-04: Institutional and Commercial Lighting Standards

This Lighting Standards (LT) section applies to the following zoning districts:

IS NC UC C1 C2 HC

The following standards apply:

A. Light Trespass: The maximum allowable light at a property line shall be twenty (20) lux.

5.46 LT-05: Employment Center and Industrial Lighting Standards

This Lighting Standards (LT) section applies to the following zoning districts:

EC I1 I2 MS RO

The following standards apply:

A. Light Trespass: The maximum allowable light at a property line shall be thirty (30) lux.

Loading Standards (LD)

5.47 LD-01: Loading Standards

This Loading Standards (LD) section applies to the following zoning districts:

IS NC UC C1 C2 HC EC I1 I2 MS HI

The following standards apply:

A. Project Applicability: The following loading standards only apply when a project electively involves one (1) or more loading dock.

B. Design:

1. *Location*:
   a. Loading docks shall be located so that they are not visible from public streets. If such a location is not possible, a loading dock visible from a public street shall be screened by solid structure walls and/or landscape buffers.
   b. Loading docks shall have adequate area for trucks to maneuver in and out of the facility. Maneuvering areas shall be designed to accommodate semi tractor trailers.
   c. Trucks shall not block rights-of-way, streets, alleys, aisles, or other internal circulation when maneuvering into or docked at loading docks.
2. *Surface Materials*: Loading docks shall be paved with asphalt or concrete.
3. *Drainage*: Loading docks shall be constructed to allow proper drainage away from the structure. Such drainage shall not include piped systems that convey water directly into a storm sewer or waterway. Filtration strips shall be required.

Lot Standards (LO)

5.48 LO-01: Lot Standards

This Lot Standards (LO) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Applicability: If a lot standard does not appear on the two-page layout for a zoning district, then the standard does not apply to that particular zoning district.

1. *Minimum Dwelling Site Area*: The minimum dwelling site area shall be per each two-page layout in *Article 2: Zoning Districts*.
2. *Minimum Dwelling Site Width*: The minimum dwelling site width shall be per each two-page layout in *Article 2: Zoning Districts*.
3. *Minimum Lot Area*: The minimum lot area shall be per each two-page layout in *Article 2: Zoning Districts*.
4. *Maximum Lot Area*: The maximum lot area shall be per each two-page layout in *Article 2: Zoning Districts*.
5. *Minimum Lot Width*: The minimum lot width shall be per each two-page layout in *Article 2: Zoning Districts*.

B. Minimum Lot Frontage: The minimum lot frontage shall be forty (40) feet or sixty percent (60%) of the required minimum lot width, whichever is greater.

5.49 MH-01: Manufactured Housing and Lease-lot Development Standards

This Manufactured Housing Standards (MH) section applies to the following district:

MP

The following standards apply:

A. Permits: An Improvement Location Permit shall be required for each manufactured home dwelling and each mobile home dwelling prior to installation on a dwelling site, and for all other primary or accessory structures on the lot or dwelling sites.

B. Design:

1. *Dwelling Sites*
   a. Each dwelling site within a lease-lot development shall have a separate concrete pad, not just wheel pads, for each mobile home and a separate foundation for each manufactured home or other habitable structure.
   b. Each dwelling site within a lease-lot development shall have separate utility connections.
   c. Each dwelling site within a lease-lot development with four (4) or more dwelling sites shall have direct access onto a paved private street.
   d. No more than one (1) dwelling shall be placed on a dwelling site.
2. *Dwelling Units*
   a. Each dwelling within a lease-lot development shall be tied down and have a permanent perimeter enclosure or have a permanent foundation.
   b. Each dwelling within a lease-lot development with four (4) or more dwelling sites shall be considered a separate residence for all purposes such as taxing, assessing of improvements, garbage collection, and public utilities.

Outdoor Dining Standards (OD)

5.50 OD-01: General Outdoor Dining Standards

This Outdoor Dining Standards (OD) section applies to the following district:

UC

The following standards apply:

A. Prerequisite: Any establishment that wishes to have outdoor dining partially or fully within the right-of-way shall first get approval from the legislative body of jurisdiction if a local street or the Indiana Department of Transportation if the right-of-way is managed by the State of Indiana.

B. Applicability: Outdoor seating that is fully or partially in the public right-of-way.

C. Permits: An Improvement Location Permit shall be required prior to establishing an outdoor dining area. A new permit shall not be required each year unless changes to the previously approved layout are made.

D. Operations: Generally, outdoor dining is permitted from March 31 through December 1, and from 6:00 AM until 11:00 PM Sunday through Thursday and 6:00 AM until 12:00 midnight Friday through Saturday.

E. Design:

1. *Circulation and Accessibility*:
   a. All outdoor dining areas shall maintain a minimum five (5) foot wide pedestrian clear-way on the public sidewalk. The pedestrian clear-way shall be free of all obstacles including but not limited to tree wells, fire hydrants, street light poles, and newspaper boxes. This pedestrian clear-way shall be maintained at all times.
   b. Outdoor dining areas shall not interfere with handicap accessibility, curbs, ramps, or driveways.
   c. Portions of outdoor dining areas fronting a right-of-way may have a pedestrian barrier enclosing the outdoor dining area except for ingress/egress into the establishment. The pedestrian barrier shall be:
      i. Decorative metal,
      ii. Sturdy, stable, and have sufficient weight so they cannot be blown over by wind,
      iii. At least thirty (30) inches in height, and
      iv. Removed and stored off-site or indoors during the off season.
   d. Outdoor dining areas that do not front a right-of-way may have a pedestrian barrier. The pedestrian barrier shall be:
      i. Constructed of wood, composite wood, stone, masonry, wrought iron, decorative metal, or a combination of these materials,
      ii. Permanently attached to the ground, and
      iii. At least thirty (30) inches in height.
   e. No element of the outdoor dining area shall interfere with the primary pedestrian access into any structure.
2. *General*:
   a. A sufficient number of trash containers shall be provided outdoors and be readily accessible to outdoor diners. However, full service establishments with outdoor dining areas shall not be required to provide outdoor trash containers.
   b. There shall be no storage of food trays; carts; receptacles for dirty dishes or trays; carts for utensils; or cooking appliances in any portion of the outdoor dining area.
   c. There shall be no self-serve or server stations in any portion of the outdoor dining area.
3. *Furniture*:
   a. To maintain a high quality environment, quality materials shall be used for outdoor dining areas. Outdoor dining furniture and outdoor trash containers shall be iron, steel, aluminum, wood, or resin.
   b. Umbrellas are permitted, but shall be flame retardant, color-fast fabric with anti-flyback features.
   c. Outdoor dining furniture, trash containers, and umbrellas shall be stored off-site or indoors during the off-season.

Outdoor Storage Standards (OS)

5.51 OS-01: General Outdoor Storage Standards

This Outdoor Storage Standards (OS) section applies to the following zoning districts:

PR RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 HC EC

The following standards apply:

A. Prohibited: The outdoor storage of equipment, products, supplies, materials, machinery, building materials, waste or scrap, pallets, and the like shall not be permitted, except during construction projects with valid building permits.

B. Vehicles: Vehicles shall not encroach into a right-of-way or block or impede an access easement, sidewalk, or driving aisle.

C. Recreational Vehicles: Recreational Vehicles, Trailers, Campers, Boats and other similar Vehicles or Towables shall meet the following standards:

1. *Quantity*: No more than two (2) different types (e.g. a boat and camper) of recreational vehicles, trailers, campers, boats and other similar vehicles or towables shall be stored or parked outdoors on a lot at any one (1) time, however this shall not limit recreational vehicles, trailers, campers, boats and other similar vehicles or towables parked inside an enclosed structure.
2. *Outdoor Location*:
   a. A recreational vehicle, trailers, campers, boats and other similar vehicles or towables shall be stored or parked on a paved surface in a rear yard or side yard of a lot such that no part of the recreational vehicle projects forward of the building line of the primary structure.
   b. A recreational vehicle, trailers, campers, boats and other similar vehicles or towables shall be prohibited from being parked on a vacant platted lot in a residential subdivision.
   c. A recreational vehicle, trailers, campers, boats and other similar vehicles or towables may be temporarily parked on the driveway if the duration of each event is six (6) days or less in any thirty day period of time plus ten (10) days per calendar year.
   d. A stored recreational vehicle, trailers, campers, boats and other similar vehicles or towables shall meet all accessory structure setback standards for the subject lot.
3. *Use*: At no time shall a stored recreational vehicle, trailers, campers, boats and other similar vehicles or towables be occupied or used for living, sleeping, or home business purposes.

D. Ad Hoc Storage: A mobile home, manufactured home, recreational vehicle, semi-tractor trailer, boat, shipping container, box truck, motor vehicle, or trailer, in part or in whole, or of the like, shall not be located outdoors and used for ad hoc storage of equipment, products, supplies, materials, machinery, building materials, waste or scrap, collections, or the like.

5.52 OS-02: Agricultural Outdoor Storage Standards

This Outdoor Storage Standards (OS) section applies to the following zoning district:

AG

The following standards apply:

A. Prohibited: The outdoor storage of waste or scrap, pallets, and the like shall not be permitted.

5.53 OS-03: Merchandising Outdoor Storage Standards

This Outdoor Storage Standards (OS) section applies to the following zoning district:

C1 C2

The following standards apply:

A. General Outdoor Storage:
   1. *Maximum Area*: Outdoor storage shall not exceed five percent (5%) of the gross floor area of the primary structure. Outdoor storage areas larger than five percent (5%) but less than thirty percent (30%) shall be subject to a Special Exception.
   2. *Minimum Front Yard Setback*: Outdoor storage areas may not be in front of the front facade of the primary structure on the lot. If there is no primary structure on the site, the minimum front yard setback is 100 feet.
   3. *Minimum Side and Rear Yard Setback*:
      a. Adjacent to Residential Use: The minimum side and rear yard setback for an outdoor storage areas shall be fifty (50) feet when adjacent to any property that is zoned or used as residential, and twenty (20) feet for all other uses.

B. Vehicle Sales: The outdoor display, storage, and parking of vehicles for sale shall be permitted, provided that all vehicles are parked on asphalt or concrete; on a display approved by the Zoning Administrator; or enclosed within a structure. All parked vehicles and vehicle parking surfaces or displays shall be setback at least ten (10) feet from the front, side and rear side property lines. Vehicles shall not be parked in the right-of-way, on grass, or on gravel and shall not encroach into a right-of-way or block or impede an access easement or driving aisle. Vehicle sales lots shall not be considered parking lots. Therefore, they are not subject to parking lot landscaping standards.

5.54 OS-04: Industrial and High Impact Outdoor Storage Standards

This Outdoor Storage Standards (OS) section applies to the following zoning districts:

I1 I2 MS HI

The following standards apply:

A. Industrial Outdoor Storage: Outdoor storage of vehicles, equipment, products, supplies, materials, machinery, building materials, waste or scrap, pallets, and the like shall be permitted if all of the following conditions are met.
   1. *Location*: Outdoor storage areas may be located in the front yard, side yard, or rear yard.
   2. *Setbacks*: Outdoor storage adjacent to a right-of-way shall be set back forty (40) feet. Outdoor storage adjacent to residentially zoned property shall be set back 100 feet from the property line.
   3. *Screening*: The screening standards can be found in *Section 5.41: Outdoor Storage Screening Standards*.
   4. *Height Limitations*: Outdoor storage in a front yard shall not exceed ten (10) feet in height.

B. Landscape Business/Lumberyard: The outdoor display and storage of materials for sale shall be permitted, provided that the materials are on a display approved by the Zoning Administrator; or enclosed within a structure. All materials shall be setback at least fifty (50) feet from the front yard and all materials shall be setback at least ten (10) feet from side and rear property lines. Materials shall not be located in the right-of-way and shall not block or impede an access easement or driving aisle.

5.55 OS-05: Regional Outdoor Entertainment Outdoor Storage Standards

This Outdoor Storage Standards (OS) section applies to the following zoning districts:

RO

The following standards apply:

A. General Outdoor Storage: Outdoor storage shall be permitted as follows.
   1. *Location*: Outdoor storage shall be permitted anywhere on the subject lot. Generally, outdoor storage should be limited to locations that are not conspicuous from perimeter streets or adjacent residential areas; or if located in close proximity to the property line, should be screened as described below.
   2. *Screening*: Generally, outdoor storage areas should be screened from perimeter streets and any adjacent residential areas with opaque fencing or landscaping that softens the view of said areas.

5.56 PK-01: General Parking Standards

This Parking Standards (PK) section applies to the following zoning districts:

PR RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Project Applicability: The parking standards shall apply to any of the following:
   1. *New Primary Structure*: Construction of a new primary structure.
   2. *Major Change to Primary Structure Size*: Increasing or decreasing the footprint of a primary structure by ten percent (10%) or more of its size.
   3. *Second Change to Primary Structure Size*: Increasing or decreasing the footprint of a primary structure which has already been expanded or decreased one (1) time per *Section 5.56(A)(2): Major Change to Primary Structure Size*.
   4. *Major Change in Parking Lot Size*: Increasing or decreasing an existing parking lot by ten percent (10%) or more of its existing size or number of paring spaces.
   5. *Second Change to Parking Lot Size*: Increasing or decreasing a parking lot which has already been expanded or decreased one (1) time per *Section 5.56(A)(4): Major Change in Parking Lot Size*.

B. Setbacks: All parking areas shall comply with the accessory structure setbacks found in *Article 2: Zoning Districts* for the subject lot's zoning district.

C. Cross Reference:
   1. *Temporary Sales in Parking Lots*: For standards regarding temporary structures and temporary uses located in existing parking lots or parking areas, see *Temporary Use and Structure Standards (TU)*.

D. Permits: An Improvement Location Permit shall be required for new parking lots or the expansion of an existing parking lot.

E. Design:
   1. *Materials*: All off-street parking shall utilize a paved surface of concrete, asphalt, brick pavers, porous concrete, or the like. Gravel, stone, rock, dirt, sand, or grass shall not be permitted as parking surfaces.
      a. Race Events in the RO District: Off-street parking for a race event in the RO District shall utilize any parking surface including, but not limited to: concrete, asphalt, brick pavers, porous concrete, gravel, stone, rock, dirt, sand, or grass.
   2. *Size of Spaces*: Each off-street parking space shall be a minimum of nine and one-half (9½) feet wide and eighteen (18) feet in length.
   3. *Right-of-way*: Off-street parking spaces shall not be fully or partially in a right-of-way or access easement.

F. Prohibited: Parking of motor vehicles shall not be permitted on yards, lawns, or similar pervious-surfaced areas on a lot.

G. Temporary Special Event Parking: When a special event (e.g. carnival, day camp) is permitted on grounds that do not have adequate parking lots or other improved parking surface, then a parking management proposal from the event coordinator or the property owner shall be submitted to the Zoning Administrator. The parking management proposal shall include: expected attendance, expected duration of the event, expected peaks in attendance if applicable, description of the intended activities, impact of rain or inclement weather, and a site drawing. The site drawing shall include: access management from the public street, areas to be used for the special event activities, areas to be used for special event parking, areas prone to ponding or flooding, means for cars to get to parking spaces without dead-ends, and any other information requested by the Zoning Administrator. The minimum number of parking spaces shall be two (2) spaces per five (5) persons expected to attend at the peak time of the event. The Zoning Administrator has full discretion to request more or allow less parking if evidence constitutes such a decision. If expected parking cannot be properly and safely accommodated on-site, then the permit for the special event may be revoked.

5.57 PK-02: Single-family Residential Parking Standards

This Parking Standards (PK) section applies to the following zoning districts:

RE R1 R2 R3

The following standards apply:

A. Quantity: A minimum of four (4) off-street parking spaces shall be required per dwelling unit.
B. Location:
   1. *Same Lot*: The required parking spaces shall be located on the same lot as the dwelling unit.
   2. *Garages*: The required parking spaces may include spaces within garages.

5.58 PK-03: Traditional Residential Parking Standards

This Parking Standards (PK) section applies to the following zoning district:

TR

The following standards apply:

A. Quantity: A minimum of two (2) off-street parking spaces shall be required per dwelling unit.
B. Location:
   1. *Same Lot*: The required parking spaces shall be located on the same lot as the dwelling unit.
   2. *Garages*: The required parking spaces may include spaces within garages.

5.59 PK-04: Multiple-family Residential Parking Standards

This Parking Standards (PK) section applies to the following zoning districts:

M1 M2 M3

The following standards apply:

A. Quantity:
   1. *Occupants*: A minimum of one and one-half (1½) parking spaces shall be required per dwelling unit; and
   2. *Visitors*: One (1) parking space per every two (2) dwelling units shall be required for visitors.
B. Location:
   1. *Occupants*: Occupant's parking spaces shall be located adjacent to the dwelling unit (or on the dwelling unit's lot if part of a Townhouse Subdivision, See *Article 6: Subdivision Types* and *Article 7: Design Standards*). Tenant parking spaces may include spaces within garages and/or carports.
   2. *Visitors*: Visitor parking spaces shall be located in a common parking area or as angled parking along internal private streets (or public streets if part of a Townhouse Subdivision, See *Article 6: Subdivision Types* and *Article 7: Design Standards*), but shall be proportionately assigned to areas within 200 feet of each multiple-family structure (or multiple-unit townhouse building if part of a Townhouse Subdivision, See *Article 6: Subdivision Types* and *Article 7: Design Standards*).

5.60 PK-05: Manufactured Home Park Residential Parking Standards

This Parking Standards (PK) section applies to the following zoning district:

MP

The following standards apply:

A. Quantity:
   1. *Dwelling Site*: A minimum of two (2) parking spaces shall be required per dwelling site; and
   2. *Visitors*: One (1) parking space per every three (3) dwelling sites shall be required for visitors.
B. Location:
   1. *Dwelling Site*: The required dwelling site parking spaces shall be located on the dwelling site. The required dwelling site parking spaces may include spaces within garages and/or carports.
   2. *Visitors*: Visitor parking spaces shall be located in a common parking area or as on-street parking along internal private streets, but shall be proportionately dispersed throughout the development.

5.61 PK-06: Urban Commercial Parking Standards

This Parking Standards (PK) section applies to the following zoning district:

UC

The following standards apply:

A. Quantity: One (1) off-street parking space shall be required per residential dwelling unit, when applicable.

B. Location: The off-street parking space required shall be within six hundred (600) feet of the entryway into the building to which the dwelling unit is located and may be in a public or municipal-owned parking lot.

C. Restrictions: Off street parking shall not be between a primary structure and a street right-of-way.

5.62 PK-07: Nonresidential Parking Standards

This Parking Standards (PK) section applies to the following zoning districts:

PR IS NC C1 C2 HC EC I1 I2 MS HI

The following standards apply:

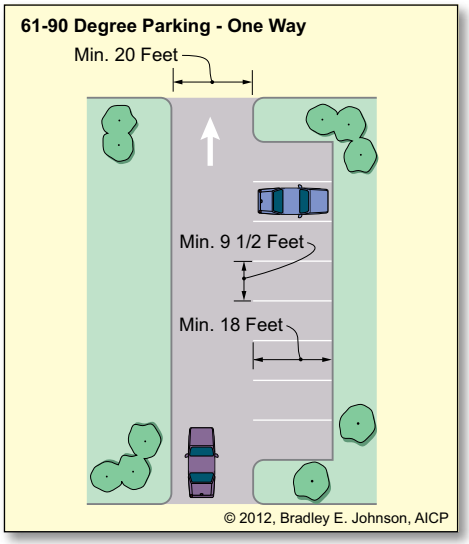
A. Quantity:

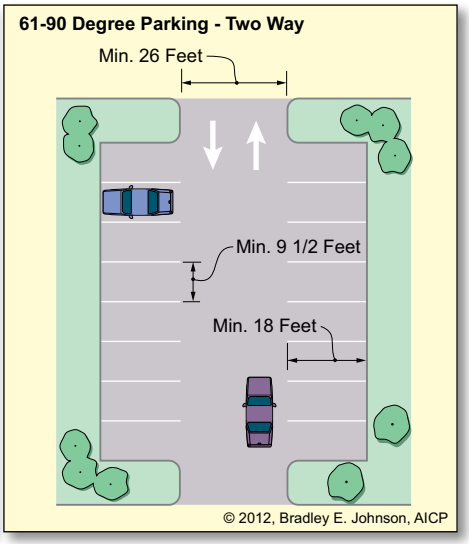
1. *Minimum Number*:
   a. Off-street parking shall be required for all uses as shown in *Table PK-A: Minimum Number Of Parking Spaces Per Use*. The land use is listed in the left column. The minimum number of parking spaces for employees or tenants is the in middle column, and the minimum number of parking spaces for visitors, clients, and customers is in the right column. The minimum number of parking spaces shall be the sum of all three (3) columns. The numbers do not guarantee the quantity needed per use, only minimums are expressed.
   b. A development that combines two (2) or more uses or group of adjacent developments may provide a shared parking area if the shared lot provides a minimum of seventy-five percent (75%) of the required spaces for each use and the Zoning Administrator approves the shared parking area.
   c. If a use is not clearly noted in *Table PK-A: Minimum Number Of Parking Spaces Per Use*, the Zoning Administrator shall determine a use with similar employment and customer characteristics, therefore determining the minimum number of parking spaces required.
2. *Maximum Number*: Developments that wish to have more than 130% of the minimum required number of spaces shall be required to increase the required perimeter parking lot landscaping (see *Section 5.39: Parking Lot Landscaping Standards*) by fifty percent (50%), and increase the number or size of the required parking lot landscape islands or peninsulas by fifty percent (50%). Developments that wish to have more than 160% of the minimum required number of spaces shall be required to double the required perimeter parking lot landscaping, double the size of the required parking lot landscape islands and peninsulas, and double the required plantings in those parking lot landscape islands or peninsulas.
3. *Bicycle Parking*: Developments are encouraged to provide bicycle parking areas when appropriate. If provided, bicycle parking areas shall be within sixty (60) feet of the main entryway into the primary structure or be located inside the primary structure. Additionally, a permanently anchored bike rack shall be installed to provide the opportunity for secure parking of bicycles.
4. *Stacking Lanes*: The following uses shall provide minimum stacking lane space as indicated below to accommodate drop-off and pick-up.
   a. ATM: 3 per ATM lane.
   b. Banks: 4 per drive-up window lane.
   c. Day care center: 4.
   d. Dry cleaner: 2.
   e. Fast food restaurant: 6 unobstructed spaces to the menu board and 4 spaces from the menu board to the payment window.
   f. Place of Worship: 6.
   g. School: 15 spaces for Elementary, 10 spaces for Middle School, or 5 spaces for High School.

B. Design: Parking lots and parking areas shall meet the following criteria:

1. *Aisle Widths*: Minimum parking aisle widths shall be as follows:

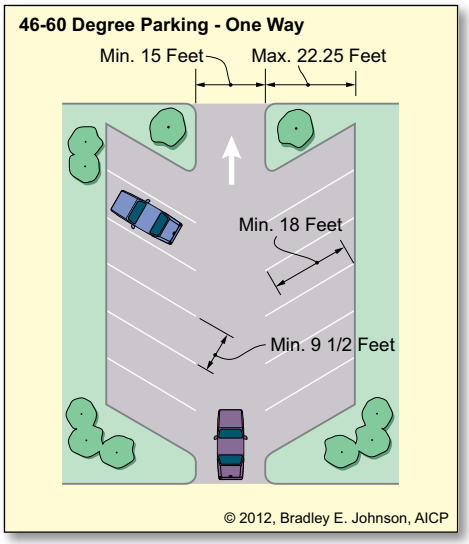
a. Sixty-one degree (61º) to ninety degree (90º) angle spaces shall have a minimum twenty (20) feet wide parking aisle for one-way traffic or minimum twenty-six (26) feet wide parking aisle for two-way traffic.

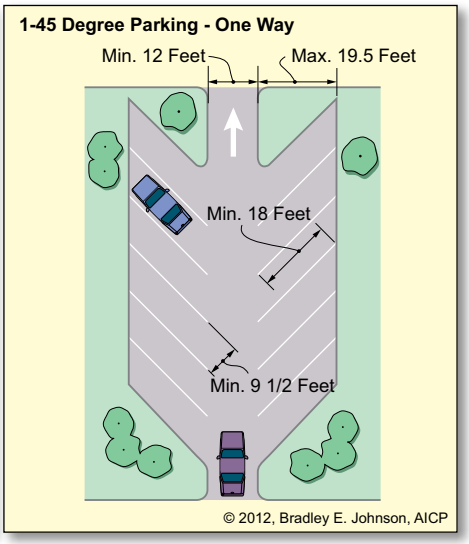




b. Forty-six degree (46º) to sixty degree (60º) angle spaces shall have a minimum of fifteen (15) feet wide parking aisle for one-way traffic.

c. Up to forty-five degree (45º) angle spaces shall have a minimum twelve (12) feet wide parking aisle for one-way traffic.





2. *Aisle Exits*: All parking aisles shall have an outlet or turn around. Dead-end parking aisles shall not be permitted.

3. *Driving Lanes*: Driving lanes in parking lots that provide access to parking aisles shall be defined by striping, curbs, pavement markings, arrows, or parking spaces.

4. *Maneuvering*: Parking areas shall be designed to prevent vehicles from maneuvering in the right-of-way.

5. *Drainage*: Parking areas shall be constructed to prevent ninety-five percent (95%) of a parking lots area from ponding.

6. *Lighting*:
   a. If parking lots are illuminated, the light fixtures and poles shall be consistent in color, size, height, and design.
   b. Parking lot lights shall not exceed twenty-five (25) feet in height, measured from the bottom of the fixture to the ground.
   c. Parking lot lights shall meet all standards in *Lighting Standards (LT)*.
7. *Connectivity*:
   a. Connectivity to adjacent parking lots shall be required in at least one (1) location. This may be accomplished through an aisle connector, frontage street, access street, or stub to an adjacent lot zoned for commercial, institutional, or industrial use. The Zoning Administrator may waive this requirement when:
      i. pre-existing development will not feasibly allow such a connection,
      ii. topography will not feasibly allow such a connection,
      iii. the resulting connection would create a pedestrian or vehicular hazard, or
      iv. the neighboring use would be a conflict with the proposed use on the subject lot.
   b. Cross-access Easements:
      i. Where parking lots connect or are laid out to be connected, a cross-access easement shall be established.
      ii. Cross-access easements shall not be less than ten (10) feet in width per lane nor exceed twelve (12) feet in width per lane.
8. *Cart Corrals*: Cart corrals shall be required for all retail businesses with more than twenty-thousand (20,000) square feet of retail space; that provide shopping carts or the like to customers; and that allow those carts to leave the building. Cart corrals shall be maintained in good condition.
   a. Design: Cart corrals shall be made of permanent materials on all three (3) sides creating an enclosure, and shall be anchored to the parking lot surface. Cart corrals shall be constructed using one of the following material options:
      i. Decorative metal railing at least thirty-six (36) inches in height with curbed landscape area on all three (3) sides. The landscape area shall be a minimum of three (3) feet in width and contain a minimum of one (1) shrub per four (4) feet of landscaping bed.
      ii. Brick masonry walls at least thirty-six (36) inches in height on all three (3) sides. The materials used in the brick masonry wall shall complement the architecture of the principal structure. Bricks used in the masonry wall shall not exceed five (5) inches by five (5) inches by ten (10) inches in size.
   b. Maximum Size: Cart containment area shall not exceed ten (10) feet in width and eighteen (18) feet in length.
   c. Cumulative Containment: All cart corrals in combination shall be able to accommodate at least fifty percent (50%) of the fleet of shopping carts available.
9. *Reduced Parking Lot Area Standards*: A parking lot may be built with fewer spaces than the required minimum of vehicular spaces identified in *Table PK-A: Minimum Number of Parking Spaces Per Use* if the following standards are met.
   a. Adequate and appropriate space shall be land-banked such that the full number of parking spaces required in *Table PK-A: Minimum Number of Parking Spaces Per Use* can be built on-site at a later date, should the need arise.
   b. The property owner shall record a site plan that clearly denotes the land-banked area, and that identifies the area as a "no-build area." The no-build area shall only allow landscaping material and shall restrict any septic system, structure, foundation, change in topography, or any other permanent or temporary structure or alteration that would make it cost prohibitive or difficult to develop parking on that area in the future.
   c. A design for a parking lot that accommodates all the required parking spaces and that abides by the on-site drainage standards shall be submitted for review. The reduced parking lot shall be a portion of the full parking lot. The full and partial parking lot designs shall be concurrently subject to the same review process necessary to meet the applicable requirements of the Unified Development Ordinance. If both designs are approved, the smaller parking lot design may be constructed and the full parking lot design shall be recorded.
   d. Under no circumstances may the smaller parking lot design establish less than forty percent (40%) of the required parking spaces in *Table PK-A: Minimum Number of Parking Spaces Per Use*.
   e. If the smaller parking lot is periodically full, the additional parking shall be required to be constructed. Evidence of employees or guests parking on the grass or on-street shall constitute a violation.

Parking Standards (PK)

Table PK-A: Minimum Number Of Parking Spaces Per Use

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Commercial Uses		
amusement park	-	1 space per 3 capacity
animal grooming	1 space per employee on the largest shift	1 space per 400 sq. ft. of GFA
auction (indoor)	-	1 space per 3 persons of maximum capacity
auction (outdoor)	-	discretionary, as per zoning administrator study
automobile accessory installation	1 space per employee on the largest shift	2 spaces per bay
automobile body shop	1 space per employee on the largest shift	2 spaces per bay
automobile oil change facility	1 space per employee on the largest shift	2 spaces per bay
automobile repair/service station	1 space per employee on the largest shift	2 spaces per bay
automobile wash	1 space per employee on the largest shift	2 spaces per bay (full or self-service)
bakery	-	1 space per 300 sq. ft. GFA
bank	-	1 space per 250 sq. ft. GFA
bank/atm, drive-up	-	-
bank/atm, walk-up	-	1 space per ATM
banquet hall	-	1 space per 2.5 persons of maximum capacity
bar or tavern	-	1 space per 2.5 persons of maximum capacity
barber or beauty shop	-	3 spaces per chair
billiard hall or arcade	-	1 space per 200 sq. ft. or 1 space per table, whichever results in the greater number of spaces
bowling alley	-	4 spaces per lane
brew pub	-	1 space per 2.5 persons of maximum capacity
broadcast studio	1 space per employee on the largest shift	1 space per 300 sq. ft. of GFA
campground (primitive)	-	1 per designated campsite
campground (serviced)	-	1 space per designated campsite
car rental	2 spaces per employee on the largest shift	-
catering service	1 space per employee on the largest shift	1 space per 300 sq. ft. of GFA accessible to the public
check cashing service	-	1 space per 300 sq. ft. of GFA
club or lodge	-	1 space per 3 persons of maximum capacity
coffee shop	-	1 space per 2 seats
coin laundry	-	1 space per 3 washing machines
computer service	1 space per employee on the largest shift	1 space per 400 sq. ft. of GFA
copy center	1 space per employee on the largest shift	1 space per 300 sq. ft. of GFA
counseling center	1 space per employee on the largest shift	1 space per 200 sq. ft. of GFA , a minimum of 4 spaces
country club	-	1 space per 3 persons of maximum seating capacity
crematory	1 space per employee on the largest shift	5 visitor spaces
day care	-	1 space per 4 persons of licensed capacity
delicatessen	-	1 space per 2 seats
design services	1 space per employee on the largest shift	1 visitor spaces
donation collection point	1 space per employee on the largest shift	5 visitor spaces
driving range	-	2 spaces per 3 tee boxes
dry cleaning pickup and drop-off	3 spaces	1 space per 300 sq. ft. of GFA accessible to the public
express shipping center	1 space per employee on the largest shift	1 space per 300 sq. ft. of GFA
exterminator	1 space per employee on the largest shift	1 space per vehicle normally parked on the premises
farmers market	-	1 space per 200 sq. ft. GFA
funeral home	-	1 space per 4 chapel or parlor seats
gas station	1 space per employee on the largest shift	3 spaces per double-sided pump for refueling and staging; and 1 space per 3 restaurant seats ; and 1 space per 200 gross sq. ft. of convenience store space
golf course	-	20 spaces per 9 holes
hotel	1 space per employee on the largest shift	1 space per unit
ice cream shop	-	1 space per 3 seats
kennel	-	1 space per 10 pet accommodation spaces
media rental	-	1 space per 300 sq. ft. GFA
medical clinic	-	4 spaces per treatment room
mobile device dealer	-	1 space per 300 sq. ft. GFA
motel	1 space per employee on the largest shift	1 space per unit
nail salon	-	3 spaces per station

Parking Standards (PK)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Commercial Uses		
night club	-	1 space per 2.5 persons of maximum capacity
office, construction trade	1 space per employee on the largest shift	-
office, general	-	1 space per 300 sq. ft. GFA
office, medical	-	1 space per 300 sq. ft. GFA
paintball facility	-	1 space per 3 persons of maximum capacity
parcel shipping	1 space per employee on the largest shift	1 space per 300 sq. ft. of GFA accessible to the public
party facility	1 space per employee on the largest shift	1 space per 3 persons of maximum capacity
pharmacy	1 space per employee on the largest shift	1 space per 300 sq. ft. of GFA accessible to the public
photography studio	-	3 spaces per studio
printing, commercial	-	1 space per 300 sq. ft. GFA
race track	-	1 space per 4 seats
real estate office	-	1 space per 300 sq. ft. GFA
recreation center (indoor)	-	1 space per 3 persons of maximum capacity
recreation center (outdoor)	-	1 space per 3 persons of maximum capacity
recreational vehicle park		1.5 spaces per recreation vehicle site
rehabilitation clinic, medical	-	4 spaces per treatment room
repair shop, electronics	-	1 space per 300 sq. ft. GFA
repair shop, equipment	-	1 space per 300 sq. ft. GFA
repair shop, general	-	1 space per 300 sq. ft. GFA
restaurant	1 space for each employee of largest shift	1 space per 3 seats
restaurant, drive-in	1 space per employee on the largest shift	1 space per 3 ordering bay's
restaurant, drive-through only	1 space per employee on the largest shift	-
restaurant with drive-up window	-	1 space per 2 seats
seamstress/tailor	-	1 space per 300 sq. ft. GFA
self-storage warehouse	1 space per employee on the largest shift	1 space per 100 individual storage spaces
sexually oriented entertainment	-	1 space per 300 sq. ft. GFA
shoe repair	-	1 space per 300 sq. ft. GFA
shooting range (indoor)	-	1 space per station
shooting range (outdoor)	-	2 spaces per target
software development	1 space per employee on the largest shift	-
spa	1 space per employee on the largest shift	1.5 spaces per treatment room
sports field (indoor)	1 space per employee on the largest shift	20 spaces per field or court
sports field (outdoor)	1 space per employee on the largest shift	20 spaces per field or court
studio arts	-	1 space per 3 persons of maximum capacity
swimming pool	-	1 space per 75 sq. ft. of swimming pool area
tanning salon	-	2 spaces per tanning room or station
tattoo/piercing parlor	-	3 spaces per chair or studio
theater, movie (indoor)	-	1 space per 4 seats
theater, movie (outdoor)	1 space per employee on the largest shift	1 space per car at maximum capacity
title company	-	1 space per 300 sq. ft. GFA
tool/equipment rental (indoor)	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (vehicles) displayed
tool/equipment rental (outdoor)	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (vehicles) displayed
trade or business school	1 space per teacher, staff, administrator	1 space per 3 students
travel agency	-	4 spaces per 1,000 sq. ft. of GFA
veterinary clinic	-	4 spaces per treatment room
veterinary hospital	-	4 spaces per treatment room
water park	1 space per employee on the largest shift	1 space per 3 persons of maximum capacity
wellness facility	-	4 spaces per treatment room
winery	1 space per employee on the largest shift	1 space per 300 sq. ft. GFA

Parking Standards (PK)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Institutional Uses		
aquarium	1 space per employee on the largest shift	1 space per 3 persons of maximum capacity
arena	-	3 spaces per seat
botanical gardens	-	1 space per 3 persons of maximum capacity
cemetery or mausoleum	-	1 space per 50 grave sites
child care institution	1 space per employee on the largest shift	1 space per 3 persons client capacity
community center	-	1 space per 3 persons of maximum capacity
emergency service training facility	1 space per teacher, staff, administrator	1 spaces per 2 students
fairground	-	discretionary, as per zoning administrator study
fire, police, or rescue station	1 space per employee	-
government office	-	1 space per 500 gross sq. ft. or 1 per 2 seats in the largest assembly space capacity, whichever results in the largest number
government operations facility	1 space per employee on the largest shift	-
heliport, public	-	1 space per 2 emplaning passengers
homeless shelter	-	1 space per 3 persons of maximum capacity
hospice facility	1 space per employee on the largest shift	3 spaces per hospice suite
hospital	-	2 spaces per 1 bed
information center	1 space per employee on the largest shift	1 space per 300 sq. ft. of GFA accessible to the public
jail	1 space per employee on the largest shift	1 visitor space per 8 cells
juvenile detention facility	1 space per employee on the largest shift	1 visitor space per 8 cells
library	-	1 space per 3 persons of maximum capacity
museum	-	1 space per 2.5 persons of maximum capacity
nature center	-	1 space per 3 persons of maximum capacity
nature preserve	-	2 spaces
observatory	-	5 spaces
park, public	-	1 space per acre; 20 spaces per sport court or field; and 1 space per 75 sq. ft. of water surface of pools
performing arts center	-	1 space per 3 seats
place of worship	-	3 spaces per 7 seats
police substation	1 space per employee on the largest shift	2 visitor spaces
post office	1 space per employee on the largest shift	1 space per 150 sq. ft. accessible to the public
prison	1 space per employee on the largest shift	1 visitor space per 15 cells
recycling collection point	1 space per employee on the largest shift	1 space per collection bin
rehabilitation clinic, drug	1 space per employee on the largest shift	4 spaces per treatment room or doctor
school (P-12), private	1 space per teacher, staff, administrator	3 spaces per elementary or junior high classroom; 1 space per 10 high school student capacity; and 1 space per 4 seats in the largest assembly space in the school (based on occupancy)
school (P-12), public	1 space per teacher, staff, administrator	3 spaces per elementary or junior high classroom; 1 space per 10 high school student capacity; and 1 space per 4 seats in the largest assembly space in the school (based on occupancy)
sewage treatment facility, public	1 space per employee on the largest shift	1 visitor space per 10 employees
shelter	-	1 space per 3 persons of maximum capacity
sports stadium	-	4 spaces per seat
transit station (local hub)	-	8 spaces per bus bay
transit station (regional)	-	discretionary, as per zoning administrator study
university or college	1 space per teacher, staff, administrator	1 space per 5 students
water tower	-	1 space per facility
water treatment facility, public	-	1 space per facility
wellhead, public	-	2 spaces
wildlife preserve	-	5 spaces
zoo	1 space per employee on the largest shift	1 space per 3 persons of maximum capacity

Parking Standards (PK)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Industrial Uses		
asphalt plant	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
assembly	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
bio-diesel production	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
bio-fuels production	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
blast furnace	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
bottling/canning	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
brewery	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
broadcast facility	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
call center	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
chemical manufacturing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
coke oven	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
composting facility	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
concrete plant	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
construction materials landfill	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
distribution facility	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
dry cleaning processing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
electrical generation plant	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
explosives manufacturing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
fireworks manufacturing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
fleet vehicle storage	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
flex space	-	1 visitor space per 350 sq. ft. GFA
food processing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
freight terminal	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
fuel dealer	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
heavy equipment repair	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
heliport, private	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
incinerator	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
industrial park	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
junk yard	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
liquid fertilizer distribution	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
manufacturing, heavy	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
manufacturing, light	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
materials recycling (type 1)	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
materials recycling (type 2)	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
materials recycling (type 3)	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
meat processing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
metal casting	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
mining, rock or sand	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
motor sports team	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
outdoor storage	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
petroleum processing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
printer, industrial	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
produce terminal	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
rail yard	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
rendering plant	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
research center, general	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
research center, medical	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
rock crushing	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
sanitary landfill/refuse dump	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
saw mill	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees

Parking Standards (PK)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Industrial Uses		
scrap metal yard	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
sign fabrication	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
smelting	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
stone cutting	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
storage tanks (hazardous)	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
storage tanks (non-hazardous)	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
telecommunication facility	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
testing lab, electronics	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
testing lab, materials	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
tool and die shop	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
transfer station	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
utility facility, above ground	-	1 space per facility
warehouse	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
welding service	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees
wholesale business	1.1 spaces per employee on the largest shift	1 visitor space per 10 employees

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Residential Uses		
assisted living facility	1 space per employee on the largest shift	1 space per 3 rooms
caretakers residence	1 space per dwelling unit	-
dwelling, accessory	1 space per dwelling unit	1 visitor space
dwelling, upper floor (multiple-family)	1 space per dwelling unit	-
dwelling, upper floor (1 unit)	1 space per dwelling unit	-
fair housing facility (large)	as per single-family standard	1 space per 4 persons of client capacity
hostel	1 space per employee on the largest shift	1 space per 3 beds
nursing home	1 space per employee on the largest shift	1 space per 3 rooms

Parking Standards (PK)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Retail Uses		
antique shop	-	1 space per 300 sq. ft. of GFA
apparel shop	-	1 space per 300 sq. ft. of GFA
art and craft supplies	-	1 space per 300 sq. ft. of GFA
art and craft gallery	-	1 space per 300 sq. ft. of GFA.
ATV sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of GFA; 1 space per 20 outdoor units (vehicles) displayed
automobile parts sales	-	1 space per 300 sq. ft. GFA
automobile sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (vehicles) displayed
bakery	-	1 space per 300 sq. ft. of GFA
boat sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (vehicles) displayed
book store	-	1 space per 300 sq. ft. of GFA
boutique	-	1 space per 300 sq. ft. of GFA
building supply store (large)	-	1 space per 500 sq. ft of GFA
building supply store (small)	-	1 space per 300 sq. ft. of GFA
construction vehicle sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (vehicles) displayed
convenience store	-	1 space per 300 sq. ft. of GFA
craft gallery	-	1 space per 300 sq. ft. of GFA
department store (large)	-	1 space per 500 sq. ft of GFA
department store (small)	-	1 space per 300 sq. ft. of GFA
drug store	-	1 space per 300 sq. ft. of GFA
fabric shop	-	1 space per 300 sq. ft. of GFA
farm equipment sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (equipment) displayed
fireworks sales	-	1 space per 300 sq. ft. of GFA
flower shop	-	1 space per 300 sq. ft. of GFA
furniture store (large)	-	1 space per 500 sq. ft of GFA
furniture store (small)	-	1 space per 300 sq. ft. of GFA
garden shop	-	1 space per 300 sq. ft. of GFA
gift shop	-	1 space per 300 sq. ft. of GFA
grocery/supermarket (large)	-	1 space per 500 sq. ft of GFA
grocery/supermarket (small)	-	1 space per 300 sq. ft. of GFA
gun sales	-	1 space per 300 sq. ft. of GFA
home electronics/appliance (large)	-	1 space per 500 sq. ft of GFA
home electronics/appliance (small)	-	1 space per 300 sq. ft. of GFA
hunting store	-	1 space per 300 sq. ft. of GFA
jewelry store	-	1 space per 300 sq. ft. of GFA
liquor sales	-	1 space per 300 sq. ft. of GFA
manufactured home sales	1 space per employee on the largest shift	1 space per 1,000 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (homes) displayed
meat market	-	1 space per 300 sq. ft. of GFA
music/media shop	-	1 space per 300 sq. ft. of GFA
news dealer	-	1 space per 300 sq. ft. of GFA
office supply store (large)	-	1 space per 500 sq. ft of GFA
office supply store (small)	-	1 space per 300 sq. ft. of GFA
party/event store (large)	-	1 space per 500 sq. ft of GFA
party/event store (small)	-	1 space per 300 sq. ft. of GFA
pro shop	-	1 space per 300 sq. ft. of GFA
semi tractor-trailer sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (vehicles) displayed
sexually oriented retail	-	1 space per 300 sq. ft. of GFA
shoe store	-	1 space per 300 sq. ft. of GFA
sporting good store (large)	-	1 space per 500 sq. ft of GFA
sporting goods (small)	-	1 space per 300 sq. ft. of GFA

Parking Standards (PK)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
Retail Uses		
superstore	-	1 space per 500 sq. ft of GFA
tool/equipment sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of indoor showroom space; 1 space per 20 outdoor units (vehicles) displayed
variety store (large)	-	1 space per 500 sq. ft of GFA
watercraft sales	1 space per employee on the largest shift	1 space per 500 sq. ft. of GFA; 1 space per 20 outdoor units (vehicles) displayed

5.63 SB-01: Setback Standards

This Setback Standards (SB) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Cross Reference:
   1. *Environmental Feature Setbacks*: See *Environmental Standards (EN)* for setbacks from environmental standards.
   2. *Parking Setbacks*: See *Parking Standards (PK)* for setbacks for parking lots and off-street parking spaces.
   3. *Sign Setbacks*: See *Sign Standards (SI)* for setbacks for free standing signs.
   4. *Telecommunication Facility Setbacks*: See *Telecommunication Facility Standards (TC)* for setbacks for telecommunication facilities.

B. Exemption: A platted subdivision (i.e. secondary plat approval) established prior to February 1, 2013 shall be regulated using the front yard setback, side yard setback, and rear yard setback standards that were in place at the time of platting.

C. Applicability: If a setback standard does not appear on the two-page layout for a zoning district, then the standard does not apply to that particular zoning district.
   1. *Minimum Front Yard Setback*:
      a. The minimum front yard setback shall be as described in the applicable two-page layout in *Article 2: Zoning Districts*.
   2. *Minimum Side Yard Setback*:
      a. The minimum side yard setback shall be as described in the applicable two-page layout in *Article 2: Zoning Districts*.
   3. *Minimum Rear Yard Setback*:
      a. The minimum rear yard setback shall be as described in the applicable two-page layout in *Article 2: Zoning Districts*.
   4. *Minimum Dwelling Site Front Yard Setback*: The minimum dwelling site front yard setback shall be per each two-page layout in *Article 2: Zoning Districts*.
   5. *Minimum Dwelling Site Side Yard Setback*: The minimum dwelling site side yard setback shall be per each two-page layout in *Article 2: Zoning Districts*.
   6. *Minimum Dwelling Site Rear Yard Setback*: The minimum dwelling site rear yard setback shall be per each two-page layout in *Article 2: Zoning Districts*.

D. Measurement: Setbacks shall be measured from the property lines of the subject lot, except for properties which front on a private street or shared driveway. If a property is located along a private street or shared driveway, the front yard setback shall be measured from the edge of pavement of the private street plus ten (feet) to accommodate drainage and a sidewalk, either now or in the future.

E. Administrative Discretion: The Zoning Administrator may allow a front yard setback, side yard setback, and/or rear yard setback, for primary or accessory structures, to utilize established setback standards in special circumstances (e.g. a historic and narrow lot being used for infill development). Specifically, an established setback may be permitted when the result of applying the applicable setbacks for the subject lot would result in discontinuity with adjacent properties in the same zoning classification; or would substantially constrain development opportunity on the lot in a way inconsistent with adjacent properties within the same zoning classification. The Zoning Administrator may reject requests to utilize established setbacks if the proposed architecture, massing, or building form is inconsistent with the adjacent architecture.

F. Exceptions: The following types of structures or features are exempt or partially exempt from the setback standard as stated:

1. *Wall Signs*: Signs mounted on the side of a building shall be exempt from the setbacks in this section, but shall not project more than twelve (12) inches from the facade.
2. *Architectural Features*: Cornices, eaves, sills, canopies, or similar features shall be permitted to encroach into a required front, side, and/or rear yard setback not more than three (3) feet. However, these items shall never be closer than three (3) feet to the property line. This provision does not apply to the UC District.
3. *Awnings*: Awnings shall be permitted to encroach into a required front, side, and/or rear yard setback not more than four (4) feet, but shall not be closer than three (3) feet to the property line. This provision does not apply to the UC District.
4. *Chimneys*: Chimneys that are 100% brick masonry shall be permitted to extend into a required setback not more than two (2) feet. However, chimneys shall never be closer than three (3) feet to a property line. This provision does not apply to the UC District.
5. *Fences and Walls*: Fences and walls shall be exempt from the setbacks in this section, but shall abide by the fence and wall standards in *Fence and Wall Standards (FW)*.
6. *Driveways*:
   a. Connection to Public Street: A driveway from the primary structure or a detached garage to the public right-of-way shall be exempt from the front yard setback standard where it connects to the street. Driveway setbacks from the side yard property line shall be as follows:
      i. One-half of a permitted shared driveway may be located up to the side property line so the two halves may connect, making one driveway.
      ii. All other driveways shall comply with half (½) the minimum side yard setback applicable to accessory structures.
   b. Connection to Private Street: driveway from the primary structure or a detached garage to the public right-of-way a private street shall be exempt from the front, side or rear yard setback standard where it connects to the private street.
7. *Sidewalks*: A sidewalk from the primary structure to the public right-of-way shall be exempt from setback standards where it connects to the right-of-way.
8. *Utility Poles, Lines, and Junction Boxes*: Utility poles, lines, and junction boxes shall be exempt from the setbacks in this section.
9. *Trash Receptacles*: Trash receptacles shall meet the setback standards in *Trash Receptacle Standards (TR)*.
10. *Stairs or Landing*: Stairs or an open platform or landing which does not extend above the level of the floor elevation of the first floor of the structure shall be permitted to extend into a required front, side, and/or rear yard setback not more than four (4) feet. However, these items shall never be closer than three (3) feet to the side property line or ten (10) feet to the front or rear property line.

5.64 SW-01: Sewer and Water Standards

This Sewer and Water Standards (SW) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Applicability: If the below listed sewer and water standard does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.

1. *Sewer*: Connection to a sanitary sewer utility shall be per each two-page layout in *Article 2: Zoning Districts*. Details about the terminology on the two-page layouts is as follows.
   a. Required: The term "required" shall mean a connection to the Town of Brownsburg municipal sanitary sewer system, or other utility providing said service, shall be required.
   b. Required When Available: The term "required when available" with or without a multiplier shall mean a connection to the Town of Brownsburg municipal sanitary sewer system, or other utility providing said service, shall be required except as otherwise provided for under *Section 52.02(G)* in the Town Code, or is within cost basis within the multiplier listed. The multiplier rule is described below.
   c. Multiplier Rule: The following describes the multiplier rule for sewage treatment:
      i. On-site System Cost: Get an estimate for installing an on-site system (e.g. septic system), or repairing or replacing an existing on-site system, as applicable, meeting all health department requirements.
      ii. Off-site Connection Cost: Get an estimate to connect to the nearest (or lesser cost option if it is not the nearest) public or private utility with adequate capacity. The estimate should include materials, labor, equipment, and tap-in fees for the installation of a sewer connection to a public or private utility (e.g. availability fees charged by the Town and cost recovery fees), including, any costs associated with the required abandonment of the existing septic system. A single, legitimate bid from a reputable and qualified contractor shall be sufficient. When a sewer line is a significant distance away or for another technical reason is clearly many times more expensive, a simple letter from a reputable and qualified contractor or civil engineer describing why the cost would be well in excess of the multiplier rule will suffice. Additionally, the Zoning Administrator may recognize in writing that connecting to a sewer line would be well in excess of the multiplier rule and waive the requirement for the calculations to be conducted or a letter be submitted.
      iii. Determining the Requirement: Multiply the cost of installing an on-site system (e.g. septic system) by the assigned multiplier. If the cost of connecting to the public or private utility is less, then the improvement is required to connect to the utility's lines. If the cost of connecting to a public or private utility is more than the multiplied cost of installing an on-site system, then an on-site system meeting all health department requirements may be installed.
      iv. Multiple Dwelling Units: For developments with two or more lots, dwelling units, or primary structures, the cumulative cost of installing on-site systems for each lot, dwelling unit, or primary structure shall be used in comparison to connecting the entire project to a private or public utility.
   d. Subsidy: The Town of Brownsburg or a utility company may bridge the financial gap on a project when the property owner is not required to connect to the utility using the multiplier rule. The financial contribution only needs to lower the cost of the connection to a utility to an amount that makes the project cost fall within the multiplier rule.

2. *Water*: Connection to a water utility shall be per each two-page layout in *Article 2: Zoning Districts*. Details about the terminology on the two-page layouts is as follows.
   a. Required: When water is stated as "required" a connection to the Town of Brownsburg municipal water system, or other utility providing said service, shall be required.

5.65 SX-01: Sexually Oriented Entertainment Business Standards

This Sexually Oriented Entertainment Business Standards (SX) Section applies to the following zoning district:

C2

The following standards apply:

A. Permits: Sexually oriented entertainment businesses shall obtain an Improvement Location Permit prior to establishing the business.

B. Measurement Rules: Separation distances shall be measured in a straight line from the closest points between property lines, without regard to intervening structures or objects.

C. Separation: Sexually oriented entertainment businesses shall have the following separation requirements:
   1. *Similar Businesses*: Sexually oriented entertainment businesses shall be separated from other sexually oriented entertainment businesses by at least 1,000 feet.
   2. *Residential Districts*: Sexually oriented entertainment businesses shall be separated from residential zoning districts by at least 1,000 feet.
   3. *Public Gathering Places*: Sexually oriented entertainment businesses shall be separated from public gathering places such as schools, parks, playgrounds, libraries, religious institutions, day-care centers, the Ronald Reagan Parkway, and public structures by at least 750 feet.

D. Design:
   1. *Parking*:
      a. Parking lots shall not accommodate semi tractor trailers.
      b. Overnight parking shall not be permitted.

5.66 SI-01: General Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS HI

The following standards apply:

A. Cross Reference:

1. *Home Businesses*: Signs associated with a home business shall be exempt from the Sign Standards section, but shall comply with the *Home Businesses Standards (HB)*.
2. *Lighting Standards*: When illumination of signs is permitted by this Sign Standards section, all illumination and lighting associated with signs shall meet the glare, light trespass, and any other applicable *Lighting Standards (LT)*.
3. *Special Event Signs*: Signs associated with special events as permitted in *Section 5.88: Nonresidential Temporary Use and Structure Standards* shall be exempt from the Sign Standards section, but shall comply with that section's limitations.

B. Freedom of Speech: Any permanent sign or standard temporary sign permitted by the Sign Standards may be used for freedom of speech (i.e. the expression of opinions not including commercial messages) for any length of time.

C. Permits:

1. *Improvement Location Permit*: An Improvement Location Permit shall be required for all signs located, erected, constructed, reconstructed, enlarged, moved, or altered, except as follows:
   a. Signs undergoing periodic or routine maintenance, including painting, repainting, cleaning and changing burnt-out light elements. Maintenance does not include changing the intensity or brightness of internal or external lighting.
   b. Changing of the sign's message (i.e. content) assuming the sign area, projection, dimension, materials (e.g. changing a wood sign to a LED sign), and other "time, place, and manner" standards are not changed.
   c. Standard Temporary Signs as may be permitted in each zoning district, but shall still comply with all applicable standards.
   d. Permitted and legally complying temporary signs that are replaced due to storms, mowing, or site maintenance; and when intentionally removed and replaced at a later time (e.g. at the end of business hours and replaced at the beginning of business hours).
   e. Permanent and legally complying signs damaged by accident or mother nature, when replaced with an effectively identical sign.
2. *State Permit*: All signs proposed to be located along a State-owned interstate or highway shall obtain the proper State sign permit or written authorization from the Indiana Department of Transportation prior to seeking an Improvement Location Permit from the Town of Brownsburg.

D. Interim Sign:

1. *Qualification*: Any new businesses may install an interim sign if their permanent sign is not able to be installed on or before the official occupancy date; or any business that has lost a pre-existing, legally established permanent sign due to fire, automobile accident, or act of mother nature may install an interim sign while a permanent sign is being fabricated to replace the lost sign. Under all circumstances, the following conditions shall be met:
   a. Proposal for Interim Sign: The property owner shall make a request for an interim sign, including the material, location, anchoring method, proposed installation date, and other information that may be requested by the Zoning Administrator.

b. Approval of Permanent Signs: A sign permit for one (1) or more permanent signs shall be fully approved prior to any interim signs being installed. If the permanent sign was pre-existing, evidence that the sign was legally established shall be confirmed before installing the interim sign.

c. Proof of Purchase: Proof shall be provided to the Zoning Administrator that the approved permanent sign has been officially commissioned or purchased from a sign manufacturer.

d. Size and Height: An interim sign shall not be larger in sign area or mounted higher than the corresponding approved permanent sign.

e. Location: The interim sign shall generally be in the same location as the approved permanent sign.

f. Quantity: No more than one (1) interim sign per approved (or lost) permanent sign shall be installed, with a maximum of two (2) interim signs in total.

g. Time Limitation: An interim sign may be in place for up to ninety (90) days. If evidence that unforeseen circumstances has prevented the permanent sign from being installed, the Zoning Administrator can grant a one-time thirty (30) day extension.

h. Building Inspector: An inspection of the interim sign is not required. However, if the building inspector becomes aware of any safety concerns, those concerns shall be addressed to his/her satisfaction within a time-frame consistent with the safety concern.

i. Maintenance: The interim sign shall be kept in good repair.

j. Removal: The interim sign shall be removed upon delivery and installation of the permanent sign(s).

E. Exempt: The following devices, as described, are not considered commercial messages and shall be exempt from the Sign Standards. However, the below described exemptions shall still meet all Vision Clearance Standards (VC) and other non-sign standards. Items that do not meet the description and that are used as part of, or fully as, a commercial message shall be regulated as a sign.

1. *Flags*: A flag or insignia of any nation, state, municipality, or other political unit is exempt. However, when a flag or insignia of any nation, state, municipality, or other political unit is used as an integral component of a commercial message, it shall comply with the sign standards for the applicable zoning district. For example, an American Flag integrated into a corporation's brand or logo.

2. *Political Signs*: Political campaign signs shall be exempt.

3. *Public Safety Message*: Posting of a public safety or privacy message by a private property owner shall be exempt, provided that no individual posting exceeds the maximum area permitted for a standard temporary sign in the applicable zoning district. Examples include "Beware of Dog," "Private Property," "No Trespassing," "Weight Limit," "Video Surveillance," and "No Turnaround."

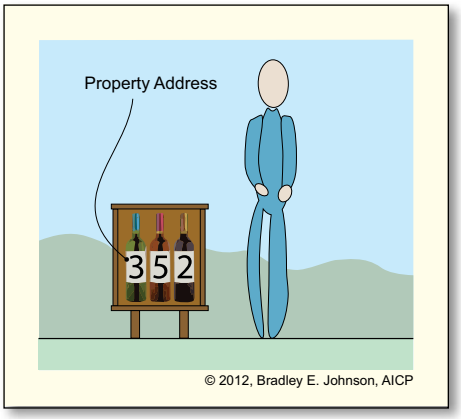
4. *Operational Limitations or Information*: Posting of operational limitations and information shall be exempt, provided the letters are not greater than twelve (12) inches in height. Examples include hours of operation, admittance requirements, "Employees Only," "Men," "Women," "Visitor Parking," and "No deliveries."

5. *Indoor Commercial Messages*: Commercial messages displayed inside a building that cannot be viewed legibly by pedestrians or drivers outside the building shall be exempt. Examples include a commercial message on a scoreboard inside a gymnasium, a wall clock inside a restaurant with a branded logo, or product signs hanging or mounted on the wall of a retail store.

6. *Miniscule Commercial Messages*: Miniscule commercial messages displayed on or near a primary entrance shall be exempt, provided that the area of each miniscule commercial message does not exceed thirty (30) square inches and the cumulative area of all miniscule commercial messages does not exceed two (2) square feet per primary entrance. Examples include "Visa," "Master Card," "Diner's Club," "ATM Inside," and corporate logos of products sold inside.

7. *Price Tags*: A price tag in conjunction with outdoor merchandise shall not be considered a sign if less than eighty (80) square inches.

8. *Addresses*: Posting of a street address on a mailbox, building, or other prominent location to provide adequate property identification shall be exempt. However, when a street address is more than four times (4X) the minimum required address size required by the 2006 International Fire Code, or integrates graphics that convey a commercial message, then it shall be regulated as a sign. For example, an address posted on a sign illustrated with bottles of wine for a wine shop would not be exempt.



9. *Residential Nameplate*: Posting of the occupant's name in a single-family residential districts when the text is not greater than nine (9) inches in height is exempt (e.g. "Smith Family" or "Jones Place").
10. *Property Name*: A name given to a property and posted by the owners, and that does not exceed five (5) square feet in sign area is exempt. For example "Dream Cottage" or "Wild Wind Farm." However, if the sign is related to the property's use for a commercial purpose (e.g. a home business, bed and breakfast, vacation rental, or has agricultural tourism) the property name sign shall not be exempt.
11. *Required Postings*: Messages required by a State agency, State law, federal agency, or federal law shall be exempt, provided the area of the message and height of posting are consistent with the minimum requirement by the agency or law.
12. *Religious Symbols*: Religious symbols (e.g. Cross, Star of David, or Star and Crescent) incorporated into the architecture or site at places of worship occupied by the religious organizations shall be exempt. Logos, brands, or slogans used by religious organizations shall not be considered religious symbols.
13. *Murals*: A mural shall be exempt, provided it conveys no commercial message. Murals with a commercial message shall be regulated as a wall sign.
14. *Commercial Messages on a Permanent Display Board*: A commercial message attached to and contained within the sign area of a legally established permanent display board sign shall be exempt.
15. *Outdoor Sports Fields*: Any advertising or sponsor signs mounted on an outdoor scoreboard, dugout, press box, fence, bleachers, concession stand, restroom, or similar structures used in conjunction with a legally-established sport field shall be exempt if designed to be predominantly seen by the players and audience. However, if the advertising is visible from a public street and contains a commercial message intended for the non-attending public, it shall comply with the sign standards for the applicable zoning district.
16. *Directional Devices*: Directional devices used to mark the entrance or exit of an establishment for vehicle safety and information purposes that does not exceed the following limitations shall be exempt:
    a. Applicable Zoning Districts: The commercial, M2, M3, institutional, parks and recreation, or industrial zoning districts may utilize directional devices.
    b. Device Area: Directional devices shall not exceed four (4) square feet in area per face.
    c. Device Height: Directional devices shall not exceed three (3) feet in height.
    d. Quantity: Two (2) directional devices may be installed per street frontage in which the property has legally established curb cuts; with an absolute maximum of four (4).
    e. Location: Directional devices shall be subject to *Section 5.66(G): Prohibited Locations*.
    f. Message: Directional devices shall either contain the words "In," "Enter," "Entrance," "Out," "Exit," "Do Not Enter," or similar; and/or have directional arrows indicating desired traffic movement. Further, directional devices may include corporate colors or a corporate logo as long as the corporate logo does not exceed fifty percent (50%) of the device area.

17. *Wayfinding System Signs*: Wayfinding systems may be permitted for large developments that encompass multiple lots or multiple buildings, provided the following conditions are met.
    a. Wayfinding systems shall be used to direct vehicular and pedestrian traffic to specific neighborhood, amenity, or other major destinations.
    b. Wayfinding systems shall be required to have signs of consistent size, scale, and appearance.
    c. Wayfinding signs shall not exceed six (6) feet in height and two (2) square feet in sign area.
    d. Proposals for wayfinding systems shall be reviewed and approved at the discretion of the Zoning Administrator. The Zoning Administrator may take into account the need for the wayfinding system, the size and complexity of the development, quantity and location of signs, number of entrances and exits, and the appearance of signs.

F. Prohibited Signs: The following type of signs shall be prohibited.
1. *Animated*: Signs that gain attention through animation shall not be permitted, including any of the following.
    a. Signs that utilize any motion picture or animation from an LED display, LED projector, film projector, video projector, or the like.
    b. Signs that emit audible sound, odor, or visible matter.
    c. Signs that have blinking, flashing, scrolling, or fluttering lights; or changing light intensity, brightness, or color; or that give such illusion.
    d. Signs that "shoot" laser light, "cast" intense or visible light beams, or cast laser or projector-created light images onto the ground, sidewalk, wall or other visible surface.
2. *Vehicle Signs*: Vehicles with signs greater than eight (8) square feet in cumulative area shall not be permitted to be parked for the primary purpose of displaying the sign. Prohibited vehicle signs shall not be construed to include vehicles with signs on them that:
    a. Are lawfully parked overnight or during non-business hours in a discreet location.
    b. Are making deliveries, sales calls, transporting persons or property, or conducting customary practices relating to operating the business.
    c. Are used in conjunction with customary construction operations on a construction site.
3. *Lights*: Strobe lights, search lights, beacons, or any light that rapidly flashes, projects light in visible beams skyward, or projects light horizontally shall not be permitted regardless if the light is part of or independent of a sign.
4. *Signs with Moving or Movable Parts*: Signs or devices with visibly moving parts, including humans holding or acting as signs, shall not be permitted; except as may be permitted as a Special Temporary Sign.
5. *Obscene Content*: Signs that contain obscene content, indecent content, "fighting words," or profane words not allowable on broadcast television or radio during daytime hours according to the rules of the FCC; or content that would result in an NC-17 rating by the Motion Picture Association of America, shall not be permitted.
6. *Driver Hazard*: Signs that emulate emergency service vehicles or common traffic signs or signals shall not be permitted. For example, a sign that uses "Stop," "Slow," "Caution," "Danger," "Warning," or similar words mounted on a sign using similar shape, scale, color, and location resulting in driver confusion or otherwise creating an unsafe condition.
7. *Streamers*: Pennants, streamers, strings of flags, and the like with a commercial message shall be prohibited.
8. *Non-Permitted*: Any sign type not specifically permitted or that isn't clearly meeting the intent of the Sign Standards shall be prohibited.

G. Prohibited Locations: Signs regardless of type, shall not be permitted in any of the following locations, except as may be expressly permitted elsewhere in this Unified Development Ordinance:

1. *Vision Clearance*: Signs shall not be permitted in areas prohibited by *Vision Clearance Standards (VC)*.
2. *Right-of-way*: Signs shall not be permitted in any right-of-way unless authorized by the Town Council, except as allowed in *Section 5.73: Urban Commercial Sign Standards*.
3. *Poles*: Signs shall not be permitted on any traffic control device, street sign, construction sign, or utility pole.
4. *Fences*: Signs shall not be permitted on any fence.
5. *Trees*: Signs shall not be permitted to be attached to any tree, shrub, or other natural object.
6. *Benches*: Signs shall not be permitted to be attached to or integrated into any bench.
7. *Towers*: Signs shall not be permitted to be attached to or integrated into any telecommunication antennae, telecommunication tower, television antennae, or similar towers.
8. *Roofs*: Signs shall not be permitted to be placed on, set upon, attached to, or be perceived to be attached to the roof of a structure. This provision includes signs integrated into the roofing material.
9. *Fire Safety Devices*: Signs shall not be permitted on a fire escape or in a manner that substantially blocks view from the right-of-way to a fire door.
10. *Obstructs Circulation*: Signs that obstruct or interfere with safe internal or external movement of vehicular or pedestrian traffic shall not be permitted.
11. *Artificial Elevation*: Signs shall not be permitted to be installed on a berm, mound, or otherwise raised portion of the site unless the sign height is measured from the elevation at the base of the berm, mound, or raised portion of the site.
12. *Wall Signs over Windows*: No permanent wall sign shall be installed such that it covers windows in the building.

H. Maintenance: All signs and sign components shall be kept in good repair, in safe condition, and working condition. If landscaping is required around the base of a sign, it shall be maintained in living condition, consistent in character with the approval, and not overgrown. Landscaping shall be designed and maintained to be in compliance with the visibility restrictions for signs.

5.67 SI-02: Parks and Recreation Sign Standards

This Sign Standards (SI) section applies to the following zoning district:

PR

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:
   a. Permanent Signs: Wall, ground, awning and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed one and one-half (1 ½) square feet of sign area per linear foot of front façade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
2. *Multiple-tenant Building*: Multiple-tenant buildings are not recognized in this zoning district. Therefore, no special sign provisions are included in this section.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	2 per facade, not to exceed 4 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	15 sq ft	26 sq ft	45 sq ft	79 sq ft	90 sq ft	110 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 10 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	8 inches					

   a. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only use cyclical messages or static messages, regardless if the sign is capable of animated messages.
   b. Illumination: Wall signs may be illuminated internally or externally.

2. *Ground Signs*: Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs.

Ground Sign	Single-tenant Building			
Maximum Quantity	1 per vehicular entrance			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	48	39	24	16
Maximum Sign Height	12 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

   a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.
   b. Location: A ground sign shall be located as follows:
      i. Outside the Vision Clearance Triangle; and
      ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and
      iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.
   c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be seventy (70) feet or more from one another (measured using the shortest tangent) and located along different street frontages.
   d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.
   e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building
Maximum Quantity	1 per face of an awning over a door or window
Maximum Sign Area	18 square feet per awning face
Maximum Projection From Building	6 feet
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted down-lighting.
b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

4. *Window Signs*: Window signs shall be permitted provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building
Maximum Quantity	No limit
Maximum Sign Area	Either 30% of the area of each window, or 30% of all windows fully covered with signs
Height Above Ground	14 feet maximum

5. *Display Board Signs*: Display board signs shall be permitted provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for posting of menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Signs	Single-tenant Building
Maximum Quantity	1
Maximum Sign Area	40 square feet
Height Above Ground	14 feet maximum

a. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.
b. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

6. *Sponsorship Signs*: Sponsorship signs shall be permitted provided the following conditions are met. Examples of sponsorship signs include recognition of public or private entities, corporations or firms whose time, talents or financial gifts have made possible the construction, rehabilitation, or maintenance of recreational facilities and park amenities or park properties.

Sponsorship Sign	Single-tenant Building
Maximum Quantity	No limit
Maximum Sign Area	Either 10 square feet per single-sponsor sign; or 48 square feet per sign listing 4 or more sponsors
Height Above Ground	10 feet maximum
Changeable Copy Ratio	Not permitted

a. Illumination: Sponsorship signs shall not be illuminated.
b. Location: A sponsorship sign shall be located outside the Vision Clearance Triangle and a minimum of thirty-five (35) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a sponsorship sign shall be setback ten (10) feet from all property lines.
c. Design: The sponsorship sign shall be framed with wood, metal, or other durable material and may be attached to a fence, a building, or may be a self-standing sign.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted as follows:
   a. Type: A standard temporary sign shall be a yard sign. Examples of standard temporary signs include sale of property, special sale, and special event signs.
   b. Quantity: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed thirty-two (32) square feet per side.
   d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than eight (8) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to two (2) days prior to the temporary event. All standard temporary signs shall be taken down within one (1) day after the standard temporary sign's purpose no longer exists.
4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met.
   a. Type: Special temporary signs shall include private street banners, banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event, announcing a new or future use of a site, or special short-term sale.
   b. Quantity: One (1) per organization or event utilizing the building, lot or park property, with no cumulative cap on the quantity.
   c. Sign Area: The sign area for a special temporary sign shall not exceed ninety (90) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed ten (10) feet above the ground if free-standing, or no higher than the roofline if mounted to a building; with the following exception:
      i. Private street banners shall provide a minimum of fourteen (14) feet clearance from the bottom of the banner to the pavement below.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags shall not be permitted.
   f. Duration: A special temporary sign may stay in place for up to thirty (30) continuous days for each temporary event, with no cumulative cap on the quantity.

5.68 SI-03: Agricultural Sign Standards

This Sign Standards (SI) section applies to the following zoning district:

AG

The following standards apply:

A. Permanent Signs:
   1. *Wall Signs*: Wall signs shall be permitted provided the following conditions are met.
      a. Quantity: One (1) wall sign shall be permitted, if a monument sign is not used.
      b. Sign Area: The wall sign area shall not exceed twenty-five (25) square feet.
      c. Projection: The wall sign shall not project more than four (4) inches from the face of the building to which it is attached.
      d. Illumination: The wall sign shall not be illuminated.
   2. *Projecting Signs*: Not permitted
   3. *Ground Signs*:
      a. Quantity: One (1) ground sign shall be permitted, if a wall sign is not used.
      b. Sign Area: The ground sign area shall not exceed fifteen (15) square feet.
      c. Height: The ground sign shall not exceed six (6) feet in height.
      d. Location: The ground sign shall not be located any closer than fifteen (15) feet from any driveway or right-of-way.
      e. Illumination: The ground sign shall not be illuminated.

B. Temporary Signs:
   1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.
   2. *Illumination*: Temporary signs shall not be illuminated.
   3. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided the following conditions are met.
      a. Type: A standard temporary sign shall be a yard sign. Examples of standard temporary signs include sale of property and supporting school events.
      b. Quantity: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
      c. Sign Area: The sign area for a standard temporary sign shall not exceed ten (10) square feet per side.
      d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than six (6) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
      e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.
   4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met.
      a. Type: Special temporary signs shall include yard signs or self-standing signs. Examples for the use of a special temporary sign include an auction or garage sale.
      b. Quantity: One (1) special temporary sign shall be permitted per lot.
      c. Sign Area: The sign area for a special temporary sign shall not exceed thirty-two (32) square feet per side.
      d. Height Above Ground: No part of a special temporary sign shall be more than eight (8) feet above the ground.
      e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
      f. Duration: A special temporary sign may stay in place for up to thirty (30) continuous days, but no lot shall have special temporary signs for more than ninety (90) cumulative days in any calendar year.

5. *Temporary Marker Signs*: Temporary marker signs shall only be permitted on a lot having 300 feet or more of street frontage, provided the following conditions are met.
   a. Type: Temporary marker signs shall be yard signs An examples of a temporary marker sign include seed signs.
   b. Quantity: Up to thirty (30) temporary marker signs shall be permitted per lot.
   c. Sign Area: A single temporary marker sign shall not exceed three (3) square feet in sign area per side.
   d. Height Above Ground: No part of a temporary marker sign shall be more than eight (8) feet above the ground.
   e. Duration: A temporary marker sign may stay in place for the duration of the temporary event (e.g. planting through harvest). All temporary marker signs shall be taken down within five (5) days after the temporary marker sign's purpose no longer exists.

5.69 SI-04: Single-family and Two-family Residential Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

RE R1 R2 R3 TR M1

The following standards apply:

A. Temporary Signs: Temporary signs on individual lots shall be permitted as follows:

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted as follows.
   a. Type: A standard temporary sign shall be a yard sign. Examples of standard temporary signs include sale of property, garage sale, and supporting school events.
   b. Quantity: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed ten (10) square feet per side.
   d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than six (6) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.

5.70 SI-05: Multiple Family and Manufactured Home Park Residential Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

M2 M3 MP

The following standards apply:

A. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Entry Feature Signs*: An entry feature sign shall be permitted as follows:
   a. Applicability: Multiple-family developments with internal streets may establish an entry feature sign.
   b. Type: The entry feature sign shall be a ground sign.
   c. Placement: An entry feature sign shall be located near a vehicular entrance and shall not be located in a right-of-way.
   d. Location: An entry feature sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from the right-of-way, or edge of pavement associated with a street or driveway.
   e. Quantity: Up to two (2) single-sided entry feature signs flanking the entrance, or one (1) double-sided sign shall be permitted per vehicular entrance.
   f. Sign Area: The identification portion (i.e. the text and logo) of the entry feature sign shall be thirty-two (32) square feet or less per side for the primary entrance and sixteen (16) square feet or less per side for each additional vehicular entrance.
   g. Height Above Ground: No part of the identification portion (i.e. the text and logo) of an entry feature sign shall be more than eight (8) feet above the ground. All other portions of an entry feature sign shall be limited to eight (8) feet in height.
   h. Illumination: The entry feature sign may be illuminated by external ground lighting.
   i. Landscaping: The area around the entry feature sign shall be landscaped to create a positive aesthetic for the overall entrance into the development.
   j. Maintenance: Entry feature signs shall be maintained by the property owner, an owners association, or similar legal entity.
2. *Wall Signs*: Not permitted.

B. Temporary Signs:

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted as follows.
   a. Type: A standard temporary sign shall be a yard sign. Examples of standard temporary signs include sale of property and supporting school events.
   b. Quantity: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent. For manufactured home parks, one (1) standard temporary sign shall be permitted for each dwelling site.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed sixteen (16) square feet per side.
   d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than six (6) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.

4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met.
   a. Type: Special temporary signs may include banner signs, and the like. Examples for the use of a special temporary sign include a special on leases or an open house.
   b. Quantity: One (1) special temporary sign shall be permitted per development.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: No part of a special temporary sign shall be more than eight (8) feet above the ground if freestanding, or above the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for up to thirty (30) continuous days, but no more than ninety (90) total days in any calendar year.

5.71 SI-06: Institutional Sign Standards

This Sign Standards (SI) section applies to the following zoning district:

IS

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:

a. Permanent Signs: Wall, ground, awning, window, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed one and one-half (1 ½) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.

b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.

2. *Multiple-tenant Building*: Multiple-tenant buildings are not recognized in this zoning district. Therefore, no special sign provision are included for them in *Section 5.71: Institutional Sign Standards*.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	2 per facade, not to exceed 4 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	3 sq ft	9 sq ft	17 sq ft	28 sq ft	42 sq ft	50 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 10 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	8 inches					

a. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

b. Illumination: Wall signs may be illuminated internally or externally.

2. *Ground Signs*: Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs.

Ground Sign	Single-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	48	39	24	24
Maximum Sign Height	12 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A ground sign shall be located as follows:

i. Outside the Vision Clearance Triangle; and

ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and

iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be seventy (70) feet or more from one (1) another (measured using the shortest tangent) and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	not permitted
Maximum Sign Area	10 square feet per awning face	not permitted
Maximum Projection From Building	6 feet	not permitted
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	not permitted

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

4. *Window Signs*: Window signs shall be permitted provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	not permitted
Maximum Sign Area	Either 30% of the area of each window, or 30% of all windows fully covered with signs	not permitted
Height Above Ground	14 feet maximum	not permitted

5. *Display Board Signs*: Display board signs shall be permitted provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for posting of menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	not permitted
Maximum Sign Area	40 square feet	not permitted
Height Above Ground	6 feet maximum	not permitted

a. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.

b. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.

2. *Illumination*: Temporary signs shall not be illuminated.

3. *Standard Temporary Signs*: Standard temporary signs shall be permitted as follows.

a. Type: A standard temporary sign shall be a yard sign. Examples of standard temporary signs include sale of property, special sale, and special event signs.

b. Quantity: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.

c. Sign Area: The sign area for a standard temporary sign shall not exceed twenty-four (24) square feet per side.

d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than eight (8) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.

e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.

4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings unless otherwise specified.
   a. Type: Special temporary signs shall include banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or special short-term sale.
   b. Quantity: One (1) special temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) special temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for up to thirty (30) continuous days, but no more than ninety (90) total days in any calendar year.

5.72 SI-07: Neighborhood Commercial Sign Standards

This Sign Standards (SI) section applies to the following zoning district:

NC

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:
   a. Permanent Signs: Wall, ground, awning, window, drive-up menu, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed two (2) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
2. *Multiple-tenant Building*:
   a. Permanent Signs: Wall, gateway, awning, window, drive-up menu, and display board signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed two (2) square feet of sign area per linear foot of front facade, or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	2 per facade, not to exceed 4 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	4 sq ft	11 sq ft	21 sq ft	34 sq ft	51 sq ft	60 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 10 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	12 inches					

Wall Signs	Multiple-tenant Building					
Maximum Quantity	1 per tenant space, plus 1 additional per corner space if located on the side facade					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	3 sq ft	8 sq ft	16 sq ft	26 sq ft	38 sq ft	45 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 6 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	12 inches					

   a. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.
   b. Illumination: Wall signs may be illuminated internally or externally.
   c. Projecting Sign Substitution: One (1) permitted wall sign may be substituted for one (1) projecting sign as described below:
      i. Maximum Area: The maximum sign area of the projecting sign shall not exceed twenty (20) square feet.
      ii. Maximum Projection: The maximum projection from the building shall not exceed six (6) feet.
      iii. Clearance to the Ground: Nine (9) feet if above a sidewalk, door, or other pedestrian area; and fourteen (14) feet if above a driveway or other vehicular way.
   d. Multiple-tenant Building Consistency: The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.

2. *Ground Signs*: Ground signs shall be permitted for single-tenant buildings provided the following conditions are met. See *Subsection 5.72(B)(3) Gateway Signs* below for multiple-tenant buildings. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs. Ground Signs are not permitted for multiple-tenant buildings.

Ground Sign	**Single-tenant Building**			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	50	41	25	25
Maximum Sign Height	12 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A ground sign shall be located as follows:
   i. Outside the Vision Clearance Triangle; and
   ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and
   iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be 100 feet or more from each other, measured using the shortest tangent and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Gateway Signs*: Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of two (2) tenant spaces, and provided the following conditions are met. See *Subsection 5.72(B)(2) Ground Signs* above for single-tenant buildings. All gateway signs shall be counted toward the maximum cumulative square footage for permanent signs. Gateway Signs are not permitted for single-tenant buildings.

Gateway Sign	**Multiple-tenant Building**			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	80	65	39	39
Maximum Sign Height	12 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A gateway sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be 200 feet or more from each other, measured using the shortest tangent and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A gateway sign may be illuminated internally or by exterior mounted ground lighting.

4. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	1 awning with signage per tenant
Maximum Sign Area	10 square feet per awning face	10 square feet per awning face
Maximum Projection From Building	8 feet	8 feet
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

5. *Window Signs*: Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	Either 30% of the area of each window, or 30% of all ground floor windows fully covered with signs	Either 30% of the area of each window, or 30% of all ground floor windows fully covered with signs
Height Above Ground	14 feet maximum	14 feet maximum

6. *Drive-up Menu Sign*: Drive-up menu signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the lot has a permitted, operable, and in-use drive-up window and provided the following conditions are met. Drive-up window menu signs shall not count toward the maximum cumulative square footage for permanent signs.

Drive-up Window Menu Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2 per ordering lane	2 per tenant with drive-up
Maximum Sign Area	40 square feet per ordering lane	40 square feet per ordering lane
Height Above Ground	8 feet maximum	8 feet maximum

a. Design: A drive-up menu sign shall be single-sided.

b. Location: A drive-up menu sign shall be located in the drive-up window lane and face vehicles in that lane.

c. Illumination: Drive-up menu signs may be illuminated internally or externally.

7. *Display Board Signs*: Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for posting of menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	40 square feet	20 square feet per tenant
Height Above Ground	6 feet maximum	6 feet maximum

a. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.

b. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted as follows.
   a. Type: A standard temporary sign shall be a yard sign. Examples of standard temporary signs include sale of property, special sale, and special offer signs.
   b. Quantity:
      i. Single-tenant Buildings: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
      ii. Multiple-tenant Buildings: One (1) standard temporary sign shall be permitted for each tenant.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed sixteen (16) square feet per side.
   d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than eight (8) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.
4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: Special temporary signs shall include banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or special short-term sale.
   b. Quantity:
      i. Single-tenant Buildings: Two (2) special temporary sign shall be permitted per lot at any one time
      ii. Multiple-tenant Buildings: One (1) special temporary sign shall be permitted for each tenant.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for seven (7) continuous days, no more than four (4) times in any calendar year.

5.73 SI-08: Urban Commercial Sign Standards

This Sign Standards (SI) section applies to the following zoning district:

UC

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:
   a. Permanent Signs: Wall, awning, window, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed two and one-half (2 ½) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
2. *Multiple-tenant Building*:
   a. Permanent Signs: Wall, awning, window, display board, and tenant listing signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed two and one-half (2 ½) square feet of sign area per linear foot of front facade, or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per side of building, not to exceed 4 cumulatively	1 per tenant space, plus 1 additional per corner space if located on the side facade
Maximum Sign Area	3 square feet of sign area per linear foot of facade for 80% of facade	3 square feet of sign area per linear foot of facade for 80% of facade
Changeable Copy Ratio	40% of the sign area may be change-able copy	40% of the sign area may be change-able copy
Maximum Projection From Building	12 inches	12 inches

   a. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.
   b. Illumination: Wall signs may be illuminated internally or externally.
   c. Multiple-tenant Building Consistency: The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.
2. *Projecting Signs*: Projecting signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. All projecting signs shall be counted toward the maximum cumulative square footage for permanent signs.

Projecting Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1; or 2 for corner buildings	1 per tenant space with 20 or more lineal feet of front facade, plus 1 addi-tional per corner space with 20 or more lineal feet of side facade
Maximum Sign Area	28 square feet total	28 square feet per tenant sign
Changeable Copy Ratio	not permitted	not permitted
Height Above Ground	9 feet minimum; 16 feet maximum	9 feet minimum; 16 feet maximum

a. Double-sided: If a projecting sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A projecting sign shall be located within fifteen (15) feet of the center of the primary entrance.

c. Projection: Projecting signs and all supporting apparatuses of projecting signs shall not project more than eight (8) feet from the building facade. However, a projecting sign shall be at least two (2) feet from the vertical alignment of a curb or driving surface. A projecting sign that encroaches into the right-of-way shall first be approved by the Town Council or Indiana Department of Transportation.

d. Sign Separation: No two (2) projecting signs shall be within twenty (20) feet of one another, measured using the shortest tangent.

e. Illumination: A projecting sign may be illuminated by externally-mounted lighting.

3. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	1 per face of an awning over a door or window
Maximum Sign Area	8 square feet per awning face	8 square feet per awning face
Height Above Ground	9 feet minimum	9 feet minimum
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

c. Projection: Awning signs and all parts of an awning shall not project more than eight (8) feet from the building facade. However, an awning shall be at least two (2) feet from the vertical alignment of a curb or driving surface. An awning sign that encroaches into the right-of-way shall first be approved by the Town Council or Indiana Department of Transportation.

4. *Window Signs*: Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	50% of the area of each window	50% of the area of each window
Height Above Ground	no limit	no limit

5. *Display Board Signs*: Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for posting of menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	40 square feet	20 square feet per tenant
Height Above Ground	7 feet maximum	7 feet maximum

a. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.

b. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

6. *Tenant Listing Sign*: A tenant listing sign shall be permitted for a multiple-tenant building that has tenant spaces on upper floors and a common lobby or stairway. Tenant listing signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Tenant Listing Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	not permitted	1 per common lobby or stairway leading to upper floor tenant spaces
Maximum Sign Area	not permitted	6 square feet per sign
Height Above Ground	not permitted	7 feet maximum

   a. Location: The tenant listing sign shall be fully located within ten (10) feet of the primary entrance to the common lobby or stairway leading to upper floor tenant spaces, and shall be a wall sign.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall either be fully outside the public right-of-way, be located on a sidewalk, or in a first floor window. However, the placement of a temporary sign shall not constrain a sidewalk to less than five (5) feet of clear-way for pedestrians. A temporary sign that encroaches into the right-of-way shall first be approved by the Town Council or Indiana Department of Transportation.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: A standard temporary sign shall be an A-frame sign or self-standing sign. Examples of standard temporary signs include sale of property, special sale, and special offer signs.
   b. Quantity:
      i. Single-tenant Buildings: One (1) standard temporary sign shall be permitted per storefront, plus one (1) additional sign for corner storefronts. For corner storefronts, no two (2) standard temporary signs shall be closer than 40 feet, measured along the front facade.
      ii. Multiple-tenant Buildings: One (1) standard temporary sign shall be permitted for each tenant.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed eight (8) square feet per side.
   d. Height Above Ground: No part of a standard temporary sign shall be more than five (5) feet above the ground.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.
4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: Special temporary signs shall include banner signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or special short-term sale.
   b. Quantity:
      i. Single-tenant Buildings: One (1) special temporary sign shall be permitted per building at any one time.
      ii. Multiple-tenant Buildings: One (1) special temporary sign shall be permitted for each building at any time.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for seven (7) continuous days, no more than four (4) times in any calendar year.

5.74 SI-09: Moderate Intensity Commercial Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

C1

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:
   a. Permanent Signs: Wall, ground, pole, awning, window, drive-up menu, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed three (3) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
   c. Limitations: Only one (1) freestanding permanent sign (i.e. ground sign or pole sign) shall be permitted per lot, except corner lots that qualify for two (2) of the same type of sign.
2. *Multiple-tenant Building*:
   a. Permanent Signs: Wall, gateway, pole, awning, window, drive-up menu, and display board signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed three (3) square feet of sign area per linear foot of front facade, or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	2 per facade, not to exceed 5 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area - Front Facade	21 sq ft	55 sq ft	104 sq ft	171 sq ft	253 sq ft	300 sq ft
Maximum Sign Area - Side/Rear Facade	7 sq ft	18 sq ft	35 sq ft	57 sq ft	84 sq ft	100 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 10 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

Wall Signs	Multiple-tenant Building					
Maximum Quantity	1 per tenant space, plus 1 additional per corner space if located on the side facade					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area - Front Facade	14 sq ft	36 sq ft	70 sq ft	114 sq ft	169 sq ft	200 sq ft
Maximum Sign Area - Side/Rear Facade	5 sq ft	14 sq ft	26 sq ft	43 sq ft	63 sq ft	75 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 6 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

a. Illumination: Wall signs may be illuminated internally or externally.
b. Canopy: The facia (i.e. parapet) of a gas station or other permanent, attached or detached, canopy may be used for wall signs. Any sign placed on the canopy's facia (i.e. parapet) shall not exceed eighty percent (80%) of the facia's height.

c. Multiple-tenant Building Consistency: The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.

2. *Ground Signs*: Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. See *Subsection 5.74(B)(4) Gateway Signs* below for multiple-tenant buildings. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs. Ground Signs are not permitted for multiple-tenant buildings.

Ground Sign	Single-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	120	97	59	59
Maximum Sign Height	12 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A ground sign shall be located as follows:
   i. Outside the Vision Clearance Triangle; and
   ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and
   iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be 200 feet or more from each other, measured using the shortest tangent and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Pole Signs*: Pole signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All pole signs shall be counted toward the maximum cumulative square footage for permanent signs. Pole Signs are not permitted for multiple-tenant buildings.

Pole Sign	Single-tenant Building			
Maximum Quantity	1			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	120	97	59	59
Maximum Sign Height	25	23	19	17
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a pole sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square feet.

b. Location: A pole sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a pole sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A pole sign may be illuminated internally, but shall not be illuminated by externally-mounted lights.

4. *Gateway Signs*: Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of two (2) tenants and provided the following conditions are met. See *Subsection 5.74(B)(2) Ground Signs* and *Subsection 5.74(B)(3) Pole Signs* above for single-tenant buildings. All gateway signs shall be counted toward the maximum cumulative square footage for permanent signs. Gateway Signs are not permitted for single-tenant buildings.

Gateway Sign	Multiple-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 800 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	200	97	59	59
Maximum Sign Height	30	27	22	22
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A gateway sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting.

5. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	1 awning per tenant and one awning sign per awning face
Maximum Sign Area	15 square feet per awning face	15 square feet per awning face
Maximum Projection From Building	8 feet	8 feet
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

6. *Window Signs*: Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	Either 50% of the area of each window, or 50% of all ground floor windows fully covered with signs	Either 50% of the area of each window, or 50% of all ground floor windows fully covered with signs
Height Above Ground	14 feet maximum	14 feet maximum

7. *Drive-up Menu Sign*: Drive-up menu signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the lot has a permitted, operable, and in-use drive-up window and provided the following conditions are met. Drive-up window menu signs shall not count toward the maximum cumulative square footage for permanent signs.

Drive-up Window Menu Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2 per ordering lane	2 per tenant with drive-up
Maximum Sign Area	50 square feet per ordering lane	50 square feet per ordering lane
Height Above Ground	8 feet maximum	8 feet maximum

   a. Design: A drive-up menu sign shall be single-sided.
   b. Location: A drive-up menu sign shall be located in the drive-up window lane and face vehicles in that lane.
   c. Illumination: Drive-up menu signs may be illuminated internally or externally.

8. *Display Board Signs*: Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	50 square feet	20 square feet per tenant
Height Above Ground	6 feet maximum	6 feet maximum

   a. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.
   b. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: A standard temporary sign shall be an A-frame sign, self-standing sign, or yard sign. Examples of standard temporary signs include sale of property, special sale, and special offer signs.
   b. Quantity:
      i. Single-tenant Buildings: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
      ii. Multiple-tenant Buildings: One (1) standard temporary sign shall be permitted for each tenant.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed thirty-two (32) square feet per side.
   d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than eight (8) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.

4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: Special temporary signs shall include banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or special short-term sale.
   b. Quantity:
      i. Single-tenant Buildings: Two (2) special temporary signs shall be permitted at any one (1) time for a lot.
      ii. Multiple-tenant Buildings: One (1) special temporary sign shall be permitted for each building at any given time.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for seven (7) continuous days, no more than four (4) times in any calendar year.

5.75 SI-10: High Intensity Commercial Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

C2

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:
   a. Permanent Signs: Wall, ground, pole, awning, window, drive-up menu, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed three and one-half (3 ½) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
   c. Limitations: Only one (1) freestanding permanent sign (i.e. ground sign or pole sign) shall be permitted per lot, except corner lots that qualify for two (2) of the same type of sign.
2. *Multiple-tenant Building*:
   a. Permanent Signs: Wall, gateway, pole, awning, window, drive-up menu, and display board signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed three and one-half (3 ½) square feet of sign area per linear foot of front facade, or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	3 per front facade and 2 per side and rear facades, not to exceed 6 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area - Front Facade	35 sq ft	91 sq ft	174 sq ft	285 sq ft	422 sq ft	500 sq ft
Maximum Sign Area - Side/Rear Facade	14 sq ft	36 sq ft	70 sq ft	114 sq ft	169 sq ft	200 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 20 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

Wall Signs	Multiple-tenant Building					
Maximum Quantity	1 per tenant space, plus 1 additional per corner space if located on the side facade					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area - Front Facade	28 sq ft	73 sq ft	139 sq ft	228 sq ft	337 sq ft	400 sq ft
Maximum Sign Area - Side/Rear Facade	10 sq ft	27 sq ft	52 sq ft	85 sq ft	126 sq ft	150 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 8 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

   a. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.
   b. Illumination: Wall signs may be illuminated internally or externally.
   c. Canopy: The facia (i.e. parapet) of a gas station or other permanent, attached or detached, canopy may be used for wall signs. Any sign placed on the canopy's facia (i.e. parapet) shall not exceed eighty percent (80%) of the facia's height.

d. Multiple-tenant Building Consistency: The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.

2. *Ground Signs*: Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. See *Subsection 5.75(B)(4) Gateway Signs* below for multiple-tenant buildings. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs. Ground Signs are not permitted for multiple-tenant buildings.

Ground Sign	Single-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	140	113	69	69
Maximum Sign Height	14 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A ground sign shall be located as follows:
   i. Outside the Vision Clearance Triangle; and
   ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and
   iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be 200 feet or more from each other, measured using the shortest tangent and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Pole Signs*: Pole signs shall be permitted for single-tenant buildings provided the following conditions are met. All pole signs shall be counted toward the maximum cumulative square footage for permanent signs. Pole Signs are not permitted for multiple-tenant buildings.

Pole Sign	Single-tenant Building			
Maximum Quantity	1			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	140	113	69	69
Maximum Sign Height	30	28	22	22
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a pole sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square feet.

b. Location: A pole sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a pole sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A pole sign may be illuminated internally, but shall not be illuminated by externally-mounted lights.

4. *Gateway Signs*: Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of two (2) tenant spaces, and provided the following conditions are met. See *Subsection 5.75(B)(2) Ground Signs* and *Subsection 5.75(B)(3) Pole Signs* above for single-tenant buildings. All gateway signs shall be counted toward the maximum cumulative square footage for permanent signs. Gateway Signs are not permitted for single-tenant buildings.

Gateway Sign	Multiple-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 800 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	250	194	118	118
Maximum Sign Height	35	31	25	25
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A gateway sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting.

5. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	1 awning per tenant and one awning sign per awning face
Maximum Sign Area	20 square feet per awning face	20 square feet per awning face
Maximum Projection From Building	8 feet	8 feet
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

6. *Window Signs*: Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	Either 50% of the area of each window, or 50% of all ground floor windows fully covered with signs	Either 50% of the area of each window, or 50% of all ground floor windows fully covered with signs
Height Above Ground	14 feet maximum	14 feet maximum

7. *Drive-up Menu Sign*: Drive-up menu signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the lot has a permitted, operable, and in-use drive-up window and provided the following conditions are met. Drive-up window menu signs shall not count toward the maximum cumulative square footage for permanent signs.

Drive-up Window Menu Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2 per ordering lane	2 per tenant with drive-up
Maximum Sign Area	50 square feet per ordering lane	50 square feet per ordering lane
Height Above Ground	8 feet maximum	8 feet maximum

a. Design: A drive-up menu sign shall be single-sided.

b. Location: A drive-up menu sign shall be located in the drive-up window lane and face vehicles in that lane.

c. Illumination: Drive-up menu signs may be illuminated internally or externally.

d. Display Board Signs: Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	50 square feet	20 square feet per tenant
Height Above Ground	6 feet maximum	6 feet maximum

e. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.

f. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.

2. *Illumination*: Temporary signs shall not be illuminated.

3. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.

a. Type: A standard temporary sign shall be an A-frame sign, self-standing sign, or yard sign. Examples of standard temporary signs include sale of property, special sale, and special offer signs.

b. Quantity:

i. Single-tenant Buildings: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.

ii. Multiple-tenant Buildings: One (1) standard temporary sign shall be permitted for each tenant.

c. Sign Area: The sign area for a standard temporary sign shall not exceed thirty-two (32) square feet per side.

d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than ten (10) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.

e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.

4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: Special temporary signs shall include banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or special short-term sale.
   b. Quantity:
      i. Single-tenant Buildings: Two (2) special temporary signs shall be permitted at any one (1) time for a lot.
      ii. Multiple-tenant Buildings: One (1) special temporary sign shall be permitted for each building at any given time.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for seven (7) continuous days, no more than four (4) times in any calendar year.

5.76 SI-11: Highway Commercial Sign Standards

This Sign Standards (SI) section applies to the following zoning district:

HC

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:
   a. Permanent Signs: Wall, ground, pole, awning, window, drive-up menu, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed three (3) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
   c. Limitations: Only one (1) freestanding permanent sign (i.e. ground sign or pole sign) shall be permitted per lot, except corner lots that qualify for two (2) of the same type of sign.
2. *Multiple-tenant Building*:
   a. Permanent Signs: Wall, gateway, pole, awning, window, drive-up menu, and display board signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed three (3) square feet of sign area per linear foot of front facade, or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.
   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	2 per facade, not to exceed 6 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area - Front Facade	21 sq ft	55 sq ft	104 sq ft	171 sq ft	253 sq ft	300 sq ft
Maximum Sign Area - Side/Rear Facade	7 sq ft	18 sq ft	35 sq ft	57 sq ft	84 sq ft	100 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 20 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

Wall Signs	Multiple-tenant Building					
Maximum Quantity	1 per tenant space, plus 1 additional per corner space if located on the side facade					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area - Front Facade	14 sq ft	36 sq ft	70 sq ft	114 sq ft	169 sq ft	200 sq ft
Maximum Sign Area - Side/Rear Facade	5 sq ft	14 sq ft	26 sq ft	43 sq ft	63 sq ft	75 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 8 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

   a. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.
   b. Illumination: Wall signs may be illuminated internally or externally.
   c. Canopy: The facia (i.e. parapet) of a gas station or other permanent, attached or detached, canopy may be used for wall signs. Any sign placed on the canopy's facia (i.e. parapet) shall not exceed eighty percent (80%) of the facia's height.

d. Multiple-tenant Building Consistency: The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.

2. *Ground Signs*: Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. See *Subsection 5.76(B)(4) Gateway Signs* below for multiple-tenant buildings. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs. Ground Signs are not permitted for multiple-tenant buildings.

Ground Sign	Single-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	120	97	59	59
Maximum Sign Height	12 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A ground sign shall be located as follows:
   i. Outside the Vision Clearance Triangle; and
   ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and
   iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be 200 feet or more from each other, measured using the shortest tangent and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Pole Signs*: Pole signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All pole signs shall be counted toward the maximum cumulative square footage for permanent signs. Pole Signs are not permitted for multiple-tenant buildings.

Pole Sign	Single-tenant Building			
Maximum Quantity	1			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	160	81	49	49
Maximum Sign Height	40 if within 500 feet of the interstate ROW or 30 feet otherwise	36 if within 500 feet of the interstate ROW or 28 feet otherwise	29 if within 500 feet of the interstate ROW or 22 feet otherwise	29 if within 500 feet of the interstate ROW or 22 feet otherwise
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a pole sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square feet.

b. Location: A pole sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a pole sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A pole sign may be illuminated internally, but shall not be illuminated by externally-mounted lights.

4. *Gateway Signs*: Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of two (2) tenant spaces, and provided the following conditions are met. See *Subsection 5.76(B)(2) Ground Signs and Subsection 5.76(B)(3) Pole Signs* above for single-tenant buildings. All gateway signs shall be counted toward the maximum cumulative square footage for permanent signs. Gateway Signs are not permitted for single-tenant buildings.

Gateway Sign	Multiple-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 800 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	240	194	118	118
Maximum Sign Height	30	27	27	27
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A gateway sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting.

5. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	1 awning per tenant and one awning sign per awning face
Maximum Sign Area	20 square feet per awning face	20 square feet per awning face
Maximum Projection From Building	8 feet	8 feet
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

6. *Window Signs*: Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	Either 50% of the area of each window, or 50% of all ground floor windows fully covered with signs	Either 50% of the area of each window, or 50% of all ground floor windows fully covered with signs
Height Above Ground	14 feet maximum	14 feet maximum

7. *Drive-up Menu Sign*: Drive-up menu signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the lot has a permitted, operable, and in-use drive-up window and provided the following conditions are met. Drive-up window menu signs shall not count toward the maximum cumulative square footage for permanent signs.

Drive-up Window Menu Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2 per ordering lane	2 per tenant with drive-up
Maximum Sign Area	50 square feet per ordering lane	50 square feet per ordering lane
Height Above Ground	8 feet maximum	8 feet maximum

   a. Design: A drive-up menu sign shall be single-sided.
   b. Location: A drive-up menu sign shall be located in the drive-up window lane and face vehicles in that lane.
   c. Illumination: Drive-up menu signs may be illuminated internally or externally.

8. *Display Board Signs*: Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	50 square feet	20 square feet per tenant
Height Above Ground	6 feet maximum	6 feet maximum

   a. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.
   b. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway. Temporary signs shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: A standard temporary sign shall be an A-frame sign, self-standing sign, or yard sign. Examples of standard temporary signs include sale of property, special sale, and special offer signs.
   b. Quantity:
      i. Single-tenant Buildings: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
      ii. Multiple-tenant Buildings: One (1) standard temporary sign shall be permitted for each tenant.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed thirty-two (32) square feet per side.
   d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than ten (10) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.

4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: Special temporary signs shall include banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or special short-term sale.
   b. Quantity:
      i. Single-tenant Buildings: Two (2) special temporary signs shall be permitted at any one (1) time for a lot.
      ii. Multiple-tenant Buildings: One (1) special temporary sign shall be permitted for each building at any given time.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for seven (7) continuous days, no more than four (4) times in any calendar year.

5.77 SI-12: Employment Center Sign Standards

This Sign Standards (SI) section applies to the following zoning district:

EC

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:

   a. Permanent Signs: Wall, ground, awning, window, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed two and one-half (2 ½) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.

   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.

2. *Multiple-tenant Building*:

   a. Permanent Signs: Wall, gateway, awning, window, and display board signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed two and one-half (2 ½) square feet of sign area per linear foot of front facade, or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.

   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	1 per facade, not to exceed 4 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	10 sq ft	27 sq ft	52 sq ft	85 sq ft	126 sq ft	150 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 10 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

Wall Signs	Multiple-tenant Building					
Maximum Quantity	1 per facade, not to exceed 4 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	10 sq ft	27 sq ft	52 sq ft	85 sq ft	126 sq ft	150 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 10 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

   a. Changeable Copy: Not permitted.

   b. Illumination: Wall signs may be illuminated internally or externally.

   c. Multiple-tenant Building Consistency: The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.

2. *Ground Signs*: Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. See *Subsection 5.77(B)(3) Gateway Signs* below for multiple-tenant buildings. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs. Ground Signs are not permitted for multiple-tenant buildings.

Ground Sign	**Single-tenant Building**			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	120	81	49	49
Maximum Sign Height	14 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A ground sign shall be located as follows:

i. Outside the Vision Clearance Triangle; and

ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and

iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be 200 feet or more from each other, measured using the shortest tangent and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Gateway Signs*: Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of two (2) tenant spaces, and provided the following conditions are met. See *Subsection 5.77(B)(2) Ground Signs* above for single-tenant buildings. All gateway signs shall be counted toward the maximum cumulative square footage for permanent signs. Gateway Signs are not permitted for single-tenant buildings.

Gateway Sign	**Multiple-tenant Building**			
Maximum Quantity	1; or 2 for corner lots with a minimum of 800 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	160	130	78	78
Maximum Sign Height	20	19	15	15
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A gateway sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting.

4. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	1 awning per tenant and one awning sign per awning face
Maximum Sign Area	15 square feet per awning face	15 square feet per awning face
Maximum Projection From Building	8 feet	8 feet
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

5. *Window Signs*: Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	Either 30% of the area of each window, or 30% of all ground floor windows fully covered with signs	Either 30% of the area of each window, or 30% of all ground floor windows fully covered with signs
Height Above Ground	14 feet maximum	14 feet maximum

6. *Display Board Signs*: Display board signs shall be permitted on single-tenant buildings provided the following conditions are met. Examples of display board signs include permanently affixed bulletin boards or encased display boards for menus, specials, events, performances, and other temporary postings. Display board signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2	not permitted
Maximum Sign Area	50 square feet each	not permitted
Height Above Ground	6 feet maximum	not permitted

a. Design: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated space on the building.

b. Postings: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.
2. *Illumination*: Temporary signs shall not be illuminated.
3. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: A standard temporary sign shall be an A-frame sign, self-standing sign, or yard sign. Examples of standard temporary signs include sale of property, special sale, and special offer signs.
   b. Quantity:
      i. Single-tenant Buildings: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.
      ii. Multiple-tenant Buildings: One (1) standard temporary sign shall be permitted for each tenant.
   c. Sign Area: The sign area for a standard temporary sign shall not exceed thirty-two (32) square feet per side.
   d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than eight (8) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.
   e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.
4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
   a. Type: Special temporary signs shall include banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or special services being offered.
   b. Quantity:
      i. Single-tenant Buildings: Two (2) special temporary signs shall be permitted at any one (1) time for a lot.
      ii. Multiple-tenant Buildings: One (1) special temporary sign shall be permitted for each building at any given time.
   c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.
   d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.
   e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.
   f. Duration: A special temporary sign may stay in place for seven (7) continuous days, no more than four (4) times in any calendar year.

5.78 SI-13: Industrial Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

I1 I2 MS HI

The following standards apply:

A. Project Applicability:

1. *Single-tenant Building*:

   a. Permanent Signs: Wall, ground, awning, and window signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed two (2) square feet of sign area per linear foot of front facade or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.

   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.

2. *Multiple-tenant Building*:

   a. Permanent Signs: Wall, gateway, awning, and window signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met, and the cumulative square footage of all permanent signs does not exceed two (2) square feet of sign area per linear foot of front facade, or the cumulative maximum as prescribed in the tables below for each type of sign, whichever is less.

   b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.

B. Permanent Signs: Permanent signs shall be permitted as follows:

1. *Wall Signs*: Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent signs.

Wall Signs	Single-tenant Building					
Maximum Quantity	2 per side of building; not to exceed 4 cumulatively					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	28 sq ft	73 sq ft	139 sq ft	228 sq ft	337 sq ft	400 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 30 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

Wall Signs	Multiple-tenant Building					
Maximum Quantity	1 per tenant space, plus 1 additional per corner space					
Sign's Setback from ROW	Up to 50 ft	51 - 100 ft	101 - 150 ft	151 - 200 ft	201 - 250 ft	251+ ft
Maximum Sign Area per Facade	14 sq ft	36 sq ft	70 sq ft	114 sq ft	169 sq ft	200 sq ft
Maximum Sign Height	80% of the height of a spandrel panel or 20 feet, whichever is less					
Changeable Copy Ratio	40% of the sign area may be changeable copy					
Maximum Projection From Building	18 inches					

   a. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

   b. Illumination: Wall signs on single-tenant buildings and multiple-tenant buildings may be illuminated internally or by externally-mounted lights.

   c. Multiple-tenant Building Consistency: The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.

2. *Ground Signs*: Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. See *Subsection 5.78(B)(3) Gateway Signs* below for multiple-tenant buildings. All ground signs shall be counted toward the maximum cumulative square footage for permanent signs. Ground Signs are not permitted for multiple-tenant buildings.

Ground Sign	Single-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 500 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	120	97	49	49
Maximum Sign Height	12 feet maximum			
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A ground sign shall be located as follows:

i. Outside the Vision Clearance Triangle; and

ii. The leading edge of the sign shall be at least five (5) feet but no greater than ten (10) feet from the street right-of-way; and

iii. All portions of the sign shall be at least five (5) feet from the side property line or edge of pavement.

c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be 200 feet or more from each other, measured using the shortest tangent and located along different street frontages.

d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

e. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.

3. *Gateway Signs*: Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of two (2) tenant spaces, and provided the following conditions are met. See *Subsection 5.78(B)(2) Ground Signs* above for single-tenant buildings. All gateway signs shall be counted toward the maximum cumulative square footage for permanent signs. Gateway Signs are not permitted for single-tenant buildings.

Gateway Sign	Multiple-tenant Building			
Maximum Quantity	1; or 2 for corner lots with a minimum of 800 feet of combined street frontage			
Street Classification (see *Section 5.80*)	Corridor 1	Corridor 2	Corridor 3	Corridor 4
Maximum Sign Area	200	162	98	98
Maximum Sign Height	12	12	12	12
Changeable Copy Ratio	40% of sign area may be changeable copy			

a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.

b. Location: A gateway sign shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any existing or proposed right-of-way, or edge of pavement associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.

c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign and shall only utilize cyclical messages or static messages, regardless if the sign is capable of animated messages.

d. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting.

4. *Awning Signs*: Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per face of an awning over a door or window	1 awning per tenant and one awning sign per awning face
Maximum Sign Area	15 square feet per awning face	15 square feet per awning face
Maximum Projection From Building	10 feet	10 feet
Clearance From the Ground	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way	8 feet if above a sidewalk or door, or other pedestrian area; and 14 feet if above a driveway or other vehicular way

a. Illumination: Awning signs may be illuminated with internally or externally-mounted lights.

b. Operability: Awnings, with an awning sign, that can retract shall count toward the cumulative sign area whether in the retracted or extended position.

5. *Window Signs*: Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. Window signs shall not be counted toward the maximum cumulative square footage for permanent signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	Either 30% of the area of each window, or 30% of all ground floor windows fully covered with signs	Either 30% of the area of each window, or 30% of all ground floor windows fully covered with signs
Height Above Ground	14 feet maximum	14 feet maximum

C. Temporary Signs: Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.

1. *Location*: Temporary signs shall be located outside the Vision Clearance Triangle and a minimum of ten (10) feet from any right-of-way, or edge of pavement associated with a street or driveway.

2. *Illumination*: Temporary signs shall not be illuminated.

3. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.

a. Type: A standard temporary sign shall be an A-frame sign, self-standing sign, or yard sign. Examples of standard temporary signs include sale of property, special sale, and special offer signs.

b. Quantity:

i. Single-tenant Buildings: One (1) standard temporary sign shall be permitted per lot frontage, plus one (1) additional sign for each 300 feet of street frontage. For corner lots, no two (2) standard temporary signs on separate frontages shall be closer than 150 feet, measured using the shortest tangent.

ii. Multiple-tenant Buildings: One (1) standard temporary sign shall be permitted for each tenant.

c. Sign Area: The sign area for a standard temporary sign shall not exceed thirty-two (32) square feet per side.

d. Height Above Ground: The sign copy of a standard temporary sign shall be no more than ten (10) feet above the ground. The sign structure shall not be greater than 120% taller than the sign copy.

e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within five (5) days after the standard temporary sign's purpose no longer exists.

4. *Special Temporary Signs*: Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.

a. Type: Special temporary signs shall include banner signs, yard signs, A-frame signs, or self-standing signs. Examples for the use of a special temporary sign include a community event or new product announcement.

b. Quantity:

i. Single-tenant Buildings: Two (2) special temporary signs shall be permitted at any one (1) time for a lot.

ii. Multiple-tenant Buildings: One (1) special temporary sign shall be permitted for each building at any given time.

c. Sign Area: The sign area for a special temporary sign shall not exceed fifty (50) square feet per side.

d. Height Above Ground: A special temporary sign shall not exceed eight (8) feet above the ground if freestanding, or no higher than the roofline if mounted to a building.

e. Pennants, Streamers, and Strings of Flags: Pennants, streamers, and strings of flags without commercial messages or branding may be used in any quantity and at any height on the site in addition to the special temporary signs listed above. However, the duration shall comply with the following provision.

f. Duration: A special temporary sign may stay in place for seven (7) continuous days, no more than four (4) times in any calendar year.

5.79 SI-14: Regional Outdoor Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

RO

The following standards apply:

1. *Display Board Signs*: Scoreboards and video display signs, permanently affixed bulletin boards, or encased display boards for posting at special events and/or performances.
   a. Maximum Quantity: No maximum
   b. Maximum Sign Area: No maximum
   c. Height Above Ground: Thirty (30) feet maximum
   d. Placement: All display board signs must be directed inward of the facility toward spectators.
   e. Lighting: All display board signs shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to the surrounding areas.
2. *Facility Signs*:
   a. Maximum Quantity: One (1) per street frontage
   b. Maximum Sign Area: 200 square feet
   c. Height Above Ground: Thirty-five (35) feet maximum
   d. Changeable Copy Signs: Changeable copy is permitted in this Ordinance in the regional outdoor entertainment district, provided that the changeable copy surface area shall not cover more than forty percent (40%) of any sign.
3. *Gateway Signs*:
   a. Maximum Quantity: One (1) per entrance
   b. Maximum Sign Area: Nine (9) square feet per side
   c. Height Above Ground: Nine (9) feet maximum
   d. Location: A gateway sign shall be located a minimum of five (5) feet from all property lines.
   e. Lighting: Gateway signs shall not be illuminated.
   f. Sponsorship and Event Information: Sponsorship and event information shall be permitted on gateway signs.
4. *Sponsorship Signs*:
   a. Maximum Quantity: No maximum
   b. Maximum Sign Area: No maximum
   c. Height Above Ground: Sixty-five (65) feet maximum
   d. Location: A sponsorship sign shall be located a minimum of 325 feet from all property lines.
   e. Lighting: Sponsorship signs shall not be illuminated.
   f. Temporary Signs:
      i. Types: Permitted temporary signs include fence banners and inflatables.
      ii. Duration: Temporary signs shall only be permitted two (2) days prior to the start of an event, during an event, and two (2) days after an event ends.

5.80 SI-15: Street Classification Corridors

This Sign Standards (SI) section applies to the following zoning districts:

PR IS NC UC C1 C2 HC EC I1 I2 MS HI

The following corridors apply:

A. Green Street
   1. *E. 800 N. – I-74* *[Corridor 3]*
   2. *I-74 – Airport Rd.* *[Corridor 2]*
   3. *Airport Rd. – E. 350 N.* *[Corridor 3]*
   4. *E. 350 N. – S. Northfield Dr.* *[Corridor 1]*

B. Main Street (US Hwy 136)
   1. *W. Northfield Dr. – White Lick Creek* *[Corridor 3]*
   2. *White Lick Creek – Thorne Dr.* *[Corridor 2]*
   3. *Thorne Dr. – Raceway Rd.* *[Corridor 3]*

C. W. Northfield Drive
   1. *W. Main St. – McNeese Way* *[Corridor 3]*
   2. *McNeese Way – Green St.* *[Corridor 2]*

D. E. Northfield Drive
   1. *Green St. – E. 56th St.* *[Corridor 2]*
   2. *E. 56th St. – E. Main St.* *[Corridor 3]*

E. E. 56th Street (E. 600 N.)
   1. *Green St. – E. Northfield Dr.* *[Corridor 2]*
   2. *E. Northfield Dr. – Ronald Reagan Pkwy.* *[Corridor 3]*

F. Garner Road (E. 700 N.)
   1. *Winding Creek Trl. – Wild Ridge Blvd.* *[Corridor 3]*

G. Hornaday Road (N. 800 E.)
   1. *E. Main St. – E. 300 N.* *[Corridor 2]*
   2. *E. 300 N. – S. Northfield Dr.* *[Corridor 3]*

H. Ronald Reagan Parkway
   1. *E. 56th St. – Connector Rd.* *[Corridor 1]*

Special Exception Standards (SE)

5.81 SE-01: Special Exception Standards

This Special Exception Standards (SE) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Cross Reference: The approval process and criteria for Special Exceptions is in *Article 9: Processes*.

B. Applicable Development Standards: The development standards assigned to each zoning district are considered appropriate for the permitted uses within that zoning district. However, the development standards may not be appropriate for all Special Exception uses within a zoning district. For instance, some institutional uses are allowed in residential zoning districts as Special Exceptions. In this case, residential development standards would not necessarily be applicable.

1. *Determining Appropriate Development Standards*:
   a. The Zoning Administrator shall determine which development standards sections within *Article 5: Development Standards* shall apply to each Special Exception application. The development standards determined to apply shall be documented in the application and approval.
   b. Generally, if the Special Exception use is a permitted use in another zoning district, the development standards for that zoning district shall be used as a guideline. In situations where the Special Exception use is not a permitted use in any other zoning district, the most stringent development standards may be assigned by the Zoning Administrator as appropriate.

5.82 SE-02: General Commercial Special Exception Standards

This Special Exception Standards (SE) section applies to the following zoning districts:

C2

The following standards apply:

A. Applicability: The following standards apply to any building or outdoor storage used as a warehouse, any building or outdoor storage used for self-storage warehouse, or any outdoor storage used for an automobile oriented businesses (type 3).

B. Special Setback Standards: Along state highways and arterial streets the setback shall be 150 feet.

C. Special Architectural Standards: The building's facades shall not be constructed of cinder blocks, metal siding, or the like. The building facades shall utilize ornamental brick, glass, and other facade material consistent with recently developed commercial properties. All facades shall have commercial character, not industrial character.

D. Special Story Standards: Building shall be limited to one story.

E. Special Fence and Wall Standards: Screening for outdoor storage shall be either be opaque privacy fences made from wood or composite wood designs, or shall be ornamental brick walls.

5.83 ST-01: Structure Standards

This Structure Standards (ST) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Applicability: The maximum allowable number of primary structures shall be one (1) unless indicated otherwise on the applicable two-page layout in *Article 2: Zoning Districts*.

5.84 TC-01: Telecommunication Facility Standards

This Telecommunication Facility Standards (TC) section applies to the following zoning districts:

PR AG I1 I2 RO

The following standards apply:

A. Permits:
   1. In the PR and AG District, an Improvement Location Permit shall be required prior to the construction, erection, placement, modification, or alteration of a telecommunication facility.
   2. In the I1, I2, and RO District an Improvement Location Permit shall be required prior to the modification, or alteration of a telecommunication facility.
   3. In the I1, I2, and RO District a Development Plan review and approval shall be required prior to the construction, erection, or placement of a telecommunication facility.

B. Location:
   1. *Accessory Utility Structures*: Any accessory utility structure associated with a telecommunication facility shall meet the minimum front yard setback, minimum side yard setback, and minimum rear yard setback requirements in the appropriate two-page layouts in *Article 2: Zoning Districts*.
   2. *Towers*:
      a. Front Yard Setback: Telecommunication towers shall be set back from any right-of-way a minimum distance equal to fifty percent (50%) of the tower height, including all antennas and attachments.
      b. Side and Rear Yard Setback: Telecommunication towers shall be set back from the side and rear property lines a minimum distance equal to fifty percent (50%) of the tower height, including all antennas and attachments.
      c. Telecommunication towers shall not be located between the primary structure and a public street.
      d. Telecommunication towers shall not be located within the boundaries of any residential zoning district, and shall be set back from the boundaries of any residential zoning district a minimum distance equal to one hundred ten percent (110%) of the tower height.

C. Design:
   1. *Project Applicability*: Proposed or modified telecommunication towers and antennas shall meet the following design requirements:
   2. *Height*:
      a. Telecommunication towers shall not exceed 199 feet in height above ground level.
      b. All other utility structures and antennas shall meet the height standards in the appropriate two-page layouts in *Article 2: Zoning Districts* and in *Height Standards (HT)*.
   3. *Appearance*: Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in an instance where the color is dictated by State or federal authorities such as the Federal Aviation Administration (FAA).
   4. *Monopole Design*: Towers shall be of a monopole design, unless the Board of Zoning Appeals determines an alternative design would better blend in with the surrounding environment.
   5. *Collocation*: Any proposed telecommunication tower shall be designed structurally, electrically, and in all respects to accommodate both the applicant's antennas and comparable antennas for the following:
      a. A minimum of one (1) additional user if the telecommunications tower is between sixty (60) and 100 feet in height.
      b. A minimum of three (3) additional users if the telecommunications tower is 100 feet or more in height.
   6. *Accessory Utility Structures*: All utility structures needed to support a telecommunications tower shall be architecturally designed to blend in with the surrounding environment.
   7. *Fence Enclosure*: Telecommunication facilities and all accessory utility structures shall be protected by a security fence that shall be at least six (6) feet tall.
   8. *Lighting*: Telecommunication facilities shall not be illuminated by artificial means and shall not display strobe lights, except when it is dictated by State or federal authorities such as the Federal Aviation Administration (FAA).
   9. *Signs*: The use of any portion of a telecommunication facility for the posting of any signs or advertisements of any kind, other than warning or equipment information signs, shall not be permitted.

D. Construction Standards: All telecommunication facilities shall be subject to inspection by the Building Commissioner and Zoning Administrator during the construction process.
   1. *Easements*: If an easement is required for location of a telecommunication facility on the property, the easement shall be staked by a licensed and registered Indiana land surveyor so as to provide proof the facility has been constructed within the easement.
   2. *Footers*: Footing inspections shall be required by the Building Commissioner for all telecommunication facilities having footings.
   3. *Electrical Standards*: All telecommunication facilities containing electrical wiring shall be subject to the provisions of the Indiana Electric Code, as amended.

E. Inspection of Towers: The following shall apply to the inspection of telecommunications facilities:
   1. *Frequency*: Towers may be inspected at least once every five (5) years, or more often as needed to respond to complaints received, by the Zoning Administrator, Building Commissioner, and/or a registered, professional engineer to determine compliance with the original construction standards.
   2. *Investigation*: The Zoning Administrator and the Building Commissioner may enter onto the property to investigate the matter and may order the appropriate action to bring the facility into compliance.

F. Abandoned Towers: Any tower unused or left abandoned for six (6) months shall be removed by the property owner at its expense. Should the property owner fail to remove the tower after thirty (30) days from the date a violation notice is issued, the Town may remove the tower and bill the property owner for the costs of removal and cleanup of the site.

5.85 TU-01: General Temporary Use and Structure Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS HI

The following standards apply.

A. Cross Reference: See *Sign Standards (SI)* for temporary sign standards.

B. Permits: A Temporary Improvement Location Permit shall be obtained prior to establishing the temporary use or structure except as indicated otherwise in this section.

C. Types:

1. *Fund-raising Events*: Fund-raising events such as chicken barbecues, fish fries, and car washes shall be permitted and shall be exempt from obtaining a Temporary Improvement Location Permit if the frequency is less than three (3) times per calendar year, the duration of each event is fourteen (14) days or less, and there is a minimum of fourteen (14) days between any two (2) events. Signs for fund-raising events shall comply with the applicable temporary sign standards for the subject lot (e.g. the IS District would go to *Section 5.71(C): Temporary Signs*).
2. *Garage and Yard Sales*: Garage and yard sales shall be permitted and shall be exempt from obtaining a Temporary Improvement Location Permit if the frequency is less than two (2) times per calendar year, the duration of each event is three (3) days or less, and there is a minimum of fourteen (14) days between any two (2) events. Signs for garage or yard sales shall comply with the applicable temporary sign standards for the subject lot (e.g. the RE, R1, R2, R3, TR, and M1 Districts would go to *Section 5.69(A): Temporary Signs*).
3. *Portable Storage*: Portable storage units (e.g. PODS) shall be permitted and shall be exempt from obtaining a Temporary Improvement Location Permit, but shall not be located outdoors for more than fourteen (14) consecutive days, three (3) times per calendar year.
4. *Construction Trailer*: One (1) construction office trailer and one (1) construction storage trailer may be installed on a site that has been issued a building permit for a project that will have a construction duration of one (1) month or more. The location of the construction office and storage trailers shall meet all accessory structure setback standards if in a side or rear yard, or be at least five (5) feet from all property lines if located in the front yard. For large institutional, multi-family, commercial or industrial construction projects, the Zoning Administrator may grant up to two (2) construction office trailers and four (4) construction storage trailers if evidence supports the need.

D. Termination: Temporary uses shall be terminated and structures removed at the end of the permitted event period.

5.86 TU-02: Agricultural and Residential Estate Temporary Use and Structure Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

AG RE

The following standards apply:

A. Roadside Sales of Produce: The roadside sale of farm produce shall be permitted if the following conditions are met:

1. *Grown On-site*: Fifty (50%) of the produce offered for sale shall be grown on the same lot the where the roadside sale is located.
2. *Duration*: The roadside sale of produce shall not exceed six (6) months per calendar year.
3. *Sales Stand*: The sales stand shall be portable or seasonal construction, shall comply with the provisions of *Vision Clearance Standards (VC)*, and shall be removed so as to observe the setback line for accessory structures when not in use.
4. *Parking*: The roadside sale of produce shall be arranged so that parking does not block any right-of-way.

5.87 TU-03: Residential Temporary Use and Structure Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

R1 R2 R3 TR M1 M2 M3 MP

The following standards apply:

A. Model Homes: Model homes, apartments, and condominiums that contain a show room and/or sales office shall be permitted with the following requirements:
   1. *Duration*: The duration of a Temporary Improvement Location Permit for a model home, apartment, or condominium shall be three (3) years and may be renewed annually after the initial three-year period.
   2. *Location*: Model homes, apartments, and condominiums shall be on the site of the development for which the sales are taking place.
   3. *Parking*: The model home, apartment, or condominium shall provide a minimum of six (6) paved off-street parking spaces.
   4. *Lighting*: All exterior lighting shall be turned off between the hours of 11:00 PM and 6:00 AM every day. This regulation does not apply to a standard and customary front porch light, carriage light(s), or back porch light.
   5. *Neighborhood Information*: A maximum of one (1) neighborhood information kiosk/sign shall be permitted. Such a device shall not exceed eight (8) feet in height, thirty-two (32) square feet in area and shall not be illuminated.
   6. *Model Home Sign*: A maximum of one (1) "model home" sign shall be permitted. Such a device shall not exceed six (6) feet in height, eight (8) square feet in area and shall not be illuminated.

5.88 TU-04: Nonresidential Temporary Use and Structure Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

PR IS C1 C2 HC EC I1

The following standards apply:

A. Sale of Seasonal Items: The sale of seasonal items such as Independence Day fireworks, Christmas trees, and Halloween pumpkins shall be permitted if the following standards are met:
   1. *Duration*: The duration of a Temporary Improvement Location Permit for the sale of seasonal items shall be no more than forty-five (45) days per calendar year cumulatively. All unsold merchandise shall be removed within five (5) days after the expiration of the Temporary Improvement Location Permit.
   2. *Location*:
      a. The sale of seasonal items shall be on a lot that fronts a collector or arterial street.
      b. The sale of seasonal items shall be conducted at least one hundred (100) feet from residential zoning districts, including parking areas.
   3. *Additional Requirements*: The sale of seasonal items must comply with all requirements of applicable State laws.

B. Roadside Sales of Produce: The roadside sale of farm produce shall be permitted if the following conditions are met:
   1. *Duration*: The roadside sale of produce shall not exceed 120 days per calendar year.
   2. *Sales Stand*: The sales stand shall be portable or seasonal construction, shall comply with the provisions of *Vision Clearance Standards (VC)*, and shall be removed so as to observe the setback line for accessory structures when not in use.
   3. *Parking*: The roadside sale of produce shall be available in locations that do not block any right-of-way.

C. Special Event Signs: Businesses and organization shall be granted special sign provisions for special events as follows:
   1. *Frequency*: Up to two (2) times per calendar year.
   2. *Duration*: Up to fourteen (14) days per event.
   3. *Limitations*: The special event or signs used to promote the event shall not risk the health or safety of the public.

4. *Application*: The property owner or authorized representative shall submit:
   a. A site-plan sketch
   b. A description of the proposed event including:
      i. The nature of the event,
      ii. The duration of the event,
      iii. Activities planned on-site, and
      iv. Any other relevant information.
   c. Dimensioned illustrations of the signs or promotional devices intended to be used.
   d. A sign or promotional devices plan identifying their locations on-site.
   e. Letter of authorization from the property owner.
   f. Locations of any off-site parking (if applicable).
   g. An Emergency Evacuation Plan.
   h. A copy of any/all applicable local, or state permits (i.e. Hendricks County Health Department, Indiana Alcohol & Tobacco Commission, Brownsburg Police or Fire Territory).
5. *Approval*: If the event will potentially attract more than 300 vehicles on any given day of the event, then a committee comprised of the following members shall be convened to determine if the event shall be approved: public safety representative (e.g. police and/or fire), Chamber of Commerce representative, and the Building Inspector. The Zoning Administrator shall coordinate and facilitate the meeting and also be a voting member. A simple majority shall authorize the special event.

5.89 TU-05: Regional Outdoor Entertainment Temporary Use and Structure Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

RO

The following standards apply:

A. Parking Standards: Parking for race events shall comply with the *Parking Standards (PK)*.

B. Race Events: Race events shall be permitted if the following standards are met:
   1. *Notification*: The Planning and Building Department must be notified of the event no less than Sixty (60) days prior to the scheduled event.
   2. *Duration*:
      a. Sunday through Thursday, excluding the Sunday of Holiday Weekends, between the hours of 8:00 a.m. to 9:00 p.m.; and
      b. Friday, Saturday, and Holidays including the Sunday of Holiday Weekends, between the hours of 7:00 a.m. and 10:00 p.m.; and
      c. Two (2) twenty-four (24) hour endurance events, per calendar year, per location.
   3. *Noise and Vibration*: Noise and vibration emitted from amphitheaters, stadiums, and race tracks are permitted for the duration of scheduled events as listed in *Section 5.89(B)(2): Duration* above.
   4. *Exemption*: Events shall be exempt from *Subsection 155.310 (I) & (J) of the Municipal Code* acknowledging that commencement of the events are subject to adverse conditions (i.e. weather delay).

C. Temporary Camping Duration: Temporary camping facilities for staff, participants, and/or patrons of events shall be limited to the duration of each event plus two (2) days prior to and two (2) days after each event.

Trash Receptacle Standards (TR)

5.90 TR-01: Trash Receptacle Standards

This Trash Receptacle Standards (TR) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Project Applicability: Any new outdoor trash receptacle, dumpster, compactor, or similar container placed after the effective date of this Unified Development Ordinance shall be permitted if all of the following standards are met.
   1. *Exemptions*:
      a. Construction: Outdoor trash receptacles, dumpsters, compactors, recycling containers, or similar containers temporarily placed (i.e. construction projects) shall be exempt from the standards in this section.
      b. Residential: Any trash receptacle less than 150 gallons in size used for a single family residence in any zoning district shall be exempt from the Trash Receptacle Standards.

B. Design:
   1. *Screening*:
      a. Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be screened on all sides by a fence or wall that is constructed with wood, brick, or stone, and that substantially complements the primary structure's facade.
      b. Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be accessible by gates.
      c. The screening of outdoor trash receptacles, dumpsters, compactors, or similar containers shall meet the location and setback requirements in *Fence and Wall Standards (FW)*.
   2. *Surface Materials*: Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be placed on a paved surface.

C. Setbacks:
   1. *Front Yard*: Trash receptacles shall not be located in a front yard.
   2. *Side Yard*: Trash receptacles may project into a side yard setback for a primary structure by fifty percent (50%) of the minimum side yard setback.
   3. *Rear Yard*: Trash receptacles may project into a rear yard setback for a primary structure by fifty percent (50%) of the minimum rear yard setback.

D. Maintenance: All trash receptacles and screening associated with trash receptacles shall be properly maintained and kept in good condition.

Vision Clearance Standards (VC)

5.91 VC-01: Vision Clearance Standards

This Vision Clearance Standards (VC) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

The following standards apply:

A. Vision Clearance Triangle: A vision clearance or sight triangle shall be maintained at every intersection of two (2) or more streets, intersection of a street and alley, and intersection of a street and driveway.

1. *Horizontal Area*:

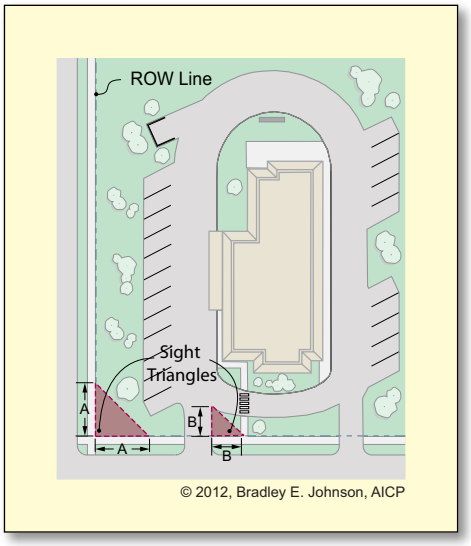
a. Streets: The vision clearance triangle leg lengths shall be measured from the intersection of right-of-way lines (see "A" in the illustration below). If the right-of-way line curves, then each right-of-way line shall be extended to form a corner point to measure from. The distances for each leg of the vision clearance triangle shall be as follows:

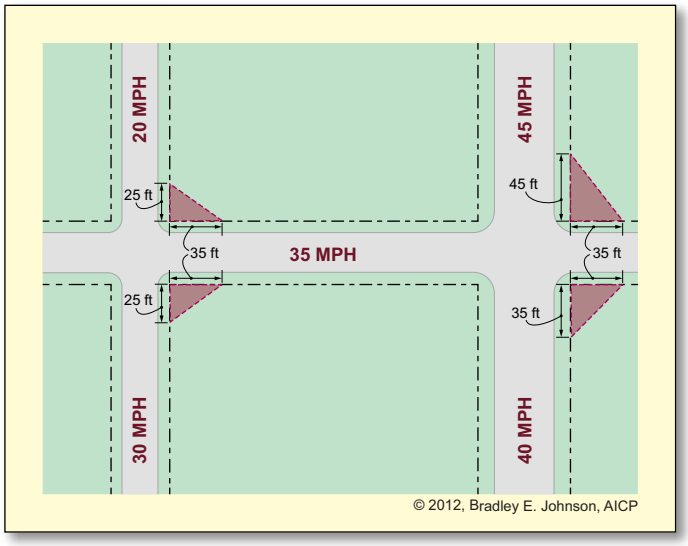
i. Speed Limit 30 MPH or Less: A triangle leg that parallels a street with a speed limit of 30 MPH or less shall be twenty-five (25) feet.

ii. Speed Limit 35 MPH to 40 MPH: A triangle leg that parallels a street with a speed limit of 35 MPH to 40 MPH shall be thirty-five (35) feet.

iii. Speed Limit 45 MPH or Greater: A triangle leg that parallels a street with a speed limit of 45 MPH or greater shall be forty-five (45) feet.

b. Alleys and Driveways: The vision clearance triangle leg lengths shall be ten (10) feet as measured from the right-of-way line and the intersection of a driveway or alley (see "B" in the illustration below). The edge of pavement shall be used for driveways and alleys.





2. *Vertical Area*: No primary or accessory structures, landscaping, fences, walls, or signs shall be permitted to be placed or to project into the vision clearance triangle between the heights of two (2) feet and nine (9) feet above the crown of the adjacent roadway.

3. *Exemptions*: Public street signs and utility poles shall be exempt from the vision clearance standards.

5.92 WT-01: Small Wind Turbine Systems

This Wind Turbine System Standards (WT) section applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS HI

The following standards apply to Small Wind Turbine Systems:

A. Permitted Systems:
   1. *Horizontal Axis Wind Turbine*: A horizontal axis small wind turbine system shall be permitted.
   2. *Vertical Axis Wind Turbine*: A vertical axis small wind turbine system shall be permitted.

B. Prerequisites:
   1. *Energy Production Purpose*: Small wind turbine systems shall be primarily sized and installed for the purpose of generating energy for an on-site use (i.e. residence, small business, or farmstead). The small wind turbine system shall be sized to produce no more than 150% of the annual on-site electricity needs.
   2. *Rated Power Limits*: A small wind turbine system shall have a maximum rated power level of eleven kilowatts (11kW).
   3. *Lot Size*: A minimum three-quarter (¾) acre lot shall be required for a small wind turbine system to be installed.
   4. *Manufacturer Installation Specifications*: Any permitted small wind turbine system shall be installed according to the manufacturer's specifications unless in conflict with applicable standards in the Town of Brownsburg's Unified Development Ordinance. When conflicts exist, the following standards apply:
      a. Manufacturer Specifications are More Strict: When the manufacturer's specifications are more strict than this ordinance, the manufacturer's specifications shall be followed.
      b. Zoning Standards are More Strict: When this ordinance is more strict than the manufacturer's specifications, this ordinance shall prevail, and that particular small wind turbine system shall be considered not permitted.

C. Turbine System Limitations:
   1. *Experimental Turbines*: Small wind turbine systems shall be commercially available and shall have been (a) certified by the Small Wind Certification Council (SWCC), (b) certified by the American Wind Energy Association (AWEA), (c) certified by an equivalent, reputable agency, or (d) produced by a manufacturer that has produced and sold at least 50 units of the model of interest. Small wind turbine systems that do not meet at least one of these minimum standards shall be considered experimental and shall not be permitted.
   2. *Connection to the Grid*: Any small wind turbine system that is intended to be connected to the power grid shall be IEEE 1547 compliant (Institute of Electrical and Electronics Engineers Standard for Interconnecting Distributed Resources with Electric Power Systems).

D. Supporting Structure:
   1. *Tower Mounted*: A horizontal axis small wind turbine system designed by the manufacturer for tower mounting may be mounted on a monopole, pole with guy wires, lattice tower, or lattice tower with guy wires.
   2. *Roof Mounted*: A horizontal or vertical axis small wind turbine system designed by the manufacturer for roof mounting may be mounted to the roof of a primary or accessory building.
   3. *Ground Mounted*: A vertical axis small wind turbine system designed by the manufacturer for ground mounting shall be mounted on the ground.

E. Height Limitations:
   1. *Horizontal Axis (Tower Mounted)*: The maximum tower height for a horizontal axis small wind turbine system shall be eighty (80) feet for lots under five (5) acres, and 110 feet for lots five (5) acres or greater.
   2. *Horizontal or Vertical Axis (Roof Mounted)*: The maximum height of all components of a roof mounted small wind turbine system shall be six (6) feet above the highest point of the roof for residential buildings and ten (10) feet above the highest point on the roof for agricultural, commercial, institutional, and industrial uses.
   3. *Vertical Axis (Ground Mounted)*: The maximum height for all components of a vertical axis, ground mounted small wind turbine system shall be forty (40) feet.

F. Maximum Number of Turbine Systems:
   1. *Small Lot*: A lot with two (2) acres or less shall be restricted to one (1) horizontal axis small wind turbine system and one (1) vertical axis roof mounted small wind turbine system.
   2. *Large Lots*: A lot with more than two (2) acres may have:
      a. Up to two (2) tower mounted horizontal axis or ground mounted vertical axis small wind turbine systems, and
      b. Up to three (3) roof mounted vertical axis or horizontal axis small wind turbine systems.

G. Wind Load: A small wind turbine system shall be engineered to survive a 100 mph wind load or greater.

H. Rotor Diameter: The maximum rotor diameter shall be twenty (20) feet for a small wind turbine system.

I. Location Restrictions:
   1. *Setback from Property Line*: A small wind turbine system, not including guy wires, shall be a minimum of twenty-five (25) feet from the property line or 110% of the height of the tower, whichever is greater.
   2. *Setback from Buildings*: A small wind turbine system, not including guy wires, shall not be required to be setback from any on-site building.
   3. *Setback from Utilities*: A small wind turbine system, not including guy wires, shall be a minimum of fifty (50) feet from any above-ground utility line or 120% of the height of the tower, whichever is greater.
   4. *Setback for Guy Wires*: Guy wire anchors shall be at least fifteen (15) feet from all property lines.

J. Safety:
   1. *Roof Mounted Systems*: The rotors (blades) of a horizontal axis turbine mounted on a roof shall not extend horizontally beyond the roof line of the building to which it is attached.
   2. *Ground Clearance*: The rotors (blades) of a horizontal axis wind turbine mounted on a tower shall not extend vertically to within twenty (20) feet of the ground.
   3. *Overspeed Protection*: A small wind turbine system shall have a fail-safe breaking system, auto-furling system, or similar system to prevent structural failure due to excessive revolutions per minute (rpm). Overspeed protection shall be a proven industry standard.

K. Nuisance Prevention:
   1. *Noise*: A small wind turbine system shall not generate more than 40dBA L90 or ambient dBA L90 + 5dBA whichever is greater when measured at the property line.
   2. *Illumination*: A small wind turbine system shall not be illuminated in any way unless required by FAA regulations.
   3. *Feeder Lines*: Feeder lines for wind turbines (i.e. electrical connection between the wind turbine and the on-site structure in which the power is utilized) shall be placed underground.

L. Inspection of Towers: The following shall apply to the inspection of a wind turbine system:
   1. *Frequency*: Wind turbine system may be inspected up to once every year, or more often as needed to respond to complaints received, by the Zoning Administrator to assure structural integrity and normal operation.
   2. *Investigation*: The Zoning Administrator may enter onto the property to investigate the matter and may order the appropriate action to bring the facility into compliance.

M. Abandoned Systems: A small wind turbine system shall be considered abandoned if its use as a wind turbine system is discontinued for more than six (6) months. The small wind turbine system shall be removed within six (6) months after being abandoned at the owners expense. If the owner fails to remove the wind turbine system, the Town may remove the tower and bill the property owner for the costs of removal and cleanup of the site.

N. Appurtenances: A small wind turbine system shall not have any appurtenances (e.g. lighting, flags, signs, or decorations) attached to it except for meteorological measuring equipment.

5.93 WT-02: Large Wind Turbine Systems

This Wind Turbine System Standards (WT) section applies to the following zoning districts:

PR AG IS C1 C2 HC I1 I2 MS HI

The following standards apply to Large Wind Turbine Systems:

A. Permitted Systems:
   1. *Horizontal Axis Wind Turbine*: A horizontal axis large wind turbine system shall be permitted.
   2. *Vertical Axis Wind Turbine*: A vertical axis large wind turbine system shall be permitted.

B. Prerequisites:
   1. *Energy Production Purpose*: Large wind turbine systems shall be primarily sized and installed for the purpose of generating energy for an on-site use (e.g. a school, industry, office building). The large wind turbine system shall be sized to produce no more than 200% of the annual on-site electricity needs.
   2. *Rated Power Limits*: A large wind turbine system shall have a minimum rated power of eleven kilowatts (11kW) and shall have a maximum rated power level of five hundred kilowatts (500kW).
   3. *Lot Size*: A minimum two (2) acre lot shall be required for a large wind turbine system to be installed.
   4. *Manufacturer Installation Specifications*: Any permitted large wind turbine system shall be installed according to the manufacturer's specifications unless in conflict with applicable standards in the Town of Brownsburg's Unified Development Ordinance. When conflicts exist, the following standards apply:
      a. Manufacturer Specifications are More Strict: When the manufacturer's specifications are more strict than this ordinance, the manufacturer's specifications shall be followed.
      b. Zoning Standards are More Strict: When this ordinance is more strict than the manufacturer's specifications, this ordinance shall prevail, and that particular large wind turbine system shall be considered not permitted.
   5. *Recorded Commitment*: All applications shall be required to submit and record a written commitment that indicates that upon abandonment of the large wind turbine system, the property owner will remove it within the timeframes listed in *Section 5.93(L): Abandoned Systems*.

C. Turbine System Limitations:
   1. *Minimum Ratings*: A large wind turbine system shall be manufactured to meet all applicable industry standards for manufacturing practices and safety.
   2. *Experimental Turbines*: A large wind turbine system that does not meet the applicable minimum ratings shall be considered experimental and shall not be permitted.
   3. *Connection to the Grid*: A large wind turbine system that is intended to be connected to the power grid shall be IEEE 1547 compliant (Institute of Electrical and Electronics Engineers Standard for Interconnecting Distributed Resources with Electric Power Systems).

D. Supporting Structure:
   1. *Tower Mounted Systems*: A horizontal axis large wind turbine system designed for tower mounting shall be mounted on a monopole. Lattice towers and towers with guy wires shall not be permitted.
   2. *Roof Mounted*: A large wind turbine system shall not be permitted to be mounted on a roof.
   3. *Ground Mounted Systems*: A vertical axis large wind turbine system designed for ground mounting shall be mounted on the ground.

E. Height Limitations:
   1. *Horizontal Axis (Tower Mounted)*: The maximum tower height for a horizontal axis large wind turbine system shall be 120 feet for lots under five (5) acres, and 140 feet for lots five (5) acres or greater.
   2. *Roof Mounted*: Large wind turbine systems are not permitted to be mounted on a roof.
   3. *Vertical Axis (Ground Mounted)*: The maximum height of all components of a vertical axis, ground mounted large wind turbine system shall be sixty (60) feet.

F. Maximum Number of Turbine Systems:
   1. *Small Lot*: A lot with fifteen (15) acres or less shall be restricted to one (1) horizontal axis or vertical axis large wind turbine system.
   2. *Large Lots*: A lot with more than fifteen (15) acres may have up to two (2) horizontal axis or vertical axis large wind turbine systems.

G. Wind Load: A large wind turbine system shall be engineered to survive a 110 mph wind load or greater.

H. Rotor Diameter: The maximum rotor diameter shall be 200 feet for a large wind turbine system.

I. Location Restrictions:
   1. *Setback from Property Line*: A large wind turbine system shall be a minimum of 100 feet or 200% of the hub height from the property line, whichever is greater.
   2. *Setback from On-site Buildings*: A large wind turbine system shall be required to be setback 100 feet from any on-site primary building. There is no required setback from accessory structures.
   3. *Setback from Off-site Land Uses*: A large wind turbine system shall be a minimum of 1,000 feet from a platted residential subdivision, multiple-family residential development, institutional use (e.g. school or church), land zoned single-family residential, land zoned multiple-residential, or land zoned institutional. These standards only apply to off-site properties and should not be construed as restricting any of the above listed types of development (e.g. school or multiple-family development) from choosing to have an on-site large wind turbine system.
   4. *Setback from Airport or Heliport*: A large wind turbine system shall be a minimum of 2,500 feet from an airport or heliport.
   5. *Setback from Utilities*: A large wind turbine system shall be a minimum of 200 feet or 200% of the hub height from above ground transmission lines, utility lines, or substations, whichever is greater.

J. Safety:
   1. *Ground Clearance*: The rotors (i.e. blades) of a horizontal axis large wind turbine system mounted on a tower shall not extend vertically to within thirty (30) feet of the ground.
   2. *Anti-icing Technology*: A large wind turbine system shall be equipped with technology able to detect icing on rotors that causes the system to shut down when experiencing a significant icing event; or shall utilize another industry accepted standard for protecting against shedding of significant pieces of ice capable of damaging nearby buildings and/or injuring persons or animals on the ground.
   3. *Controls and Brakes*: A large wind turbine system shall be equipped with a redundant braking system that includes both aerodynamic overspeed controls (i.e. variable pitch, tip, and other similar systems) and mechanical brakes.

K. Nuisance Prevention:
   1. *Noise*: A large wind turbine system shall not generate more than 40dBA L90 or ambient dBA L90 + 5dBA, whichever is greater when measured at the property line.
   2. *Illumination*: A large wind turbine system shall not be illuminated in any way unless required by or Federal Aviation Administration (FAA) regulations. Federal Aviation Administration (FAA) regulations shall be demonstrated to the Zoning Administrator prior to installation. If signal lighting is required on the top of a large wind turbine system, then it shall be shielded to prevent light below the horizontal plain.
   3. *Shadow Flicker*: The flickering effect caused by an Federal Aviation Administration (FAA) required signal light and the turning of the rotor shall be mitigated to the extent possible with the best known technology or practice.
   4. *Color*: A large wind turbine system shall be a non-obtrusive color such as white, off-white, gray, earth tones, or similar non-reflective colors.
   5. *Signs*: No large wind turbine system shall be used to display a commercial message.
   6. *Signal Interference*: The owner shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the large wind turbine system.
   7. *Feeder Lines*: Feeder lines for wind turbines (i.e. electrical connection between the wind turbine and the on-site structure in which the power is utilized) shall be placed underground.

L. Abandoned Systems: A large wind turbine system shall be considered abandoned if its use as a wind turbine system is discontinued for more than six (6) months. The large wind turbine system shall be removed within nine (9) months after being abandoned.

M. Appurtenances: A large wind turbine system shall not have any appurtenances (e.g. exterior lighting, wireless communication antennae, or ornamentation). Weather monitoring devices and safety equipment shall not be considered appurtenances.

Article

6

Subdivision Types

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Simple Subdivision (SS)

6.01 Simple Subdivision (SS) Intent

The Simple Subdivision is established to allow minor subdivisions of land with the following features:

Permitted Land Uses
- Land uses permitted in the underlying zoning district(s)

Pedestrian Network
- Sidewalks or multi-use paths along perimeter streets

Vehicular Network
- Preserve accessibility to land behind frontage lots
- Assure safe location of access points

Site Feature Preservation
- Strive to save existing quality tree stands

Incentives
- None

Applicable Process
- Simple Subdivisions shall generally use the Minor Subdivision process, except as indicated in *Article 9: Processes*.

6.02 Simple Subdivision (SS) Prerequisites

Base Zoning or Concurrent Rezoning
- PR, AG, RE, R1, R2, R3, TR, M1, M2, M3, MP, IS, NC, UC, C1, C2, HC, EC, I1, I2, MS, RO, or HI

Maximum Lot Splits
- Subdivisions resulting in 5 lots or less

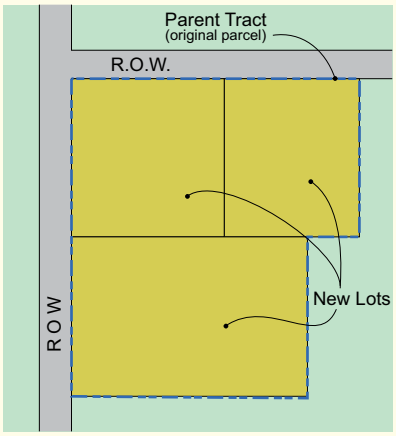
Minimum Parent Tract
- Large enough such that all resulting lots meet the minimum required lot area for the applicable zoning district

Maximum Parent Tract
- None

Disqualifications
- Any subdivision with common area
- Any subdivision with internal streets
- A parent tract that was previously subdivided utilizing the minor or major subdivision process

Simple Subdivision (SS)

6.03 Simple Subdivision (SS) Standards



© 2014, Bradley E. Johnson, AICP

No Applicable Graphic

No Applicable Graphic

Minimum Required Open Space
- Not applicable

Minimum Perimeter Landscaping
- Not applicable

Minimum Block Length
- Not applicable

Maximum Block Length
- Not applicable

Minimum Cul-de-sac Length
- Not applicable

Maximum Cul-de-sac Length
- Not applicable

Pedestrian Facility Requirement
- A sidewalk or multi-use path is required along all perimeter streets; the location, width and type shall be determined by the Town

Minimum ROW on Public Internal Streets
- Not applicable

Maximum Internal Street Design Speed
- Not applicable

Minimum Lane Width
- Not applicable

Curb Requirement
- Not applicable

On-street Parking Requirement
- Not applicable

Minimum Sidewalk Width
- Not applicable (no internal streets)

Minimum Tree Lawn Width
- Not applicable (no internal streets)

Additional Design Standards that Apply

Development Name
- DD-01 7-07

Easement
- EA-01 7-09

Erosion Control
- EC-01 7-14

Lot Establishment
- LE-01 7-22

Monument and Marker
- MM-01 7-28

Prerequisite
- PQ-01 7-35

Stormwater
- SW-01 5-64

Curvilinear Subdivision (CL)

6.04 Curvilinear Subdivision (CL) Intent

The Curvilinear Subdivision (CL) is established to provide a subdivision development option with the following features:

Permitted Land Uses
- Land uses permitted in the underlying zoning district(s)

Pedestrian Network
- Sidewalks on both sides of internal streets
- Sidewalks or multi-use paths along perimeter streets
- Connection to adjacent developments

Vehicular Network
- Connection to adjacent developments
- Significant use of cul-de-sacs
- Large radius corners/curves

Site Feature Preservation
- Strive to save quality existing tree stands

Incentives
- Density and Intensity bonus for anti-monotony commitment

Applicable Process
- Major subdivision

6.05 Curvilinear Subdivision (CL) Prerequisites

Base Zoning or Concurrent Rezoning
- RE, R1, R2, R3, and M1

Minimum Lot Splits
- Subdivisions resulting in 4 lots or more

Minimum Parent Tract
- Large enough such that all resulting lots meet the minimum required lot area for the applicable zoning district

Maximum Parent Tract
- None

Disqualifications
- None

6.06 Curvilinear Subdivision (CL) Elective Incentives

The Development Standards listed in the table to the right shall preempt the corresponding Development Standards listed for each zoning district in *Article 02: Zoning Districts* if the development fully complies with *Section 7.14: Incentive Standards*.

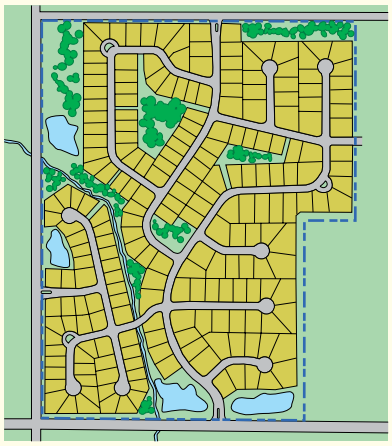
Any Development Standard not listed in the table shall be regulated by the applicable base zoning district.

Curvilinear Subdivision Density and Intensity Bonus
(See *Section 7.14: Incentive Standards*)

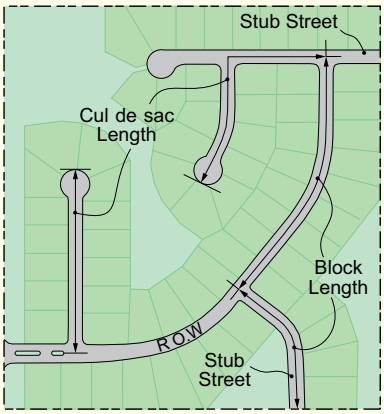
		Zoning District				
		RE	R1	R2	R3	M1
Lot Standards	Min. Lot Area (~80%)	52,200 sq ft	16,000 sq ft	10,000 sq ft	7,200 sq ft	17,400 sq ft
	Min. Average Lot Area (~90%)	58,000 sq. ft.	18,000 sq ft	11,250 sq ft	8,100 sq ft	19,600 sq ft
	Min. Lot Width (~80%)	120 feet	95 feet	80 feet	64 feet	80 feet
	Min. Average Lot Width (~90%)	130 feet	110 feet	90 feet	72 feet	90 feet
Setback Standards	Min. Front Setback	55 feet	base zoning	base zoning	base zoning	base zoning
	Min. Side Setback (Primary Structures)	30 feet	13 feet	9 feet	8 feet	12 feet
	Min. Side Setback (Accessory Structures)	base zoning	9 feet	9 feet	base zoning	base zoning
	Min. Rear Setback (Primary Structures)	base zoning	base zoning	base zoning	base zoning	base zoning
	Min. Rear Setback (Accessory Structures)	base zoning	base zoning	base zoning	base zoning	10 feet
Other Strds.	Max. Lot Coverage	25%	30%	45%	50%	40%
	Min. Dwelling Unit Size	1,900 sq. ft.	1,900 sq. ft.	1,500 sq. ft.	1,300 sq. ft.	950 sq. ft.
	Maximum Density (d.u./ac.)	0.7 d.u./ac.	2 d.u./ac.	3.2 d.u./ac.	4.4 d.u./ac.	3.8 d.u./ac.

Curvilinear Subdivision (CL)

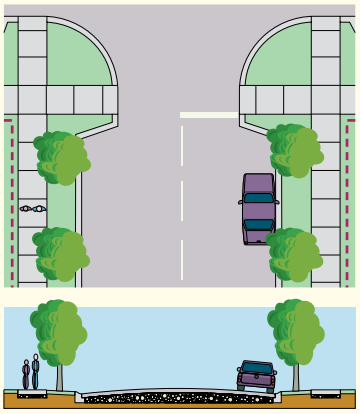
6.07 Curvilinear Subdivision (CL) Standards



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP

Minimum Required Open Space
- 10% of the original parent tract

Minimum Perimeter Landscaping
- 50 feet of landscaped common area along perimeter streets classified as an arterial or collector street in the Town's Thoroughfare Plan
- 25 feet of landscaped common area along perimeter streets classified as a local street in the Town's Thoroughfare Plan
- See *Section 5.40: Buffer Yard Planting Standards* for applicable buffering requirements between adjacent land

Minimum Block Length
- 150 feet

Maximum Block Length
- 1,320 feet (1/4 mile)

Minimum Cul-de-sac Length
- 140 feet

Maximum Cul-de-sac Length
- 600 feet

Pedestrian Facility Requirement
- Sidewalks required on both sides of internal streets
- A sidewalk or multi-use path is required along all perimeter streets; the location, width and type shall be determined by the Town
- When the Active Transportation Plan indicates the need for a multi-use trail, the developer shall incorporate it into the design of the development

Minimum ROW on Public Internal Streets
- 48 feet plus 6 feet per parking lane

Maximum Internal Street Design Speed
- 25 mph

Minimum Lane Width
- 11 feet per driving lane, plus 6 feet per parking lane

Curb Requirement
- Chair-back curb or rolled curb required; or flush curb where green infrastructure necessitates

On-street Parking Requirement
- Permitted on one or two sides, but not required

Minimum Sidewalk Width
- 5 feet along internal streets

Minimum Tree Lawn Width
- 6 feet along internal streets

Additional Design Standards that Apply

Architectural Diversity
- AD-01 7-03

Common Area
- CA-01 7-06

Dedication of Public Improvement
- DD-01 7-07

Development Name
- DD-01 7-07

Easement
- EA-01 7-09

Entryway Feature
- EF-01 7-12

Erosion Control
- EC-01 7-14

Flood Hazard
- FH-01 7-15

Incentive
- IC-01 7-16

Lot Establishment
- LE-02 7-23

Mailbox
- MB-01 7-25

Monument and Marker
- MM-01 7-28

Open Space
- OP-01 7-29

Owners' Association
- OA-01 7-30

Pedestrian Network
- PN-01 7-32
- PN-02 7-33

Perimeter Landscaping
- PL-01 7-34

Prerequisite
- PQ-01 7-35

Stormwater
- SW-01 5-64

Street and Access
- SA-01 7-37
- SA-02 7-41
- SA-04 7-43
- SA-05 7-44
- SA-07 7-45

Street Lighting
- SL-01 7-46

Surety
- SY-01 7-48

Utility
- UT-01 7-50

Conservation Subdivision (CN)

6.08 Conservation Subdivision (CN) Intent

The Conservation Subdivision (CN) is established to provide a subdivision development option with the following features:

Permitted Land Uses
- Land uses permitted in the underlying zoning district(s)

Pedestrian Network
- Sidewalks on at least one side of internal streets
- Sidewalks or multi-use paths along perimeter streets
- Paths in conservation area

Vehicular Network
- Moderate use of cul-de-sacs
- Narrow streets without curbs
- Large radius corners/curves

Site Feature Preservation
- Existing quality tree stands shall be preserved to the greatest degree possible

Incentives
- Narrow local streets without curbs
- Reduced street light requirements
- Sidewalks only required on one side of streets
- Intensity bonus on developable portions of the parent tract

Applicable Process
- Major subdivision

6.09 Conservation Subdivision (CN) Prerequisites

Base Zoning
- RE, R1, R2, and M1

Minimum Lot Splits
- Subdivisions resulting in 10 lots or more

Minimum Parent Tract
- 10 acres (217,800 square feet)

Maximum Parent Tract
- 200 acres

Disqualifications
- Parent tracts without a quality natural amenity covering at least 20% of its area are disqualified. However, if a natural amenity does not exist, a quality woodlot may be created as per the open space standards in *Article 7: Design Standards*.
- Failing to design around, protect and preserve the highest quality natural amenities
- Any development with lots that have driveway access off of a perimeter street

6.10 Conservation Subdivision (CN) Elective Incentives

The Development Standards listed in the table to the right shall preempt the corresponding Development Standards listed for each zoning district in *Article 02: Zoning Districts* if the development fully complies with *Section 7.15: Incentive Standards*.

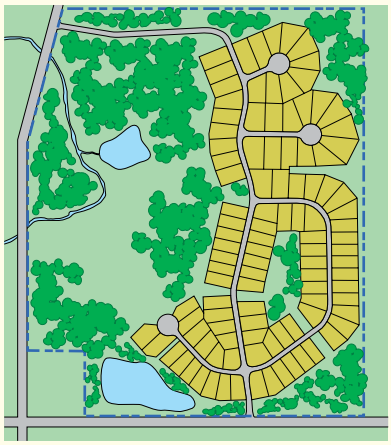
Any Development Standard not listed in the table shall be regulated by the applicable base zoning district.

Conservation Subdivision Density and Intensity Bonus
(See *Section 7.15: Incentive Standards*)

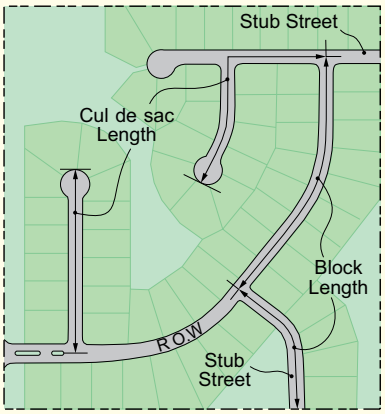
		Zoning District			
		RE	R1	R2	M1
Lot Standards	Min. Lot Area (~70%)	45,700 sq ft	14,000 sq ft	9,000 sq ft	15,300 sq ft
	Min. Average Lot Area (~80%)	52,200 sq ft	16,000 sq ft	10,000 sq ft	17,400 sq ft
	Min. Lot Width (~70%)	105 feet	85 feet	70 feet	70 feet
	Min. Average Lot Width (~80%)	120 feet	95 feet	80 feet	80 feet
Setback Standards	Min. Front Setback (~80%)	50 feet	25 feet	base zoning	base zoning
	Min. Side Setback (Primary Structures)	25 feet	12 feet	8 feet	12 feet
	Min. Side Setback (Accessory Structures)	15 feet	8 feet	8 feet	base zoning
	Min. Rear Setback (Primary Structures)	25 feet	25 feet	16 feet	16 feet
	Min. Rear Setback (Accessory Structures)	25 feet	8 feet	8 feet	12 feet
Other Strds	Max. Lot Coverage	30%	30%	45%	40%
	Min. Dwelling Unit Size	1,900 sq. ft.	1,900 sq. ft.	1,500 sq. ft.	950 sq. ft.
	Maximum Density (d.u./ac.)	.7 d.u./ac.	1.8 d.u./ac.	2.8 d.u./ac.	1.7 d.u./ac.

Conservation Subdivision (CN)

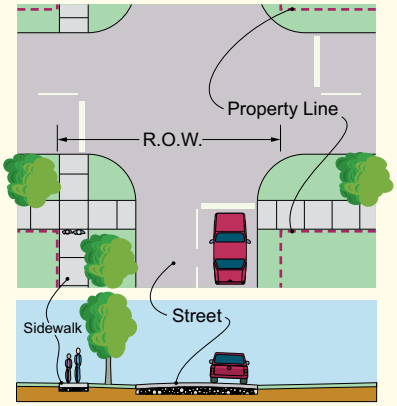
6.11 Conservation Subdivision (CN) Standards



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP

Minimum Required Open Space
- 40% of the original parent tract or tracts

Minimum Perimeter Landscaping
- 50 feet of landscaped common area along perimeter streets classified as an arterial or collector street in the Town's Thoroughfare Plan
- 25 feet of landscaped common area along perimeter streets classified as a local street in the Town's Thoroughfare Plan
- See *Section 5.40: Buffer Yard Planting Standards* for applicable buffering requirements between adjacent land

Minimum Block Length
- 150 feet

Maximum Block Length
- 1,760 feet (1/3 mile)

Minimum Cul-de-sac Length
- 140 feet

Maximum Cul-de-sac Length
- 800 feet

Pedestrian Facility Requirement
- Sidewalks are required on one side of all internal streets but may be installed on both sides
- An on-street sidewalk or off-street improved path is required linking all home sites to the perimeter street
- A sidewalk or multi-use path is required along all perimeter streets; the location, width and type shall be determined by the Town
- When the Active Transportation Plan indicates the need for a multi-use trail, the developer shall incorporate it into the design of the development

Minimum ROW on Public Internal Streets
- 42 feet plus 5 feet per parking lane

Maximum Internal Street Design Speed
- 30 mph

Minimum Lane Width
- 12 feet (11 feet plus 1 foot paved shoulder), plus 5 feet per parking lane

Curb Requirement
- Flush curbs are required to stabilize the edge of asphalt. Straight curbs may be used to manage stormwater in high volume areas

On-street Parking Requirement
- Permitted only in front of platted lots or in parking courts near lots

Minimum Sidewalk Width
- 5 feet along internal streets

Minimum Tree Lawn Width
- 5 feet on sides with sidewalks and 8 feet on all other sides of the street. Tree lawns can also serve as stormwater management areas

Additional Design Standards that Apply

Architectural Diversity
- AD-02 7-04

Common Area
- CA-01 7-06

Dedication of Public Improvement
- DD-01 7-07

Development Name
- DD-01 7-07

Easement
- EA-01 7-09

Entryway Feature
- EF-01 7-12

Erosion Control
- EC-01 7-14

Flood Hazard
- FH-01 7-15

Incentive
- IC-02 7-18

Lot Establishment
- LE-02 7-23

Mailbox
- MB-01 7-25

Monument and Marker
- MM-01 7-28

Open Space
- OP-01 7-29

Owners' Association
- OA-01 7-30

Pedestrian Network
- PN-01 7-32
- PN-02 7-33

Perimeter Landscaping
- PL-01 7-34

Prerequisite
- PQ-01 7-35

Stormwater
- SW-01 5-64

Street and Access
- SA-01 7-37
- SA-02 7-41
- SA-05 7-44
- SA-07 7-45

Street Lighting
- SL-02 7-46

Surety
- SY-01 7-48

Utility
- UT-01 7-50

Townhouse Subdivision (TN)

6.12 Townhouse Subdivision (TN) Intent

The Townhouse Subdivision type is intended to provide a subdivision development option with the following features:

Permitted Land Uses
- Land uses permitted in the underlying zoning district(s)

Pedestrian Network
- Sidewalks on both sides of internal streets
- Sidewalks or multi-use paths along perimeter streets
- Connection to adjacent developments

Vehicular Network
- Connection to adjacent developments
- Use of alleys is permitted
- Small radius corners/curves

Site Feature Preservation
- Strive to save quality existing tree stands

Incentives
- Density and intensity bonus for compliance with townhouse subdivision design standards and architectural standards

Applicable Process
- Major subdivision

6.13 Townhouse Subdivision (TN) Prerequisites

Base Zoning or Concurrent Rezoning
- M1 and M2

Minimum Lot Splits
- Subdivisions resulting in 4 lots or more

Minimum Parent Tract
- Large enough such that all resulting lots meet the minimum required lot area for the applicable zoning district

Maximum Parent Tract
- 60 acres

Disqualifications
- Requesting waivers or variances that reduce the applicable architectural standards

6.14 Townhouse Subdivision (TN) Elective Incentives

The Development Standards listed in the table to the right shall preempt the corresponding Development Standards listed for each zoning district in *Article 02: Zoning Districts* if the development fully complies with *Section 7.16: Incentive Standards*.

Any Development Standard not listed in the table shall be regulated by the applicable base zoning district.

Townhouse Subdivision Density and Intensity Bonus (See *Section 7.16: Incentive Standards*)

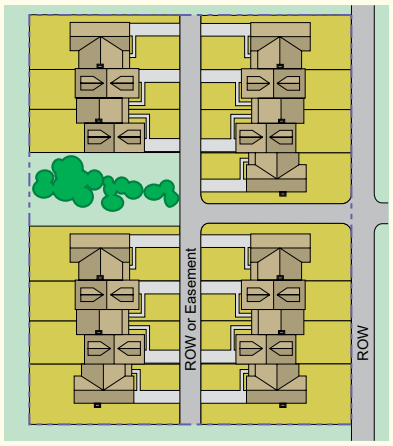
		Zoning District	
		M1	M2
Lot Standards	Min. Lot Area	1,600 sq. ft.	1,400 sq. ft.
	Min. Average Lot Area	2,000 sq. ft.	1,800 sq. ft.
	Min. Lot Width	20 feet	18 feet
	Min. Average Lot Width	22 feet	20 feet
Setback Standards	Min. Front Setback	10 feet	8 feet
	Min. Side Setback Between Units Within the Same Building	0 feet	0 feet
	Min. Side Setback from Building to Perimeter Property Line	20 feet	20 feet
	Min. Setback from Building to Building	20 feet	20 feet
	Min. Side Setback (Accessory Structures)	not permitted	not permitted
	Min. Rear Setback (Primary Structures)	25 feet	20 feet
	Min. Rear Setback (Accessory Structures)	not permitted**	not permitted**
Other Standards	Max. Lot Coverage	80%	90%
	Min. Dwelling Unit Size	1,200**	1,200**
	Maximum Density (d.u./ac.)	6.4 d.u./ac.	16 d.u./ac.
	Minimum Building Separation	40 feet*	30 feet*

* Separation from another block of townhouses, not each individual unit

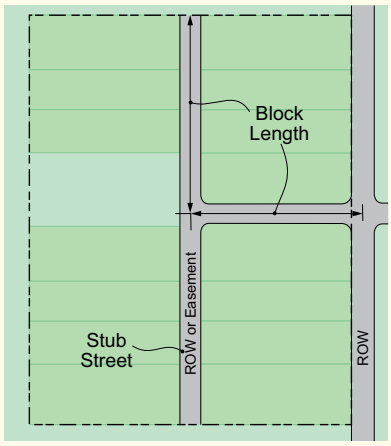
** Indicates a standard that is more restrictive than base zoning (i.e. not an incentive) and that still supersedes the base zoning

Townhouse Subdivision (TN)

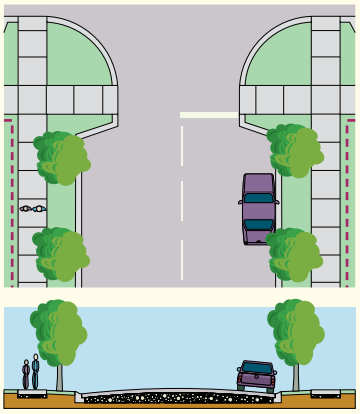
6.15 Townhouse Subdivision (TN) Standards



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP

Minimum Required Open Space
- 30% of the original parent tract

Minimum Perimeter Landscaping
- 25 feet of landscaped common area along perimeter streets classified as an arterial or collector street in the Town's Thoroughfare Plan
- 20 feet of landscaped common area along perimeter streets classified as a local street in the Town's Thoroughfare Plan
- See *Section 5.40: Buffer Yard Planting Standards* for applicable buffering requirements between adjacent land

Minimum Block Length
- 160 feet

Maximum Block Length
- 600 feet

Minimum Cul-de-sac Length
- Cul-de-sacs not permitted

Maximum Cul-de-sac Length
- Cul-de-sacs not permitted

Pedestrian Facility Requirement
- Sidewalks required on both sides of internal streets
- A sidewalk or multi-use path is required along all perimeter streets; the location, width and type shall be determined by the Town
- When the Active Transportation Plan indicates the need for a multi-use trail, the developer shall incorporate it into the design of the development

Minimum ROW on Public Internal Streets
- 46 feet, plus 7 feet per parking lane

Maximum Internal Street Design Speed
- 25 mph

Minimum Lane Width
- 11 feet per driving lane, plus 7 feet per parking lane

Curb Requirement
- Chair-back curb

On-street Parking
- 1/2 of the applicable minimum required "off-street" parking spaces from *Article 5: Development Standards* may be provided "on-street"

Minimum Sidewalk Width
- 5 feet when sidewalk is spaced away from the curb, or 10 feet when sidewalk is at the curb line along internal streets

Minimum Tree Lawn Width
- 6 feet when sidewalks are spaced away from the curb, or tree beds when sidewalk is at the curb line along internal streets

Additional Design Standards that Apply

Architectural Diversity
- AD-03 7-05

Common Area
- CA-01 7-06

Dedication of Public Improvement
- DD-01 7-07

Development Name
- DD-01 7-07

Easement
- EA-01 7-09

Entryway Feature
- EF-01 7-12

Erosion Control
- EC-01 7-14

Flood Hazard
- FH-01 7-15

Incentive
- IC-03 7-19
- IC-04 7-20

Lot Establishment
- LE-02 7-23

Mailbox
- MB-02 7-25

Monument and Marker
- MM-01 7-28

Open Space
- OP-01 7-29

Owners' Association
- OA-01 7-30

Pedestrian Network
- PN-01 7-32
- PN-02 7-33

Perimeter Landscaping
- PL-01 7-34

Prerequisite
- PQ-01 7-35

Stormwater
- SW-01 5-64

Street and Access
- SA-01 7-37
- SA-02 7-41
- SA-03 7-42
- SA-05 7-44
- SA-07 7-45

Street Lighting
- SL-03 7-47

Surety
- SY-01 7-48

Utility
- UT-01 7-50

Traditional Subdivision (TD)

6.16 Traditional Subdivision (TD) Intent

The Traditional Subdivision type is intended to provide a subdivision development option with the following features:

Permitted Land Uses
- Predominantly residential, but a small proportion of the land may be used for neighborhood-serving commercial uses

Pedestrian Network
- Sidewalks on both sides of internal streets
- Sidewalks or multi-use paths along perimeter streets
- Connection to adjacent developments

Vehicular Network
- Connectivity to other developments
- Frequent use of alleys
- Small radius corners/curves

Site Feature Preservation
- Strive to save quality existing tree stands

Incentives
- Density and intensity bonus for compliance with traditional subdivision design standards and architectural standards

Applicable Process
- Major subdivision

6.17 Traditional Subdivision (TD) Prerequisites

Prerequisite Base Zoning
- Min of 70% R2, R3, or TR; all single family uses shall be zoned R2, R3, or TR
- Max of 20% M1 or M2; any multiple-family uses must be zoned M1 or M2
- Max of 15% NC; any commercial uses must be zoned NC

Minimum Lot Splits
- Subdivisions resulting in 4 lots or more

Minimum Parent Tract
- 20 acres

Maximum Parent Tract
- 200 acres

Disqualifications
- Request for waivers or variances that result in:
  - Not using Chair-back curbs along local streets
  - Not using alleys for single-family garage access
  - Not using on-street parking in front of all dwellings
  - Not fulfilling the 4-sided architecture standards
  - Uncharacteristic use of curvilinear street design
  - Uncharacteristic use of non-through streets

6.18 Traditional Subdivision (TD) Elective Incentives

The Development Standards listed in the table to the right shall preempt the corresponding Development Standards listed for each zoning district in *Article 02: Zoning Districts* if the development fully complies with *Section 7.17: Incentive Standards*.

Any Development Standard not listed in the table shall be regulated by the applicable base zoning district.

Traditional Subdivision Density and Intensity Bonus
(See *Section 7.17: Incentive Standards*)

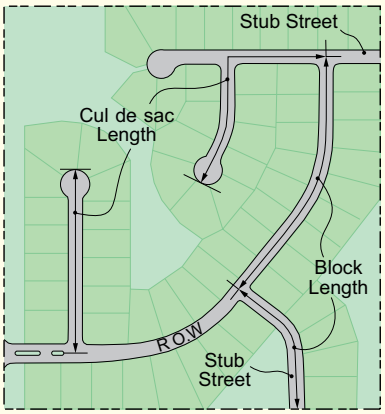
		Zoning District					
		R2	R3	TR	M1	M2	NC
Lot Standards	Min. Lot Area	7,500 sq ft	5,400 sq ft	base zoning	13,000 sq ft	19,600 sq. ft.	13,000 sq ft
	Min. Average Lot Area	8,750 sq. ft.	6,300 sq. ft.	base zoning	15,300 sq. ft.	22,800 sq. ft.	15,300 sq. ft.
	Min. Lot Width	60 feet	48 feet	base zoning	70 feet	90 feet	50 feet
	Min. Average Lot Width	70 feet	56 feet	base zoning	80 feet	100 feet	60 feet
Setback Standards	Min. Front Setback	18 feet	15 feet	base zoning	20 feet	20 feet	0 feet
	Min. Side Setback (Primary Structures)	8 feet	6 feet	base zoning	10 feet	15 feet	0 feet
	Min. Side Setback (Accessory Structures)	8 feet	6 feet	base zoning	not permitted**	not permitted**	not permitted**
	Min. Rear Setback (Primary Structures)	20 feet	18 feet	base zoning	20 feet	20 feet	10 feet
	Min. Rear Setback (Accessory Structures)	8 feet	base zoning	base zoning	not permitted**	not permitted**	not permitted
Other Strds	Max. Lot Coverage	50%	55%	65%	50%	60%	90%
	Min. Dwelling Unit Size	1,500 sq. ft.	1,300 sq. ft.	base zoning	1,000 sq. ft.	900 sq. ft.	900 sq. ft.*
	Maximum Density (d.u./ac.)	n/a	n/a	n/a	6 d.u./ac.	10 d.u./ac.	4 d.u./ac.

* Applies when neighborhood commercial has upper story residential

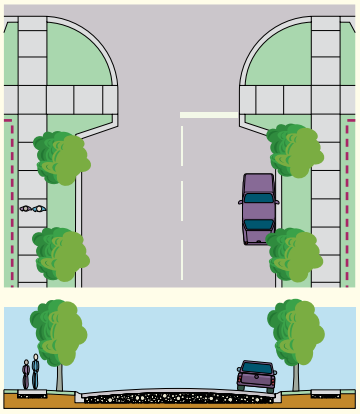
** Indicates a standard that is more restrictive than base zoning (i.e. not an incentive) and that still supersedes the base zoning

6.19 Traditional Subdivision (TD) Standards

© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP

Minimum Required Open Space
- 15% of the original parent tract

Minimum Perimeter Landscaping
- 30 feet of landscaped common area along perimeter streets classified as an arterial or collector street in the Town's Thoroughfare Plan
- 15 feet of landscaped common area along perimeter streets classified as a local street in the Town's Thoroughfare Plan
- 15 feet of landscaped common area along adjacent properties if zoned single-family residential.
- No landscape mounds greater than 2 feet in height are permitted
- See *Section 5.40: Buffer Yard Planting Standards* for applicable buffering requirements between adjacent land

Minimum Block Length
- 160 feet

Maximum Block Length
- 1,000 feet (~1/5 mile)

Minimum Cul-de-sac Length
- N/A

Maximum Cul-de-sac Length
- N/A

Pedestrian Facility Requirement
- Sidewalks required on both sides of internal streets
- A sidewalk or multi-use path is required along all perimeter streets; the location, width and type shall be determined by the Town
- When the Active Transportation Plan indicates the need for a multi-use trail, the developer shall incorporate it into the design of the development

Minimum ROW on Public Internal Streets
- 60 feet

Maximum Internal Street Design Speed
- 25 mph

Minimum Lane Width
- 11 feet per driving lane, plus 7 feet per parking lane

Curb Requirement
- Chair-back curb

On-street Parking
- Required, minimum 1.5 spaces per single family detached and single family attached dwelling unit, plus 0.5 space per multiple-family dwelling unit

Minimum Sidewalk Width
- 5 feet when sidewalk is spaced away from the curb, or 10 feet when sidewalk is at the curb line along internal streets

Minimum Tree Lawn Width
- 6 feet when sidewalks are spaced away from the curb, or tree beds when sidewalk is at the curb line along internal streets

Additional Design Standards that Apply

Architectural Diversity
- AD-02 7-04

Common Area
- CA-01 7-06

Dedication of Public Improvement
- DD-01 7-07

Development Name
- DD-01 7-07

Easement
- EA-01 7-09

Entryway Feature
- EF-01 7-12

Erosion Control
- EC-01 7-14

Flood Hazard
- FH-01 7-15

Incentive
- IC-04 7-20

Lot Establishment
- LE-02 7-23

Mailbox
- MB-02 7-25

Mixed Use
- MX-01 7-27

Monument and Marker
- MM-01 7-28

Open Space
- OP-01 7-29

Owners' Association
- OA-01 7-30

Pedestrian Network
- PN-01 7-32
- PN-02 7-33

Perimeter Landscaping
- PL-01 7-34

Prerequisite
- PQ-01 7-35

Stormwater
- SW-01 5-64

Street and Access
- SA-01 7-37
- SA-02 7-41
- SA-03 7-42
- SA-05 7-44
- SA-07 7-45

Street Lighting
- SL-03 7-47
- SL-04 7-47

Surety
- SY-01 7-48

Utility
- UT-01 7-50

Commercial Subdivision (CM)

6.20 Commercial Subdivision (CM) Intent

The Commercial District Subdivision type is intended to provide a subdivision development option with the following features:

Permitted Land Uses
- Land uses permitted in the underlying zoning district(s)

Pedestrian Network
- Safe internal connections between primary structures and from primary structures to public streets
- Sidewalks or multi-use paths along perimeter streets
- Connection to adjacent developments

Vehicular Network
- Connectivity to adjacent parcels via internal streets, cross access easement, or shared parking lots when appropriate
- Minimal curb cuts off of perimeter streets

Site Feature Preservation
- Strive to save existing tree stands

Incentives
- None

Applicable Process
- Major subdivision

6.21 Commercial Subdivision (CM) Prerequisites

Prerequisite Base Zoning
- IS, NC, UC, C1, C2, HC, or EC

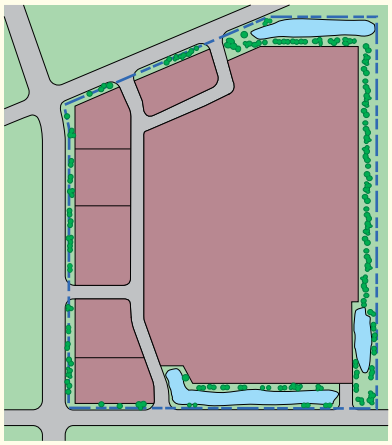
Minimum Lot Splits
- Subdivisions resulting in 2 lots or more

Minimum Parent Tract
- Large enough such that all resulting lots meet the minimum required lot area for the applicable zoning district

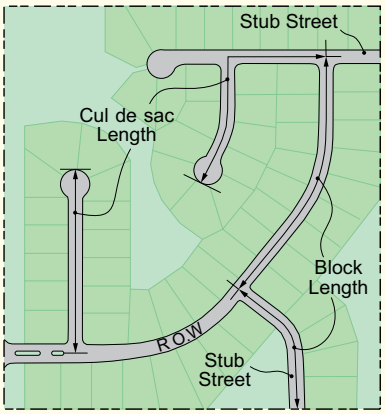
Maximum Parent Tract
- None

Commercial Subdivision (CM)

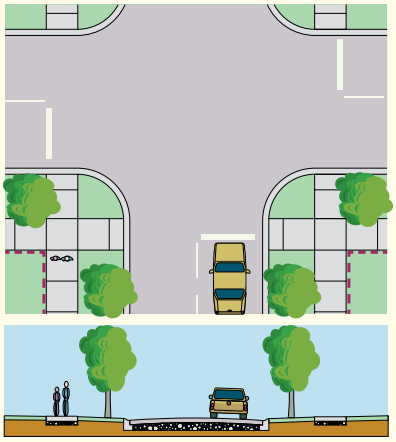
6.22 Commercial Subdivision (CM) Standards



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP

Minimum Required Open Space
- None required

Minimum Perimeter Landscaping
- 30 feet of landscaped common area along perimeter streets classified as an arterial or collector street in the Town's Thoroughfare Plan
- 10 feet of landscaped common area along perimeter streets classified as a local street in the Town's Thoroughfare Plan
- See *Section 5.40: Buffer Yard Planting Standards* for applicable buffering requirements between adjacent land
- Perimeter landscaping shall not be required when the land is zoned Urban Commercial (UC)

Minimum Block Length
- 200 feet

Maximum Block Length
- 2,640 feet

Minimum Cul-de-sac Length
- 200 feet

Maximum Cul-de-sac Length
- 600 feet

Pedestrian Facility Requirement
- Sidewalks are required on at least one side of all internal streets and access streets
- Sidewalks are required to effectively and efficiently allow pedestrians to reach perimeter streets from all primary structures
- A sidewalk or multi-use path is required along all perimeter streets; the location, width and type shall be determined by the Active Transportation Plan
- When the Active Transportation Plan indicates the need for a multi-use trail, the developer shall incorporate it into the design of the development

Minimum ROW on Public Internal Streets
- 32 feet

Maximum Internal Street Design Speed
- 35 mph

Minimum Lane Width
- 11 feet

Curb Requirement
- Chair-back curb or rolled curb; or flush curb where green infrastructure is being utilized

On-street Parking Requirement
- Not permitted, except when the land is zoned Urban Commercial (UC)

Minimum Sidewalk Width
- 6 feet along internal streets and connectors from primary structures to perimeter streets

Minimum Tree Lawn Width
- 6 feet along internal streets in office or business parks
- Not required elsewhere

Additional Design Standards that Apply

Common Area
- CA-01 7-06

Dedication of Public Improvement
- DD-01 7-07

Development Name
- DD-01 7-07

Easement
- EA-01 7-09

Entryway Feature
- EF-02 7-13

Erosion Control
- EC-01 7-14

Flood Hazard
- FH-01 7-15

Lot Establishment
- LE-03 7-24

Mailbox
- MB-03 7-26

Monument and Marker
- MM-01 7-28

Open Space
- OP-01 7-29

Owners' Association
- OA-01 7-30

Pedestrian Network
- PN-01 7-32
- PN-02 7-33

Perimeter Landscaping
- PL-01 7-34

Prerequisite
- PQ-01 7-35

Stormwater
- SW-01 5-64

Street and Access
- SA-01 7-37
- SA-02 7-41
- SA-06 7-44
- SA-07 7-45

Street Lighting
- SL-04 7-47

Surety
- SY-01 7-48

Utility
- UT-01 7-50

Industrial Subdivision (ID)

6.23 Industrial Subdivision (ID) Intent

The Industrial Park Subdivision is intended to provide a subdivision development option with the following features:

Permitted Land Uses
- Land uses permitted in the underlying zoning district(s)

Pedestrian Network
- Safe internal connections between primary structures and from primary structures to public streets
- Sidewalks or multi-use paths along perimeter streets
- Connection to adjacent developments when appropriate

Vehicular Network
- Connectivity to adjacent parcels via internal streets, cross access easement, or shared parking lots when appropriate
- Minimal curb cuts off of perimeter streets

Site Feature Preservation
- Strive to save existing tree stands

Incentives
- None

Applicable Process
- Major subdivision

6.24 Industrial Park Subdivision (ID) Prerequisites

Prerequisite Base Zoning
- I1, I2, MS, RO, or HI

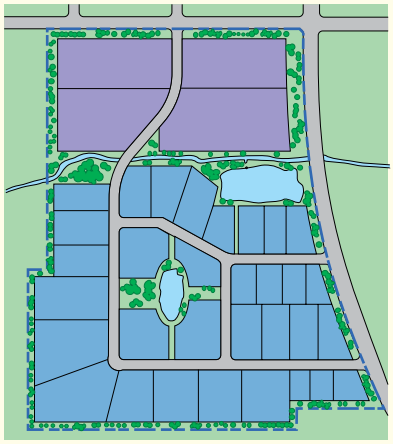
Minimum/Maximum Lot Splits
- Subdivisions resulting in 2 lots or more

Minimum Parent Tract
- Large enough such that all resulting lots meet the minimum required lot area for the applicable zoning district

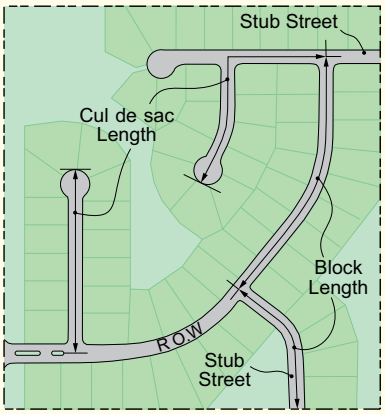
Maximum Parent Tract
- None

Industrial Subdivision (ID)

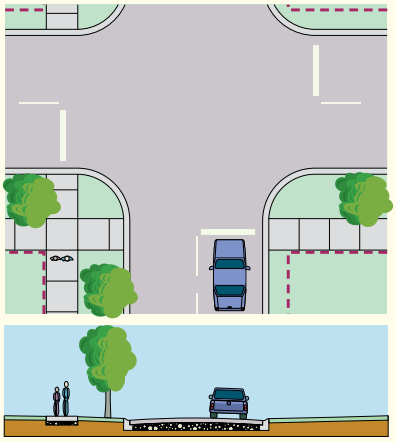
6.25 Industrial Park Subdivision (ID) Standards



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP



© 2014, Bradley E. Johnson, AICP

Minimum Required Open Space
- 0% of the original parent tract

Minimum Perimeter Landscaping
- 35 feet of landscaped common area along perimeter streets classified as an arterial or collector street in the Town's Thoroughfare Plan; however, if the land across the perimeter street is zoned I1 or I2, then 15 feet of landscaped common area shall apply
- 10 feet of landscaped common area along perimeter streets classified as a local street in the Town's Thoroughfare Plan; however, if the land across the perimeter street is zoned I1 or I2, then no landscaped common area shall be required
- See *Section 5.40: Buffer Yard Planting Standards* for applicable buffering requirements between adjacent land

Minimum Block Length
- 300 feet

Maximum Block Length
- 2,640 feet

Minimum Cul-de-sac Length
- 200 feet

Maximum Cul-de-sac Length
- 600 feet

Pedestrian Facility Requirement
- Sidewalks required on at least one side of internal streets
- A sidewalk or multi-use path is required along all perimeter streets; the location, width and type shall be determined by the Town

Minimum ROW on Public Internal Streets
- 52 feet

Maximum Internal Street Design Speed
- 40 mph

Minimum Lane Width
- 13 feet

Curb Requirement
- Chair-back curb or rolled curb; or flush curb where green infrastructure is being utilized

On-Street Parking Requirement
- Not permitted

Minimum Sidewalk Width
- 6 feet along internal streets

Minimum Tree Lawn Width
- 6 feet along internal streets

Additional Design Standards that Apply

Common Area
- CA-01 7-06

Dedication of Public Improvement
- DD-01 7-07

Development Name
- DD-01 7-07

Easement
- EA-01 7-09

Entryway Feature
- EF-02 7-13

Erosion Control
- EC-01 7-14

Flood Hazard
- FH-01 7-15

Lot Establishment
- LE-03 7-24

Mailbox
- MB-03 7-26

Monument and Marker
- MM-01 7-28

Open Space
- OP-01 7-29

Owners' Association
- OA-01 7-30

Pedestrian Network
- PN-01 7-32

Perimeter Landscaping
- PL-01 7-34

Prerequisite
- PQ-01 7-35

Stormwater
- SW-01 5-64

Street and Access
- SA-01 7-37
- SA-02 7-41
- SA-06 7-44
- SA-07 7-45

Street Lighting
- SL-04 7-47

Surety
- SY-01 7-48

Utility
- UT-01 7-50

Article 7

Design Standards

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Design Standards - Introduction

7.01 Using this Section

The following pages, *Article 7: Design Standards*, contains the design standards that apply to new subdivisions, and which are arranged by category. There are two ways to determine which design standards apply to a specific subdivision type. They are:

A. Using Two-Page Layouts: Refer to the two-page layouts in *Article 6: Subdivision Types* for a specific subdivision type. In the "Additional Design Standards that Apply" box for that specific subdivision type are listed four-digit codes that indicate which design standards apply. Only the four-digit codes noted in the "Additional Design Standards that Apply" section apply to that subdivision type.

[As an example, on page 6-11, the four digit code "MX-01" can be found under the "Additional Design Standards that Apply" section for a Traditional Subdivision (TD). Therefore, the Design Standards in the section labeled "MX-01" (on page 7-27) would apply to any Traditional Subdivision (TD).]

B. Using Icons: Refer to the icons used at the top of each design standard section in *Article 7: Design Standards*. Each design standard section begins with a four-digit code and introductory sentence followed by square icons with development type abbreviations (e.g. ST for Standard Subdivisions or PD for Planned Unit Developments). These development type icons note that the design standards written in that section apply to that development type.

[As an example, on page 7-08, the CN icon (CN) can be found under the DN-01 design standard section. Therefore the language in the DN-01 section would apply to Conservation Subdivisions.]

7.02 Icon Key

SS - Simple Subdivision

CL - Curvilinear Subdivision

CN - Conservation Subdivision

TN - Townhouse Subdivision

TD - Traditional Neighborhood Subdivision

CM - Commercial Subdivision

ID - Industrial Subdivision

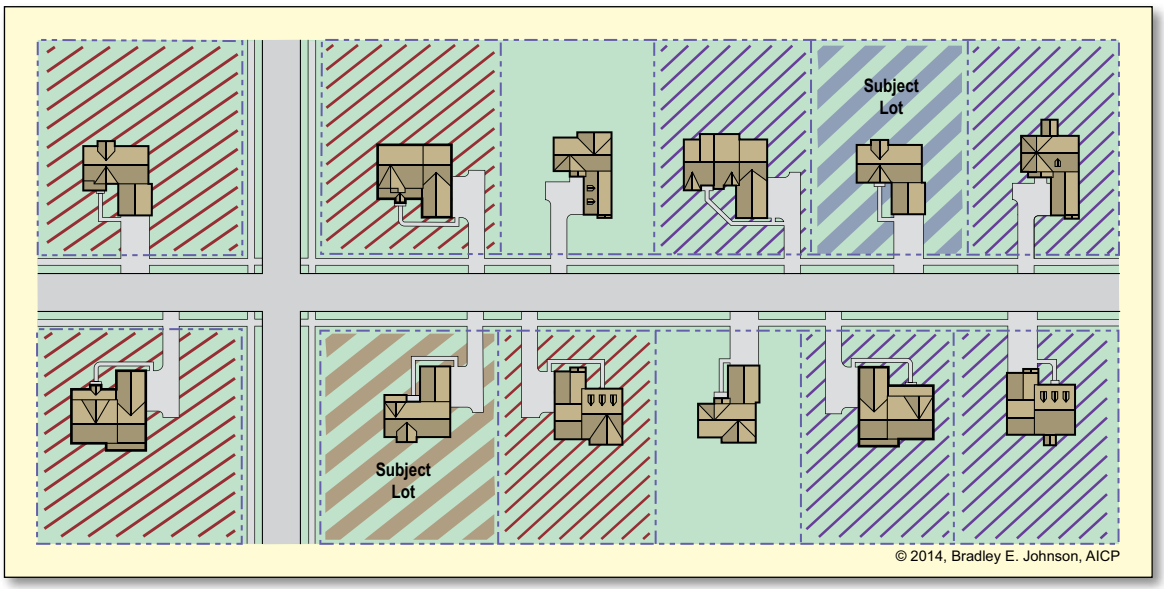
7.03 AD-01: Curvilinear Subdivision Architectural Diversity (AD) Standards

This Architectural Diversity Standards (AD) section applies to the following types of development:

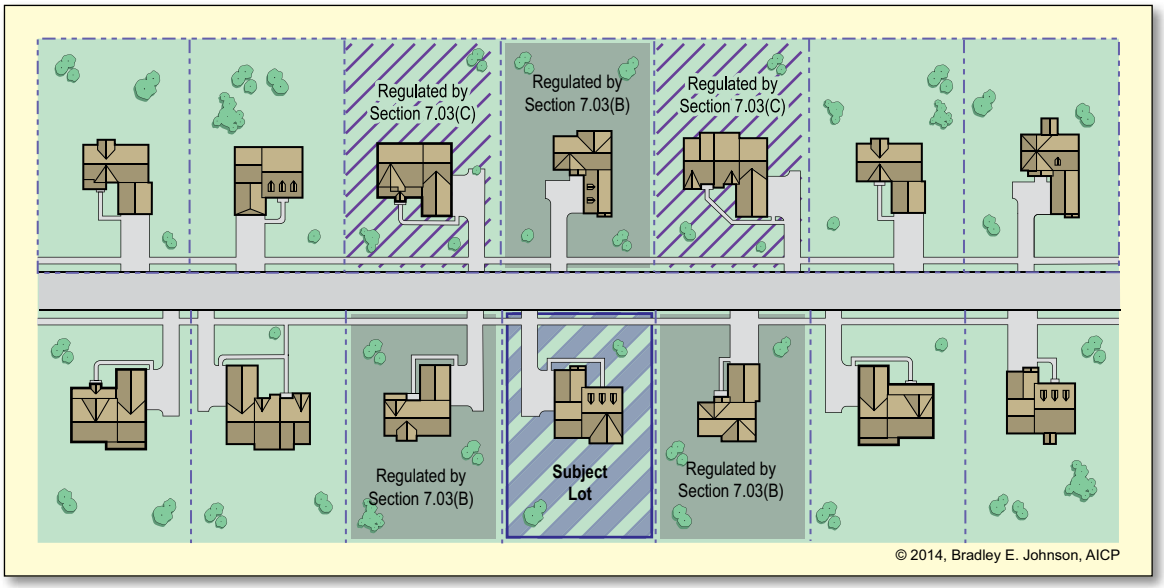
CL

A. Applicability: Any residential subdivision with internal streets shall comply with the regulations in this section.

B. Floor Plan Duplication Restriction: No two adjacent primary structures shall have the same floor plan. The illustration below highlights the lots considered adjacent. Additionally, at least thirty percent (30%) of all floor plans used shall be unique in any residential development. Mirror images of the subject lot's floor plan or minor alterations to the floor plan shall not constitute a unique floor plan. Lots behind the subject lot shall not be considered adjacent, thus, not subject to the Floor Plan Duplication Restriction standards.



C. Front Elevation: A primary structure within one lot of the subject lot has the same floor plan or a mirror image floor plan shall not have the same front elevation design. The facade materials, architectural treatments, garage orientation, and/or roof design shall be different such that the cumulative result is a unique facade. Brick color change, paint color change, or minor alterations to the floor plan shall not constitute a unique front elevation. The illustration below highlights the lots that cannot have the same front elevation. Note that *Section 7.03(B): Floor Plan Duplication Restriction* does not allow adjacent lots to have the same floor plan, even if the facade is notably different. Lots behind the subject lot shall not be considered adjacent, thus, not subject to the Front Elevation standards.



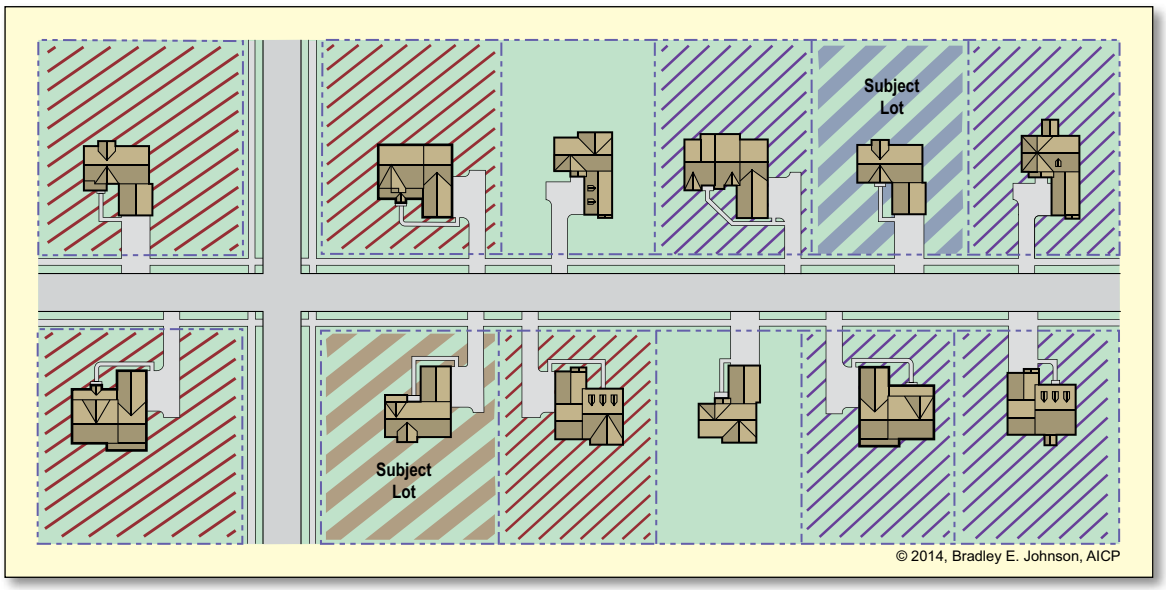
7.04 AD-02: Traditional and Conservation Subdivision Architectural Diversity (AD) Standards

This Architectural Diversity Standards (AD) section applies to the following types of development:

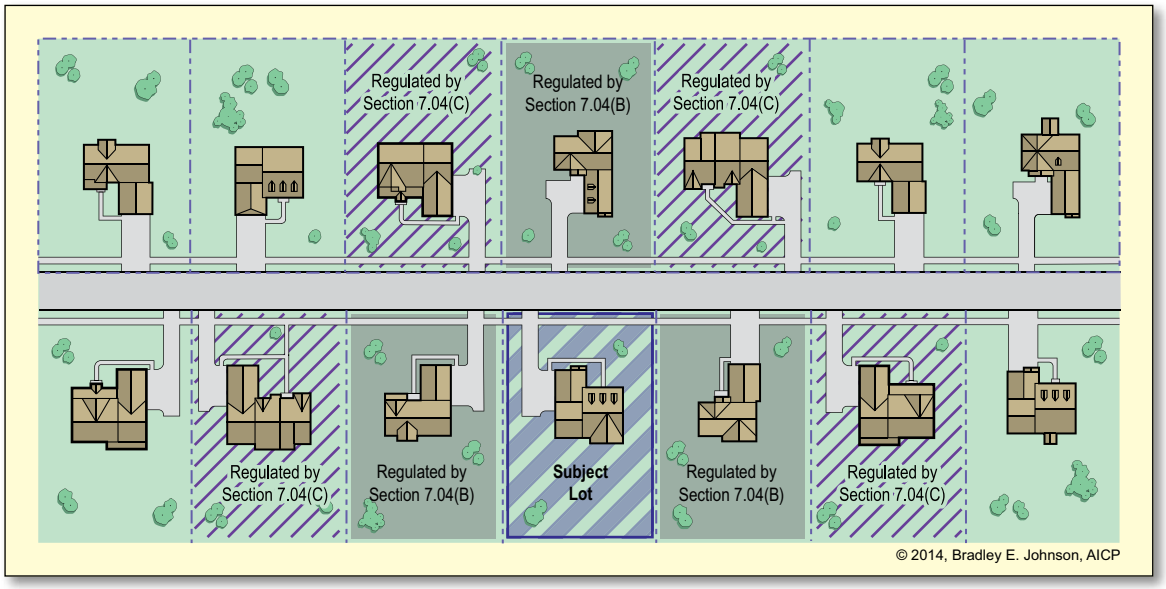
CN TD

A. Applicability: Any residential subdivision with internal streets shall comply with the regulations in this section.

B. Floor Plan Duplication Restriction: No two adjacent primary structures shall have the same floor plan. The illustration below highlights the lots considered adjacent. Additionally, at least six (6) unique floor plans shall be used in any residential development. Mirror images of the subject lot's floor plan or minor alterations to the floor plan shall not constitute a unique floor plan. Lots behind the subject lot shall not be considered adjacent, thus, not subject to the Floor Plan Duplication Restriction standards.



C. Front Elevation: If a primary structure within two (2) lots of the subject lot has the same floor plan it shall not have the same front elevation design. The facade materials, architectural treatments, garage orientation, and/or roof design shall be notably different. Mirror images of the subject lot's floor plan, brick color change, paint color change, or minor alterations to the floor plan shall not constitute a unique front elevation, but are encouraged to further create a non-duplicative look. The illustration below highlights the lots that cannot have the same front elevation. Note that *Section 7.04(B): Floor Plan Duplication Restriction* does not allow adjacent lots to have the same floor plan, even if the facade is notably different. Lots behind the subject lot shall not be considered adjacent, thus, not subject to the Front Elevation standards.



7.05 AD-03: Townhouse Subdivision Diversity (AD) Standards

This Architectural Diversity Standards (AD) section applies to the following type of development:

TN

A. Applicability: Any townhouse development shall comply with the regulations in this section.

B. Floor Plan Restriction:

1. *Large Townhouse Developments*: At least six (6) unique floor plans shall be used throughout any townhouse development with six (6) or more multiple-unit buildings (i.e. "large townhouse development"). Mirror images of a floor plan or minor alterations to a floor plan shall not constitute a unique floor plan.
2. *Small Townhouse Developments*: At least four (4) unique floor plans shall be used throughout any townhouse development with less than six (6) multiple-unit buildings (i.e. "small townhouse development"). Mirror images of a floor plan or minor alterations to a floor plan shall not constitute a unique floor plan.

C. Primary Elevations: Townhouse developments shall have diversity in at least three elevations such to avoid a "cookie cutter" or repetitive aesthetic throughout the development. Diversity in elevations may be from building to building and/or from architectural delineation of each dwelling unit's facade. Diversity shall be achieved through use of architectural features, siding material changes, brick color changes, paint color changes, entryway feature changes, window variations, and/or roof design.

1. *Large Townhouse Developments*: No more than forty percent (40%) of all multiple-unit building's facade designs shall be substantially identical throughout any townhouse development with six (6) or more multiple-unit buildings. A combination of color pallet changes, facade material changes, roof design changes, window sizes and location changes, and/or architectural detail changes, may be sufficient to be considered a unique facade when the overall aesthetic is notably different. Therefore, each building may have the same set of floor plans if the exterior character is deemed sufficiently different by the Zoning Administrator.
2. *Small Townhouse Developments*: No more than fifty-five percent (55%) of all multiple-unit building's facade designs shall be substantially identical throughout any townhouse development with less than six (6) multiple-unit buildings. A combination of color pallet changes, facade material changes, roof design changes, window sizes and location changes, and/or architectural detail changes, may be sufficient to be considered a unique facade when the overall aesthetic is notably different. Therefore, each building may have the same set of floor plans if the exterior character is deemed sufficiently different by the Zoning Administrator.

7.06 CA-01: Residential Common Area (CA) Standards

This Common Area Standards (CA) section applies to the following types of development:

CL CN TN TD CM ID

A. Cross Reference:

1. *Conservation Subdivision Paths*: See *Section 7.15(D): Conservation Area Amenity* for regulations relating to common area in a Conservation Subdivision.
2. *Entryway Features*: See Entryway Feature Standards in *Article 7: Design Standards* for regulations relating to entryway sign and landscaping.
3. *Open Space*: See Open Space Standards in *Article 7: Design Standards* for regulations relating to open space.
4. *Perimeter Landscaping*: See Perimeter Landscaping Standards in *Article 7: Design Standards* for regulations relating to landscaping around the development's perimeter.

B. Designation: Developments that are required to or elect to have perimeter landscaping, open space, conservation areas, detention basins, retention ponds, drainage ways, parking courts, parking lots, private streets, alleys, amenity centers, or similar features shall designate those areas as common area.

C. Common Area Ownership, Operation and Maintenance: All common area shall be owned, operated and maintained in perpetuity by an owners' association, condominium association, or similar legal binding instrument. A legally binding instrument shall be utilized to collect fees to maintain all common areas as originally designed, committed to the Town, and as officially approved common area.

D. Modifying Features within Common Area: Modifications to common area that are clearly consistent with applicable regulations and that clearly maintain the intent of the original approval shall be permitted upon Zoning Administrator interpretation. Any other modifications shall be subject to Plan Commission approval as a Plat Amendment. If an owners' association wishes to modify a common area, plans and a description shall be submitted to the Zoning Administrator for interpretation. A letter will be issued to the owners' association with that determination.

E. Transition to Property Owners: When common area is transitioned from the developer to the property owners the Zoning Administrator shall be notified of the Owner's Association contact information.

7.07 DD-01: General Dedication of Public Improvement (DD) Standards

This Dedication of Public Improvement Standards (DD) section applies to the following types of development:

CL CN TN TD CM ID

A. Cross Reference: See *Article 9: Processes* for the process for dedicating public improvements.

B. Non-dedicatable Facilities: The Town will not accept the maintenance of any alley, driveway, drive aisle, parking lot, unusual on-street parking spaces, private streets, or any other development feature it deems not in the public interest.

C. Dedication of Right-of-way: The right-of-way shall be considered dedicated upon Final Plat Approval by the Plan Commission. However, the planned infrastructure improvements to be made in the right-of-way shall not be considered dedicated until fully completed, inspected, and formally dedicated to the Town of Brownsburg. See *Section 7.07(D): Dedication of Streets and Pedestrian Facilities* for more information.

D. Dedication of Streets and Pedestrian Facilities:
   1. The developer shall install streets and pedestrian facilities within the public right-of-way per the Town of Brownsburg Construction Standards and configured according to the design standards for the applicable subdivision type in *Article 6: Subdivision Type*. The maintenance of such facilities shall be the sole responsibility of the property owner(s) of the subdivision until the facility is dedicated to the Town.
   2. After dedication of internal sidewalks, sidewalk maintenance and replacement shall be subject to the applicable town-wide policy, and seasonal maintenance (e.g. snow removal) shall be the adjacent homeowner's responsibility (or the owner's association if applicable).

E. Street and Pedestrian Facility Maintenance Surety: A maintenance bond shall be required per *Section 7.44: Surety Standards*, prior to dedication of those improvements.

F. Dedicated Utilities: All utilities installed (e.g. sanitary sewer, water) per private or public utility construction standards shall be dedicated to the appropriate entity at any time after their installation and after the Town of Brownsburg accepts the street installation.

G. Other Facilities: Other infrastructure, land or facilities may, at the election of the Town Council, be dedicated to the Town. These facilities may include parks, open space, retention ponds, drainage facilities, green infrastructure, street lighting, or other facilities in which the public may have interest.

7.08 DN-01: Development Name Standards

This Development Name Standards (DD) section applies to the following types of development:

SS CL CN TN TD CM ID

A. Proposed Development Name: The applicant shall propose a unique name for the development.

1. *Root Name*: The proposed root name of the development shall not duplicate, or closely resemble phonetically, the name of any other development within the zoning jurisdiction of the Town, or in Brown, Lincoln, Washington, or Middle Townships (e.g. If Windemere Subdivision exists, the name Winde**'r'**mere Subdivision shall not be permitted).

   a. Suffix Name: Deviations in suffix names (e.g. Place, Woods, or Glen) shall not constitute a unique name (for example, if Preston Place exists, the name Preston Woods shall not be permitted).

   b. Large Developments: Unique subareas within a larger development or nearby "sister" development, may be authorized to use the same root name by the Plan Commission upon formal request (e.g. If a development had diverse products, they may be able to use Woodhaven Place for one subdistrict and Woodhaven Estates for another).

B. Approval Authority: A development name proposed by the applicant that meets the above listed standards shall still be subject to Plan Commission approval. The Plan Commission has authority to approve or deny any proposed name for any reasonable purpose. If the Plan Commission rejects a proposed development name, the applicant may propose a new name until an acceptable name is determined. If an acceptable and unique development name is not proposed by the applicant, the Plan Commission shall name the development prior to Final Plat Approval.

C. Development Name Changes During the Approval Process: At any point prior to Final Plat Approval, the applicant may elect to change the development name. If the development already was give Primary Plat Approval, and then the development name was changed (and approved by the Plan Commission) then the applicant shall resubmit all material approved by the Plan Commission with the new name for signature and re-filing.

D. Renaming Authority: An existing development's name or the name of an approved, but undeveloped subdivision shall not be changed without Plan Commission approval.

7.09 EA-01: Easement Standards

This Easement Standards (EA) section applies to the following types of development:

SS CL CN TN TD CM ID

A. Cross-Reference:

1. *Private Street Easements*: For details concerning private street easements, see *Section 7.34(C)(1): Private Street Easement Instrument Specifications*.
2. *Temporary Turnaround Easements*: For details concerning temporary turnaround easements, see *Section 7.33(C)(6): Temporary Turnarounds*.
3. *Utility Easements*: For details concerning utility easements, see *Section 7.45: Utility Standards*.

B. Cross-access Easements:

1. *Description*: A cross-access easement applies to shared driveways, shared access, access to otherwise land-locked parcels, and parking lots.
2. *Instrument Specifications*: When applicable, each property owner of record shall execute a cross-access easement instrument in favor of the adjoining property owner. The cross-access easement instrument shall be signed by the owner or an authorized representative of the owner of all associated properties. The cross-access easement instrument shall include the following language:
   a. Identify the development name with which the cross-access easement (CAE) is associated.
   b. When applicable, the cross-access easement (CAE) shall grant the general public the right to utilize the easement for purpose of accessing adjoining parking lots, shared driveways, shared access, or access to otherwise landlocked parcels.
   c. The cross-access easement (CAE) shall prohibit any person from parking vehicles within the easement, unless the cross-access easement (CAE) is for a parking lot.
   d. The cross-access easement (CAE) shall prohibit any person, including the property owner, from placing any obstruction within the easement.
   e. The cross-access easement (CAE) shall be binding on all heirs, successors, and assigns to the property on which the cross-access easement is located.
   f. The cross-access easement (CAE) shall be enforceable by the owners of each associated property, the Town of Brownsburg, and any other specially affected persons identified in the cross-access easement.
   g. The cross-access easement (CAE) shall provide for modification or termination. However, no modification or termination shall result in a parcel being landlocked by such an modification or termination.
   h. The cross-access easement (CAE) shall be cross-referenced to the most recently recorded deeds of the associated properties.
   i. The cross-access easement (CAE) shall include a metes and bounds description of the easement or an exhibit of the easement area.
3. *Cross-access Easement Certificate*:
   a. When a secondary plat, development plan, or final plan of a planned development is being recorded, the applicant may forego a separate cross-access easement instrument in favor of printing the following "Cross-access Easement Certificate on the recordable instrument: "*Areas on these plans designated as a 'Cross-access Easement' or abbreviated as "CAE" are established in favor of the adjoining property owner, and grant the public the right to enter the easement for purposes of accessing adjoining parking lots. These easements prohibit any person from parking vehicles within the easement, and prohibit the property owners or any other person from placing any obstruction within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee or the Town of Brownsburg may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Unified Development Ordinance, or its successor ordinance*."
   b. The dedication and acceptance of any cross-access easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the appropriate property owners, or their agents.
   c. If the Declaration of Covenants is included on the recordable instrument, the cross-access easement certificate shall clearly be separate from the Declaration of Covenants.

C. No Access Easements:

1. *Description*: A no-access easement applies to street segments that extend out from a street intersection to prohibit any driveway access in proximity to that intersection for vehicular and pedestrian safety purposes.
2. *Instrument Applicability*: Extending from all intersections in a subdivision, a no-access easement shall be establish at the time the plat is approved. The no-access easement instrument shall be applicable as follows:
   a. No-access easements shall be one (1) foot in width and be a length determined by the subsections below.
   b. Residential Development.
      i. From the intersection with a perimeter street, all residential entrance streets shall have a no-access easement extending 150 feet from the edge of right-of-way of the perimeter street along both sides of the entrance street.
      ii. From all internal four-way intersections, each leg of the intersection shall have a no-access easement extending forty (40) feet from the edge of right-of-way of the intersecting street along both sides of the street.
      iii. From all internal three-way intersections each leg of the intersection shall have a no-access easement extending forty (40) feet from the edge of right-of-way of the intersecting street along both sides of the street. The side of the intersection without a leg shall have a no-access easement extending the length of that intersection.
   c. Non-residential Development.
      i. From the intersection with a perimeter street, all non-residential entrance streets shall have a no-access easement extending 100 feet from the edge of right-of-way of the perimeter street along both sides of the entrance street.
      ii. From all internal four-way intersections, each leg of the intersection shall have a no-access easement extending sixty (60) feet from the edge of right-of-way of the intersecting street along both sides of the street.
      iii. From all internal three-way intersections each leg of the intersection shall have a no-access easement extending sixty (60) feet from the edge of right-of-way of the intersecting street along both sides of the street. The side of the intersection without a leg shall have a no-access easement extending the length of that intersection.
3. *Instrument Specifications*
   a. The no-access easement (NAE) shall prohibit any driveway from partially or fully crossing the easement.
   b. The no-access easement (NAE) shall be fully outside the street right-of-way.
   c. The no-access easement (NAE) shall prohibit any person from parking vehicles partially or fully within the easement.
   d. The no-access easement (NAE) shall be binding on all heirs, successors, and assigns to the property on which the cross-access easement is located.
   e. The no-access easement (NAE) shall be enforceable by the owners of each associated property, the Town of Brownsburg, and any other specially affected persons identified in the cross-access easement.
   f. The no-access easement (NAE) shall provide for modification and termination.
   g. The no-access easement (NAE) shall be cross-referenced to the most recently recorded deeds of the associated properties.
   h. The no-access easement (NAE) shall include a metes and bounds description of the easement.

4. *No-access Easement Certificate*:
   a. When a secondary plat is being recorded, the applicant may forego a separate no-access easement instrument in favor of printing the following No-access Easement Certificate on the recordable instrument: "Areas on these plans designated as a 'No-access Easement' or abbreviated as "NAE" are established to assure a driveway is not installed partially or fully in areas deemed to be unsafe due to their proximity to a street intersection, or at the terminus of a 'T' intersection. These easements prohibit any person from parking vehicles within the easement and prohibit the property owners or any other person from constructing a driveway across the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee or the Town of Brownsburg may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Unified Development Ordinance, or its successor ordinance."
   b. The dedication and acceptance of any no-access easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the appropriate property owners, or their agents.
   c. If the Declaration of Covenants is included on the recordable instrument, the no-access easement certificate shall clearly be separate from the Declaration of Covenants.
   d. The above Certificate Language shall be included on the plot plan for all applicable lots.

D. General Easements:
1. *Instrument Specifications*: When an easement is required by the Unified Development Ordinance or an easement is required per a commitment or condition of approval, but the standards for the easement type are not specified, the property owner of record shall execute the easement instrument in favor of the appropriate parties (e.g. the general public, Town of Brownsburg, or specific abutting property owner). The easement instrument shall be signed by the property owner of record granting the easement and an authorized representative of the appropriate party accepting the easement. The easement instrument shall include the following language:
   a. Identify the property or development name with which the easement is associated.
   b. Specify and describe those activities the appropriate parties are authorized to perform in the easement.
   c. Specify and describe those activities the property owner of record is prohibited from performing in the easement.
   d. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
   e. Be enforceable by the property owner of record, any appropriate parties, and the Town of Brownsburg.
   f. Provide for modification and termination as may be necessary.
   g. Be cross-referenced to the most recently recorded deed to the property on which the easement is to be established.
   h. Include a metes and bounds description of the easement or an exhibit of the easement area.
   i. Be signed by the property owner or an authorized representative of the property owner granting the easement and by an authorized representative of the grantee accepting the easement.
2. *Easement Certificate*:
   a. When a secondary plat, development plan, or final plan of a planned development is being recorded, the applicant may forego a separate easement instrument in favor of printing an easement certificate, the content of which has been approved by the Plan Commission Attorney, on the recordable instrument.
   b. The dedication and acceptance of any easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the appropriate property owners, or their authorized agents.
   c. If the Declaration of Covenants is included on the recordable instrument, the easement certificate shall clearly be separate from the Declaration of Covenants.

7.10 EF-01: Residential Entryway Feature Standards

This Entryway Feature Standards (EF) section applies to the following types of development:

CL CN TN TD

A. Applicability: Residential developments with at least ten (10) lots or twenty (20) dwelling units, and with internal public or private streets, may establish an entryway feature.

B. Cross Reference: See *Section 5.91: Vision Clearance Standards* for regulations affecting where plant material, landscape features and the identification portion of an entryway feature may be placed.

C. Location: Entryway features shall be located at vehicular entrances to a development, but shall not be located within the right-of-way.

D. Quantity and Size: The quantity and size of entryway features shall be as follows.
   1. Residential developments with four (4) to twenty (20) lots shall be permitted one (1) entryway feature, if those lots all gain access from internal streets. The identification portion (e.g. the subdivision name text) of the entryway feature shall not exceed twenty (20) square feet in area.
   2. Residential developments with twenty-one (21) lots or more shall be permitted one (1) entryway feature for each vehicular entrance. The identification portion (e.g. the subdivision name text) of each vehicular entrance's entryway feature shall not exceed thirty (30) square feet.

E. Entryway Feature Options: An entryway feature may be on one (1) side of the vehicular entrance or split on both sides of the vehicular entrance. If split, the cumulative area of the identification portion (e.g. the subdivision name text) shall not exceed forty-five (45) square feet. However, under no circumstances shall either side of a split entryway feature exceed thirty (30) square feet.

F. Exemptions: Entryway features internal to the site and not visible from perimeter streets are not limited. Specifically, this exemption is intended to permit "gateway" signs into sub-districts of the same subdivision.

G. Landscaping: The identification portion (e.g. the subdivision name text) of the entryway feature shall be significantly subordinate to the landscaping and hardscaping features.

H. Height: The identification portion (e.g. the development name text) of the entryway feature not exceed six (6) feet in height above the pre-existing grade.

7.11 EF-02: Non-Residential Entryway Feature Standards

This Entryway Feature Standards (EF) section applies to the following types of development:

CM ID

A. Applicability: Non-residential developments with eight (8) or more lots, and with internal public or private streets, may establish an entryway feature.

B. Cross Reference: See *Section 5.91: Vision Clearance Standards* for regulations affecting where plant material, landscape features and the identification portion of an entryway feature may be placed.

C. Location: Entryway features shall be located at vehicular entrances to a development, but shall not be located within the right-of-way.

D. Quantity and Size: The quantity and size of entryway features shall be as follows.
   1. Non-residential developments with eight (8) to twenty (20) lots shall be permitted one (1) entryway feature. The identification portion (e.g. the development name text) of the entryway feature shall not exceed twenty (20) square feet in area.
   2. Non-residential developments with more than twenty (20) lots shall be permitted one (1) entryway feature per vehicular entrance. Entrances that are predominantly for service or delivery vehicles shall not qualify for entryway features. The identification portion (e.g. the development name text) of the entryway feature shall not exceed forty (40) square feet in area.

E. Entryway Feature Options: An entryway feature may be on one (1) side of the vehicular entrance or split on both sides of the vehicular entrance. If split, the cumulative area of the identification portion (e.g. the subdivision name text) shall not exceed fifty-five (55) square feet. However, under no circumstances shall either side of a split entryway feature exceed forty (40) square feet.

F. Landscaping: The identification portion (e.g. the development name text) of the entryway feature shall be significantly subordinate to the landscaping and hardscaping features.

G. Height: The identification portion (e.g. the development name) of the entryway feature not exceed six (6) feet in height above the pre-existing grade.

H. Disqualification: If a commercial development seeks or utilizes a gateway sign through zoning regulations in *Article 5: Development Standards*, then the development shall not additionally have an entryway feature sign at that entrance.

7.12 EC-01: Erosion Control Standards

This Erosion Control Standards (EC) section applies to the following types of development:

SS CL CN TN TD CM ID

A. Cross Reference: All proposed subdivisions, planned developments, and development plans shall be in compliance with *Town of Brownsburg Stormwater Management Ordinance; Chapter 151* in the Town's Municipal Code.

7.13 FH-01: Flood Hazard Standards

This Flood Hazard Standards (FH) section applies to the following types of development:

CL CN TN TD CM ID

A. Cross Reference: All proposed subdivisions, planned developments, and development plans shall be in compliance with *Town of Brownsburg Flood Hazard Ordinance, Chapter 152* in the Town's Municipal Code.

B. Denoting Base Flood Elevation:

1. *Development Partially Within Special Flood Hazard Areas*: The base flood elevation (BFE) shall be identified on all secondary plats and on all plot plans that are partially within a Special Flood Hazard Area (SFHA).
2. *Larger Developments*: Base flood elevation data shall be provided for proposed subdivisions, planned developments, and development plans encompassing either five (5) or more acres or fifty (50) or more lots.
3. *Language on Plats and Plot Plans*: A note to developers, builders and future property owners shall be added to the secondary plat and each plot plan (i.e. each lot's as-built survey document), indicating that the base flood elevation (BFE) is not an indicator of the maximum flood elevation and that improvements should be kept as far and high above the base flood elevation (BFE) as practical. The specific language that shall be placed on the development's plat and each affected plot plan is as follows:

   "This [subdivision/plot plan] is partially in a flood hazard area which is delineated by a line labeled Base Flood Elevation. The area within the flood hazard area is shaded on the [plat/plot plan] and labeled Flood Hazard Area. This area represents land that is prone to flooding now or in the future. This delineation is NOT a guarantee for maximum flood elevation during an act of nature. Rather it is a calculated elevation that has the highest risk of flooding during a major storm event. Therefore, all permanent and temporary structures should be located as far away from the Base Flood Elevation line and constructed as high as practical above the ground."

C. Designed to Minimize Flood Damage: All proposed subdivisions, planned developments, and development plans shall be designed to minimize flood damage to public improvements, including having streets, sidewalks, multi-use paths, unimproved path, and public utilities (e.g. sewer, gas, electrical, and water systems) located and constructed to minimize flood damage.

D. Flood Event Plan: Prior to secondary plat approval, subdivisions located partially within a Special Flood Hazard Area (SFHA) identified as an "A Zone" on the Flood Insurance Rate Maps shall prepare a "flood event plan" for any lots that would potentially lose access to a perimeter street during a flood event. The flood event plan shall address:

1. *Street Closure*: How streets can be temporarily closed,
2. *Stranded Cars*: Where cars can park on-street when accessibility is lost,
3. *Emergency Vehicles*: Where emergency vehicles can stage evacuation or rescue operations, and
4. *Life Safety*: How life safety can be protected.

The rescue and evacuation plan components shall be approved by the Plan Commission and then filed with the appropriate community emergency management authorities.

7.14 IC-01: Curvilinear Subdivision Incentive Standards

This Incentive Standards (IC) section applies to the following type of development:

CL

A. Prerequisites: The development shall have internal streets onto which at least 90% of all driveways gain access. The development shall also have at least ten (10) lots in total.

B. Applicability: Residential developments that elect to follow the standards described below shall be eligible for density and intensity incentives described in *Section 6.06: Curvilinear Subdivision (CL) Elective Incentives*.

C. Architectural Standards:

1. *Cross Reference*: See *Section 5.15: Residential and Neighborhood Commercial Architectural Standards* for additional architectural standards.
2. *Architectural Features*: At least eighty percent (80%) of all dwelling units in the development shall utilize brick and/or stone masonry on 100% of the first floor front and side facades, and 100% of the first floor rear facade when visible from the perimeter street.
3. *Garage Design*: Utilize side-loading, courtyard, or rear-loading garages for at least sixty percent (60%) of the lots. The following standards also apply to the indicated type of garage.
   a. Front-loading Garages: Front-loading garages shall be setback by at least six (6) feet from the plane of the front facade of the dwelling portion of the home.
   b. Side-loading Garages: Side-loading garages shall have a driveway or parking court that allows at least one (1) off-street parking space without blocking vehicular access to each bay of the garage from the street.
   c. Courtyard Garages: Courtyard Garages shall be required to have two (2) or more windows on the street-facing side and at least one (1) window on the side-yard facing side of the garage. These window requirements are in addition to the window requirement in *Section 7.14(C)(5): Windows* below. This configuration shall also have a driveway or parking court that allows at least one (1) off-street parking space without blocking vehicular access to each bay of the garage from the street.
4. *Rear Facades Along Perimeter Streets*: All lots where the rear of the home is visible from (but not necessarily adjacent to) a perimeter street shall have the following:
   a. Window Treatment: Shall have the same exterior window treatments (e.g. shutters, trim, sills) that are used on the front facade applied to the rear façade facing the perimeter street right-of-way.
   b. Additional Aesthetic Character: At least one of the following features shall be used to diversify each home's exterior character visible from the perimeter street. No single option described below shall be used for more than thirty percent (30%) of all lots along perimeter streets:
      i. A facade plane change (e.g. offset or bump-out) of at least four (4) feet from the plane of the rest of the rear facade, and shall extend across at least thirty percent (30%) of the rear façade.
      ii. An all-brick chimney that is offset from the plane of the rear façade by at least two (2) feet.
      iii. A sunroom located off the rear facade that is at least eleven (11) feet by eleven (11) feet.
      iv. Fully utilize the same facade treatment and features on the rear and side facades as is used on the front facade (i.e. 4-sided architecture).
      v. Install a large deck with solid skirting or significant landscaping around the perimeter. The deck area shall be at least 150 square feet to qualify.
      vi. Install a large brick or stamped concrete patio with an integrated vertical element (e.g. outdoor fireplace, arbor, pergola, gazebo). The patio area shall be at least 120 square feet to qualify.
      vii. Native canopy trees planted within ten (10) feet of the rear property line (or drainage or utility easement if applicable) at a rate of one (1) tree per twenty-five lineal feet of rear lot line.
5. *Windows*: All dwelling units shall have at least two (2) windows per floor on each side elevation and two (2) windows per floor on the front and rear elevation. Half-stories (i.e. floor's within the roof line) shall have four (4) windows in total in dormers or end gables installed on at least two (2) sides of the home.

D. Alternative Compliance:

1. *Non-custom or Semi-custom Home Development*: An applicant may seek to not follow the requirements above in *Section 7.14(C)(2-5)*, but instead submit a detailed architectural design plan that clearly meets or exceeds the intent of the architectural standards. The architectural design plan shall be legally binding to all lots in the subdivision.

   The submitted architectural design standards must get approved by the Plan Commission as part of the primary plat for the subdivision or detailed development plan for a planned development. The developer shall submit at least four (4) unique plans and elevations for proposed homes, or sample home designs that highlight how the proposed architectural design standards will result in quality architecture for the development. The submittal of sample homes shall include color drawings of each elevation. The Plan Commission may require additional information if necessary to determine if the architectural design guidelines achieve the minimum required standards.

2. *Custom Home Development*: An applicant may seek to not follow the requirements above in *Section 7.14(C)(2-5)*, but instead submit detailed architectural design guidelines that will clearly result in architecture that meets or exceeds the intent of those architectural standards. The architectural design guidelines shall be legally binding to all applicable lots. The Plan Commission may require sample home plans and elevations, or other information if necessary to determine if the architectural design guidelines achieve the minimum required standards. The development shall be a custom home subdivision where no two (2) homes will be identical.

7.15 IC-02: Conservation Subdivision Incentive Standards

This Incentive Standards (IC) section applies to the following type of development:

CN

A. Prerequisites: The development shall have internal streets onto which at least 90% of all driveways gain access.

B. Applicability: Residential developments that elect to follow the standards described below shall be eligible for density and intensity incentives described in *Section 6.10: Conservation Subdivision (CN) Elective Incentives*.

C. Conservation Area Adjacency: At least seventy percent (70%) of all lots shall have adjacency to conservation areas or permanent greenspace. Adjacency to the required perimeter landscaping or buffer yard plantings shall not count toward the minimum seventy percent (70%).

D. Conservation Area Amenity: The forty percent (40%) open space set aside shall be made accessible to the development's property owners. Unimproved or improved paths shall be installed for recreation purposes and shall be at least six (6) feet in width. The minimum length of path through common area shall be one-half (1/2) the lineal feet of street installed in the development. For example, if there is 2,000 lineal feet of streets in the development, then 1,000 feet of path would need to be installed in the conservation area.

E. Architectural Standards:

1. *Cross Reference*: See *Section 5.15: Residential and Neighborhood Commercial Architectural Standards* for additional architectural standards.
2. *Architectural Features*: At least eighty percent (80%) of all dwelling units in the development shall utilize brick and/or stone masonry on sixty percent (60%) of the front facade and fifty percent (50%) on each side and rear facade.
3. *Garage Design*: Utilize side-loading or courtyard garages for at least forty percent (40%) of the lots in the development. The following standards also apply to the indicated type of garage.
   a. Front-loading Garages: Front-loading garages shall be setback by at least six (6) feet from the plane of the front facade of the dwelling portion of the home.
   b. Side-loading Garages: Side-loading garages shall have a driveway or parking court that allows at least one (1) off-street parking space without blocking vehicular access to each bay of the garage from the street.
   c. Courtyard Garages: Courtyard Garages shall be required to have two (2) or more windows on the street-facing side and at least one (1) window on the side-yard facing side of the garage. These window requirements are in addition to the window requirement in *Section 7.15(E)(4): Windows* below. This configuration shall also have a driveway or parking court that allows at least one (1) off-street parking space without blocking vehicular access to each bay of the garage from the street.
4. *Windows*: All dwelling units shall have at least one (1) window per floor on each side elevation and two (2) windows per floor on the front and rear elevation. Half-stories (i.e. floor's within the roof line) shall have four (4) windows in total in dormers or end gables installed on at least two (2) sides of the home.

F. Alternative Compliance:

1. *Non-custom or Semi-custom Home Development*: An applicant may seek to not follow the requirements above in *Section 7.15(E)(2-4)*, but instead submit a detailed architectural design plan that clearly meets or exceeds the intent of the architectural standards. The architectural design plan shall be legally binding to all lots in the subdivision.

   The submitted architectural design standards must get approved by the Plan Commission as part of the primary plat for the subdivision or detailed development plan for a planned development. The developer shall submit at least four (4) unique plans and elevations for proposed homes, or sample home designs that highlight how the proposed architectural design standards will result in quality architecture for the development. The submittal of sample homes shall include color drawings of each elevation. The Plan Commission may require additional information if necessary to determine if the architectural design guidelines achieve the minimum required standards.

2. *Custom Home Development*: An applicant may seek to not follow the requirements above in *Section 7.15(E)(2-4)*, but instead submit detailed architectural design guidelines that will clearly result in architecture that meets or exceeds the intent of those architectural standards. The architectural design guidelines shall be legally binding to all applicable lots. The Plan Commission may require sample home plans and elevations, or other information if necessary to determine if the architectural design guidelines achieve the minimum required standards. The development shall be a custom home subdivision where no two (2) homes will be identical.

7.16 IC-03: Townhouse Subdivision Incentive Standards

This Incentive Standards (IC) section applies to the following type of development:

TN

A. Prerequisites: The development shall have internal streets onto which at least 80% of all vehicular surface parking areas or garages gain access.

B. Applicability: Residential developments that elect to follow the standards described below shall be eligible for density incentives described in *Section 6.14: Townhouse Subdivision (TN) Elective Incentives*.

C. Off-Street Parking: At least forty percent (40%) of all required off-street parking spaces shall be in attached garages.

D. Architectural Standards:

1. *Cross Reference*: See *Section 5.15: Residential and Neighborhood Commercial Architectural Standards* and *Section 5.17: Multiple-family Residential Architectural Standards* for additional architectural standards.
2. *Architectural Features*: Utilize brick and/or stone masonry on sixty percent (60%) of the front facade and fifty percent (50%) on each side and rear facade.
3. *Roof Features*: At least eighty percent (80%) of all dwelling units in the development shall have eaves or overhangs a minimum of twelve (12) inches from the facade's siding material on at least eighty percent (80%) of the roof line. The eave or overhang shall be measured after the installation of masonry. Flat roof designs shall only be permitted per *Section 7.16(E): Alternative Compliance*.
4. *Garage Design*: Utilize detached or rear-loading garages for at least eighty percent (80%) of units. When front-loading garages are used, a prominent front entrance shall be utilized next to the garage and on the same elevation as to lessen the prominence of the garage door. Additionally, garage doors shall not be forward of the main living area of the townhouse.
5. *Rear Facades Along Perimeter Streets*: All lots along (but not necessarily adjacent to) a perimeter street shall have the following:
   a. Window Treatment: Shall have the same exterior window treatments (e.g. shutters, trim, sills) that are used on the front facade applied to the rear façade facing the perimeter street right-of-way.
   b. Additional Aesthetic Character: At least one of the following features shall be used to diversify each home's exterior character visible from the perimeter street. No single option described below shall be used for more than forty-five percent (45%) of all lots along a perimeter street:
      i. A facade plane change (e.g. offset or bump-out) of at least four (4) feet from the plane of the rest of the rear facade, and shall extend across at least thirty percent (30%) of the rear façade.
      ii. Fully utilize the same facade treatment and features on the rear and side facades as is used on the front facade (i.e. 4-sided architecture).

E. Alternative Compliance: An applicant may seek to not follow the requirements above in *Section 7.16(D)(2-5)*, but instead submit a detailed architectural design plan that clearly meets or exceeds the intent of those architectural standards. The architectural design plan shall be legally binding to all applicable lots.

The submitted architectural design standards shall be approved by the Plan Commission as part of a primary plat for the subdivision or detailed development plan for a planned development. The developer shall include at least two (2) sample multiple-unit building design to be built within the development showing color drawings of each elevation. These designs shall highlight how the proposed architectural design standards will result in quality architecture for the development.

7.17 IC-04: Traditional Subdivision Incentive Standards

This Incentive Standards (IC) section applies to the following type of development:

TD

A. Prerequisites: The development shall have internal streets.

B. Applicability: Residential developments that elect to follow the standards described below shall be eligible for density and intensity incentives described in *Section 6:18: Traditional Subdivision (TD) Elective Incentives*.

C. Street Design: Street intersections shall be designed with pedestrian bump-outs on all corners, thus defining parking lanes and reducing the distance a pedestrian has to cover to cross the street. Very minor intersections or intersections with alleys shall not be required to utilize bump-outs. However, under no circumstances shall less than 80% of all street intersections be without pedestrian bump-outs.

D. Architectural Standards:

1. *Cross Reference*: See *Section 5.16: Traditional Residential Architectural Standards* for additional architectural standards.

2. *Architectural Features*:

   a. Four-sided Architecture: All primary and accessory structures shall utilized four-sided architecture which includes high quality materials, architectural details, and window treatments on all facades (i.e. the side and rear facades are comparatively adorned to the front facade).

   b. Roof Features: At least eighty percent (80%) of all dwelling units in the development shall have eaves or overhangs a minimum of twelve (12) inches from the facade's siding material on at least eighty percent (80%) of the roof line. The eave or overhang shall be measured after the installation of masonry.

   c. Fire Resistant Materials: Due to the proximity of homes, all exteriors shall be clad with non-combustible and non-melting siding (e.g. fiber cement) and/or masonry (e.g. brick or stone).

   d. Garage Design: Utilize rear-loading garages, attached or detached, for at least ninety percent (90%) of all lots.

      i. Side-loading Garages: Side-loading garages are discouraged because they don't fit the character of a Traditional Subdivision. If used, side-loading garages shall only be permitted on corner lots.

      ii. Front-loading Garages: Front-loading garages are discouraged because they don't fit the character of a Traditional Subdivision. If used, front loading garages shall be setback by at least four (4) feet from the plane of the front facade of the dwelling portion of the home.

      iii. Courtyard Garages: Courtyard garages are not permitted.

3. *Driveways*: Only ten percent (10%) of all lots shall be permitted to have a driveway cut off of a public street. Therefore, all other driveway or vehicular access shall be from an alley or private street.

4. *Windows*: All dwelling units shall have at least two (2) windows per floor on each side elevation and two (2) windows per floor on the front and rear elevation. Half-stories (i.e. floor's within the roof line) shall have four (4) windows in total in dormers or end gables installed on at least two (2) sides of the home.

5. *Trash Enclosures*: Due to the proximity of homes, the development shall plan for the storage of household trash and recycling in the design of the lots and through covenants and restrictions. The objective shall be to assure aesthetic quality, odor control, and convenience.

E. Alternative Compliance:

1. *Non-custom or Semi-custom Home Development*: An applicant may seek to not follow the requirements above in *Section 7.17(D)(2-5)*, but instead submit a detailed architectural design plan that clearly meets or exceeds the intent of the architectural standards. The architectural design plan shall be legally binding to all lots in the subdivision.

   The submitted architectural design standards must get approved by the Plan Commission as part of the primary plat for the subdivision or detailed development plan for a planned development. The developer shall submit at least four (4) unique plans and elevations for proposed homes, or sample home designs that highlight how the proposed architectural design standards will result in quality architecture for the development. The submittal of sample homes shall include color drawings of each elevation. The Plan Commission may require additional information if necessary to determine if the architectural design guidelines achieve the minimum required standards.

2. *Custom Home Development*: An applicant may seek to not follow the requirements above in *Section 7.17(D)(2-5)*, but instead submit detailed architectural design guidelines that will clearly result in architecture that meets or exceeds the intent of those architectural standards. The architectural design guidelines shall be legally binding to all applicable lots. The Plan Commission may require sample home plans and elevations, or other information if necessary to determine if the architectural design guidelines achieve the minimum required standards. The development shall be a custom home subdivision where no two (2) homes will be identical.

7.18 LE-01: Residential Lot Establishment Standards

This Lot Establishment Standards (LE) section applies to the following types of development:

A. General: The shape, location, and orientation of lots within a development shall be appropriate for the proposed uses and be consistent with the intent of the subdivision as indicated in *Article 6: Subdivision Types*.

B. Lot Sizes: Lot sizes shall be consistent with the minimum and maximum lot area standards indicated on the two-page layout for the applicable zoning district in *Article 2: Zoning Districts*.

C. Lot Design: Lots shall meet the following conditions.

1. *Side Lot Lines*: Residential lots shall have side lot lines that are within fifteen degrees (15°) of perpendicular to the street right-of-way.
2. *Corner Lots*: Residential corner lots shall be thirty percent (30%) larger than the applicable minimum lot area.
3. *Through Lots*: Through lots are discouraged, and shall only be permitted if the lot has a legal instrument that restricts, in perpetuity, establishing access to the second frontage.
4. *Special Lots*: Residential lots abutting a natural lake or natural stream shall be ten percent (10%) larger than the applicable minimum lot area. This additional lot area shall be allocated on the side of the lot that abuts the water feature and be designated and restricted as a "no-build" zone, not allowing man-made structures, except boat docks or piers approved by the Department of Natural Resources, to be constructed or placed on that area.
5. *Adjacency to Water Features*: Any lot adjacent to a water feature (e.g. retention pond, stream, or lake) shall not have any part of a lot project into that waterway. This standard is not applicable to private ponds or lots that transect a stream (i.e. has land on both sides of the stream.

7.19 LE-02: Residential Lot Establishment Standards

This Lot Establishment Standards (LE) section applies to the following types of development:

CL CN TN TD

A. General: The shape, location, and orientation of lots within a development shall be appropriate for the proposed uses and be consistent with the intent of the subdivision as indicated in *Article 6: Subdivision Types*.

B. Cross Reference: See *Section 7.09(C): No Access Easements* in the Easement Standards for limitations on where lots can be located on entrance streets.

C. Lot Sizes: Lot sizes shall be consistent with the minimum and maximum lot area standards indicated on the two-page layout for the applicable zoning district in *Article 2: Zoning Districts*. However, some subdivision types offer incentives or flexibility in the minimum lot area (See two-page layouts in *Article 6: Subdivision Types*). When applicable, those lot area standards shall apply when designing a new subdivision.

D. Lot Design: Lots shall meet the following conditions.

1. *Street Frontage*: Residential lots shall be laid out to front onto interior streets, which may include a frontage street. Residential lots shall not front onto perimeter streets. It is strongly discouraged for lots to front onto a entryway street. If a lot does front onto an entryway street, driveways shall be as far from the perimeter street as possible.
2. *Side Lot Lines*: Residential lots shall have side lot lines that are within twenty degrees (20°) of perpendicular to the street right-of-way. Said side lot lines shall extend in a straight line from the right-of-way for at least twenty percent (20%) of the property's depth.
3. *Corner Lots*: Residential corner lots shall be thirty percent (30%) larger than the applicable minimum lot area. This shall also include lots at the corner of a development entrance and a perimeter street. If there is a maximum lot area, that maximum may also be increased by twenty-five percent (25%).
4. *Through Lots*: Through lots are discouraged, and shall only be permitted if the lot has a legal instrument that restricts, in perpetuity, establishing access to the second frontage.
5. *Special Lots*: Residential lots abutting a natural lake or natural stream shall be ten percent (10%) larger than the applicable minimum lot area. This additional lot area shall be allocated on the side of the lot that abuts the water feature and be designated and restricted as a "no-build" zone, not allowing man-made structures, except boat docks or piers approved by the Department of Natural Resources, to be constructed or placed on that area.
6. *Adjacency to Water Features*: Any lot adjacent to a water feature (e.g. retention pond, stream, or lake) shall not have any part of a lot project into that waterway. This standard is not applicable to private ponds or lots that transect a stream (i.e. has land on both sides of the stream.
7. *Sensitivity to Context*: Residential developments shall be laid out to be sensitive to neighboring developments, if built-out, or neighboring zoning districts if undeveloped. Lot establishment shall especially allow for street and sidewalk connection with adjacent stub streets or pedestrian facilities.

7.20 LE-03: Non-residential Lot Establishment Standards

This Lot Establishment Standards (LE) section applies to the following types of development:

CM ID

A. Project Applicability: The shape, location, and orientation of lots within a development shall be appropriate for the uses proposed and be consistent with the intent of the subdivision as indicated in *Article 6: Subdivision Types*.

B. Lot Sizes: Lot sizes shall be consistent with the minimum and maximum lot area standards indicated on the two-page layout for the applicable zoning district in *Article 2: Zoning Districts*.

C. Lot Design: Lots shall meet the following conditions.

1. *Street Frontage*: Non-residential lots shall be laid out to gain access from interior streets, which may include frontage streets or common parking areas. Individual lots shall only be laid out to have access onto perimeter streets if:
   a. The perimeter street is a Local Street or a Collector Street,
   b. Expressly supported by the *Brownsburg Comprehensive Plan,* and
   c. Permitted by the Town's engineering standards.
2. *Side Lot Lines*: Non-residential lots shall have side lot lines that are within fifteen degrees (15°) of a right angle to the right-of-way. Said side lot lines shall extend in a straight line from the right-of-way for at least twenty percent (20%) of the property's depth.
3. *Corner Lots*: Non-residential corner lots shall be twenty-five percent (25%) larger than the minimum lot area indicated for the zoning district. If there is a maximum lot area, that maximum may also be increased by twenty-five percent (25%).
4. *Special Lots*: Non-residential lots abutting a natural lake or natural stream shall be ten percent (10%) larger than the applicable minimum lot area. This additional lot area shall be allocated on the side of the lot that abuts the water feature and be designated and restricted as a "no-build" zone, not allowing man-made structures, except boat docks or piers approved by the Department of Natural Resources, to be constructed or placed on that area.
5. *Cohesive Design*: Non-residential developments (i.e. shopping centers, commercial areas, and office parks) shall be designed holistically as a single project no matter how many lots are generated.
6. *Adjacency to Water Features*: Any lot adjacent to a water feature (e.g. retention pond, stream, or lake) shall not have any part of a lot project into that waterway. This standard is not applicable to private ponds or lots that transect a stream (i.e. has land on both sides of the stream.
7. *Sensitivity to Context*: Non-residential developments shall be laid out to be sensitive to neighboring developments, if built-out, or neighboring zoning districts if undeveloped. Specifically, lots need to be laid out to allow pedestrian and vehicular connectivity, especially to connect with adjacent stub streets or internal circulation system.

7.21 MB-01: Suburban Residential Mailbox Standards

This Mailbox Standards (MB) section applies to the following types of development:

CL CN

A. General: Mailboxes shall be located such to minimize streetscape clutter, to assure sight visibility for motorists and pedestrians, to minimize obstacles that impede snow removal, and to allow efficient delivery of the mail. Due to the visual clutter caused when every lot in a block has a single mailboxes on its own post and all located on one (1) side of the street, each post shall predominantly have more than one (1) mailbox.

B. Mailbox Type and Location: Stand-alone mailboxes shall be permitted and shall be located on a single side of the street as to allow efficient mail delivery.

C. Mailboxes Per Post: A minimum of two (2) mailboxes shall be mounted per post. This standard shall apply to ninety percent (90%) of all mailboxes in a development, thus allowing flexibility when there is an odd number of lots in a block or an unusual configuration that does not allow doubling-up mailboxes.

D. Alternative: A developer may, in-lieu-of the standards in *Section 7.21(C): Mailboxes Per Post*, install gang mailboxes at one (1) or more convenient location. Gang mailboxes can be located at an entryway into the development, the end of a street, or mid-block; whichever is deemed compatible to the development. Gang mailboxes shall not be located to accommodate vehicular pick-up unless a pull-off apron or parking spaces for a minimum of two (2) cars is available. Under no circumstance shall travel lanes be blocked by persons accessing their mailbox.

E. Mailbox Specifications: Each stand-alone mailbox's height, size and distance from the curb shall be determined by the U.S. Postal Service. Gang mailboxes shall meet all specifications of the U.S. Postal Service.

F. U.S. Postal Service Discretion: If the U.S. Postal Service requires a location standard or type of mailbox standard different than that described above, then the U.S. Postal Service's reasonable request shall be complied with and shall supersede the mailbox standards above.

G. Newspaper Boxes: Newspaper boxes are not required, but if elected by the developer or future property owner, shall be integrated into the mailbox structure. No additional structure shall be permitted on a lot for newspaper boxes.

7.22 MB-02: Urban Residential Mailbox Standards

This Mailbox Standards (MB) section applies to the following types of development:

TN TD

A. General: Mailboxes shall be located such to minimize streetscape clutter, to assure sight visibility for motorists and pedestrians, to minimize obstacles that impede snow removal, and to allow efficient delivery of the mail. Due to the intensity of lots in a Traditional Subdivision or Townhouse Development, stand-alone mailboxes on posts, singles or doubles, shall not be permitted; except as permitted as an alternative below.

B. Mailbox Type and Location: Gang mailboxes shall be required and shall be located on each side of the street to prevent person from having to walk across a street to get their mail. If allowed by the U.S. Postal Service, a gang mailbox shall be installed per townhouse building in a convenient location.

C. Alternative: A developer may, in-lieu-of the standards in *Section 7.22(B): Mailbox Type and Location*, install stand-alone mailboxes or gang mailboxes in alleys if allowed by the U.S. Postal Service. If stand-alone mailboxes are used, ninety percent (90%) of all stand-alone mailboxes shall have two (2) or more mailboxes installed per post.

D. Mailbox Specifications: Gang mailboxes shall meet all specifications of the U.S. Postal Service. If utilized in alleys, each stand-alone mailbox's height, size and distance from the curb shall be determined by the U.S. Postal Service.

E. U.S. Postal Service Discretion: If the U.S. Postal Service requires a location standard or type of mailbox standard different than that described above, then the U.S. Postal Service's reasonable request shall be complied with and shall supersede the mailbox standards above.

F. Newspaper Boxes: Newspaper boxes are not required, but if elected by the developer or future property owner, shall be integrated into the mailbox structure. No additional structure shall be permitted on a lot for newspaper boxes.

7.23 MB-03: Non-Residential Mailbox Standards

This Mailbox Standards (MB) section applies to the following types of development:

CM ID

A. General: Mailboxes shall be located such to minimize streetscape clutter, to minimize pedestrian obstacles when sidewalks are installed to the curb, to assure sight visibility for motorists and pedestrians, to minimize obstacles that impede snow removal, and to allow efficient delivery of the mail. Due to the intensity of commercial and industrial development, stand-alone mailboxes on posts, singles or doubles, shall not be permitted; except as permitted as an alternative below.

B. Mailbox Type and Location: Each multiple-tenant buildings shall have a gang mailbox. All other commercial or industrial buildings shall utilize one (1) or more gang mailboxes in convenient locations within the development.

C. Alternative: A developer may, in-lieu-of the standards in *Section 7.23(B): Mailbox Type and Location*, install stand-alone mailboxes for curb-side delivery if:
   1. *Lot Frontage*: At least eighty percent (80%) of all lots in the development have 300 feet or more frontage, and
   2. *Not Multi-tenant*: The curbside delivery would not include lots with multi-tenant buildings (i.e. those buildings shall use gang boxes), and
   3. *USPS Supported*: Curbside delivery is approved by the U.S. Postal Service for the development.

D. Mailbox Specifications: Gang mailboxes shall meet all specifications of the U.S. Postal Service. If utilized, each stand-alone mailbox's height, size and distance from the curb shall be determined by the U.S. Postal Service.

E. U.S. Postal Service Discretion: If the U.S. Postal Service requires a location standard or type of mailbox standard different than that described above, then the U.S. Postal Service's reasonable request shall be complied with and shall supersede the mailbox standards above.

7.24 MX-01: Mixed-use Development Standards

This Mixed Used Development Standards (MX) section applies to the following types of development:

TD

A. Project Applicability: Any development that incorporates a mix of uses, either as a Traditional Subdivision (TD) or a planned development shall meet the standards in this section.

B. Traditional Subdivision:

1. *Rezoning to Most Appropriate Zoning District*: Concurrent with or after the approval of the primary plat, the developer shall initiate the rezoning of each unique sub-district within the development (e.g. single-family, townhouses, apartments, commercial center, or park) to the most appropriate zoning district for each sub-district of the development to fulfill the mixed use development concept. The applicant may request the desired zoning districts, but the Plan Commission shall make the final determination of appropriateness. The applicant shall bear the cost of a single zoning map amendment even if the development will be rezoned into more than one (1) new zoning district.

C. Development Plan:

1. *Minimizing On-site Conflicts*: Mixed uses shall be arranged on the site to minimize conflicts between other uses on-site or off-site.

D. Planned Development:

1. *Minimizing On-site Conflicts*: Mixed uses shall be arranged within the development to minimize conflicts between other uses on-site or off-site.
2. *Buffering Adjacent Properties*: Any land use within the development that borders a differing land use outside the development shall be reviewed to determine if a buffer yard or other buffering mechanism is necessary. If a buffer yard is required, the development shall install the buffer yard to specifications in *Section 5.40: Buffer Yard Planting Standards*.

7.25 MM-01: Monument and Marker Standards

This Monument and Marker Standards (MM) section applies to the following types of development:

SS CL CN TN TD CM ID

A. Monument Location: Survey monuments shall include External Boundaries of Subdivisions, Lots, and Internal Boundaries.

B. External Boundaries of Subdivisions: The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than thirty (30) inches in depth, not less than four (4) inches square or four (4) inches in diameter, and marked on top with a brass plug, iron rod, or other durable material securely embedded for major corners. Minor corners may be monumented by iron rods at least five-eighths (5/8) inch in diameter and thirty (30) inches long or iron pipes at least one (1) inch in diameter thirty (30) inches long. The same iron rods or iron pipes shall be placed not more than 400 feet apart in any straight segment between corners, at each end of all curves, at any point where a curve changes its radius, at all angle points along the meander line. Points along a meander shall be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

C. Lots and Internal Boundaries of Subdivisions: All lots and internal boundaries not referred to in the preceding paragraph shall be monumented in the field by iron rods at least five-eighths (5/8) inch in diameter and at least thirty (30) inches long or iron pipes at least one (1) inch in diameter and at least thirty (30) inches long. These monuments shall be placed at all lot corners, at each end of all curves along a right-of-way, at points where a curve changes its radius along a right-of-way, and at all angle points along any lot or right-of-way line. These markers shall be in place and set to the designed elevation for the subject lot prior to occupancy.

D. Temporary Lot Markers: The corners for lots may initially be indicated by wooden stakes installed by a surveyor. The permanent markers shall be in place as indicated above prior to occupancy.

E. Street Monuments: Street Monuments shall be located on the centerline at the intersection of streets.

F. Lots Adjacent to Waterways: The lines of lots that extend into a lake, stream, or other water body shall be monumented in the field by iron rods at least thirty (30) inches long and five-eighths (5/8) inch in diameter, or iron pipes at least one (1) inch in diameter and at least thirty (30) inches long. These monuments shall be placed at the point of intersection of the lake, stream, or water body with the lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.

G. Installation: All such monuments shall be set flush with the ground and “planted” in such a manner that they will not be heaved by frost.

H. Assurance of Drainage Swale Grade: To assure that drainage swales (including emergency flood routing) are installed correctly within a drainage easement and that they are not changed after construction, monuments with iron rods at least five-eighths (5/8) inch in diameter and at least thirty (30) inches long with a surveyor cap shall be installed along the centerline of the drainage swales and be set to permanently remain at that elevation post construction. Monuments shall be placed at every intersection of a lot line with the centerline of the drainage swale or every 200 feet, whichever is less.

I. Certified by Land Surveyor: All monuments shall be properly set in the ground and certified by a Registered Land Surveyor.

J. Surety: Monuments that are not set prior to secondary plat approval being granted shall be included in the performance bond for the subdivision. Additionally, monuments shall be subject to a maintenance bond until after final grading and construction, at which time the applicable monuments shall be verified by the developer’s surveyor to still be in their correct position and depth. A letter from that surveyor shall be submitted to the Town certifying the accuracy of their position and depth.

7.26 OP-01: Open Space Standards

This Open Space Standards (OP) section applies to the following types of development:

CL CN TN TD CM ID

A. Applicability: The minimum open space required for each type of subdivision shall be as indicated on the two-page layouts in *Article 6: Subdivision Types* or as indicated in *Article 4: Planned Developments* for planned developments.

B. Ownership: Open space areas shall retain private ownership whether that be a single land owner or an owners' association.

C. Usable Open Space: The open space requirement is intended to promote a positive aesthetic as well as provide recreation opportunities. For this reason, at least 50% of all required open space shall be accessible to the lot owners of the development. This access shall be in the form of an off-street path through the open space, and/or areas adjacent to an internal street which are clearly defined as neighborhood common area.

D. Qualifying Areas: The following features count toward the minimum open space requirements:

1. *Conservation Areas*: Any required preservation or conservation area.
2. *Man-made Water Features*: Any man-made water feature, including a retention facility, shall count toward open space requirements if it supports aquatic life and provides native habitat. Additionally, the water feature shall:
   a. Have a water surface area at the designed outlet elevation of at least 32,670 square feet (¾ acre); and
   b. Have a buffer area (i.e. not part of a developable lot) around the perimeter of the water feature that is at least thirty (30) feet in width (as measured from the water's edge at the designed outlet elevation) and that is accessible from a public street. The buffer area shall be planted and maintained as a wildlife habitat around 80% of the water feature's perimeter. Additionally, the buffer area shall allow a person to walk around the perimeter of the water feature.
3. *Man-made Dry Detention Facilities*: Any man-made stormwater dry detention facility that meets the following minimum conditions:
   a. At least 10,890 square feet (¼ acre) of flat bottom area with under-drain pipe to promote water absorption.
   b. Overall depth of the detention facility shall not exceed four (4) feet from top of bank.
   c. Slopes defining the detention facility shall not exceed a 4:1 ratio.
   d. A buffer area around the perimeter of the facility that is at least ten (10) feet from the top of bank that is also considered open space. The buffer area (and facility) shall be planted and maintained as usable recreation area. This includes use of prairie grasses, native species, native ground cover, or turf grass. Tree planting shall not be within the basin area or on the slopes of the bank.
4. *Regulated Floodplain*: The regulated floodplain of any stream or regulated drain.
5. *Required Perimeter Landscaping*: Fifty percent (50%) of the perimeter landscaping areas required in the applicable *Section 7.30: Perimeter Landscaping Standards*.
6. *Recreation Facilities*: Any common areas set aside for recreation or any recreation facilities constructed within the development shall be considered open space.

7.27 OA-01: Owners' Association Standards

This Owners' Association Standards (OA) section applies to the following types of development:

CL CN TN TD CM ID

A. Project Applicability: Any development with common area, private streets, shared parking, an amenity center, shared or private utilities, retention pond, and the like shall meet the Owners' Association Standards.

B. Establishment of Owners' Association:

1. *Perpetuity*: An owners' association shall be created in perpetuity to make decisions about and to maintain all common property and/or common facilities.
2. *Organization*: An owners' association shall be a legally incorporated entity or shall be created by other legal mechanism which provides shared ownership or shared responsibility of common property and/or common facilities. A board of directors or other means for representation in decision-making shall be established.
3. *Recording of Legal Mechanism*: The legal mechanism binding all property owners or vested parties shall be recorded in the Office of the Hendricks County Recorder, and shall be each applicable lot.
4. *Declaration of Covenants*: The owners' association shall be responsible for the administration of any elective restrictive covenants utilized to further restrict improvements and uses in the development. The "Declaration of Covenants" shall be recorded in the Office of the Hendricks County Recorder following secondary plat approval (subdivisions) or Final Development Plan approval (planned developments or development plans) and prior to selling any lot or unit.
5. *Commitments or Conditions of Approval*: Requirements or restrictions that resulted as a commitment or condition of approval shall not be included in the Declaration of Covenants. All requirements or restrictions that resulted as a commitment or condition of approval shall be included in an independent legal document (i.e. deed restriction) and recorded for each lot. This legal document shall also clearly state that modifications to Common Area shall be subject to Zoning Administrator review. It shall also state that changes may be subject to Plan Commission approval as a Plat Amendment. See *Section 7.06(D): Modifying Features within Common Area* for more information.
6. *Association Fee*: An association fee or other financial mechanism shall be included in the Declaration of Covenants or other legal mechanism and be equal to the financial needs of the owners' association to maintain common property and/or common facilities, and to accumulate a reserve account for long-term large expenditures, emergencies, and contingencies.

C. Contractual Obligations: Prior to the transition from the developer to the owner's association being responsible for common property and/or common facilities, the developer shall not enter into any contractual obligation on behalf of the owners' association that extends more than one (1) year. Thereafter, the owners' association shall responsible for the renewal or termination of such contracts.

D. Required Language: The following content shall be reflected in the Declaration of Covenants or other legal mechanism establishing the owners' association:

1. *Street Lighting*: When street lighting is installed, the Town of Brownsburg shall not, now or in the future, be obligated to accept the lights as public property. The Town of Brownsburg shall bear no financial responsibility for operation or maintenance costs associated with street lighting. The owners' association shall bear the cost of operation and maintenance. In the event the owners' association fails to maintain street lighting, the Town of Brownsburg may make the improvements and assess each property for the project cost plus administration costs.
2. *Retention Pond and Drainage Systems*: When a retention pond and/or other drainage systems are required or installed and are established as common area, the Town of Brownsburg shall not, now or in the future, be obligated to accept them as public infrastructure or to maintain those facilities. The owners' association, or lot owner of the lot in which the retention pond or other drainage system is located, shall bear the cost of such maintenance. In the event the owners' association fails to maintain the retention pond and/or other drainage facilities, the Town of Brownsburg may make the improvements and assess each property for the project cost plus administration costs.

3. *Private Streets*: When private streets are installed, the Town of Brownsburg shall not, now or in the future, be obligated to accept private streets as public property. The Town of Brownsburg shall bear no financial responsibility for snow removal, maintenance or replacement costs associated with private streets. The owners' association shall bear the cost of snow removal, maintenance and replacement. In the event the owners' association fails to maintain private streets, the Town of Brownsburg may make the improvements and assess each property for the project cost plus administration costs.
4. *Off-street Sidewalks or Trails*: When sidewalks or trails are installed outside of a right-of-way, the Town of Brownsburg shall not, now or in the future, be obligated to accept the sidewalks as public property. The Town of Brownsburg shall bear no financial responsibility for maintenance or replacement costs. The owners' association shall bear the cost of maintenance and replacement. In the event the owners' association fails to maintain the sidewalks, the Town of Brownsburg may make the improvements and assess each property for the project cost plus administration costs.
5. *On-street Sidewalks or Trails*: When sidewalks or trails are installed inside of a right-of-way, sidewalk maintenance and replacement shall be subject to the applicable town-wide policy, and seasonal maintenance (e.g. snow removal) shall be the adjacent homeowner's responsibility (or the owner's association if applicable). In the event the owners' association, or abutting property owners, fails to maintain the sidewalks, the Town of Brownsburg may complete the maintenance work and assess the appropriate property owners for the project cost plus administration costs.
6. *Landscaping*: When landscaping is installed in common areas or easements, the owners' association shall be responsible for maintaining the plant material in healthy condition, removing dead or diseased vegetation, and/or replacing landscaping, as necessary.
7. *Right-of-way*: Once rights-of-way are platted, the Town of Brownsburg obtains ownership of the area within the right-of-way and retains the right to reasonably trim or remove any tree or shrub impeding the street or sidewalk. When performing essential infrastructure work, the Town of Brownsburg and/or all public utilities may remove trees or shrubs within the right of way and will replace that plant material with the same or similar species.

E. Enforcement: Failure of the owners' association to maintain an effective legal mechanism or failure of the owners' association to fulfill its responsibilities within that legal mechanism shall be deemed a violation of the Unified Development Ordinances and subject to *Article 10: Enforcement*.

7.28 PN-01: Pedestrian Network Standards

This Pedestrian Network Standards (PN) section applies to the following types of development:

CL CN TN TD CM ID

A. Cross Reference: Sidewalks and multi-use paths shall be constructed to meet or exceed the *Town of Brownsburg Construction Standards*.

B. Applicability: Any developments with internal streets shall have sidewalks along those streets. All developments with frontage along a public street (i.e. perimeter street) shall install a multi-use path or sidewalk from side property line to side property line. The use of a sidewalk or multi-use path shall be determined by *Brownsburg Comprehensive Plan*, or the Zoning Administrator if not specifically called out in the plan.

C. Required Pedestrian Facilities: Sidewalks Along Internal Streets: The two-page layout for the applicable subdivision type in *Article 6: Subdivision Types* shall determine the sidewalk material, how many sides of the street sidewalks are required, where in the right-of-way the sidewalk shall be located, the sidewalk's width, and whether a tree lawn is required between the street and sidewalk. The following are additional standards that apply to internal street sidewalks.

   a. Crossings: Sidewalks shall be designed to cross street intersections safely to sidewalks on the opposite side of the street.
   b. ADA Compliance: Sidewalks at street intersections shall have ADA compliant ramps.
   c. Free of Obstacles: All sidewalks shall be free of obstacles, including overhead and adjacent to the sidewalk. Overhead clearance shall be seven (7) feet and stationary objects (e.g. hydrants, sign post) shall be at least one (1) foot from the edge of the sidewalk. Street trees in tree beds shall not be considered an

1. *Multi-Use Path Along External Streets*: The two-page layout for the applicable subdivision type in *Article 6: Subdivision Types* shall determine the multi-use path material, where in the right-of-way the multi-use path shall be located, and the multi-use path's width. The following are additional standards that apply to internal street sidewalks.
   a. Crossings: Multi-use path shall be designed to safely cross entrance streets and other street intersections to sidewalks or multi-use path on the opposite side. Blocks that are greater than 1,500 feet between intersections may be required by the Plan Commission to install a mid-block crossing with appropriate design for safety. The developer shall only be responsible for on-site improvements.
   b. ADA Compliance: Multi-use paths at street intersections shall have ADA compliant ramps.
   c. Free of Obstacles: All multi-use paths shall be free of obstacles, including overhead obstacles and obstacles adjacent to the multi-use path. Overhead clearance shall be eight (8) feet and stationary objects (e.g. hydrants, sign post) shall be at least two (2) feet from the edge of the multi-use path.
2. *Connection to Adjacent or Nearby Amenity*: If the proposed development is adjacent to a school, park, recreation facility, shopping center, or other amenity, the developer shall design an easement and arrange lots such that a multi-use path can be installed, linking the internal pedestrian network to the amenity. The multi-use path shall meet the following standards:
   a. Easement Width: The easement shall be a minimum of twelve (12) feet wide.
   b. Connector Path Width: The multi-use path shall be a minimum of eight (8) feet in wide.
   c. Location: The multi-use path shall stub to the adjacent property at an appropriate location (e.g. safe, efficient route, or where a path has already been constructed on the adjacent property) for it to be continued on by the adjacent property owner, or by the Town of Brownsburg if appropriate. Coordination with the adjacent property owner shall be required.
   d. Any multi-use path stubbed to the subject development shall be connected to the internal pedestrian network.

D. ADA Compliance: The developer shall submit a letter from the Civil Engineer that designed the subdivision's infrastructure certifying that the sidewalks, as designed and constructed meet all applicable ADA laws in effect. This letter shall be submitted prior to Secondary Plat approval, or shall be a prerequisite for release of the applicable performance surety.

E. Non-application Clause: When sidewalks and/or multi-use paths are not required, or the development gets relief from installing sidewalks and/or multi-use paths, the Town of Brownsburg shall not, now or in the future, be obligated to install them. Every lot within the subject subdivision shall have a non-application clause recorded as a legal instrument, applicable in perpetuity, stating that the property owner waives the right to application the Town of Brownsburg for a sidewalk and/or multi-use path to be installed at the Town of Brownsburg's expense. This waiver does not restrict private funding to be used for such improvements to be made.

7.29 PN-02: Mid-block Crossing Standards

This Pedestrian Network Standards (PN) section applies to the following types of development:

CL CN TN TD CM

A. Applicability: Any developments with internal streets with one (1) or more blocks greater than 1,400 feet between intersections shall install a mid-block crossing which complies with the following standards.

B. Location: A required mid-block crossing shall be located at the mid-point between intersections. However, the exact location may be adjusted fifty (50) feet in either direction from the mid-point to avoid driveway cuts, trees, utilities, drainage, and similar contextual elements; and to improve sight visibility when the mid-point is along a curved segment.

C. Narrowing Crossing: A required mid-block crossing shall be designed such that a pedestrian only has to cross the travel lanes of the street. If parking lanes exist, the curb-line shall be narrowed (i.e. bumped-out).

D. Perpendicular Crossing: All mid-block crossings shall be within ten degrees (10°) of perpendicular.

E. Discretion: When a mid-block crossing is required by the above standards, yet the context clearly does not necessitate a mid-block crossing, the Zoning Administrator may waive or modify the required mid-block crossing. One or more of the following finding shall be required for the Zoning Administrator to waive the requirement:

1. *Lack of Need*: The street segment clearly will not have enough pedestrian users that would benefit from a mid-block crossing.
2. *Safety Concern*: The street segment is clearly too dangerous for a mid-block crossing.
3. *Single-loaded Street*: The street segment only has homes or amenities located on one (1) side of the street.

7.30 PL-01: Perimeter Landscaping Standards

This Perimeter Landscaping Standards (PL) section applies to the following types of development:

CL CN TN TD CM ID

A. Applicability: Perimeter landscaping shall be installed as indicated in the minimum perimeter landscaping standards on the two-page layout for each subdivision type in *Article 6: Subdivision Types.*

B. Exemption: A development zoned as Urban Commercial shall not be required to have any perimeter landscaping.

C. Ownership: Perimeter landscaping areas shall retain private ownership whether that be a single land owner or an owners' association.

D. Landscaping Design:

1. *Size*: Perimeter landscape areas shall extend the entire length of the frontage with a perimeter street, excluding areas in a vision clearance triangle, street or pedestrian facility laterals to the perimeter street, and drainage easements that run perpendicular to the perimeter street.

2. *Plantings*: Trees (i.e. canopy, ornamental, understory or evergreen) shall be provided at a combined rate of ten (10) per 100 lineal feet of perimeter planting. Plantings shall include at least forty percent (40%) native canopy trees and shall not exceed thirty percent (30%) evergreen trees. Shrubs shall be provided at a rate of two (2) per 100 lineal feet of perimeter planting. Irregular spacing and periodic clustering of trees and shrubs is encouraged to imitate natural vegetation.

3. *Location*: Required trees and shrubs shall be planted in common area, but outside of any drainage and/or utility easement.

4. *Walls, Fencing or Mounding*: Fencing and/or mounding may be integrated with the required plantings if the following conditions are met:

   a. Perimeter walls or fences shall be high quality; constructed of masonry, stone, wood, or metal; and be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height.

   b. Mounds may be combined with plantings and fencing. If used, mounds shall be a maximum of eight (8) feet in height with a side slope not to exceed a four to one (4:1) ratio. Undulating mounds are permitted, but continuous mounds (i.e. levee-like mounds) shall not be permitted.

E. Maintenance: All perimeter landscaping, mounds, irrigation, and fences approved shall be maintained in perpetuity by the property owner. If plant material dies or becomes diseased, it shall be replaced at the owner's expense. Replacements for dead or diseased trees shall be done so with the same species, or a species with similar characteristics (e.g. height at maturity, type of canopy, evergreen/deciduous).

   Adding more plant material than what was originally installed shall be permitted, but shall not change the proportions of canopy trees, ornamental trees, evergreen trees, and shrubs; and shall be complementary to the overall aesthetic of the perimeter landscaping. Any other deviations to the originally approved perimeter landscaping shall be reviewed and approved by the Plan Commission.

F. Qualifying as Required Open Space: See *Section 7.26: Open Space Standards*.

7.31 PQ-01: Prerequisite Standards

This Prerequisite Standards (PQ) section applies to the following types of development:

SS CL CN TN TD CM ID

A. Applicability: If any the of the following prerequisite are indicated for a particular type of subdivision (in *Article 6: Subdivision Types*) then that prerequisite applies for that particular subdivision type to be use to regulate a development.

1. *Base Zoning*: The base zoning district of the parent tract for a subdivision must be indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types* prior to consideration of the subdivision by the Plan Commission. If a parent tract is in multiple zoning districts, each of those zoning districts must be listed.
2. *Minimum Parent Tract*: The minimum parent tract area shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*.
3. *Maximum Parent Tract*: The maximum parent tract area shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*.
4. *Special Qualifications*: All special qualifications indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types* shall be met prior to consideration of the subdivision by the Plan Commission.
5. *Special Disqualifications*: All special disqualifications indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types* shall not be applicable prior to consideration of the subdivision by the Plan Commission.

7.32 SM-01: Stormwater Standards

This Stormwater Standards (SM) section applies to the following types of development

SS CL CN TN TD CM ID

A. Cross Reference: All proposed subdivisions, planned developments, and development plans shall be in compliance with *Town of Brownsburg Stormwater Management Ordinance; Chapter 151* in the Town's Municipal Code.

7.33 SA-01: General Street Standards

This Street and Access Standards (SA) section applies to the following types of development:

CL CN TN TD CM ID

A. General: All developments shall provide adequate access to the existing street network and allocate adequate areas for new streets that is consistent with the *Brownsburg Comprehensive Plan*.

B. Cross Reference: All street improvements, private or public, shall be designed, constructed, and installed to meet or exceed the *Town of Brownsburg Construction Standards*. This includes cul-de-sacs, passing blisters, acceleration lanes, and deceleration lanes.

C. Design Principles: Streets shall create conditions favorable to health, safety, convenience, and the harmonious development of the community; shall give consideration to connectivity to adjacent parcels; shall provide access to the Town of Brownsburg's existing street network. All public streets and associated rights-of-way and all private streets and associated easements shall meet the following design criteria.

1. *Street Design Standards*:
   a. Minimum Right-of-Way: The minimum right-of-way width for all local streets shall be the minimum right-of-way width shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. The minimum right-of-way width for all other streets types (e.g. collectors) shall be per the Zoning Administrator.
   b. Minimum Lane Width: The minimum lane width for streets shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. The minimum lane width for all other streets types (e.g. collectors) shall be per the Zoning Administrator..
   c. Minimum Block Length: The minimum block length for streets shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. If not indicated, a minimum block length does not apply.
   d. Maximum Block Length: The maximum block length for streets shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. If not indicated, a maximum block length does not apply.
   e. Average Block Length: The average block length for streets shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. If not indicated, an average block length does not apply.
   f. Minimum Cul-de-sac Length: The minimum cul-de-sac length shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. If not indicated, cul-de-sacs shall not be permitted in that type of development.
   g. Maximum Cul-de-sac Length: The maximum cul-de-sac length shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. If not indicated, cul-de-sacs shall not be permitted in that type of development.
   h. Curb Requirement: The curb requirement for streets shall be as indicated on the two-page layout for each type of subdivision in *Article 6: Subdivision Types*. If curb requirements are not indicated, the Zoning Administrator shall determine which type of curb is required, if any.
   i. On-street Parking: The on-street parking requirements and limitations shall be as indicated on the two-page layouts for each type of subdivision in *Article 6: Subdivision Types*. If not indicated on-street parking requirements and limitations do not apply.
   j. Tree Lawn Width: The tree lawn widths for street trees shall be provided to meet or exceed the minimum tree lawn width as indicated on the two-page layouts for each type of subdivision in *Article 6: Subdivision Types*. If tree lawn width are not indicated, tree lawns are not required.
2. *Alternative Street Design Standards*: The applicable street design standards and pedestrian facility standards may be adjusted for context sensitivity or when an alternative street design is clearly the best design solution for the applicable segment. For example, a single-loaded street (e.g. frontage road) may have a reduced minimum right-of-way and only require sidewalks on the side on which buildings are located. The degree to which street design standards and pedestrian facility standards are reduced shall be determined by the Zoning Administrator.
3. *Prohibited Street Designs*: Permanent dead end streets shall not be permitted. Cul-de-sacs and stub streets are not considered dead end streets.

4. *Connectivity*: All developments shall provide stub streets to connect to adjacent properties that meet the following criteria:
   a. Where the development abuts land that has established stub streets, built or platted, or planned by an approved primary plan, the applicant shall design the street system to connect to those stub streets.
   b. Where the development abuts undeveloped land, stub streets shall be included in the street system design when any of the following conditions are present.
      i. The adjacent developable land is landlocked or has significantly limited access to perimeter streets.
      ii. The adjacent developable land is reasonably expected to be developed as a similar land use (e.g. subject land is single-family residential and the neighboring property is also zoned for single-family residential.
      iii. The adjacent developable land (i.e. one or more parcels in combination) is greater than ten (10) acres in area.
      iv. The Plan Commission or Zoning Administrator believe a particular stub street is going to be essential to future transportation effectiveness, efficiency, and public needs.
      v. An adjacent, previously developed property without a stub street to the subject development as described in *Section 7.33(C)(3)(d)* below.

      Generally, each side of the development that does not border a public street and that meets the above criteria shall have at least one (1) stub street. In large developments, additional stub streets may be necessary to provide adequate connectivity to adjacent properties. In conservation developments and gated communities, stub streets may not be necessary. The final number and location of stub streets shall be determined by the Zoning Administrator based on best planning practices.
   c. Regard shall be given to the *Brownsburg Comprehensive Plan* and any applicable transportation planning documents.
   d. The Town of Brownsburg may require connectivity with a pre-existing development that does not have a stub street to the subject development. In this situation, the Town of Brownsburg shall be responsible for negotiating the connection with that adjacent property owner prior to Secondary Plat approval of the subject development, and would be responsible for coordinating the installation on the adjacent property.
5. *Stub Streets*: Stub streets shall be constructed at the same time other streets are built within the development.
6. *Temporary Turnarounds*: A temporary turnaround shall be established for each stub street that is greater than one (1) lot in depth, and a temporary turnaround easement shall provide for the turnaround.
   a. Temporary Turnaround Easements: When a temporary turnaround is required, the applicant shall execute a temporary turnaround easement instrument in favor of the general public through the Town Council or print the following information, a temporary turnaround easement (TTE) certificate, on the plan or plat that is to be recorded.
      i. Identify the development name within which the temporary turnaround easement (TTE) is associated.
      ii. The temporary turnaround easement (TTE) shall grant the general public the right to access the easement for purpose of maneuvering vehicles.
      iii. The temporary turnaround easement (TTE) shall grant the Town the right to alter, repair, maintain, or remove the improvements.
      iv. The temporary turnaround easement (TTE) shall prohibit any person from parking vehicles within the easement.
      v. The temporary turnaround easement (TTE) shall prohibit any person, including the property owner, from placing any obstruction within the easement.
      vi. The temporary turnaround easement (TTE) shall be binding on all heirs, successors, and assigns to the property on which the temporary turnaround easement is located.
      vii. The temporary turnaround easement (TTE) shall be enforceable by the Town Council, the Town Engineer, the Plan Commission, the Zoning Administrator, the Town Attorney.
      viii. The temporary turnaround easement (TTE) shall automatically terminate upon the Town's acceptance of a connecting street. Otherwise, the temporary turnaround easement (TTE) shall only be modified or terminated in a manner specified in the Unified Development Ordinance.

b. When a temporary turnaround easement instrument is used, it shall cross-reference the most recently recorded deed to the property on which the temporary turnaround easement is to be established; include a metes and bounds description of the temporary turnaround easement; and be signed by the property owner of record granting the temporary turnaround easement and by authorized representatives of the Town Council accepting the easement.

c. When the temporary turnaround easement certificate on the plan or plat to be recorded is used, the dedication and acceptance of the easement shall be accomplished by a Certificate of Dedication being signed by the property owner of record granting the easement, and a Certificate of Acceptance signed by the appropriate representative of the Town Council. These documents shall be recorded with the plan or plat, and shall not be part of any declaration of covenants for the development.

7. *Gated Entrances*: Developments may have gated entrances, but shall have apparatus installed such that emergency vehicles (i.e. fire, police and ambulance) can quickly and easily gain access to the development. Further, the gates shall be sized to allow the largest fire truck in service in the Town to easily turn into and out of the development.

8. *Boulevard Entrances*: Developments may have a boulevard entrance, but the boulevard entrance shall extend at least fifty (50) feet from the perimeter street's right-of-way. The center island shall not extend into the perimeter street's right-of-way. The width of the center planting strip shall be at least ten (10) feet, be landscaped and irrigated, not be used for the identification portion (i.e. subdivision name text) of an entryway feature, and meet the vision clearance standards.

9. *Bridges*: Bridges of primary benefit to the applicant as determined by the Plan Commission, shall be constructed at the full expense of the applicant without reimbursement from the Town of Brownsburg or Hendricks County. Any bridge greater than twenty (20) feet in length shall be dedicated to Hendricks County per State Statute, thus shall be constructed to their specifications.

10. *Intersections*:

a. All intersections of two (2) streets shall be as close to right angles to each other as possible as measured at the street centerlines for a distance of 100 feet. Under no circumstance shall deviations from right angles be greater than twenty degrees (20°).

b. Intersections of more than two (2) streets at one (1) point shall not be permitted.

c. Where ever possible, new local streets shall be aligned with existing local streets. Local street intersections with centerline offsets of less than 125 feet shall not be permitted.

d. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersection on the opposite side of such street. Street jogs with centerline offsets of less than 125 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where streets intersect collector streets and arterial streets, their alignment shall be contiguous. Intersection of arterial streets shall be at least 800 feet apart.

e. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.

f. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.

g. Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.

h. The cross-slopes on all intersections shall not exceed two percent (2%).

D. Inspections: The applicant shall permit and cooperate in the inspection of any part of the construction at any time by the Town Engineer. The Town Engineer shall be notified by the applicant forty-eight (48) hours in advance of the starting date of work on any public improvement within or related to a subdivision. All material delivered to the job shall be subject to inspection at the source and/or site, and may be rejected at either location. Final approval of the work rests with the Town Engineer. Inspections of materials and work when performed by the applicant's representatives or employees shall be at the expense of the applicant.

E. Naming and Addressing Principles: All streets, public and private, shall meet the following street name criteria.

1. *Proposed Street Name*: The applicant shall propose a unique name for each street within the development at the time of initial application. The proposed street names shall meet the following criteria.
   a. Extensions: Streets which are extensions, continuations, or in alignment with any existing street, platted right-of-way, or recorded access easement, shall bear the name of the existing street.
   b. Root Name: The root street name (e.g. Maple) shall not duplicate or be phonetically similar to any existing street name in the Town of Brownsburg.
   c. Suffix Name: Deviations in suffix names (e.g. Street, Court, or Avenue) shall not constitute a unique name (for example, if Maple Street existed, the name Maple Court would not be permissible).
   d. Large Developments: Streets within a large development or separate developments within close proximity may be authorized to use the same root name by the Plan Commission.
2. *Proposed Address Numbers*: Street address numbers for all lots shall be consistent with the Town's existing address scheme and shall be approved by the Town of Brownsburg.
3. *Approval Authority*: While street names and address numbers proposed by the applicant shall be considered, the Plan Commission has authority to approve or deny any proposed street name or address number.
4. *Renaming Authority*:
   a. Existing Street Names and Address Numbers: Existing street names and address numbers that have been established or formerly approved by the Plan Commission shall not be changed without Plan Commission approval.
   b. Proposed Street Names and Address Numbers: The Plan Commission shall have authority to require a new unique name for any street if the name proposed by the applicant is unacceptable. If an acceptable and unique street name is not proposed by the applicant, the Plan Commission shall rename the street prior to final approval. Likewise, if an unacceptable address number is proposed for a lot, the Plan Commission shall have the authority to assign a new address number to any lot prior to final approval.

F. Additional Rights-of-way Required: When developments abut or include existing streets that do not meet the minimum proposed right-of-way widths established by the Town of Brownsburg, the applicant shall dedicate the additional width along such streets sufficient to meet the requirements. If the applicant only controls property on one (1) side of the street, sufficient right-of-way shall be dedicated to bring the half right-of-way up to the width required.

1. *Off-site Street Improvements*: When a development requires off-site street improvements, such as a passing blister, acceleration lane, or deceleration lane, and inadequate right-of-way exists to install the off-site street improvement, the applicant shall make a good faith effort to acquire property sufficient for the installation of the off-site improvement. If the owner of the property on which the off-site improvement is to be installed refuses to sell the property to the applicant, the applicant shall provide the Zoning Administrator with copies of all surveys; appraisals; written offers made by the applicant; and correspondence from the property owner.
2. *Eminent Domain*: When the installation of off-site street improvements is required, it is because those off-site street improvements are vital to the health, safety, and welfare of the motoring public. As a result, the Town may begin eminent domain proceedings in accordance with *IC 32-24: Eminent Domain* for the acquisition of public right-of-way sufficient for the installation of the off-site street improvement upon receipt of the afore-mentioned documentation illustrating the applicants failure to acquire the needed property. Upon completion of the eminent domain proceedings, the applicant shall reimburse the Town in an amount equal to the cost of the land, administrative cost for condemnation on that land, and the cost to relocated any pre-existing features.
3. *Installation of Improvements*: The applicant shall then install the off-site street improvement to meet or exceed the *Town of Brownsburg Construction Standards*.

7.34 SA-02: Private Street Standards

This Street and Access Standards (SA) section applies to the following types of development:

CL CN TN TD CM ID

A. Project Applicability: Private streets shall be permitted, but shall meet or exceed the standards for public streets established within the Unified Development Ordinance and the construction standards for public streets within the *Town of Brownsburg Construction Standards*.

B. Required Language: When a private street easement appears on a plat, the following language shall be printed on the plat, "*The developer of this real estate covenants and warrants on behalf of itself and all future owners of lots within this subdivision/development that because the streets are private, all maintenance, repairs, and replacement, now and forever, shall be undertaken at the expense of the lot owners (or unit owners) in accordance with the terms and conditions set forth in the owners' association by-law and articles. No governmental entity has any duty or responsibility to maintain, repair, or replace any private street.*"

C. Location: Private streets shall be located within private street easements, rather than rights-of-way. All private street easements shall meet or exceed all the standards for rights-of-way established within the Unified Development Ordinance and the *Town of Brownsburg Construction Standards*.

1. *Private Street Easement Instrument Specifications*: The applicant shall execute a private street easement instrument in favor of the future lot owners or unit owners to which the private street provides access. The following language shall be included on the private street easement instrument.
   a. Identify the development with which the private street easement is associated.
   b. Grant future lot or unit owners the right to access the easement for purposes of accessing their lot or unit.
   c. Specify the financial responsibilities of the future lot or unit owners with respect to the alteration, repair, maintenance, and removal of the improvements.
   d. Prohibit future lot or unit owners or any other person from placing any obstruction within the easement.
   e. Require that the private street be built to the *Town of Brownsburg Construction Standards*.
   f. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
   g. Be enforceable by the future lot or unit owners, the Town, and any other specially affected persons entitled to enforce the easement.
   h. Provide for modification or termination in the manner stipulated in the Unified Development Ordinance.
   i. Be cross-referenced to the most recently recorded deeds to the properties on which the easement is to be established.
   j. Include a metes and bounds description of the easement.
   k. Be signed by a each property owner granting the easement and by an authorized representative of future lot or unit owners accepting the easement.
2. *Private Street Easement Certificate*:
   a. When a plan (e.g. secondary plat or development plan) is being recorded, the applicant may forego a separate easement instrument in favor of printing the following private street easement certificate on the recordable instrument: "Areas show on this plan that are designated as a "Private Street Easement" (PSE) shall be established in favor of the adjoining property owners that are hereby granted the right to enter the easement for purposes of accessing their lot. The easement prohibits the property owners or any other person from placing any obstruction within the easement. The easements are binding on all heirs, successors, and assigns to the property on which they are located. The adjoining property owners or the Town may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Unified Development Ordinance."
   b. The dedication and acceptance of Private Street Easements (PSE) shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the property owner of record granting the easement, and a Certificate of Acceptance signed by an authorized representative of the future lot owners or unit owners.
   c. If a Declaration of Covenants is included on the recordable instrument, the Private Street Easement Certificate shall be clearly separate from the Declaration of Covenants.

7.35 SA-03: Traditional and Townhouse Subdivision Alley Standards

This Street and Access Standards (SA) section applies to the following types of development:

TN TD

A. General: Alleys are considered an essential part of a traditional neighborhood design. Therefore, alleys shall be integrated into the overall design of the neighborhood. All lots served by alleys shall also have lot frontage on a public right-of-way.

B. Use of Alleys:
   1. *Single-family Dwellings*: At least eighty-five percent (85%) of all single-family dwelling lots shall be served by alleys in order to access rear-loading, attached or detached garages.
   2. *Maximum Service Capacity*: The maximum number of single-family lots that a single alley may serve shall not exceed twenty (20).
   3. *Multi-family or Commercial Uses*: Alleys are required to provide service access to at least forty percent (40%) of multiple-family and commercial land uses within the development.

C. Limitations: Alleys that are not designed for "on-street" parking shall be signed "No Parking".

D. Ownership: Alleys shall be privately owned and maintained, and be located on a public access easement.

E. Easement Width: Alley easements shall be at least twenty (20) feet in width, whether for one-way or two-way alleys.

F. Alley Surface and Width: Alleys shall be paved with a durable material (e.g. asphalt, concrete or brick pavers) and shall be at least sixteen (16) feet in width for one-way alleys and twenty (20) feet in width for two-way alleys.

G. Curb and Crown: Alleys are required to have a curb that terminates the durable surface's edge. Flush curbs with reverse-crown is preferred. When sufficient cause is demonstrated, rolled or chair-back curbs may be permitted by the Plan Commission, but if used the alley surface shall have a center crown instead of a reverse crown.

H. Alley Intersections: The intersections of alley and a public street shall be perpendicular or within twenty degrees (20°) of perpendicular, and shall be at least 100 feet from any other intersection.

I. Minimum Corner Radius or Flare: The minimum corner radius or flare at an alley intersection with a public street shall be six (6) feet. The alley easement shall include the paved radius or flare. The Zoning Administrator may allow the radius or flare to be as low as five (5) feet when six (6) feet is clearly not necessary.

J. Utilities: Alleys shall be used for electric, cable, fiber, and telephone utilities to at least seventy percent (70%) of the lots in the development. The Plan Commission may waive this requirement at the request of the utility providers when clearly not practical. Other utility providers may utilize alleys when deemed appropriate.

K. Alley Construction: All alleys are to be constructed per the *Town of Brownsburg Construction Standards*.

7.36 SA-04: Curvilinear Subdivision Alley Standards

This Street and Access Standards section applies to the following types of development:

CL

A. General: Alleys shall be used sparingly within curvilinear and conservation subdivisions. All lots and uses served by alleys shall also have lot frontage on a public street.

B. Use of Alleys:
   1. *Single-family Dwellings*: Alleys shall not be used to provide access to more than ten percent (10%) of all dwelling units.
   2. *Maximum Service Capacity*: The maximum number of single-family lots that a single alley may serve shall not exceed ten (10).

C. Limitations: Alleys that are not designed for "on-street" parking shall be signed "No Parking".

D. Ownership: Alleys shall be privately owned and maintained, and be located on a public access easement.

E. Easement Width: Alley easements shall be at least eighteen (18) feet in width for one-way or two-way alleys.

F. Alley Surface and Width: Alleys shall be paved with a durable material (e.g. asphalt, concrete or brick pavers) and shall be at least sixteen (16) feet in width for one-way or two-way alleys.

G. Curb and Crown: Alleys are required to have a curb that terminates the durable surface's edge. Flush curbs with reverse-crown is preferred. When sufficient cause is demonstrated, rolled or chair-back curbs may be permitted by the Plan Commission, but if used the alley surface shall have a center crown instead of a reverse crown.

H. Alley Intersections: The intersections of alley and a public street shall be perpendicular or within twenty degrees (20°) of perpendicular, and shall be at least 100 feet from any other intersection.

I. Minimum Corner Radius or Flare: The minimum corner radius or flare at an alley intersection with a public street shall be six (6) feet. The alley easement shall include the paved radius or flare. The Zoning Administrator may allow the radius or flare to be as low as four (4) feet when six (6) feet is clearly not necessary.

J. Utilities: Alleys may be used for electric, cable, fiber, telephone, sanitary sewer, storm sewer, or water utilities when deemed appropriate.

K. Alley Construction: All alleys are to be constructed per the *Town of Brownsburg Construction Standards*.

7.37 SA-05: Residential Access Standards

This Street and Access Standards (SA) section applies to the following types of development:

CL CN TN TD

A. Quantity: Vehicular access into/out of the development shall be provided as follows:

1. *Very Small Developments*: Developments with less than twenty (20) lots shall have just one (1) entrance into and out of the development.
2. *Small Developments*: Developments with twenty (20) lots but less than one hundred (100) lots may have up to two (2) entrances into and out of the development.
3. *Large Developments*: Developments with one hundred (100) lots or more shall provide at least two (2) entrances into and out of the development. Preferably, those access points shall be to/from two (2) different streets when possible. A stub street to a neighboring property may constitute a second entrance when deemed likely to be connected within a five (5) year timeframe.

7.38 SA-06: Non-residential Access Standards

This Street and Access Standards (SA) section applies to the following types of development:

CM ID

A. Quantity: An applicant shall propose the minimal quantity of ingress/egress points to provide safe, efficient, and adequate access for the various types of vehicular traffic that will access the development. The Zoning Administrator shall make the final determination

B. Specialty Access:

1. *Access Streets and Rear Access Streets*: Any non-residential development that fronts an arterial street and has ten (10) or more lots or a multiple tenant building with fifteen (15) or more tenant spaces shall provide an access street/rear access street as the primary access. Commonly, an access street is perpendicular to the arterial street and accesses lots that front the arterial street. An access street may also lead or turn into a rear access street, which is generally parallel to the arterial street. A rear access street is generally located behind the first tier of commercial lots, but in front of the second tier of commercial lots (often the anchor lots), but provides access to both. The Zoning Administrator and Town Engineer shall have discretion in requiring rear access streets in other circumstances to ensure a safe and efficient future transportation network. Access streets and rear access streets shall meet the following conditions.
   a. Design:
      i. Access streets shall generally run perpendicular to the arterial street.
      ii. Rear access streets shall generally run parallel to the arterial street and be at least one 150 feet from the arterial street (measured from the edge of pavement to the edge of pavement). Frontage streets shall not be permitted.
      iii. Access streets and rear access streets shall accommodate two-way traffic.
      iv. Right-of-way or private street easement for an access street or a rear access street shall be at least forty (40) feet in width.
      v. Pavement width for an access street or rear access street shall be a minimum of twenty-four (24) feet.
      vi. Parking shall not be permitted on rear access streets.
      vii. Sidewalks shall be on one side of access streets and rear access streets and be integrated into the overall pedestrian network of the development.
   b. Points of Ingress/Egress: An access street or rear access streets serving developments less than fifteen (15) acres shall be permitted two ingress/egress points onto a street. Developments with fifteen (15) acres or more shall have a maximum of three (3) ingress/egress points onto a street.
   c. Separation: Each ingress/egress point shall be at least one 150 feet from any intersection and any other ingress/egress on the same or opposite side of the street. Ingress/egress points that align across the street do not require separation.

7.39 SA-07: Street Signs Standards

This Street and Access Standards (SA) section applies to the following types of development:

CL CN TN TD CM ID

A. General: All streets, public or private, shall have signs necessary to provide a safe environment for drivers and pedestrians and provide information for located streets, addresses, or development amenities and shall be ordered and paid for by the developer and installed by the Town's street department.

B. Cross Reference: The Town's policies and the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways (or a current version thereof adopted by the Indiana Department of Transportation) shall be used to determine the type, size, height, and location of each of these signs.

C. Public Safety Signs: The applicant shall coordinate with the Town Engineer before purchasing and installing any public safety related street sign. The Town Engineer shall make the final determination regarding the final location and height of each sign. All public safety related street sings shall be installed prior to any street being open to the public.

D. Street Name Signs: The applicant shall coordinate with the Town Engineer before purchasing and installing any street name sign. A minimum of one (1) street name sign shall be required for each intersection within the development and on all perimeter intersections. The Town Engineer shall make the final determination regarding the final location and height of each sign. All street name signs shall be installed prior to any street being open to the public.

E. Wayfinding System Signs: The applicant may propose a wayfinding system of signs.

1. *Purpose*: Wayfinding system signs shall be used to direct vehicular and pedestrian traffic to specific destinations.
2. *Appearance*: Wayfinding systems shall be required to have signs of consistent size, scale, and appearance.
3. *Location*:
   a. Wayfinding system signs shall not be located within the vision clearance triangle as regulated by *Section 5.91: Vision Clearance Standards*.
   b. Wayfinding system signs may be located within rights-of-way with written authorization from the Town Council. However, the Town shall not be responsible for the maintenance or replacement of any wayfinding system signs.
4. *Review and Approval*: Proposals for wayfinding systems shall be reviewed and approved at the discretion of the Zoning Administrator. The Zoning Administrator may take into account the need for the wayfinding system, the size and complexity of the development, quantity and location of signs, number of entrances and exists and the appearance of signs.

7.40 SL-01: Curvilinear Subdivision Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following types of development:

CL

A. Project Applicability: Street lights shall be installed at all intersections, entrances, and along internal streets within the residential developments.

B. Ownership: Street lights and all associated fixtures shall remain private property and be the responsibility of the applicant during development and an owners' association after development. The Town of Brownsburg shall not be responsible for any operation or maintenance costs associated with street lighting.

C. Street Light System Design: The proposed street light system shall meet the following conditions:
   1. *Cut-off Fixture*: Street lights shall be full cut-off fixtures.
   2. *Glare*: Street lights shall be shielded to prevent glare on neighboring properties.
   3. *Continuity*: Street lights shall be a consistent style throughout the entire development.
   4. *Height*: Street lights shall not exceed eighteen (18) feet in height.
   5. *Intersections*: A minimum of two (2) street lights shall be installed at all four-way intersections, and a minimum of one (1) street light shall be installed at all internal "T" intersections and subdivision entrances. However, under no circumstance shall the installed street lights not provide the minimum amount of light necessary for vehicular and pedestrian safety at those intersections.
   6. *Between Intersections*: Street lights shall be installed between intersections at intervals no greater than every 400 feet on one side (or alternating sides) of the street.
   7. *Energy Conservation*: Street lights and dusk-to-dawn lights shall be turned on by a photo cell that detects darkness, preventing the lights from being turned on too early or staying on too long.

7.41 SL-02: Conservation Subdivision Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following types of development:

CN

A. Project Applicability: Street lights shall be installed at all major intersections and entrances. Street lights may be installed along internal streets within the residential developments.

B. Ownership: Street lights and all associated fixtures shall remain private property and be the responsibility of the applicant during development and an owners' association after development. The Town of Brownsburg shall not be responsible for any operation or maintenance costs associated with street lighting.

C. Street Light System Design: The proposed street light system shall meet the following conditions:
   1. *Cut-off Fixture*: Street lights shall be full cut-off fixtures.
   2. *Glare*: Street lights shall be shielded to prevent glare on neighboring properties.
   3. *Continuity*: Street lights shall be a consistent style throughout the entire development.
   4. *Height*: Street lights shall not exceed eighteen (18) feet in height.
   5. *Intersections*: A minimum of one (1) street lights shall be installed at intersections and subdivision entrances. However, under no circumstance shall the installed street lights not provide the minimum amount of light necessary for vehicular and pedestrian safety at those intersections.
   6. *Between Intersections*: Street lights may be installed between intersections at any interval.
   7. *Energy Conservation*: Street lights and dusk-to-dawn lights shall be turned on by a photo cell that detects darkness, preventing the lights from being turned on too early or staying on too long.

7.42 SL-03: Traditional and Townhouse Subdivision Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following type of development:

TN TD

A. Project Applicability: Street lights shall be installed in traditional subdivisions and townhouse subdivisions at all intersections, development entrances, and along internal streets.

B. Ownership: Street lights and all associated fixtures shall remain private property and be the responsibility of the applicant during development and the owners' association after development. The Town of Brownsburg shall not be responsible for any operation or maintenance costs associated with street lighting.

C. Street Light System Design: The street lights shall meet the following conditions:
   1. *Cut-off Fixture*: Street lights shall be full cut-off fixtures.
   2. *Glare*: Street lights shall be shielded to prevent glare on residential properties.
   3. *Continuity*: Street lights shall be a consistent style throughout the entire development.
   4. *Height*: Street lights in residential areas shall not exceed fourteen (14) feet in height. Street lights in non-residential areas shall not exceed eighteen (18) feet in height.
   5. *Style*: All street lights shall be ornamental and complementary in style to the buildings.
   6. *Intersections*: A minimum of two (2) street lights shall be installed at all four-way intersections and at subdivision entrances; and a minimum of one (1) street light shall be installed at all internal "T" intersections. However, under no circumstance shall the installed street lights not provide the minimum amount of light necessary for vehicular and pedestrian safety at those intersections.
   7. *Between Intersections*: Street lights shall be installed between intersections at intervals no greater than every 250 feet on one side (or alternating sides) of the street and shall provide uniform lighting of the street and pedestrian facilities.
   8. *Energy Conservation*: Street lights shall be turned on by a photo cell that detects darkness, preventing the lights from being turned on too early or staying on too long.

7.43 SL-04: Non-residential Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following type of development:

CM ID

A. Project Applicability: Street lights shall be installed at all intersections, entrances, and along internal streets within non-residential developments.

B. Ownership: Street lights and all associated fixtures shall remain private property and be the responsibility of the applicant during development and an owners' association after development. The Town of Brownsburg shall not be responsible for any operation or maintenance costs associated with street lighting.

C. Street Light System Design: The proposed street light system shall meet the following conditions:
   1. *Cut-off Fixture*: Street lights shall be full cut-off fixtures.
   2. *Glare*: Street lights shall be shielded to prevent glare on neighboring properties.
   3. *Continuity*: Street lights shall be a consistent style throughout the entire development.
   4. *Height*: Street lights shall not exceed twenty-five (25) feet in height.
   5. *Intersections*: One or more street lights shall be installed at all intersections, including entrances, and shall provide the minimum amount of light necessary for vehicular and pedestrian safety at those intersections.
   6. *Between Intersections*: Street lights shall be installed between intersections at intervals no greater than every 400 feet on one side of the street. This lighting shall be provided by the builder and maintained by the owner in perpetuity.

7.44 SY-01: Surety Standards

This Surety Standards (SY) section applies to the following types of development:

CL CN TN TD CM ID

A. Cross Reference: The procedure for each type of surety can be found in *Article 9: Processes*.

B. Performance Surety: An applicants shall provide a Performance Surety at the time the plat is approved for any public improvement that has not been completed, but is intended to or will be dedicated to the Town of Brownsburg, Hendricks County, public utility or other public entity. All such facilities, any off-site improvements committed to by the applicant, and any off-site improvements required as a condition of approval shall also be covered by the performance surety.

1. *Acceptable Performance Surety*:
   a. Traditional Surety: A bond or irrevocable letter of credit may be used as a Performance Surety.
   b. Non-traditional Surety: Any other means for assuring the public improvements will fully and properly be installed at no or very little risk to the Town of Brownsburg will be considered.
   c. Fee-in-lieu-of Surety: The Town of Brownsburg may accept a fee in-lieu-of a surety. Said fee will be equal to two percent (2%) of the total cost of public capital improvements yet to be completed, paid annually. At the time of release, a prorated amount of the previous annual payment shall be returned to the applicant for the fraction of a year remaining.
   d. Right of Rejection: The Brownsburg Town Council reserves the right to reject any alternative from a bond offered by the applicant for any reason.
2. *Timing*: The Performance Surety shall be offered and accepted prior to final approval of the development by the Plan Commission (e.g. final plat for subdivision).
3. *Requirements*: The surety shall:
   a. Amount: Be in an amount equal to 115% of the cost to finish the yet to be completed portions of public capital improvements. A cost estimate shall be provided by the applicant's engineer and/or general contractor. However, the cost estimate shall not be binding. All estimates shall be based on the requirements of the Unified Development Ordinance, *Town of Brownsburg Construction Standards*, and subject to the Town's review.
   b. Appropriate Agency: Run to and be in favor of the Brownsburg Town Council, or other agency to which the improvements are intended to be dedicated.
   c. Timeframe: Specify the timeframe for completion of the improvements. Under no circumstances shall the initial timeframe exceed two (2) years.
   d. Form: Be on a form approved by the Plan Commission.
4. *Determining Completion of Improvement*: A Performance Surety shall not be released until all of the following have been accomplished:
   a. The applicant shall submit to the Zoning Administrator, in writing, a request for release of the performance surety, provide a description of the public improvement completed, and provide an engineer's certification that the improvements were completed to all applicable requirements.
   b. Final construction has been determined to be completed, inspected and approved by the Town Engineer, Zoning Administrator, and any other applicable town or county agency. Any applicable inspecting agency shall certify that it has been inspected and meets all applicable standards.
   c. At the election of the Town Engineer or Zoning Administrator or any other applicable town or county agency, core borings, video inspection of drainage pipes, or other technical inspections may be conducted at the applicant's expense.
   d. Plat properly recorded and all as built drawings for the project are received.
5. *Release of Performance Surety*: When a public improvement has been determined to be complete and a maintenance surety has been presented by the applicant and accepted by the appropriate agency, then the public agency to which the surety ran to and was in favor of shall release the performance surety. A release of surety is often completed concurrently to the dedication of the public improvement, but shall not be construed a dedication of the public improvement. See *Section 7.06: Dedication of Public Improvement Standards* for the standards applicable to dedication.

6. *Expiration of Timeframe or Default*: When a public improvement has been determined to not be constructed to the applicable standards by the Plan Commission, or if the two (2) year timeframe expires, the Plan Commission shall either:
   a. Require Correction: Require the applicant to install, construct, reconstruct, or resolve the issue within a prescribed timeframe; or
   b. Extension: Give the applicant additional time to complete the improvement; or
   c. Default: Declare the Performance Surety in Default and utilize the funds from the surety to complete the public improvement.

C. Maintenance Surety: When a public improvement is completed and prior to dedication, a Maintenance Surety shall be provided to assure that premature dilapidation, repair, or maintenance costs due to improper design, engineering, materials, or other defects are not the responsibility of a public agency.

1. *Acceptable Surety*: A bond or irrevocable letter of credit may be used as a Maintenance Surety. However, the Town reserves the right to refuse any alternative from a bond offered by the applicant.
2. *Timing*: The Maintenance Surety shall be offered and accepted prior to dedication of the public improvement.
3. *Requirements*: The surety shall:
   a. Amount: Be in an amount equal to twenty percent (20%) of the total cost of the public improvement. The actual cost of construction shall be provided by the applicant's engineer and/or general contractor and reviewed by the Town Engineer. However, the actual cost report shall not be binding when the Plan Commission or Department of Public Works and Engineering establishes the official construction cost to be used to determine the surety amount.
   b. Appropriate Agency: Run to and be in favor of the Town of Brownsburg, or other agency to which the public improvement was dedicated.
   c. Timeframe: The Maintenance Surety shall be provided for a period of three (3) years from the date of dedication. The original applicant shall notify the Zoning Administrator at least two (2) months prior to the completion of the three (3) year term and schedule a final inspection of the applicable facilities. In the event the public improvement was determined to be prematurely dilapidated, in need of repair, or is not properly functioning; upon completion of the repair, a new Maintenance Surety for that portion of the public improvement shall be provided for a period of two (2) years.
   d. Form: Be on a form approved by the Plan Commission.
4. *Determining Completion of Improvement*: A Maintenance Surety shall not be released until all of the following have been accomplished:
   a. The applicant shall submit to the Zoning Administrator, in writing, a request for release of the Maintenance Surety, provide a description of the condition of the public improvement, and provide an engineer's certification that the public improvement have not prematurely dilapidated, are not in need of repair, and are properly functioning.
   b. The Town Engineer, Zoning Administrator, and any other applicable town or county agency has inspected the public improvement and has certified that it meets all applicable standards.
   c. At the election of the Town Engineer or Zoning Administrator or any other applicable town or county agency, core borings, video inspection of drainage pipes, or other technical inspections may be conducted at the applicant's expense.
5. *Release of Maintenance Surety*: When a public improvement has been determined to be in proper condition at the expiration of the Maintenance Surety timeframe, the public agency to which the surety ran to and was in favor of shall release the Maintenance Surety. The appropriate agency shall issue a certificate or write a letter to the applicant indicating full release of obligation and surety.
6. *Expiration of Timeframe or Default*: When a public improvement has been determined to have prematurely dilapidated, be in need of repair, or to not be properly functioning by the Plan Commission, the Plan Commission or Department of Public Works and Engineering shall either:
   a. Require Correction: Require the applicant to install, construct, reconstruct, or resolve the issue within a prescribed timeframe; or
   b. Default: Declare the Maintenance Surety in Default and utilize the funds from the surety to fix the public improvement.

7.45 UT-01: Utility Standards

This Utility Standards (UT) section applies to the following types of development:

CL CN TN TD CM ID

A. Project Applicability:

1. *Sanitary Sewer*: Sanitary sewer utility infrastructure shall be provided within subdivisions at the expense of the applicant.
2. *Water*: Water utility infrastructure for potable water and fire protection shall be provided within subdivisions at the expense of the applicant.

B. Location: Sanitary sewer utility infrastructure and water utility infrastructure shall be located in a right-of-way or within an area designated as a utility easement (or a utility and drainage easement). The location of proposed utilities and any utility easements shall be approved by the Town Engineer and the appropriate utility prior to the final approval of the Primary Plat and prior to any installation.

C. Construction:

1. *Utility Company Standards*: All water and sewer utility improvements intended to be dedicated to and accepted by the applicable water and sewer utility shall be designed and installed to meet or exceed their construction standards. The town's standard for hydrants or valves and lift stations shall be approved by the Town Engineer.
2. *Coordination*: The applicant shall be responsible for coordinating the installation of the utilities. Conflicts with prior constructed utilities and damage to them shall be repaired before allowing any work to continue.

D. Up-sizing: Up-sizing sanitary sewer utility infrastructure and/or water utility infrastructure shall be considered by the Town and the applicant depending on future development of adjacent land. Agreements concerning up-sizing utility infrastructure shall be in accordance with appropriate Indiana Statutes and executed prior to the start of installation of the utility infrastructure.

E. Electric Service: Electric utility infrastructure shall be installed underground in subdivisions. No overhead wires or utility poles shall be permitted within the interior of the subdivision. Meters, transformers, and junction boxes are permitted above grade, but shall be discretely located. Only the fewest number of junction boxes necessary shall be installed.

F. Cable Television and Telephone Utilities: Cable television and telephone utilities shall be installed underground in subdivisions. No overhead wires or utility poles shall be permitted. Junction boxes are permitted above grade, but shall be discretely located. The installation of the cable television and telephone utilities shall be per each vendor's construction standards. Only the fewest number of junction boxes necessary shall be installed.

Article 8

Nonconformances

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Intent of Nonconformance Rules

8.01 Intent of Nonconformance Rules

As new zoning regulations are adopted or the zoning map changes, structures, lots, and uses that were previously compliant with zoning regulation are sometimes made noncompliant. *Article 8: Nonconformances* specifies the provisions that apply to these legal nonconforming (informally referred to as "grandfathered") structures, lots, and uses.

8.02 Distinction Between Conforming, Illegal Nonconforming, and Legal Nonconforming

Each structure, lot, and use is either "conforming" or "nonconforming." Conforming is used to describe a structure, lot, or use as being in full compliance with the current Unified Development Ordinance. Nonconforming is used to describe a structure, lot, or use that is in violation of the current Unified Development Ordinance. A nonconforming structure, lot, or use is either "illegal nonconforming" or "legal nonconforming." The following sections determine the nonconforming status of a structure, lot, or use:

A. Illegal Nonconforming:
   1. *Structure*: A structure constructed in violation of the zoning ordinance that was in effect when the structure was constructed and which remains in violation of the current Unified Development Ordinance is an illegal nonconforming structure.
   2. *Lot*: A lot established in violation of the zoning ordinance that was in effect when the lot was established and which remains in violation of the current Unified Development Ordinance is an illegal nonconforming lot.
   3. *Use*: A use that was in violation of the zoning ordinance that was in effect when the use was initiated and which remains in violation of the current Unified Development Ordinance is an illegal nonconforming use. In addition, a use that was legally established prior to the effective date of the current Unified Development Ordinance and is not permitted under the current Unified Development Ordinance, but has been abandoned or discontinued for a period of at least one (1) year, is an illegal nonconforming use.

B. Legal Nonconforming:
   1. *Structure*: A structure that does not meet one (1) or more development standards of the current Unified Development Ordinance, but was legally established prior to the effective date of the current Unified Development Ordinance shall be deemed a legal nonconforming structure. Generally, a structure is rendered legal nonconforming by an amendment to the zoning regulations or a zoning map change. However, a legal nonconformity may be a result of government use of eminent domain or right-of-way acquisition.
   2. *Lot*: A lot that does not meet one (1) or more lot standards of the current Unified Development Ordinance, but was legally established and recorded prior to the effective date of the current Unified Development Ordinance shall be deemed a legal nonconforming lot of record. Generally, a lot is rendered legal nonconforming by an amendment to the zoning regulations or a zoning map change. However, a legal nonconformity may be a result of government use of eminent domain or right-of-way acquisition.
   3. *Use*: The use of a structure or land (or a structure and land in combination) that was legally established prior to the effective date of the current Unified Development Ordinance and has been continuously operated since, that is no longer permitted by the current Unified Development Ordinance in the zoning district in which it is located, shall be deemed a legal nonconforming use. Generally, a use is rendered legal nonconforming by an amendment to the zoning regulations or a zoning map change.

8.03 Illegal Nonconforming Structures, Lots, and Uses

An illegal nonconforming structure, lot, or use is subject to the enforcement procedures of the current Unified Development Ordinance. The enforcement procedures of the zoning ordinance in place at the time the violation occurred shall no longer be in effect.

8.04 Legal Nonconforming Structures

The following provisions apply to legal nonconforming structures, structures associated with legal nonconforming uses, and structures associated with legal nonconforming lots.

A. Legal Nonconforming Building Provisions: The provisions for legal nonconforming buildings, a subcategory of structures, are as follows:
   1. *Building Expansion*: A legal nonconforming building shall be permitted to expand in area and height as long as the nonconformity is not increased and the expansion otherwise meets the current Unified Development Ordinance. For example, if a building is in violation of the maximum height standard, it can be expanded in area as long as the new addition does not exceed the maximum height standard and is otherwise in compliance with the current Unified Development Ordinance. This provisions does not waive applicable permits.

2. *Building Exterior Alteration*: The exterior walls of a building shall not be moved except as provided in the previous clause. Otherwise, the roof and exterior walls may be maintained, repaired, re-faced, and modified, resulting in the original aesthetic character or an altered exterior character, as long as the building's nonconformity is not increased and the alteration otherwise meets the current Unified Development Ordinance. This provisions does not waive applicable permits.
3. *Building Interior Alteration*: Ordinary repair and replacement of interior finishes, heating systems, fixtures, electrical systems, or plumbing systems; and interior wall modifications are not regulated by the Unified Development Ordinance. This provisions does not waive applicable permits.
4. *Building Relocating*: A legal nonconforming building may be relocated if, by moving the building, it decreases the legal nonconformity and the relocation otherwise meets the current Unified Development Ordinance. This provisions does not waive applicable permits.

B. Legal Nonconforming Structure Provisions: The provisions for legal nonconforming structures, excluding the subcategory of buildings, are as follows:

1. *Structure Alteration*: A legal nonconforming structure shall be permitted to be altered in height, area, mass, and time as long as the nonconformity is not increased and the alteration otherwise meets the current Unified Development Ordinance. For example, if a permanent sign is in violation of the maximum height standard, it can be altered as long as the alteration does not increase the sign's height and the alteration is otherwise in compliance with Unified Development Ordinance. This provisions does not waive applicable permits.
2. *Structure Relocating*: A legal nonconforming structure may be relocated to another location on the same lot if, by moving the structure, it decreases the legal nonconformity and the relocation otherwise meets the current Unified Development Ordinance and any applicable commitments or conditions of a previous approval. This provisions does not waive other applicable permits.
3. *Conversion for Longevity*: Converting a structural component of a legal nonconforming structure to a more permanent material in order to prolong legal nonconformity shall not be permitted. For example, a legal nonconforming permanent pole sign would not be permitted to replace its existing wood posts with metal posts even if dimensionally the same size. This provisions does not waive applicable permits.

C. Loss of Legal Nonconforming Structure Status: The following provisions apply to all types of legal nonconforming structures:

1. *Condemned Structures*: If a legal nonconforming structure, through lack of maintenance, is declared by an authorized official to be condemned due to its physical or unsafe condition, it shall lose its legal nonconforming status and become illegal nonconforming; unless the structure is restored or repaired within three (3) months of the declaration to a standard which clearly overcomes the physical or unsafe condition as supported in writing by the authorized official after re-inspection. The Zoning Administrator may grant an appropriate extension of time if work was started within the initial three (3) month period and reasonable attempts are being made by the owner to remedy the condemnation.
2. *Removal of Permanent Structures*: If a legal nonconforming permanent structure is fully removed or razed, it shall lose its legal nonconforming status; further, if a permanent structure is or significantly removed or razed (i.e. 80% or more of the structure), the remaining permanent structure shall lose its legal nonconforming status and become illegal nonconforming; unless by significantly removing or razing the permanent structure the remaining permanent structure is in compliance or more in compliance with the current Unified Development Ordinance.
3. *Moved or Removal of Temporary Structures*: If a legal nonconforming temporary structure is moved or removed (e.g. moved inside, moved to a new on-site location, or taken off-site), the legal nonconforming temporary structure shall lose its legal nonconforming status and become illegal nonconforming.
4. *Flood*: If a legal nonconforming structure is damaged from a flood, resulting in a loss of either fifty percent (50%) of its market value or fifty percent (50%) of the physical structure, all reconstruction shall be required to meet the current Unified Development Ordinance. All other flood damaged legal nonconforming structures shall be allowed to rebuild the structure that previously existed.
5. *Acts of Nature or Fire*: If a legal nonconforming structure is damaged from an act of nature or fire, excluding flooding, resulting in a loss of either seventy percent (70%) of its market value or seventy percent (70%) of the physical structure, all reconstruction shall be required to meet the current Unified Development Ordinance. All other structures damaged by an act of nature or fire shall be allowed to rebuild the structure that previously existed.

D. Maintenance and Repair: Nothing in this section shall be deemed to prevent the normal maintenance or repair of a legal nonconforming structure to keep it in a safe, aesthetic, and functional condition.

8.05 Legal Nonconforming Lots

The following provisions apply to legal nonconforming lots:

A. Legal Nonconforming Lot Provisions: A legal nonconforming lot shall be permitted to be developed and utilized as long as proposed structure(s) and use(s) meet the current Unified Development Ordinance. All standards other than the minimum lot area, maximum lot area, and lot measurement standards shall still apply.

B. Loss of Legal Nonconforming Lot Status:
   1. *Lots used in Combination*: If a legal nonconforming lot is used in combination with an adjacent lot owned by the same person resulting in conformity with the current Unified Development Ordinance, it shall lose its legal nonconforming status.
   2. *Combining Lots Results in Conformity*: If a legal nonconforming lot is joined with an adjacent lot making the combined lot conforming, the legal nonconforming lot shall permanently lose its legal nonconforming status.
   3. *Permanent Structure Across Property Lines*: If a legal nonconforming lot is owned by the same person as an adjacent lot, and the owner is granted permission (i.e. a variance) to construct a permanent structure across the property line of the two (2) lots, thus permanently using the two (2) lots in combination, then the legal nonconforming lot shall lose its legal nonconforming status at the time the permanent structure is constructed across the property line or at the time this Unified Development Ordinance was adopted if the improvement already existed; provided the two (2) lots in combination would constitute a single conforming lot.

8.06 Legal Nonconforming Use

The following provisions apply to legal nonconforming uses:

A. Cross Reference:
   1. *Agricultural*: With respect to agricultural legal nonconforming uses, nothing in this section shall be interpreted in a manner that is inconsistent with *IC 36-7-4-616:* Unified Development Ordinance*; Agricultural Nonconforming Use*.

B. Exemptions: A use that was legally established in a zoning district that was subsequently rezoned, making it a special exception use, shall be recognized and treated as being a legal use as if it were listed as a permitted use (i.e. not a legal nonconforming use) in the new zoning district. However, the declaration of it being a permitted use shall only apply to the subject lot on which the use was legally established. This exemption shall not apply if the use is abandoned or changed as described in *Section 8.06(D): Loss of Legal Nonconforming Use Status* below.

C. Legal Nonconforming Use Provisions: The provisions for legal nonconforming uses are as follows:
   1. *Utilizing Existing, Enlarged, New, or Relocated Buildings*: A legal nonconforming use shall be permitted to occupy or use an existing building, enlarged existing building, newly constructed building, or relocated building, provided the building meets the current Unified Development Ordinance.
   2. *Utilizing Existing, Altered, New, or Relocated Structures*: A legal nonconforming use shall be permitted to utilize an existing structure, altered existing structure, newly constructed structure, or relocated structure, provided the structure meets the current Unified Development Ordinance.
   3. *Utilizing Land*: Any legal nonconforming use shall be permitted to utilize its lot, or lots owned in combination upon the effective date of the current Unified Development Ordinance. However, increasing the land area utilized by ten percent (10%) or more shall require compliance with applicable setback standards, landscaping standards, buffering requirements, lot coverage, environmental, and parking standards within the current Unified Development Ordinance.
   4. *Expansion to a Previously Owned Adjacent Lot*: A legal nonconforming use shall not be expanded onto an adjacent, vacant lot unless:
      a. The lot has previously and clearly been used in conjunction with the legal nonconforming use, and
      b. The lot was previously and formally approved for the same legal nonconforming use, and
      c. The lot was owned by the same person upon the effective date of the current Unified Development Ordinance.
   5. *Expansion to a Newly Owned Adjacent Lot*: Any lot purchased after the effective date of the current Unified Development Ordinance shall not be granted legal nonconforming use status to expand a legal nonconforming use.
   6. *Increase in Nonconformity*: A legal nonconforming use shall not be permitted to change or increase its nonconformity, unless in compliance with or in greater compliance with the current Unified Development Ordinance. The number of employees, changes in inventory, and changes to vehicular traffic shall not in itself increase nonconformity of a use. For example, adding an employee shall not change the use, but adding a different use that is not permitted in the current Unified Development Ordinance shall not be permitted.

D. Loss of Legal Nonconforming Use Status:
   1. *Abandonment of Use*: If a legal nonconforming use is abandoned or is discontinued for one (1) year or more shall lose its legal nonconforming status. Any subsequent use shall conform to the provisions of the current Unified Development Ordinance. This rule shall not apply to a use that was suspended due to litigation or a forced government action.
   2. *Change of Use*: When a legal nonconforming use is changed, altered, or evolves to be in compliance or more in compliance with the current Unified Development Ordinance, the legal nonconforming use status is lost or partially lost, respectively. In either situation, the current use cannot revert back to the original legal nonconforming use or increments thereof.

Article 9

Processes

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

9.01 Introduction to Processes

The following process are allowed.

A. Permanent Construction, Installation, Addition, Alteration, or Relocation of a Structure: A project that involves constructing, installing, adding onto, altering, or relocating a permanent building or structure, including primary and accessory structures, shall utilized the following applicable process for approval.

1. *Improvement Location Permits*: Projects that are in full compliance with the applicable regulations shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.02: Improvement Location Permit* for details about this process. This process section applies to the following zoning districts:

   PR AG RE R1 R2 R3 TR M1 IS NC UC

2. *Development Plans*: Projects that are in full compliance with the applicable regulations and that meet the Development Plan requirements as determined by the Plan Commission shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.05: Development Plan* for details about this process. This process section applies to the following zoning districts:

   M2 M3 MP C1 C2 HC EC I1 I2 MS RO HI

B. Permanent Alteration to the Land: A project that involves permanently altering the topography, drainage, flood-plain, or environmental features shall have the project reviewed for compliance with the Unified Development Ordinance. Projects determined to be in full compliance with the applicable regulations will be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.02: Improvement Location Permit* for details about this process. This process section applies to all zoning districts:

C. Temporary Use of Land or Structure: A project that involves establishing a temporary use or installing a temporary structure shall have the project reviewed for compliance with the Unified Development Ordinance. Projects determined to be in full compliance with the applicable regulations shall be issued an improvement location permit authorizing the project to begin. See *Section 9.03: Temporary Improvement Location Permit* for details about this process.

D. Establish a New Land Use or Change an Existing Land Use: A project that involves establishing a new land use or changing an existing land use shall have the change reviewed for compliance with the Unified Development Ordinance. Projects determined to be in full compliance with the applicable regulations shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.02: Improvement Location Permit* for details about this process.

E. Special Exception Use: An application for a Special Exception Use may be filed for a land use classified as a Special Exception Use in *Article 2: Zoning Districts* for the subject zoning district. The Board of Zoning Appeals shall utilize a specific public hearing and procedural findings to determine whether the land use is appropriate for the specific parcel named in the application. See *Section 9.10: Special Exception Use* for details about this process.

F. Change to a Different Zoning District: An application for a Rezoning may be filed for a lot to be changed from its existing zoning district to a different zoning district. The Plan Commission shall utilize a specific public hearing to review the proposed change in zoning. The Plan Commission shall then forward a recommendation to the Brownsburg Town Council for final action. Approval or denial is the full discretion of the Brownsburg Town Council. See *Section 9.13: Zoning Map Amendment* for details about this process.

G. Planned Development: An elective approval process for developments that include one (1) or more of the following:

1. *Mixed Use*: Involve vertical or horizontal mixed-use,
2. *Unique Development*: Significantly unique development designs, or
3. *Unique Geological Features*: For land that has significantly unique geologic features.

This process allows the developer to propose a site-specific regulatory ordinance that partially replaces the Unified Development Ordinance to allow greater design flexibility. Applications for Planned Development are reviewed and approved by a combination of the Plan Commission and Town Council, and approval or denial is the full discretion of the Plan Commission and Town Council. See *Section 9.06: Planned Development; General* for details about this process. This process section only applies to the following zoning districts:

AG RE R1 R2 R3 TR M1 M2 M3 IS NC C1 C2 HC EC I1 I2 MS

H. Subdivision of Land: Any property owner wishing to divide their land into buildable lots shall be required to first be reviewed and approved by the Plan Commission. This process also applies to any two (2) or more lots being combined into a single buildable lot. Divisions of land recorded at the Hendricks County Recorder without being approved by the Plan Commission shall not result in buildable lots. See *Section 9.17: Major Subdivision Primary Plat, Section 9.15: Minor Subdivision Primary Plat,* or *Section 9.19: Subdivision of Land; Administrative* for applicability and processes.

I. Processes for Relief from Regulations and Administrative Decisions: This process section applies to all zoning districts, except a Planned Development District:

1. *Administrative Appeal*: An application for Administrative Appeal of a decision, interpretation, order, determination, or action of the Zoning Administrator to be overturned or corrected shall be reviewed by the Board of Zoning Appeals. The Board of Zoning Appeals may allow the Zoning Administrator's interpretation to stand or may overturn or correct any Zoning Administrator's decision, interpretation, order, determination, or action. See *Section 9.04: Administrative Appeal* for details about this process.
2. *Variance from Development Standards*: An application for a Variance from Development Standards may be filed so that an applicable development standard may be partially or fully waived by the Board of Zoning Appeals. The Board of Zoning Appeals may grant a Variance from Development Standard upon making specific findings of fact, with or without, conditions or commitments. See *Section 9.12: Variance* for details about this process.
3. *Variance of Use*: An application for a Variance of Use may be filed so that a use that is not permitted in a district be permitted by the Board of Zoning Appeals. The Board of Zoning Appeals may grant a Variance of Use upon making specific findings of fact, with or without conditions or commitments. See *Section 9.12: Variance* for details about this process.
4. *Administrative Interpretation*: An application for an Administrative Interpretation may be filed with the Zoning Administrator requesting an interpretation of a permitted use or special exception use when a very similar land use is being proposed, but is not specifically listed as either permitted or a special exception use.
5. *Waiver from Design Standards*: An application for a Waiver from Design Standards may be filed so that an applicable design standard may be partially or fully adjusted by the Plan Commission. The Plan Commission may grant a Waiver from Design Standard upon making specific findings of fact, with or without, conditions or commitments. See *Section 9.20: Waiver from Design Standard* for details about this process.

9.02 Improvement Location Permit

This process applies to the following zoning districts:

PR AG RE R1 R2 R3 TR

A. Applicability: An Improvement Location Permit shall be required prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a new land use or change of an existing land use, except when the language in the ordinance clearly exempts the improvement.

B. Exemption from Improvement Location Permit: This exemption is only from having to obtain an Improvement Location Permit. It is not an exemption from having to meet all other applicable regulations in the Unified Development Ordinance. Any project exempt from having to acquire an Improvement Location Permit that is in violation of the Unified Development Ordinance is subject to *Article 10: Enforcement*. The following projects are exempt from having to obtain an Improvement Location Permit.

1. *Projects that Require a Temporary Improvement Location Permit*: A project that requires a Temporary Improvement Location Permit shall be exempt from obtaining an Improvement Location Permit.
2. *Small Structures*: An accessory structure that is ninety (90) square feet or less in area is exempt from obtaining an Improvement Location Permit.
3. *Softscaping and Hardscaping*: Installing trees, shrubs, plants, and flowers; applying mulch or soil enhancers; raising of planting beds around foundations; and installing accent hardscaping (e.g. stone steps, stone edging, and small retaining walls) is exempt from obtaining an Improvement Location Permit as long as there is no adverse affect to drainage.
4. *Deck or Patio*: A deck or patio installed individually or cumulatively that is ninety (90) square feet or less in area over the entire lot is exempt from obtaining an Improvement Location Permit.
5. *Sign Content Change*: Sign content, including changing a sign face with the same material, may be changed without having to receive an Improvement Location Permit.
6. *Flag Pole*: Flag poles may be installed without obtaining an Improvement Location Permit.
7. *Play Set*: Play sets may be installed without obtaining an Improvement Location Permit.
8. *Type 1 Home Business*: Type 1 home businesses may commence without obtaining an Improvement Location Permit.
9. *Property Maintenance*: Maintenance and repairs to the existing structure or site features may commence without obtaining an Improvement Location Permit.
10. *Replacing Light Fixtures*: Existing light fixtures and bulbs may be replaced without obtaining an Improvement Location Permit. However, replacement lighting fixtures shall not violate applicable *Lighting Standards (LT)*, commitments, or conditions of the development's approval, or any other standards within the Unified Development Ordinance.

C. Cross Reference:
   1. *Building Permit*: An Improvement Location Permit does not authorize compliance with building codes. Concurrent to having a project reviewed for compliance with the Unified Development Ordinance most projects with any type of building will also have to be reviewed for compliance with the Building Code. The review for compliance with the Building Code is conducted by the Building Commissioner and is a separate process from the Improvement Location Permit.
   2. *Stormwater Permit*: An Improvement Location Permit does not authorize compliance with the Brownsburg Stormwater Management Ordinance. See *Section 151: Stormwater Management Ordinance* in the Town Code for the specific process and applicable regulations.
   3. *Other Permits*: An Improvement Location Permit does not authorize compliance with any county, state or federal Permits. It is the responsibility of the property owner to acquire any other required permits prior to making any improvement.

D. Filing Requirements:
   1. *Application*: Application for an Improvement Location Permit shall be made on a form provided by the Zoning Administrator and shall be submitted to the Zoning Administrator during normal business hours. The applicant shall submit multiple copies of the application and materials if requested by the Zoning Administrator. Plans or illustrations filed as part of an application shall be drawn to a scale sufficient to permit a clear and precise understanding of the contents of the plans and of the proposal being made.

E. Permit Procedure:
   1. *Substantially Complete Application*: An application for an Improvement Location Permit shall not be reviewed for approval until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator must first verify that the application form and any required supplemental information has been submitted correctly, and the applicable application fee has been paid.
   2. *Review the Project's Compliance*: After the application has been verified as being substantially complete, the Zoning Administrator shall review the project to determine whether it complies with the Unified Development Ordinance. The Zoning Administrator may consult with other Brownsburg staff, or any other person, department, or group to determine if the project complies with all of the provisions of the Unified Development Ordinance. During the review process, the Zoning Administrator may:
      a. Request Additional Information: During the process of rendering a decision, the Zoning Administrator may request additional information deemed necessary to determine whether the project complies with the Unified Development Ordinance.
      b. Exercise Discretion: Some provisions within the Unified Development Ordinance allow the Zoning Administrator to apply discretion to a decision. If such discretion is exercised, the Zoning Administrator shall describe the decision and cite the authority for that discretion.
      c. Interpret the Unified Development Ordinance: Because the Unified Development Ordinance cannot address every possible unique situation, project features, or land use, the Zoning Administrator shall interpret the intent of the Unified Development Ordinance when a situation is not specifically addressed.
   3. *Render a Decision*: The Zoning Administrator shall render a "decision to deny" or "decision to approve" based on the information submitted, project review, discretion exercised, and interpretations made.
   4. *Issuing an Improvement Location Permit*: If the proposed project complies with the Unified Development Ordinance, the Zoning Administrator shall render a decision to approve, document the terms of the approval on the permit, and then issue an Improvement Location Permit. The Zoning Administrator shall also issue a placard to the applicant. The placard is to be posted in a conspicuous place on the subject property for the duration of the project.
   5. *Decision to Deny an Improvement Location Permit*: If the proposed project does not comply with the Unified Development Ordinance, the Zoning Administrator shall not issue an Improvement Location Permit. The Zoning Administrator shall document the reasons for not issuing an Improvement Location Permit and send that information to the applicant by email or US Mail, or by telephone. If an email is used to communicate denial, documentation that the email was received shall be included in the file. Similarly, if a phone call is used to communicate denial, documentation of the phone call shall be included in the file. If the Zoning Administrator renders a decision to deny an Improvement Location Permit the applicant may promptly revise the application, or may promptly pursue relief from the Unified Development Ordinance.
   6. *Allowance for Revision Prior to a Decision*: At the discretion of the Zoning Administrator, the applicant may be permitted to modify the site plan, application form, or attachments prior to a decision by the Zoning Administrator.

7. *Allowance for Revision After a Decision*: After a decision to deny, the applicant may promptly revise the site plan, application form, or attachment in order to comply with the Unified Development Ordinance without terminating the process. The applicant may submit revisions up to two times within thirty (30) days from the decision to deny, after said limitation, a full reapplication.
8. *Pursuit of Relief*: After a decision to deny, the applicant may promptly pursue an administrative appeal, Variance from Development Standards, Special Exception, or Variance of Use. During an appeal for relief, the application for Improvement Location Permit shall be suspended until the Board of Zoning Appeals rules on the matter.

F. Duration:
1. *Procedural Expiration*: An application for an Improvement Location Permit shall expire and be void after the applicant is notified of a decision to deny unless the applicant makes revisions to the application or pursues relief through the Board of Zoning Appeals within thirty (30) days from notification.
2. *Commencement*: After an Improvement Location Permit is issued, the project shall commence within twelve (12) months of the issuance date or the Improvement Location Permit shall become null and void.
3. *Expiration*: After an Improvement Location Permit is issued, the project shall be completed within two (2) years of the issuance date or the Improvement Location Permit shall become null and void.
4. *Extensions*: Upon request by the applicant, an Improvement Location Permit may be extended one (1) time for up to twelve (12) months. The Zoning Administrator may grant the requested extension. Both the request for the extension and the Zoning Administrator's decision concerning the extension shall be made part of the Improvement Location Permit file.

G. Modification After Issuance of an Improvement Location Permit: At the discretion of the Zoning Administrator, an Improvement Location Permit may be modified if:
1. *Warranted*: Warranted due to discoveries during construction or other significant finding, and
2. *Requested Prior to Initiation*: Requested prior to construction, installation, addition, alteration, or relocation of a structure; prior to alteration to the land; and prior to establishment of a new land or change an existing land use.

or if:
3. *Warranted*: Warranted due to discoveries during construction or other significant finding,
4. *Component is Not Completed*: Requested prior to the applicable component of the project being completed, and
5. *Not Correcting a Violation*: The modification is not an attempt to correct a violation.

H. Modifications: If a modification is allowed, the Zoning Administrator shall request any necessary information, shall review the modification for its compliance to the Unified Development Ordinance, and then render a decision. If the proposed modification meets the provisions of the Unified Development Ordinance the Improvement Location Permit may be amended and filed. If the modification is denied for non-compliance with the Unified Development Ordinance, the modification shall be disallowed.

I. Record of Improvement Location Permit: Records of Improvement Location Permits that were approved or denied pursuant to this section shall be kept on file in the Town Hall for the period as specified by the Indiana State Code and shall be available as public record.

9.03 Temporary Improvement Location Permit

This process applies to the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

A. Applicability: A Temporary Improvement Location Permit shall be required prior to establishment of a temporary use of land or structure. The following are examples of projects necessitating a Temporary Improvement Location Permit:
   1. *Temporary Uses*:
      a. Special Event (e.g. grand openings, fund-raising events, sale of seasonal items, tent sale, garage sale, and/or sidewalk sale)
      b. Roadside sale of produce
      c. Model home
      d. Race event
   2. *Temporary Structures*:
      a. Tents
      b. Construction Trailers
      c. Portable Storage

B. Filing Requirements:
   1. *Application*: Application for a Temporary Improvement Location Permit shall be made on a form provided by the Zoning Administrator and shall be submitted to the Zoning Administrator during normal business hours. The applicant shall submit multiple copies of the application and materials if requested by the Zoning Administrator. Plans or illustrations filed as part of an application shall be drawn to a scale sufficient to permit a clear and precise understanding of the contents of the plans and of the proposal being made.

C. Cross Reference:
   1. *Temporary Sign Standards*: See Sign Standards (SI) for the applicable zoning district starting at *Section 5.66: General Sign Standards* for standards relating to temporary signs.
   2. *Temporary Use and Structures*: See Temporary Use and Structure Standards (TU) starting *Section 5.85: General Temporary Use and Structure Standards* for standards relating to temporary uses and structures.

D. Permit Procedure:
   1. *Substantially Complete Application*: An application for a Temporary Improvement Location Permit shall not be reviewed for approval until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator shall first verify that the application form and any required supplemental information has been submitted correctly, and the applicable application fee is paid.
   2. *Review the Project's Compliance*: After the application is verified as being substantially complete, the Zoning Administrator shall review the project to determine whether it complies with the Unified Development Ordinance. The Zoning Administrator may consult with any other person, department, or group to determine if the project complies with all of the provisions of the Unified Development Ordinance. During the review process, the Zoning Administrator may:
      a. Request Additional Information: During the process of rendering a decision, the Zoning Administrator may request additional information deemed necessary to determine whether the project complies with the Unified Development Ordinance.
      b. Exercise Discretion: Some provisions within the Unified Development Ordinance allow the Zoning Administrator to apply discretion to a decision. If such discretion is exercised, the Zoning Administrator shall describe the decision and cite the authority for that discretion.
      c. Interpret the Unified Development Ordinance: Because the Unified Development Ordinance cannot address every possible unique situation, project features, or land use, the Zoning Administrator shall interpret the intent of the Unified Development Ordinance when a situation is not specifically addressed.

3. *Render a Decision*: The Zoning Administrator shall render a "decision to deny" or "decision to approve" based on the information submitted, project review, discretion exercised, and interpretations made.
4. *Issuing a Temporary Improvement Location Permit*: If the proposed project complies with the Unified Development Ordinance the Zoning Administrator shall render a decision to approve, document the terms of the approval on the permit, and then issue a Temporary Improvement Location Permit. The Zoning Administrator shall also issue a placard to the applicant. The placard is to be posted in a conspicuous place on the subject property for the duration of the temporary use or structure.
5. *Decision to Deny*: If the proposed project does not comply with the Unified Development Ordinance, the Zoning Administrator shall not issue a Temporary Improvement Location Permit. The Zoning Administrator shall document the reasons for not issuing a Temporary Improvement Location Permit and send that information to the applicant by email, US Mail, or telephone. If an email is used to communicate denial, documentation that the email was received shall be included in the file. Similarly, if a phone call is used to communicate denial, documentation of the phone call shall be included in the file. If the Zoning Administrator renders a decision to deny an Improvement Location Permit the applicant may promptly revise the application, or may promptly pursue relief from the Unified Development Ordinance.
6. *Allowance for Revision Prior to a Decision*: Not applicable.
7. *Allowance for Revision After a Decision to Deny*: After a decision to deny, the applicant may promptly revise the site plan, application form, or attachment in order to comply with the Unified Development Ordinance without terminating the process.
8. *Pursuit of Relief*: After a decision to deny, the applicant may promptly pursue an administrative appeal or Variance from Development Standards. During an appeal for relief, the application for Improvement Location Permit shall be suspended until the Board of Zoning Appeals rules on the matter.

E. Duration: When a Temporary Improvement Location Permit is issued, the following duration standards apply:
1. *Procedural Expiration*: An application shall expire and be void after the applicant is notified of a decision to deny unless the applicant makes revisions to the application or files an appeal with the Board of Zoning Appeals within thirty (30) days from notification.
2. *Commencement*: After a Temporary Improvement Location Permit is issued, the permit shall expire after the last approved date for the temporary use and/or structure.
3. *Permit Expiration*: A Temporary Improvement Location Permit shall be issued for the dates requested by the applicant and within the ordinance limits as described. The permitted dates shall be displayed on the Temporary Improvement Location Permit and placard.
4. *Extensions*: Not applicable.

F. Modification After Issuance of a Temporary Improvement Location Permit: Not applicable.

G. Record of Temporary Improvement Location Permit: Records of Temporary Improvement Location Permits that were approved or denied pursuant to this section shall be kept on file in the Town Hall for the period as specified by the Indiana State Code and shall be available as public record.

9.04 Administrative Appeal

A. Applicability: An Administrative Appeal applies to an applicant or interested party that wants a decision, interpretation, order, determination, or action of the Zoning Administrator to be overturned or corrected by the Board of Zoning Appeals. Any decision, interpretation, order, determination, or action of the Plan Commission shall not be the subject of an Administrative Appeal.

B. Stay of Other Actions: The filing of an appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board of Zoning Appeals, after the notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would cause, in his or her opinion, imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order that may be granted by the Board of Zoning Appeals or by a court of record, on application, of notice to the Zoning Administrator and on due cause shown.

C. Filing Requirements:
   1. *Filing an Application*: An application for Administrative Appeal shall be made on a form provided by the Zoning Administrator.

D. Appeal Procedure:
   1. *Substantially Complete Application*: An application for an Administrative Appeal shall not be issued a docket number or be scheduled for hearing before the Board of Zoning Appeals until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator shall verify that the application form and required supplemental information has been submitted correctly, and the applicable application fee is paid.
   2. *Assignment*: Once an application for an Administrative Appeal has been determined substantially complete, the Zoning Administrator shall assign a case number and place the appeal on the agenda of the Board of Zoning Appeals. The Zoning Administrator shall inform the applicant, in writing, of the date and time of the Board of Zoning Appeals meeting at which the appeal is to be heard.
   3. *Public and Interested Party Notice*: The applicant shall be responsible for providing public notice in accordance with the Board of Zoning Appeals Rules of Procedure. The applicant shall also be responsible for returning proof of required notice to the Zoning Administrator prior to the start of the Board of Zoning Appeals meeting at which the appeal is to be heard. Failure to submit proof of notice may result in the Administrative Appeal being continued to the following month's Board of Zoning Appeals meeting.
   4. *Transfer of Information*:
      a. The Zoning Administrator shall provide the applicant for an Administrative Appeal any additional information which is being conveyed to the Board of Zoning Appeals in preparation for the meeting.
      b. The Zoning Administrator or Enforcement Official that is the subject of the appeal shall transmit the documents, plans, and papers constituting the record regarding the case to the Board of Zoning Appeals.
      c. The Zoning Administrator or the Enforcement Official that is the subject of the appeal may provide a written report explaining the final decision or action on the case.
   5. *Review*: The Board of Zoning Appeals shall hear the Administrative Appeal at a regularly scheduled public meeting according to their Rules of Procedure. The Board of Zoning Appeals may consider information conveyed to them in writing and testimony during the hearing in making a decision.
   6. *Decision*: Following the hearing and review, the Board of Zoning Appeals may affirm or modify the decision, interpretation, order, determination, or action from which the appeal stems. The Board of Zoning Appeals may also add conditions to its decision when warranted.
   7. *Appeal*: Any person aggrieved by the decision of the Board of Zoning Appeals may appeal such decision to the Circuit or Superior Court of Hendricks County.

9.05 Development Plan

This process applies to the following zoning districts:

M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

A. Prerequisite.
   1. *Development Plan Approval shall be required prior to an Improvement Location Permit being issued for*:
      a. Permanent Construction, Installation, Addition, Alteration, or Relocation of a New Structure, and
      b. Permanent Alteration to the Land.
   2. *Subdivisions*: A Development Plan Approval shall be reviewed concurrently with any applicable platting process.

B. Exemptions from Development Plan:
   1. *Single-family detached residential*: Any lot being developed for a single-family detached residence or its accessory structures shall be exempt from Development Plan approval. Only the Improvement Location Permit process shall apply.
   2. *Agriculture Sites and Buildings*: Any lot being solely used for agricultural purposes shall be exempt from Development Plan Approval. Only the Temporary Improvement Location Permit process shall apply.
   3. *Temporary Use of Land or Structure*: Any temporary use of land or structure shall be exempt from Development Plan Approval. Only the Improvement Location Permit process shall apply.
   4. *Establish a New Land Use or Change an Existing Land Use*: Establishing a new land use or changing an existing land use shall be exempt from Development Plan Approval. Only the Improvement Location Permit process shall apply.

C. Filing Requirements:
   1. *Application*: Application for Development Plan Approval shall be made on a form provided by the Zoning Administrator.

D. Formal Procedure: The process for a Development Plan, including filing, public notice, public hearing, and review, shall be per the Plan Commission's Rules of Procedure.
   1. *Decision*: The Plan Commission shall make findings of fact and take final action or continue the application for Development Plan Approval to a defined future meeting date.
      a. Findings of Fact: The Plan Commission shall make findings of fact on the following criteria.
         i. The development plan is consistent with the Brownsburg Comprehensive Plan.
         ii. The development plan satisfies the development requirements of *Article 2: Zoning Districts*.
         iii. The development plan satisfies the standards of *Article 5: Development Standards*.
         iv. The development plan satisfies any other applicable provisions of the Unified Development Ordinance.
         v. The development plan satisfies any provision related to a development's design, especially street layout, street features, pedestrian facilities, drainage, and utility installation of the Brownsburg Subdivision Control Ordinance.
         vi. The development plan satisfies the construction requirements of the Brownsburg Standard Details.
         vii. The development plan satisfies the intent of the architectural guidelines.
      b. Final Action: Based on the findings of fact, the Plan Commission shall approve, approve with conditions, or deny the application for Development Plan approval.
      c. The findings of fact and final action shall be signed by the President of the Plan Commission.
      d. The Zoning Administrator shall provide the applicant a copy of the decision.

E. Duration: An approved Development Plan shall be valid for two (2) years from the date the Plan Commission granted approval. Approved minor amendments shall not reset the two-year time frame. The Zoning Administrator may grant one (1) six-month extension for cause. The applicant shall submit the request for extension in writing, and the Zoning Administrator shall make a written determination regarding the decision. Both the request and the determination shall be made part of the Development Plan record. If substantial progress in the development of the project has not been made by the end of the two-year period (or by the end of the six-month extension), the approval expires and a new application for Development Plan Approval shall be required.

F. Modification:

1. *Minor Amendments*: Minor amendments to approved Development Plans which do not involve an increase in height, area, bulk or intensity of land uses; the designation of additional land uses; a reduction in yards; the addition of driveways or access points; or a reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendments do not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.

2. *Major Amendments*: If the Zoning Administrator determines that the proposed modification may 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, a new public hearing shall be conducted to address the major amendment.

9.06 Planned Development; General

A. Purpose and Intent:
   1. *Generally*: A Planned Development zoning district may be used to provide for:
      a. Greater flexibility in applying the ordinances to mixed zoning classifications,
      b. Innovative approaches to meet the demands of the housing, commercial, and business markets,
      c. The recognition of the interdependency of the housing, commercial, and business markets,
      d. The establishment of creative and unique developments that would not otherwise be able to be developed under the provisions of Brownsburg's standard zoning district regulations, and
      e. The planning and development of mixed zoning classifications to be consistent with the best interest of the jurisdictional area of the Plan Commission, and the applicable ordinances.
   2. *Process Outline*: The three (3) steps of the Planned Development process are listed below and explained in detail in the following sections.
      a. *Section 9.07: Planned Development; District Ordinance*.
      b. *Section 9.08: Planned Development; Detailed Site Plan*.
      c. *Section 9.09: Planned Development; Final Site Plan*.

9.07 Planned Development; District Ordinance

A. Purpose and Intent:
   1. *Planned Development District Ordinance*: The purpose of the Planned Development District Ordinance is to:
      a. Designate, or rezone, a parcel of land as a Planned Development zoning district.
      b. Specify uses or a range of uses permitted in the Planned Development zoning district.
      c. Specify development requirements in the Planned Development zoning district.
      d. Specify the plan documentation and supporting documentation that may be required.
      e. Specify any limitation applicable to the Planned Development zoning district.
      f. Specify how the development will meet or exceed the intent of the Brownsburg Unified Development Ordinance.
      g. Specify how the development will meet or exceed the intent of the Brownsburg Subdivision Control Ordinance.
      h. Specify how the development will mitigate monotony and result in a better product than would have resulted from the application of the Unified Development Ordinance and Subdivision Control Ordinance.
      i. Meet the requirements of *IC 36-7-4-1500* et seq.
   2. *Site Plan*: The purpose of an Site Plan is to delineate basic elements such as land uses, vehicular and pedestrian traffic patterns, drainage, and perimeter buffer yards.

B. Project Applicability: Proposals for a Planned Development shall meet the standards of this section.

C. Prerequisites:
   1. *Ownership*: A Planned Development shall be initiated by the owner of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from all owners shall accompany the application.
   2. *Pre-application Meeting*: Prior to submitting an application for a Planned Development, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, review regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property.

D. Filing Requirements:
   1. *Form*: Application for a Planned Development shall be made on a form provided by the Zoning Administrator.
   2. *Permission to Post*: The Plan Commission, Zoning Administrator, and other Town officials and staff have the right to and shall be held harmless for printing, reproducing, or posting any information submitted.

E. Formal Procedure: The process for Planned Developments, including filing, public notice, public hearing, and review, shall be per the Plan Commission's Rules of Procedure.
   1. *Decision*: The Plan Commission shall take final action or continue the application for a Planned Development to a defined future meeting date.
      a. Final Action: The Plan Commission shall certify and forward the application for a Planned Development to the Brownsburg Town Council with:
         i. A favorable recommendation.
         ii. A favorable recommendation and with recommendations for commitments and/or conditions.
         iii. An unfavorable recommendation.
         iv. No recommendation.
      b. Revisions: If the certified version of the Planned Development District Ordinance or Site Plan was revised during the process of Plan Commission review, the Zoning Administrator shall make the revisions to the Planned Development District Ordinance and the applicant shall make the revisions to the Site Plan so the Brownsburg Town Council receives the certified versions of the Planned Development District Ordinance and Site Plan.
   2. *Commitments and Conditions*: In conjunction with its recommendation to the Brownsburg Town Council, the Plan Commission may recommend written commitments and/or conditions for approval. Commitments and/or conditions shall be recorded by the applicant in the Office of the Hendricks County Recorder within thirty (30) days of the Brownsburg Town Council's approval of the Planned Development District Ordinance and Site Plan, and on a form approved by the Plan Commission or provided by the Zoning Administrator. The applicant shall deliver a copy of the recorded commitments and/or conditions to the Zoning Administrator before proceeding with filing a Detailed Site Plan.

F. Duration: If a Planned Development Detailed Site Plan, has not been filed within one (1) year of the date the Brownsburg Town Council approved the Planned Development District Ordinance and the Site Plan, the approval expires and a new application for a Planned Development shall be submitted.

G. Modification:
   1. *Planned Development District Ordinance*: An amendment to the text of the Planned Development District Ordinance shall follow the process in *Section 9.11: Text Amendment*.
   2. *Site Plan*: Modification to a Site Plan shall be explained and illustrated during a Planned Development Detailed Site Plan review and approval process, unless the Zoning Administrator determines the modification is significant enough to change the character and intent of the Planned Development. In such cases, a new public hearing shall be required.
   3. *Commitments and Conditions*: Commitments and conditions associated with a Planned Development District Ordinance and Site Plan shall only be modified or terminated with a recommendation from the Plan Commission following a public hearing and with a decision of the Brownsburg Town Council made at a public hearing.

9.08 Planned Development; Detailed Site Plan

A. Purpose and Intent: The Planned Development Detailed Site Plan shall provide the Plan Commission with the opportunity to review the details of the site plan and determine compliance with the Planned Development District Ordinance. If the Planned Development involves the subdivision of land, this step also serves as the Primary Plat.

B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.

C. Prerequisites:

1. *Planned Development District Ordinance and Site Plan*: The Planned Development District Ordinance and Site Plan shall be approved by the Brownsburg Town Council prior to submitting a Planned Development Detailed Site Plan. If approval included commitments and/or conditions, those commitments and/or conditions shall be recorded in the Office of the Hendricks County Recorder.

D. Filing Requirements:

1. *Application*: Application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance and the Site Plan.

E. Formal Procedure: The process for Planned Development; Detailed Site Plan, including filing, public notice, public hearing, and review, shall be per the Plan Commission's Rules of Procedure.

1. *Decision*: The Plan Commission shall make findings of fact and take final action or continue the Planned Development Detailed Site Plan to a defined future meeting date.

   a. Findings of Fact: The Plan Commission shall make findings of fact on the following criteria:

      i. The Planned Development Detailed Site Plan is consistent with the *Brownsburg Comprehensive Plan*.

      ii. The Planned Development Detailed Site Plan is consistent with *Article 4: Planned Developments*.

      iii. The Planned Development Detailed Site Plan satisfies the development standards of the approved Planned Development District Ordinance.

      iv. The Planned Development Detailed Site Plan substantially fulfills the intent of the Brownsburg Subdivision Control Ordinance and does not supersede important elements in the Brownsburg Subdivision Control Ordinance's regulations.

      v. The Planned Development Detailed Site Plan satisfies the construction requirements of the Brownsburg Standard Details.

      vi. The Planned Development Detailed Site Plan would result in a very high quality development which meets or exceeds the Town of Brownsburg's expectations.

   b. Final Action: Based on the findings of fact, the Plan Commission shall approve, approve with conditions, or deny the Planned Development Detailed Site Plan. If conditions are required, the applicant shall record the conditions in the Office of the Hendricks County Recorder within thirty (30) days of the Plan Commission's approval of the Planned Development Detailed Site Plan on a form approved by the Plan Commission (or provided by the Zoning Administrator). The applicant shall deliver a copy of the recorded conditions to the Zoning Administrator for placement in the Planned Development file before filing a Planned Development Final Site Plan.

   c. The findings and final decision shall be signed by the President of the Plan Commission.

   d. The Zoning Administrator shall provide the applicant a copy of the final decision.

F. Duration: An approved Planned Development Detailed Site Plan shall be valid for two (2) years from the date the Plan Commission granted approval. The Zoning Administrator may grant one (1), six (6) month extension. The applicant shall submit the request for extension in writing, and the Zoning Administrator shall make a written determination regarding the decision. Both the request and the determination shall be made part of the Planned Development record. If substantial progress in the development of the project has not been made by the end of the two (2) year period (or by the end of the six-month extension), the approval expires and a new application for a Planned Development (District Ordinance and Site Plan) shall be required.

G. Modification:

1. *Minor Amendments*: A minor amendment to an approved Planned Development Detailed Site Plan which does not involve an increase in height, area, bulk or intensity of land uses; the designation of additional land uses; a reduction in yards; the addition of driveways or access points; or a reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendment does not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Zoning Administrator shall be reported in writing to the Plan Commission at the next regular meeting of the Plan Commission.
2. *Major Amendments*: If the Zoning Administrator determines that the proposed modification may 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, a new public hearing shall be conducted to address the major amendment.

9.09 Planned Development; Final Site Plan

A. Purpose and Intent: The Planned Development Final Site Plan shall clearly define all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording. If the Planned Development involves the subdivision of land, this step also serves as the Final Plat Approval.

B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.

C. Prerequisites:
   1. *Planned Development Detailed Site Plan*: The Planned Development Detailed Site Plan shall be approved by the Plan Commission prior to submitting a Planned Development Final Site Plan.
   2. *Infrastructure*: A Planned Development shall have all of the infrastructure improvements proposed in the Planned Development Detailed Site Plan that are intended to be dedicated to the Town of Brownsburg installed to meet the Brownsburg Standard Details, or the applicant shall have financial security for the cost of the infrastructure improvements.

D. Filing Requirements:
   1. *Application*: The applicant shall submit a letter stating the status of infrastructure improvements and requesting Planned Development Final Site Plan Approval. The original application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance and the Site Plan
   2. *Supporting Information*: The following information shall accompany the applicant's letter requesting Planned Development Final Site Plan Approval
      a. Accurate location of all monumentation on a set of as-built site plans, if applicable.
      b. If infrastructure improvements are complete, the supporting information shall include as-built drawings of each infrastructure system, and copies of any required inspections or certifications.
      c. If infrastructure improvements intended to be dedicated to the Town of Brownsburg are not complete, the supporting information shall include detailed descriptions and locations of infrastructure to be installed, estimates from contractors for all infrastructure improvements, and a performance bond for the total amount of the infrastructure improvements.
      d. Any other information necessary to support a thorough review of the project that is requested, in writing, by the Zoning Administrator or Plan Commission.
   3. *Deadline*: Planned Development Final Site Plan Approval shall be requested within two (2) years of the approval of Planned Development Detailed Site Plan by the Plan Commission.
   4. *Fees*: Applicable fees shall be paid at the time the request for Planned Development Final Development Approval is filed.

E. Formal Procedure: Formal Procedure: The process for Planned Development; Final Site Plan, including filing, public notice, public hearing, review and decision, shall be per the Plan Commission's Rules of Procedure.

F. Duration: An approved Planned Development Final Site Plan and any conditions shall be recorded by the applicant in the Office of the Hendricks County Recorder within ninety (90) days of the date of approval or shall become null and void. A copy and proof of recording shall be delivered to the Zoning Administrator within seven (7) days of completion.

9.10 Special Exception Use

A. Purpose and Intent: A Special Exception Use is a use for which certain criteria must be met before it can be established at a specific location. The Special Exception Use shall only be permitted by the Board of Zoning Appeals.

B. Project Applicability: Only uses listed as "Special Exception Use" in the two-page layouts in *Article 2: Zoning Districts* for the applicable zoning district shall be considered for approval by the Board of Zoning Appeals.

C. Prerequisites: An application for a Special Exception Use shall be filed by the owner, the owner's agent, or any person having a legal or equitable interest in the subject property, but the written authorization of any owner who is not an applicant shall be required.

D. Filing Requirements:
   1. *Application*: An application for a Special Exception Use shall be made on forms provided by the Zoning Administrator.
   2. *Deadline*: An application for a Special Exception Use shall be filed according to the Board of Zoning Appeal's Rules of Procedures.
   3. *Fees*: Applicable fees shall be paid at the time the application for a Special Exception Use is filed.

E. Formal Procedure: The process for Special Exception, including filing, public notice, public hearing, and review, shall be per the Board of Zoning Appeal's Rules of Procedure.
   1. *Decision*:
      a. The Board of Zoning Appeals shall make findings of fact on the following criteria. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the reason for non-compliance.
         i. The proposed Special Exception Use is consistent with the purpose of the zoning district and the Brownsburg Comprehensive Plan.
         ii. The proposed Special Exception Use will not be injurious to the public health, safety, morals and general welfare of the community.
         iii. The proposed Special Exception Use is in harmony with all adjacent land uses.
         iv. The proposed Special Exception Use will not alter the character of the district; and
         v. The proposed Special Exception Use will not substantially impact property value in an adverse manner.
      b. Final Action:
         i. If the Board of Zoning Appeals finds all of the findings of fact in the affirmative, it shall approve or approve with conditions and/or commitments the application for a Special Exception Use.
         ii. If the Board of Zoning Appeals does not find all of the findings of fact in the affirmative, it shall deny the application for a Special Exception Use.
      c. Commitments and Conditions:
         i. Commitments: The Board of Zoning Appeals may require the owner to make a written commitment. A recorded commitment is binding on the owner of the land, any subsequent owner of the land, and any person who acquires interest in the land.
         ii. Conditions: The Board of Zoning Appeals may require certain conditions for approval.

F. Duration: The granting of a Special Exception Use authorizes the use to run with the land unless conditions to the contrary are placed on the approval. If construction of structures or occupancy of existing structures has not commenced within two (2) years of the date the Special Exception Use was granted by the Board of Zoning Appeals, the approval shall be null and void.

9.11 Text Amendment

A. Purpose and Intent: It may become necessary to amend the text of the Unified Development Ordinance from time to time. The Plan Commission has the authority to hear a proposal to amend the text of the Unified Development Ordinance. The Plan Commission shall make a recommendation to the Brownsburg Town Council concerning a proposal to amend the text of the Unified Development Ordinance. The Town Council has the power to approve or reject a proposal to amend the text of the Unified Development Ordinance.

B. Project Applicability: Any proposal to add, remove, or alter a provision of the Unified Development Ordinance (i.e. Text Amendment) shall follow the process outlined in this section.

C. Prerequisites:

1. *Eligible Applicants*: Members of the Brownsburg Town Council or members of the Plan Commission shall initiate a proposal to amend the text of the Unified Development Ordinance. Persons who wish to propose an amendment to the text of the Unified Development Ordinance and who are not members of the Brownsburg Town Council or Plan Commission shall find a sponsor among the Brownsburg Town Council or the Plan Commission to introduce the proposal.

D. Filing Requirements:

1. *Proposal*: A proposal for an amendment to the text of the Unified Development Ordinance shall be prepared by the Zoning Administrator upon the direction of either the Brownsburg Town Council or the Plan Commission.

E. Formal Procedure: The process for a Unified Development Ordinance Text Amendment, including public notice, public hearing, and review, shall be per the Plan Commission's Rules of Procedure and Indiana Code.

1. *Effective Date*:
   a. Unless an amendment to the text of the Unified Development Ordinance provides for a later effective date, the amendment shall be effective when it is adopted under *IC 36-7-4-607*.

9.12 Variance

A. Purpose and Intent: The Board of Zoning Appeals may vary the regulations of the Unified Development Ordinance for projects that meet the criteria set forth in this section. Variances include "Development Standards Variance" granting relief from a development standard such as height, bulk, or area; or a "Use Variance" allowing a use that is not listed as a permitted or special exception use in a district.

B. Project Applicability:
   1. *Jurisdiction*: Projects within the jurisdictional area of the Plan Commission that are unable to meet the provisions of the Unified Development Ordinance may apply for a Variance.

C. Prerequisites
   1. *Eligible Applicants*: An application for a Variance may be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property.
   2. *Pre-application Meeting*: Prior to submitting an application for a Variance, the applicant may meet with the Zoning Administrator to review the zoning classification of the site, ordinance provisions, the application packet, and the procedure involved.

D. Filing Requirements: An application for a Variance shall be made on a form provided by the Zoning Administrator.

E. Formal Procedure: The process for a variance, including filing, public notice, public hearing, and review, shall be per the Board of Zoning Appeal's Rules of Procedure.
   1. *Decision*:
      a. Development Standards Variance Findings of Fact: The Board of Zoning Appeals shall make findings of fact for a Development Standards Variance on the following criteria:
         i. The approval of the Development Standards Variance will not be injurious to the public health, safety, morals and general welfare of the community.
         ii. The use and value of the area adjacent to the subject property of the Development Standards Variance will not be affected in a substantially adverse manner.
         iii. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property.
      b. Use Variance Findings of Fact: The Board of Zoning Appeals shall make findings of fact for a Use Variance on the following criteria:
         i. The approval of the Use Variance will not be injurious to the public health, safety, morals and general welfare of the community.
         ii. The use and value of the area adjacent to the subject property included in the Use Variance will not be affected in a substantially adverse manner.
         iii. That the need for the Use Variance arises from some condition peculiar to the property involved.
         iv. The strict application of the terms of the ordinance will constitute an unnecessary hardship if applied to the property for which the Use Variance is sought.
         v. The approval does not interfere substantially with the Brownsburg Comprehensive Plan.
      c. Final Action:
         i. If the Board of Zoning Appeals finds all of the findings of fact in the affirmative, it shall approve or approve with conditions and/or commitments the application for a Variance.
         ii. If the Board of Zoning Appeals does not find all of the findings of fact in the affirmative, it shall deny the application for a Variance.
      d. Commitments and Conditions:
         i. Commitments: The Board of Zoning Appeals may require the owner to make a written commitment. A recorded commitment is binding on the owner of the land, any subsequent owner of the land, and any person who acquires interest in the land.
         ii. Conditions: The Board of Zoning Appeals may require certain conditions for approval.

F. Duration:
   1. *Development Standards Variance*: A Development Standards Variance granted by the Board of Zoning Appeals shall run with the land until such time as the property conforms with the Unified Development Ordinance.
   2. *Use Variance*: A Use Variance granted by the Board of Zoning Appeals may run with the land.

9.13 Zoning Map Amendment (Rezoning)

A. Purpose and Intent: It may become necessary to change the zoning of an area or a lot, thereby amending the Official Zoning Map. The Plan Commission has the authority to hear a proposal to amend the Official Zoning Map. This process is typically known as a "rezoning" of land. The Plan Commission shall make a recommendation to the Brownsburg Town Council concerning a proposal to amend the Official Zoning Map. The Town Council has the power to approve or deny a proposal to amend the Official Zoning Map.

B. Project Applicability:
   1. *Jurisdiction*: Areas or lots shall be located within the jurisdictional area of the Plan Commission.
   2. *Previously Denied Applications*: The Zoning Administrator shall refuse to accept an application for a Rezoning that has been denied by the Brownsburg Town Council within the last twelve (12) months. However, the Zoning Administrator shall have the authority and discretion to determine that an application for a Rezoning containing major changes may justify re-filing within the aforementioned twelve (12) month period.

C. Prerequisites
   1. *Eligible Applicants*: An application for a Rezoning may be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property. Also, the Plan Commission or Town Council may act as an applicant and initiate a Rezoning.
   2. *Pre-application Meeting*: Prior to submitting an application for a Rezoning the applicant may meet with the Zoning Administrator to review the current zoning district, the proposed zoning district, adjacent zoning districts and land uses, applicable ordinance provisions, Brownsburg Comprehensive Plan, the application packet, and the procedure involved.

D. Filing Requirements: An application for a Rezoning shall be made on a form provided by the Zoning Administrator.

E. Formal Procedure: The process for a Rezoning, including public notice, public hearing, and review, shall be per the Plan Commission's Rules of Procedure.
   1. *Decision*:
      a. Final Action: The Plan Commission shall certify the amendment to the Official Zoning Map and forward the application to the Brownsburg Town Council with a favorable recommendation, an unfavorable recommendation, or no recommendation. The Plan Commission may also recommend commitments and conditions concerning the use and/or development of the land in connection with the application for Rezoning. The Town Council shall make the final determination regarding an application for Rezoning; and may add conditions, and/or may accept or reject commitments made by the applicant or proposed by the Plan Commission.

F. Effective Date: A Rezoning shall be effective from the date of its final approval by the Brownsburg Town Council.

G. Modification: Modification to an approved Rezoning shall not be permitted. The only means to modify a Rezoning is through a new application for Rezoning.

9.14 Conditional Zoning Map Amendment (Conditional Rezoning)

A. Purpose and Intent: During an annexation process, the land being added to the Town of Brownsburg's corporate limit needs to be conditionally assigned a zoning district. The conditional zoning is typically the most similar zoning district from Brownsburg's zoning ordinance compared to the properties existing applicable zoning regulations. However, the conditional zoning may also be based on the Comprehensive Plan, adjacent land uses, and any applicable development proposals. A conditional zoning map amendment is intended to become an actual map amendment once the annexation process is completed.

B. Project Applicability:
   1. *Jurisdiction*: Areas or lots shall be in the process of being annexed by the Town of Brownsburg.

C. Prerequisites
   1. *Eligible Applicants*: An application for a Conditional Rezoning may be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property. Also, the Plan Commission or Town Council may act as an applicant and initiate a Conditional Rezoning.
   2. *Pre-application Meeting*: Prior to submitting an application for a Conditional Rezoning the applicant may meet with the Zoning Administrator to review the current zoning district, the proposed zoning district, adjacent zoning districts and land uses, applicable ordinance provisions, Brownsburg Comprehensive Plan, the application packet, and the procedure involved.

D. Filing Requirements: An application for a Conditional Rezoning shall be made on a form provided by the Zoning Administrator.

E. Formal Procedure: The process for a Conditional Rezoning, including public notice, public hearing, and review, shall be per the Plan Commission's Rules of Procedure.
   1. *Decision*:
      a. Final Action: The Plan Commission shall certify the amendment to the Official Zoning Map and forward the application to the Brownsburg Town Council with a favorable recommendation, an unfavorable recommendation, or no recommendation. The Plan Commission may also recommend commitments and conditions concerning the use and/or development of the land in connection with the application for Conditional Rezoning. The Town Council shall then make a conditional final determination regarding an application for Conditional Rezoning; and may add conditions and/or may accept or reject commitments made by the applicant or proposed by the Plan Commission.

F. Effective Date: A Conditional Rezoning shall not be effective until the effective date of the proposed annexation.

G. Filing Deadline for Voluntary Annexation: A request for voluntary annexation shall be filed within 120 days after the Town Council approves a Conditional Rezoning.

H. Modification: Modification to an approved Conditional Rezoning shall not be permitted. The only means to modify a Conditional Rezoning is through a new application for Conditional Rezoning.

9.15 Minor Subdivision Primary Plat

A. Purpose and Intent: A Minor Subdivision Primary Plat allows the Plan Commission the opportunity to expedite a subdivision approval when the major subdivision process requires unnecessary scrutiny. A Minor Subdivision Plat is streamlined by requiring less support material and by allowing final plat approval to be conducted administratively following the primary plat approval.

B. Project Applicability: A Minor Subdivision Plat can be used to subdivide property within the planning jurisdiction, but only if the proposed division meets the "Applicable Districts" and "Prerequisites" standards written below.

1. *Applicable Districts*: The minor subdivision of land shall occur only in the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

2. *Exemptions*:
   a. Condominiums regulated by *IC 32-25* are exempt from this subdivision process outlined in this Unified Development Ordinance. However, developments subject to *IC 32-25* are not exempt from *Article 7: Design Standards*.

C. Prerequisites:
1. *Eligible Applicant*: An application for a Minor Subdivision Primary Plat shall be initiated by the owner of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.
2. *Pre-application Meeting*: Prior to submitting an application for Major Subdivision Primary Plat, the applicant shall meet with the Zoning Administrator to review the zoning district of the site, review applicable regulatory ordinances, review the procedures, discuss external street and pedestrian systems the development will have to connect into, determine what submittal material will be necessary, and the like. The Zoning Administrator shall advise the applicant in preparing the application and supportive documents as necessary.
3. *Disqualifications*: A proposed division of land that includes one (1) or more of the following shall not be permitted to utilize the Minor Subdivision Plat process:
   a. Utilizing any subdivision type other than the "Simple Subdivision Type."
   b. A new street or improvements to an existing street,
   c. Divisions of land that result in six (6) or more total lots (i.e. splitting one lot into six),
   d. Divisions of land that result in new or modified easements; excluding a shared driveway,
   e. Divisions that requires waivers from the applicable design standards, or
   f. Divisions that require, or elect to have, common area or features that will be in common ownership; excluding a shared driveway.

D. Primary Plat Filing Requirements:
1. *Application*: An application for a Minor Subdivision Primary Plat shall be made on a form provided by the Zoning Administrator.
2. *Required Information*: The required information for a Minor Subdivision Primary Plat shall be as requested on the application form.
3. *Submittal Discretion*: The Zoning Administrator may waive any of the requirements requested on the application form for a Minor Subdivision Primary Plat, when it is clearly not relative to the application. Likewise, the Zoning Administrator may require additional information that is not requested on the application form for a Minor Subdivision Primary Plat, when more information is clearly necessary for the Planning Commission's review for compliance.
4. *Quantity, Format and Deadline*: The number of hard copies of the application and all supporting information, the format of that material, and the deadline for submittal shall be per the Plan Commission's Rules of Procedures.
5. *Fees*: Applicable fees shall be paid at the time the application for Minor Subdivision Primary Plat is filed. If the Plan Commission or Zoning Administrator has to hire a professional engineer, professional planner, attorney, soil scientist, materials specialist, or other technician or professional in order to subsidize the Town of Brownsburg's staff capabilities necessary to review the proposed development, those fees shall be passed along to the applicant and shall be paid prior to Final Plat approval.

E. Formal Procedure:

1. *Assignment*: An application for Minor Subdivision Primary Plat, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda pursuant to the Plan Commission's Rules of Procedure. The Zoning Administrator shall notify the applicant of the meeting date.
2. *Zoning Administrator Review*: The Zoning Administrator shall review the proposed Minor Subdivision Primary Plat and submit a written report to the Plan Commission stating the facts concerning physical characteristics of the area involved in the subdivision of land, deficiencies in meeting provisions of the Unified Development Ordinance, public facilities available to service the area, and/or other pertinent facts. A copy of such report shall be made available to the applicant. The Zoning Administrator may also consult or meet with the Technical Review Committee when desired or necessary and include opinions of those persons in the report.
3. *Public Notice*: The requirements for public notice shall be per the Plan Commission's Rules of Procedures.
4. *Attendance*: The applicant shall be present at the Plan Commission meeting to present and explain the application for a Minor Subdivision Primary Plat, and address and discuss comments and concerns posed by the Plan Commission or interested parties. Failure to appear may result in the dismissal of the application for lack of prosecution.
5. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.
6. *Review*: At their regularly scheduled public meeting, the Plan Commission shall review:
   a. The application for Minor Subdivision Primary Plat.
   b. All supporting information including the site plan, lot access, elevations, etc.
   c. The testimony of the applicant.
   d. Information presented in writing or verbally by the Zoning Administrator, other applicable agencies or departments.
   e. Input from the public during the public hearing.
   f. Any applicable provisions of this Unified Development Ordinance.
   g. Conformance with the goals, objectives and intent described in the *Brownsburg Comprehensive Plan*.
   h. Any other information as may be required by the Plan Commission to evaluate the application.
7. *Decision*:
   a. The Plan Commission shall make findings of fact and take final action, or continue the application for a Minor Subdivision Primary Plat to a defined future meeting date.
   b. The Plan Commission shall make the following findings of fact. Findings, or lack of findings, may be in the form of a general statement.
      i. The subdivision of land is consistent with the *Brownsburg Comprehensive Plan*.
      ii. The subdivision of land satisfies the prerequisites, development requirements and design standards for the applicable subdivision type in *Article 6: Subdivision Types*.
      iii. The subdivision of land satisfies the applicable design standards in *Article 7: Design Standards*.
      iv. The subdivision of land satisfies the applicable development standards in *Article 2: Zoning Districts* and *Article 5: Development Standards*.
      v. The subdivision of land satisfies all other applicable provisions of this Unified Development Ordinance.
   c. Final Action
      i. If the Plan Commission finds all of the findings of fact in the affirmative, it shall approve or approve with commitments the application for Minor Subdivision Primary Plat.
      ii. If the Plan Commission does not find all of the findings of fact in the affirmative, it shall deny the application for Minor Subdivision Primary Plat; or impose conditions of the approval that remedy areas of concern.

d. Commitments: Any verbal commitment made by, submitted in writing by, or illustration provided by the applicant or assigned representatives during a Plan Commission meeting shall be binding and required to be recorded. The Plan Commission may dismiss verbal, written, or illustrated commitments if they do not believe they are necessary. Commitments shall be recorded in the Office of the Hendricks County Recorder within thirty (30) days of the Plan Commission's final action.

e. The findings, final action, and any conditions shall be signed by the President of the Plan Commission, and be attested by the Zoning Administrator.

f. The Zoning Administrator shall provide the applicant a copy of the decision.

F. Duration: An approved Minor Subdivision Primary Plat shall be valid for three (3) years from the date the Plan Commission granted approval.

G. Modification:

1. *Minor Amendments*: Minor amendment to an approved Minor Subdivision Primary Plat which does not involve: an increase in the number of lots or intensity of land uses; the addition of new land uses; or the addition of driveways may be authorized by the Zoning Administrator without a public hearing. An example of a minor amendment could be the adjustment of a property line. A minor amendment authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at its next regular meeting and entered into the project file.

2. *Major Amendments*: If the Zoning Administrator determines that the proposed modification adversely impacts or significantly changes the overall subdivision, or requires a variance or waiver, then the applicant shall be required to file a new application for Minor Subdivision Primary Plat.

9.16 Minor Subdivision Final Plat

A. Purpose and Intent: The Minor Subdivision Final Plat shall assure that the Primary Plat and support information are prepared and recorded.

B. Delegation of Powers: In accordance with *IC 36-7-4-709* as amended, the Plan Commission may delegate Final Plat approval authority to staff. The Plan Commission hereby delegates this authority to the Zoning Administrator for Minor Subdivision Final Plat approval.

C. Prerequisites:
   1. *Primary Plat*: A Minor Subdivision Primary Plat shall have already been approved by the Plan Commission.
   2. *Time Limitation*: The application and supporting material for Minor Subdivision Final Plat approval shall be filed within three (3) years from the date the Minor Subdivision Primary Plat was approved by the Plan Commission.

D. Filing Requirements:
   1. *Application*: An application for a Minor Subdivision Final Plat shall be made on forms provided by the Zoning Administrator.
   2. *Supporting Information*: The following information shall accompany the application for a Minor Subdivision Final Plat.
      a. Statement from a licensed surveyor or engineer indicating that required monuments and markers have been placed, or a memorandum of agreement shall be submitted from the applicant to comply with monument and marker requirement within ninety (90) days from the date the Final Plat is approved.
      b. Any other information necessary to review the Minor Subdivision Final Plat as requested on the application form or from the Zoning Administrator.
   3. *Quantity, Format and Deadline*: The number of hard copies of the application and all supporting information, the format of that material, and the deadline for submittal shall be per the Plan Commission's Rules of Procedures.
   4. *Fees*: The applicable fee from the Town of Brownsburg Code of Ordinances shall be paid at the time the application for a Minor Subdivision Final Plat is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Minor Subdivision Final Plat that the Town of Brownsburg does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the Town of Brownsburg's Code of Ordinances.

E. Formal Procedure:
   1. *Determining Substantially Complete*: An application for Minor Subdivision Final Plat, which is determined to be substantially complete and in proper form by the Zoning Administrator, shall be reviewed.
   2. *Review*: Upon determining substantial completion, the Zoning Administrator shall review the Minor Subdivision Final Plat and support material for compliance with the Unified Development Ordinance and the Primary Plat.
   3. *Submittal of Revised Plans*: The applicant will be given opportunity to revise plans to address issues if deficiencies are identified by the Zoning Administrator.
   4. *Decision*:
      a. The Zoning Administrator shall make the following finding of fact.
         i. The division of land is consistent with the Minor Subdivision Primary Plat as approved by the Plan Commission.
      b. Final Action:
         i. When the Zoning Administrator determines the finding of fact in the affirmative, he/she shall take final action and approve the application for Minor Subdivision Final Plat.
         ii. If the Zoning Administrator does not find all of the findings of fact in the affirmative, he/she shall deny the application for Minor Subdivision Final Plat.
      c. If the Minor Subdivision Final Plat is approved the plat shall be signed and dated by the Zoning Administrator.

F. Building Permit Limitation: No building permit shall be issued until proof of recording of the Final Plat has been submitted.

G. Recording: The Minor Subdivision Final Plat, including applicable supporting information, covenants, commitments, and conditions shall be recorded at the Hendricks County Recorder's office within forty-five (45) days from the date it was signed by the town's official.

1. *Limitation*: The approved Minor Subdivision Final Plat shall be recorded in the Office of the Hendricks County Recorder prior to any lots created by the Plat to be sold or otherwise change ownership.

H. Submittal for Town's Records: Three (3) hard copy of the approved Minor Subdivision Final Plat; one (1) copy of the applicable supporting information, covenants, conditions or commitments; one (1) electronic copy of the plat and supporting information in .pdf (portable document format); and proof of its recording shall be submitted to the Zoning Administrator for the Town's records.

I. Replats: A replat of an existing minor subdivision plat shall consist of two (2) processes. First, the plat, or the portion of the plat, shall be vacated in accordance with Indiana Code. Then, the property shall be platted using the Minor (or Major if applicable) Subdivision Plat process. The two (2) processes may be conducted in the same meeting with one combined vote.

9.17 Major Subdivision Primary Plat

A. Purpose and Intent: A Major Subdivision Primary Plat allows the Plan Commission the opportunity to review the details of a subdivision of land to determine compliance with the provisions of this Unified Development Ordinance. A Major Subdivision Primary Plat also ensures the statutory requirements established in Indiana Code for the subdivision of land are met.

B. Project Applicability: A Major Subdivision Primary Plat shall be prepared in conjunction with any proposal to subdivide or plat property within the jurisdictional area of the Plan Commission.

1. *Applicable Districts*: The subdivision of land shall occur only in the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

2. *Exemptions*:
   a. Condominiums regulated by *IC 32-25* are exempt from this subdivision process outlined in this Unified Development Ordinance. However, developments subject to *IC 32-25* are not exempt from *Article 7: Design Standards*.
   b. Divisions of land that qualify for Minor Subdivision Primary Plat or Administrative Subdivisions.

C. Prerequisites:

1. *Eligible Applicant*: An application for Major Subdivision Primary Plat shall be initiated by the owner of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.
2. *Pre-application Meeting*: Prior to submitting an application for Major Subdivision Primary Plat, the applicant shall meet with the Zoning Administrator to review the applicable zoning district(s), review applicable regulatory ordinances, review the procedures, determine the best subdivision type for the development, discuss external street and pedestrian systems the development will have to connect into, determine what submittal material will be necessary, and the like. The Zoning Administrator shall advise the applicant in preparing the application and supportive documents as necessary.

D. Major Subdivision Primary Plat Filing Requirements:

1. *Application*: An application for a Major Subdivision Primary Plat shall be made on a form provided by the Zoning Administrator.
2. *Required Information*: The required information for a Major Subdivision Primary Plat shall be as requested on the application form.
3. *Submittal Discretion*: The Zoning Administrator may waive any of the requirements requested on the application form for a Major Subdivision Primary Plat, when it is clearly not relative to the application. Likewise, the Zoning Administrator may require additional information that is not requested on the application form for a Major Subdivision Primary Plat, when more information is clearly necessary for the Planning Commission's review for compliance.
4. *Quantity, Format and Deadline*: The number of hard copies of the application and all supporting information, the format of that material, and the deadline for submittal shall be per the Plan Commission's Rules of Procedures.
5. *Fees*: Applicable fees shall be paid at the time the application for Major Subdivision Primary Plat is filed. If the Plan Commission or Zoning Administrator has to hire a professional engineer, professional planner, attorney, soil scientist, materials specialist, or other technician or professional in order to subsidize the Town of Brownsburg's staff capabilities necessary to review the proposed development, those fees shall be passed along to the applicant and shall be paid prior to Final Plat approval.

E. Formal Procedure:

1. *Assignment*: An application for Major Subdivision Primary Plat, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda pursuant to the Plan Commission's Rules of Procedure. The Zoning Administrator shall notify the applicant of the meeting date.
2. *Internal Review*: Upon assignment of a case number and hearing date, the Technical Review Committee will be notified of the proposed subdivision of land and asked to review and comment, and/or may be requested to attend a meeting to discuss the proposed development.

3. *Staff Report*: The Zoning Administrator shall submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the subdivision of land, the surrounding land use, public facilities available to service the area, and/or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the subdivision of land and information submitted from the other agencies and departments that have reviewed the proposed development. A copy of such report shall be made available to the applicant.
4. *Submittal of Revised Plans*: The applicant will be given the opportunity to submit revised plans reflecting the outcome of the Technical Review Committee comments and/or meeting. The revised plans should address concerns or lack of compliance identified by the technical review process.
5. *Public Notice*: The requirements for public notice shall be per the Plan Commission's Rules of Procedures.
6. *Attendance*: The applicant, and or assigned representatives, shall be present at the Plan Commission meeting to present and explain the application for Major Subdivision Primary Plat and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the application for lack of prosecution.
7. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.
8. *Review*: At their regularly scheduled public meeting, the Plan Commission shall review:
   a. The application for Major Subdivision Primary Plat.
   b. All supporting information including the site plan, site access and circulation plan, traffic impact study, landscape plan, etc.
   c. The testimony of the applicant.
   d. Information presented in writing or verbally by the Zoning Administrator or other applicable agencies or departments.
   e. Input from the public during the public hearing.
   f. Any applicable provisions of this Unified Development Ordinance.
   g. Any applicable requirements of the *Brownsburg Construction Standards*.
   h. Conformance with the goals, objectives and intent described in the *Brownsburg Comprehensive Plan*.
   i. Any other information as may be required by the Plan Commission to evaluate the application.
9. *Decision*:
   a. The Plan Commission shall make findings of fact and take final action or continue the application for Major Subdivision Primary Plat to a defined future meeting date.
   b. Findings of Fact: The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the provision of this Unified Development Ordinance, *Brownsburg Construction Standards*, or other regulatory document with which there is not compliance; or the manner in which the project is not consistent with the Brownsburg Comprehensive Plan.
      i. The subdivision of land is consistent with the *Brownsburg Comprehensive Plan*.
      ii. The subdivision of land satisfies the prerequisites, minimum development requirements and design standards for the applicable subdivision type in *Article 6: Subdivision Types*.
      iii. The subdivision of land satisfies the applicable design standards in *Article 7: Design Standards*.
      iv. The subdivision of land satisfies any other applicable provisions of this Unified Development Ordinance.
      v. The subdivision of land satisfies the construction requirements of the *Brownsburg Construction Standards*.
   c. Final Action
      i. If the Plan Commission finds all of the findings of fact in the affirmative, it shall approve or approve with commitments the application for Major Subdivision Primary Plat.
      ii. If the Plan Commission does not find all of the findings of fact in the affirmative, it shall deny the application for Major Subdivision Primary Plat.

d. Commitments: Any verbal commitment made by, submitted in writing by, or illustration provided by the applicant or assigned representatives during a Plan Commission meeting shall be binding and required to be recorded. The Plan Commission may dismiss verbal, written, or illustrated commitments if they do not believe they are necessary. Commitments shall be recorded in the Office of the Hendricks County Recorder within thirty (30) days of the Plan Commission's final action.

e. The findings, final action, and any conditions shall be signed by the President of the Plan Commission and be attested by the Zoning Administrator.

f. The Zoning Administrator shall provide the applicant a copy of the decision.

F. Duration: An approved Major Subdivision Primary Plat shall be valid for three (3) years from the date the Plan Commission granted approval.

G. Modification:

1. *Minor Amendments*: Minor amendment to an approved Major Subdivision Primary Plat which does not involve: an increase in the number of lots or intensity of land uses; the addition of new land uses; changes to circulation; the addition of driveways or access points; lessening of connectivity, significantly altering the streetscape or character of the development, or reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing. An example of a minor amendment could be the adjustment or relocation of an easement or slight realignment of a street due to a discovered geological feature. A minor amendment authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at its next regular meeting and entered into the project file.

2. *Major Amendments*: If the Zoning Administrator determines that the proposed modification adversely impacts or significantly changes the overall development; includes an increase in the number of lots; includes the designation of an additional land use, or requires a variance or waiver then the applicant shall be required to file a new application for Major Subdivision Primary Plat.

9.18 Major Subdivision Final Plat

A. Purpose and Intent: The Major Subdivision Final Plat is used to check compliance with the Major Subdivision Primary Plat, to resolve all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording.

B. Project Applicability: Major Subdivisions shall meet the standards of this section.

C. Prerequisites:

1. *Primary Plat*: The Application for Major Subdivision Primary Plat shall be approved by the Plan Commission prior to submitting for Final Plat approval.
2. *Conditions or Commitments*: If the Primary Plat approval included commitments or conditions, those commitments and/or conditions shall be recorded in the Office of the Hendricks County Recorder; or shall be included on or with the Final Plat to be recorded.
3. *Infrastructure*: All public infrastructure improvements proposed in the Major Subdivision Primary Plat shall be installed per the *Brownsburg Construction Standards*, or the applicant shall have posted a performance surety that complies with *Section 7.44: Surety Standards*.
4. *Time Limitation*: The application and supporting material for Major Subdivision Final Plat approval shall be filed within three (3) years from the date the Major Subdivision Primary Plat was approved by the Plan Commission.

D. Filing Requirements:

1. *Application*: An application for a Major Subdivision Final Plat shall be made on a form provided by the Zoning Administrator.
2. *Required Information*: The required information for a Major Subdivision Final Plat shall be as requested on the application form.
3. *Submittal Discretion*: The Zoning Administrator may waive any of the requirements requested on the application form for a Major Subdivision Final Plat, when it is clearly not relative to the application. Likewise, the Zoning Administrator may require additional information that is not requested on the application form for a Major Subdivision Final Plat, when more information is clearly necessary to review for compliance.
4. *Quantity, Format and Deadline*: The number of hard copies of the application and all supporting information, the format of that material, and the deadline for submittal shall be per the Plan Commission's Rules of Procedures.
5. *Fees*: The applicable fee from the Town of Brownsburg Code of Ordinances shall be paid at the time the application for a Major Subdivision Final Plat is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Major Subdivision Final Plat that the Town of Brownsburg does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the Town of Brownsburg's Code of Ordinances.

E. Formal Procedure:

1. *Assignment*: The Zoning Administrator shall review the application requesting Final Plat and all supporting information. Based on the history and the complexity of the project, the Zoning Administrator shall determine if the Final Plat should be presented to the Plan Commission or approved administratively.
   a. Administrative Approval: If the review complexity or other factors do not require the Major Subdivision Final Plat to be assigned to the Plan Commission, then the Zoning Administrator will complete the steps below and then report his/her progress to the Plan Commission at its regularly scheduled meetings.
   b. Plan Commission Approval: Should the Zoning Administrator determine Plan Commission review is necessary, the Zoning Administrator shall assign the Final Plat a case number and place it on the Plan Commission agenda. The Zoning Administrator shall notify the applicant if Plan Commission review is necessary and the date of the meeting, if applicable.
2. *Review*: The Zoning Administrator shall provide the application requesting Final Plat and the supporting information to the Technical Review Committee. Each member of the Technical Review Committee shall determine if the infrastructure improvements installed or proposed to be installed meets the *Brownsburg Construction Standards* and if the improvements include adequate connection to existing and future systems. If applicable, the appropriate members of the Technical Review Committee shall review cost estimates for reasonableness in regard to Performance Surety. Each member shall submit comments or concerns in regard to the development to the Zoning Administrator. If it has been determined that Plan Commission review is required, the Zoning Administrator shall forward the Technical Review Committee's input to the Plan Commission for review at the meeting.

3. *Public Notice*: Notice and public hearing shall not be required for Final Plat.
4. *Review and Decision*: The assigned reviewer (i.e. Plan Commission or Zoning Administrator) shall, based on comments from the Technical Review Committee, approve, approve with conditions, or deny the Major Subdivision Final Plat. In cases where the Final Plat is being heard by the Plan Commission, the Plan Commission shall review and take action at one of its regularly scheduled public meetings.

F. Recording: The Major Subdivision Final Plat, including applicable supporting information, easement agreements, covenants, commitments, and conditions shall be recorded at the Hendricks County Recorder's office within forty-five (45) days from the date it was signed by the town's official.
   1. *Limitation*: The approved Major Subdivision Final Plat shall be recorded in the Office of the Hendricks County Recorder prior to any lots created by the Plat to be sold or otherwise change ownership.

G. Submittal for Town's Records: Three (3) hard copies of the approved Major Subdivision Final Plat; one (1) copy of the applicable supporting information, easement agreements, covenants, conditions or commitments; one (1) electronic copy of the plat and supporting information in .pdf (portable document format); and proof of its recording shall be submitted to the Zoning Administrator for the Town's records.

H. Replats: A replat of an existing major subdivision plat shall consist of two (2) processes. First, the plat, or the portion of the plat, shall be vacated in accordance with *Indiana Code*. Then, the property shall be platted using the Major Subdivision Plat process. The two (2) processes may be conducted in the same meeting with one combined vote.

9.19 Subdivision of Land; Administrative

A. Purpose and Intent: An Administrative Subdivision provides the Town of Brownsburg with the opportunity to expedite adjustments to property lines and mergers of existing lots into fewer lots when such adjustments are considered non-impacting to the town or surrounding properties.

B. Project Applicability: An Administrative Subdivision can be used to modify the division of property within the planning jurisdiction, but only if the proposed modification meets the "Applicable Districts," "Applicable Actions," and "Prerequisites" standards listed below. All other divisions of land or alterations to property lines shall be processed as a Minor Subdivision or Major Subdivision.

1. *Applicable Districts*: An Administrative Subdivision of land shall be permitted in the following zoning districts:

PR AG RE R1 R2 R3 TR M1 M2 M3 MP IS NC UC C1 C2 HC EC I1 I2 MS RO HI

2. *Applicable Actions*: The following actions may use the Administrative Subdivision process. However, any action that does not clearly fit the below described actions, or that for any other reason necessitates more extensive review, can be denied use of the Administrative Subdivision process by the Zoning Administrator. Such cases shall then be processed as a minor or major subdivision application.
   a. Merging Common Ownership Lots: The owner of two (2) to five (5) lots may merge them together as fewer buildable lots when the resulting lot(s) do(es) not create any new nonconformance or an escalation in nonconformance; and when there is no increase in public service demand, change to streets, or increase in the intensity of utilities.
   b. Splitting a Lot and Merging its Pieces with Two or More Adjacent Lots: Two (2) or more owners adjacent to a vacant lot may jointly purchase the lot, divide it, and merge all of the pieces with their buildable lot. If the lot is not vacant, any primary structure would have to first be demolished and/or primary use dissolved, prior to application for an Administrative Subdivision.
   c. Adjusting Lot Lines: The owners of contiguous properties mutually agree to adjust a lot line separating their two (2) properties due to either a survey error or both owners mutually desiring the adjustment; as long as the adjustment does not result in any new nonconformance or an escalation in an existing nonconformance; or does not reduce either's lot area by more than twenty percent (20%).
   d. Creating Non-Developable Land for Utilities and Infrastructure: A public utility or municipality which acquires land for non-development purposes may process the transition and/or adjustment to property lines as an Administrative Subdivision. Non-development purposes excludes occupiable structures, communication towers and treatment facilities. It is the expectation of this provision to be used to create parcels for below-grade pipes, wires and fiber, and at-grade drainage ways, junction boxes, lift stations, inlets, and similar common and incidental utility features.

C. Prerequisites:

1. *Eligible Applicant*: An application for an Administrative Subdivision shall be initiated by the owner(s) of all applicable lots or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner(s) shall accompany the application.
2. *Removing Unnecessary Driveway(s)*: Under the actions listed in *Section: 9.19(B)(2)(a)* and *Section 9.19(B)(2)(b)* above, pre-existing driveway(s) established for the dissolved lots shall be vacated and removed, including the apron within the right-of-way.

D. Administrative Subdivision Filing Requirements:

1. *Application*: An application for an Administrative Subdivision shall be made on forms provided by the Zoning Administrator.
2. *Supporting Information*: The following supporting information shall accompany a completed application for an Administrative Subdivision. The Zoning Administrator may waive in writing the submittal of unnecessary information relative to the application.
   a. Legal description of all lots involved, and
   b. Address for each lot involved.

3. *Site Plan*: A Site Plan, drawn to a scale not less than one inch equals one hundred feet (1" = 100'), that includes the following items:
   a. Name and address of the owner(s),
   b. North arrow and graphic scale,
   c. Adjacent streets, sidewalks, and easements,
   d. Boundary lines of each lot including all lot dimensions,
   e. Proposed adjustments with lot dimensions, lot area, and building setback lines on the resulting lots,
   f. Footprint and dimensions of existing structures with measurements to property lines pre and post adjustments,
   g. Stamp of registered professional engineer or surveyor, and
   h. Any other information necessary to support a thorough review of the project as requested on the application form or from the Zoning Administrator.
4. *Deadline*: Not applicable.
5. *Submittal Material*: Two (2) hard copies of the application for an Administrative Subdivision; two (2) hard copies of all supporting information; and one (1) digital copy of the application for an Administrative Subdivision and all supporting information in .pdf (portable document format).
6. *Fees*: The applicable fee from the Town of Brownsburg Code of Ordinances shall be paid at the time the application for a Administrative Subdivision is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Administrative Subdivision that the Town of Brownsburg does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the Town of Brownsburg's Code of Ordinances.

E. Procedure and Approval:
1. *Review of Material*: An application for an Administrative Subdivision, which is determined to be complete and in proper form by the Zoning Administrator, shall be reviewed by the Zoning Administrator for compliance with the Subdivision Control Ordinance.
2. *Decision*: The Zoning Administrator shall make a determination as to whether the application complies with the "Applicable Districts," "Applicable Actions," and "Prerequisites" standards written in *Section 9.19(B)* and *Section 9.19(C)*. If the application is in compliance it shall be approved and signed by the Plan Commission President and attested by the Zoning Administrator.
3. *Report to Plan Commission*: After approved, the Zoning Administrator shall report said approval at the first regularly schedule Plan Commission meeting.
4. *Proof of Recording*: To officially complete the process the applicant shall record the plat with the Hendricks County Recorder's office within forty-five (45) days.
5. *Submittal for Town's Records*: Three (3) hard copies of the approved Administrative Plat; one (1) copy of applicable supporting information; one (1) electronic copy of the plat and supporting information in .pdf (portable document format); and proof of its recording shall be submitted to the Zoning Administrator for the Town's records.
6. *Failure to Record*: If an approved administrative subdivision is not recorded within forty-five (45) days from the date of approval and signature, the application and approval shall be deemed void. The Zoning Administrator shall report any failures to record to the Plan Commission at the first regularly scheduled Plan Commission meeting after discovering default occurred; and shall notify the applicant, and shall clearly note failure to record in the town's records.

F. Improvement Location Permits: No building permit shall be issued until proof of recording has been submitted.

9.20 Waiver from Design Standard

A. Purpose and Intent: When the Plan Commission finds that an extraordinary hardship or practical difficulty would result from strict compliance with *Article 7: Design Standards* and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal, the Plan Commission may approve a Design Standard Waiver such that substantial benefit be achieved or the public interest served, provided that such Design Standard Waivers does not have the effect of subverting the intent and purpose of these regulations.

B. Prerequisites:
   1. *Primary Plat Application*: The applicant shall only file a Design Standard Waiver application in conjunction with a Primary Plat or Replat application.
   2. *Design Standards*: The waiver must be in regard to *Article 7: Design Standards*, and shall not be a request for relief from *Article 5: Development Standards*. Any relief request from *Article 5: Development Standards* shall be subject to the Variance procedure with the Board of Zoning Appeals.

C. Application:
   1. *Filing Deadline*: The applicant shall apply for a Design Standard Waiver in conjunction with the applicant's Primary Plat application.
   2. *Supportive Information*: The application shall include the necessary documentation as identified on the application form and/or as determined by the Zoning Administrator based on specific circumstances of the particular project. The application shall include, but not be limited to, the following documents:
      a. The application shall identify the Design Standards provision that is being requested to be waived or reduced, the justification for the request, and a statement as to why the waiver will not subvert or diminish the intent and purpose of the Unified Development Ordinance, particularly the subdivision type's intent and the applicable Design Standards.
      b. Additional Information: Additional information may be required by the Zoning Administrator when necessary to evaluate the requested Design Standards Waiver.

D. Fees: The applicant shall submit the required application fee at the time the application is submitted.

E. Zoning Administrator:
   1. *Complete Submittal*: Once the Zoning Administrator has determined that the applicant has made a complete submittal, the Zoning Administrator shall:
      a. Docket Number: Assign the item a docket number;
      b. Agenda: Place the item on an agenda of the Plan Commission with the Primary Plat or Replat;
      c. Notification: Inform the applicant of the time, date, and place of the meeting.
   2. *Inspection*: The Zoning Administrator may inspect at any reasonable time the site and any structure thereon if it relates to the requested Design Standard Waiver application.
   3. *Department Report*: The Zoning Administrator will prepare a staff report outlining its findings with respect to the Design Standard Waiver request.

F. Plan Commission:
   1. *Public Notice*:
      a. Responsibility: The applicant shall be responsible for publishing and mailing the public notices pursuant to the Plan Commission Rules of Procedure.
      b. Proof: The applicant shall be responsible for returning proof of publishing and mailing of notices to the Zoning Administrator pursuant to the Plan Commission Rules of Procedure. Failure to submit proof of notice prior to the Plan Commission meeting may result in the application being continued to the following month.
   2. *Attendance*: The applicant or the applicant's representative is required to be present at the Plan Commission meeting to address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in denial of the request, continuance or other actions as may be denoted in the Plan Commission Rules of Procedure.
   3. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules of Procedure. The public hearing may be held concurrently with the public hearing for the Primary Plat or Replat.
   4. *Review of Application*: At their regularly scheduled meeting, the Plan Commission shall review:
      a. The application and supportive material submitted by the applicant;
      b. The Primary Plat;
      c. The testimony of the applicant;

d. Relevant evidence presented by other persons;
e. The Comprehensive Plan;
f. Any applicable provisions of the Unified Development Ordinance;
g. Any applicable requirements of the *Brownsburg Construction Standards*;
h. The Zoning Administrator report; and
i. Such other additional information as may be necessary or required by the Plan Commission to evaluate the application.

5. *Findings of Fact*:
   a. The Plan Commission shall not approve a Design Standard Waiver unless it makes favorable findings based upon the evidence presented to it in each specific case. Specifically, the findings shall include that:
      i. The granting of the Design Standard Waiver will not be detrimental to the public safety, health, or welfare, or otherwise be injurious to other property; and
      ii. The conditions upon which the request for a Design Standard Waiver is based are unique to the property for which the Design Standard Waiver is sought and are not applicable generally to other property; and
      iii. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship or practical difficulty to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out. Financial hardship or difficulty shall not constitute grounds for a Design Standard Waiver.
      iv. The Design Standard Waiver shall not in any manner subvert the provisions of *Article 5: Development Standards*, the Comprehensive Plan, Bike and Pedestrian Plan, or the Thoroughfare Plan.
   b. Certification:
      i. Signed: The findings document, whether finding in the affirmative or not, shall be signed by the President of the Plan Commission and filed with the Primary Plat.
      ii. Notification: The Plan Commission shall furnish the applicant with a copy of its decision.
6. *Decision*: The Plan Commission shall either:
   a. Approve the application;
   b. Approve the application with conditions and/or commitments;
   c. Deny the application; or
   d. Continue the application to a definite future meeting date.
7. *Commitments*:
   a. Acceptance: In conjunction with the approval of a Design Standard Waiver, the Plan Commission may permit or require the applicant to make written commitments that remedy concerns.
   b. Form: The applicant shall prepare the commitment instrument, if applicable, in a form approved by the Town Attorney. The applicant and the President of the Plan Commission shall sign the commitment instrument.
   c. Recording: The applicant shall record the commitment instrument in the County Recorder's office with the Primary Plat. The applicant shall deliver receipt and a copy of the recorded commitment instrument to the Zoning Administrator before submitting a Secondary Plat application.
   d. Modification or Termination: A commitment made under this section may be modified or terminated only by a decision of the Plan Commission made at a public hearing. Public notice of the public hearing shall be provided per the Plan Commission Rules of Procedure. The applicant shall prepare and record a commitment modification instrument or commitment termination instrument in the same manner required for a commitment instrument. A modified commitment shall be enforced in the same manner as any other commitment.
   e. Enforcement: The Town may enforce any commitment the Plan Commission has accepted as if the commitment were a standard of the Unified Development Ordinance.

8. *Conditions of Approval*:
   a. Requirement: In conjunction with the approval of a Design Standard Waiver, the Plan Commission may impose conditions of approval concerning the use or development of the parcel that will, in its judgment, substantially secure the objectives of these regulations.
   b. Form: The Zoning Administrator shall prepare the conditions of approval instrument in a form approved by the Town Attorney. The President of the Plan Commission shall sign the conditions of approval instrument.
   c. Recording: The applicant shall record the conditions of approval instrument in the County Recorder's office with the Primary Plat. The applicant shall deliver receipt and a copy of the recorded conditions of approval instrument to the Zoning Administrator before submitting a Secondary Plat application.
   d. Modification or Termination: A condition of approval imposed under this section may be modified or terminated only by a decision of the Plan Commission made at a public hearing. Public notice of the public hearing shall be provided per the Plan Commission Rules of Procedure. The applicant shall prepare and record a conditions of approval modification instrument or conditions of approval termination instrument in the same manner required for a conditions of approval instrument. A modified condition of approval shall be enforced in the same manner as any other condition of approval.
   e. Enforcement: The Town may enforce any condition of approval the Plan Commission has imposed as if the condition were a standard of the Unified Development Ordinance.
9. *Revisions to the Primary Plat*: Following Plan Commission approval of a waiver, the applicant shall submit revised copies of the Primary Plat that address the comments and concerns of the Plan Commission, when applicable. The Zoning Administrator shall determine if the submitted changes are consistent with the Plan Commission's decisions prior to the applicant recording the Primary Plat.

Article

10

Enforcement

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules

website www.groundrulesinc.com

Enforcement and Penalties

10.01 Actionable Violations

It shall be an actionable violation of the Unified Development Ordinance to:

A. Non-compliant Structure: Construct, place, or modify a structure in a manner that is not expressly permitted by the Unified Development Ordinance;

B. Structures without Permit: Construct, place, or modify a structure in a manner permitted by the Unified Development Ordinance without first being issued all permits and/or other approvals required by the Unified Development Ordinance;

C. Non-compliant Exempt Structure: For structures that are exempt from needing a permit; construct, place, or modify a structure in a manner that is not expressly permitted by the Unified Development Ordinance;

D. Non-permitted Use: Establish a use that is not expressly permitted by the Unified Development Ordinance in the applicable zoning district, or by a variance of use, or special exception use, or other approval allowed under the Unified Development Ordinance;

E. Establishing a Use without Permit: Utilize a property for a use expressly permitted by the Unified Development Ordinance without first being issued a permit and/or other approvals required by the Unified Development Ordinance;

F. Non-compliance with Approval: Fail to fully comply with procedural requirements, payment of fees, conditions, enforceable covenants, or commitments associated with any permit and/or other approval; or

G. Other Violations: Otherwise fail to comply with any of the terms or provisions of this Unified Development Ordinance.

10.02 Enforcement Official

The Zoning Administrator shall be the primary Enforcement Official. However, the term Enforcement Official shall be inclusive of any additional individual, board, or body that may be delegated such authority by the Plan Commission, BZA, or Legislative Body. The enforcement of the Unified Development Ordinance shall be conducted by an Enforcement Official. When a specific type of enforcement role is assigned to a specific board, body, or individual by Indiana Code, Unified Development Ordinance, or applicable rules of procedure, then that board, body, or individual shall participate as specified.

10.03 Discovery of Violations

An Enforcement Official may survey the jurisdiction or may investigate alleged violations in order to discover whether a violation occurred or exists. There shall be no mandatory requirement for seeking out alleged violations.

10.04 Inspection of Property or Structure

A. Standard Inspections: The inspection of property or structure may be conducted by the Enforcement Official from the property where the violation or alleged violation is located with permission from the owner or tenant at the time of the inspection; from a public right-of-way; from aerial photographs or video; from aerial observation; or from an adjacent property with permission from that property owner. If requested, the Enforcement Official shall present identification and describe the purpose of the inspection.

B. Denial of Access to Property: In the event the Enforcement Official is denied entry to a property or structure where there is a violation or alleged violation, the Enforcement Official may apply to a court of jurisdiction to secure a warrant authorizing inspection of the property or structure.

C. Surrender of Right to Deny Access: A property owner surrenders the right to deny an Enforcement Official access to the subject property or structure upon filing for any permit or application identified in *Article 9: Processes*. The surrender to deny access shall commence upon filing a complete application and shall cease upon the Zoning Administrator issuing a (zoning compliance certificate or certificate of occupancy) or other required final inspection. The inspector shall be strictly limited to areas of the property necessary to determine compliance related to the applied for approval or process.

10.05 Responsibility for Violations

The property owner or a non-owner that caused the violation may be held responsible for a violation. However, the property owner shall ultimately be responsible for a violation of the Unified Development Ordinance.

10.06 New Permits at Location Where a Violation Exists

When a violation or alleged violation of the Unified Development Ordinance has been identified and notice of the violation or alleged violation has been conveyed in writing to the violator, any new filing for a permit or application identified in *Article 9: Processes* shall be held by the Zoning Administrator until the violation or alleged violation is resolved. This provision may be waived by the Zoning Administrator if the desired project would clearly not complicate, escalate, or add to the violation or alleged violation.

10.07 Enforcement Action Options

When a violation or alleged violation exists and when it is determined that enforcement is necessary, the type of enforcement action will be at the discretion of the Enforcement Official and generally should reflect what is warranted by the evidence, severity of the violation or alleged violation, and history of violations on the same property or by the same violator. The following options, as described in subsequent sections, may be used to enforce the Unified Development Ordinance:

- Request to stop work;
- Stop work order;
- Enforcement as a common nuisance;
- Request to remedy;
- Bring action to local court to invoke any legal, equitable or special remedy;
- Bring action to local court to enforce a condition, covenant or commitment;
- Bring action to local court to request a prohibitory or permanent injunction to restrain;
- Bring action to local court to request a mandatory injunction to remove a structure or other violation (e.g. junk cars);
- Impose a fine for violations;
- Bring action to a local court to invoke a fine for violations; or
- Any remedy or actions set forth in Indiana Code, common law, or other applicable State regulations.

10.08 Request to Stop Work

A. Authority: The Enforcement Official may issue a request to stop work as an independent enforcement action or concurrent to another enforcement action.

B. Cause: A request to stop work may be issued for any violation or alleged violation of the Unified Development Ordinance when one (1) or more of the following statements apply:
   1. *Cost to Remedy*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the cost to remedy the violation will likely increase;
   2. *Non-compliance*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the violation will likely escalate in non-compliance;
   3. *Quantity of Violations*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the number of violations will likely increase; or
   4. *Public Risk*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the continuance will put the health, safety, or welfare of the public at risk.

C. General Procedure:
   1. *Issue Notice*: The Enforcement Official may verbally or in writing describe the violation or alleged violation to the property owner, tenant, or person conducting the activity and request the immediate cessation of work until the matter is resolved. If verbally or to anyone besides the property owner, the Enforcement Official should put the notice in writing and mail it to the property owner.
   2. *Post Notice*: The Enforcement Official may post a request to stop work in a conspicuous place on the property. The Enforcement Official may elect to provide additional notice by mail, email, phone, or letter to the property owner, developer, builder, property manager, tenant, occupant, or other interested parties to further ensure compliance.
   3. *Effective*: The request to stop work shall become effective upon verbal notice, written notice, or posting on the property.
   4. *Conditions*: The Enforcement Official may describe the conditions under which the request to stop work will be lifted on the notice. Otherwise, it is the responsibility of the violator to schedule a meeting with the Enforcement Official.
   5. *Agreement*: To lift a request to stop work, a memorandum of agreement identifying the process and steps necessary to resolve the violation shall be signed by the property owner and the Enforcement Official; or a court of jurisdiction shall rule on the matter; or the Enforcement Official shall rescind the request to stop work.

6. *Failure to Abide*: An Enforcement Official may seek a court of jurisdiction to issue a temporary or preliminary injunction (i.e. stop work order) to the violator if he/she fails to abide by the request to stop work.
7. *Allowance for Civil Penalty*: The issuance of a request to stop work shall in no way limit the pursuit of a civil penalty.
8. *Refusal to Sign Terms*: An Enforcement Official may seek a court of jurisdiction to issue a temporary or preliminary injunction (i.e. stop work order) to the violator if he refuses to sign the terms of the memorandum of agreement, giving the Enforcement Official time necessary to pursue other enforcement options without furtherance of the violation or alleged violation.

10.09 Stop Work Order

A. Authority: The Enforcement Official may bring action to a court of jurisdiction as an independent enforcement action or concurrent to another enforcement action. A court of jurisdiction may issue a stop work order.

B. Cause: A temporary or preliminary injunction may be issued when one or more of the following statements apply:
1. *Cost to Remedy*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the cost, time, or challenge to remedy the violation will likely increase;
2. *Non-compliance*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the violation will likely escalate in non-compliance;
3. *Quantity of Violations*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the number of violations will likely increase; or
4. *Public Risk*: The violation or alleged violation is in regard to an active project, and if work is not stopped, the continuance will put the health, safety, or welfare of the public at risk.

C. General Procedure:
1. *Issue Notice*: Before or after filing with the court, the Enforcement Official may mail a notice letter to the violator, the property address, or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the violation or alleged violation.
2. *Investigation*: Before or after filing with the court, the Enforcement Official may make a reasonable attempt to investigate an alleged violation to determine if there is a violation.
3. *Stop Work Order*: The Enforcement Official may file for an action for temporary or preliminary injunction, or temporary restraining order (i.e. stop work order) in the court of jurisdiction to restrain a person from violating or further violating the Unified Development Ordinance.
4. *Post Notice*: If the court grants the stop work order, the stop work order shall be posted in a conspicuous place on the property. A copy may also be delivered or mailed to the property owner, developer, builder, property manager, tenant, occupant, or other interested parties.
5. *Effective*: The stop work order shall become effective per the terms of the court issuance.
6. *Conditions*: The court of jurisdiction may determine and describe the conditions and terms under which the stop work order will be lifted. Otherwise, it is the responsibility of the violator to schedule a meeting with the Enforcement Official and/or court of jurisdiction to resolve the violation.

10.10 Enforcing a Violation as a Common Nuisance

A. Authority: The Enforcement Official may initiate enforcement action and prepare a formal conveyance to legal counsel. Legal counsel may then prosecute.

B. Cause: According to Indiana Code, a structure that is erected, raised, or converted, or land or premises are used in violation of the Unified Development Ordinance is a common nuisance and the owner or possessor of the structure or land is liable for maintaining a common nuisance.

C. General Procedure:
1. *Issue Notice*: Before or after formal conveyance, the Enforcement Official may mail a notice letter to the violator, the property address, or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the violation or alleged violation.
2. *Investigation*: Legal counsel may, upon formal conveyance of information in regard to an alleged violation of the Unified Development Ordinance, make an investigation of the alleged violation. If acts elicited by the investigation are sufficient to establish a reasonable belief that a violation has occurred on the part of the owner or possessor, the attorney representing the Town of Brownsburg may file a complaint against the person and prosecute the alleged violation.

10.11 Request to Remedy

A. Authority: The Enforcement Official may initiate a request to remedy.

B. Cause: A violation or alleged violation exists on a property.

C. General Procedure:

1. *Investigation*: Before or after sending a notice letter, the Enforcement Official may make reasonable attempt to investigate an alleged violation to determine if there is a violation.
2. *Issue Notice*: The Enforcement Official may mail a notice letter to the violator, the property address, or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the violation or alleged violation.
3. *Time Frame*: The Enforcement Official may grant the violator an opportunity to provide evidence that there is not a violation or to bring the violation into compliance; including a time frame of at least one (1) day but not more than twenty-one (21) days. The time frame granted shall be reasonably tied to the time necessary to remedy the violation (e.g. the time to remove an A-frame sign could be one day).
4. *Time Frame Extension*: A time frame extension may be granted upon request by the Enforcement Official if the violator is making satisfactory progress.
5. *Timely Correction*: If corrective measures have not been initiated in a timely manner, or corrective measures are not effectively being conducted, or corrective measures are significantly behind schedule, or the violation remains after the time frame given for remedy, then the Enforcement Official may choose another enforcement option. If the violator is making satisfactory progress and will likely meet the time frame for remedy, the Enforcement Official shall not begin another enforcement option until the time frame has expired and a violation remains unresolved.

D. Safety from Fines: The Enforcement Official shall not impose a fine to a violator if a request to remedy is the first enforcement action and the violation is remedied within the granted time frame.

10.12 Invoke a Legal, Equitable, or Special Remedy

A. Authority: The Town may bring action to a court of jurisdiction as an independent enforcement action or concurrent to another enforcement action; except as stated in *Section 10.11: Request to Remedy*. A court of jurisdiction may issue a legal, equitable, or special remedy.

B. Cause: A violation or alleged violation of the Unified Development Ordinance exists on a property.

C. General Procedure:

1. *Issue Notice*: Before or after bringing an action to the court of jurisdiction, the Town may mail a notice letter to the violator, the property address, or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the violation or alleged violation.
2. *Investigation*: Before or after bringing an action to the court of jurisdiction, the Town may make reasonable attempt to investigate an alleged violation to determine if there is a violation.
3. *Court-imposed Remedy*: The Town may bring an action to the court of jurisdiction to invoke a legal, equitable or special remedy for a violation or alleged violation.
4. *Liability*: Any violator found liable for a violation shall be subject to any court-imposed legal, equitable or special remedy. The legal, equitable or special remedy will ideally force compliance with the Unified Development Ordinance or be a unique court ruling that fulfills the intent of the Brownsburg Comprehensive Plan and Unified Development Ordinance. The severity of the court ruling may consider the severity of the violation, impact to property values in the area, impact to quality of life in the area, impact to the health, safety and welfare of the public, repetitiveness of similar violations by the same violator, and/or the precedent that may be set by the ruling. If successful in the enforcement of the Unified Development Ordinance, the court of jurisdiction may award the Town of Brownsburg recuperation of its legal fees and administrative costs.

10.13 Enforce a Condition, Covenant, or Commitment

A. Authority: The Town may bring action to a court of jurisdiction as an independent enforcement action or concurrent to another enforcement action; except as stated in *Section 10.11: Request to Remedy*. A court of jurisdiction may enforce compliance with a condition, covenant, or commitment.

B. Cause: A condition, covenant, or commitment is not in compliance with terms of an approval.

C. General Procedure:

1. *Issue Notice*: Before or after bringing an action to the court of jurisdiction, the Town may mail a notice letter to the violator, the property address, or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the non-compliance.
2. *Investigation*: Before or after bringing an action to the court of jurisdiction, the Town may make reasonable attempt to investigate an alleged violation to determine if there is non-compliance.
3. *Conditions*: The Town may bring an action to a court of jurisdiction to enforce a condition, covenant (in connection to a plat, planned development or development plan), or commitment.
4. *Court-imposed Remedy*: Any non-compliance shall be subject to any court-imposed remedy. The court-imposed remedy may include enforcing the condition, covenant, or commitment, or be a unique court ruling that fulfills the intent of the Brownsburg Comprehensive Plan and Unified Development Ordinance. The severity of the court ruling may consider the severity of the non-compliance, impact to property values in the area, impact to quality of life in the area, impact to the health, safety and welfare of the public, repetitiveness of similar violations by the same violator, and/or the precedent that may be set by the ruling. If successful in the enforcement of the Unified Development Ordinance, the court of jurisdiction may award Town of Brownsburg recuperation of its legal fees and administrative costs.

10.14 Request a Prohibitory or Permanent Injunction to Restrain

A. Authority: The Enforcement Official may bring action to a court of jurisdiction as an independent enforcement action or concurrent to another enforcement action; except as stated in *Section 10.11: Request to Remedy*. A court of jurisdiction may issue a prohibitory or permanent injunction against a violator or potential violator.

B. Cause: A violation, alleged violation, or intent to violate the Unified Development Ordinance exists.

C. General Procedure:

1. *Issue Notice*: Before or after bringing an action to the court of jurisdiction, the Enforcement Official may mail a notice letter to the violator, the property address, or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the violation, alleged violation, or intent to violate.
2. *Investigation*: Before or after bringing an action to the court of jurisdiction, the Enforcement Official may make reasonable attempt to investigate an alleged violation to determine if there is a violation, an alleged violation, or an intent to violate.
3. *Request for Injunction*: The Enforcement Official may bring an action to a court of jurisdiction to request a prohibitory or permanent injunction to restrain a violation of the Unified Development Ordinance.
4. *Violation*: Any violator found liable for a violation or intending to violate the Unified Development Ordinance shall be subject to prohibitory or permanent injunction to restrain. The court-imposed restraint may instead result in a unique court ruling that fulfills the intent of the Brownsburg Comprehensive Plan and Unified Development Ordinance. The severity of the court ruling may consider the severity of the violation, impact to property values in the area, impact to quality of life in the area, impact to the health, safety and welfare of the public, repetitiveness of similar violations by the same violator, and the precedent that may be set by the ruling. If successful in the enforcement of the Unified Development Ordinance, the court of jurisdiction may award Town of Brownsburg recuperation of its legal fees and administrative costs.

10.15 Request a Mandatory Injunction to Remove a Structure

A. Authority: The Board of Zoning Appeals may bring action to a court of jurisdiction as an independent enforcement action or concurrent to another enforcement action; except as stated in *Section 10.11: Request to Remedy*. A court of jurisdiction may issue a mandatory injunction against a violator.

B. Cause: A structure was constructed, modified or installed in violation or alleged violation of the Unified Development Ordinance.

C. General Procedure:

1. *Issue Notice*: Before or after bringing an action to the court of jurisdiction, the Board of Zoning Appeals may mail a notice letter to the violator, the property address, or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the violation or alleged violation.
2. *Investigation*: Before or after bringing an action to the court of jurisdiction, the Board of Zoning Appeals may make reasonable attempt to investigate an alleged violation to determine if there is a violation.
3. *Request for Injunction*: The Board of Zoning Appeals may bring an action to a court of jurisdiction to request a mandatory injunction to remove a structure in violation of the Unified Development Ordinance.
4. *Violation*: If a structure is found in violation, the violator shall be subject to a mandatory injunction to remove the structure and all costs associated with the action. The court-imposed remedy may instead result in a unique court ruling that fulfills the intent of the Brownsburg Comprehensive Plan and Unified Development Ordinance. The severity of the court ruling may consider the severity of the violation, impact to property values in the area, impact to quality of life in the area, impact to the health, safety and welfare of the public, repetitiveness of similar violations by the same violator, and/or the precedent that may be set by the ruling. If successful in the enforcement of the Unified Development Ordinance, the court of jurisdiction may award the Town of Brownsburg recuperation of its legal fees and administrative costs.

10.16 Impose a Fine for Violation

A. Authority: The Enforcement Official may impose a fine for violation as an independent enforcement action or concurrent to another enforcement action; except as stated in *Section 10.17: Invoke a Fine for Violation* or *Section 10.11: Request to Remedy*.

B. Cause: A violation of the Unified Development Ordinance exists.

C. General Procedure:

1. *Collect Evidence*: Before imposing a fine, the Enforcement Official may collect evidence to conclude there is a violation.
2. *Issue Notice*: The Enforcement Official may mail a notice letter to the violator or the property address (or to the tax record address if mail is undeliverable to the property (e.g. a vacant site)) describing the violation. The notice letter may also include the terms of the fine, including the fine amount and the date payment is due.
3. *Time Frame*: If not addressed in a concurrent enforcement action, the Enforcement Official may grant the violator an opportunity to provide evidence that there is not a violation or to bring the violation into compliance, including a time frame of at least one (1) day but not more than twenty-one (21) days. The time frame granted shall be reasonably tied to the necessary time to remedy the violation (e.g. the time to remove an A-frame sign in violation could be one day).
4. *Time Frame Extension*: A time frame extension may be granted upon request by the Enforcement Official if the violator is making satisfactory progress.
5. *Financial Liability*: The Enforcement Official may impose a fine in an amount not less than $50.00 or higher than $2,500 for the first violation and not less than $50.00 or higher than $7,500 for the second or subsequent violations. Each unique violation from the day it was confirmed as a violation is subject to a fine; and each new day the violation persists, excluding days granted to remedy the violation, shall constitute a separate violation and therefore be subject to another fine. The fine for a violation shall be reasonably in proportion to the severity of the violation, repetitiveness of similar violations by the same violator, and the costs associated with enforcing, mitigating, administering, researching, inspecting the violation, court fees, legal fees, and the like.
6. *Appeals*: Fines imposed by the Enforcement Official may be appealed to the Board of Zoning Appeals.

10.17 Invoke a Fine for Violation

A. Authority: The Enforcement Official may bring action to a court of jurisdiction as an independent enforcement action or concurrent to another enforcement action; except as stated in *Section 10.16: Impose a Fine for Violation* or *Section 10.11: Request to Remedy*. A court of jurisdiction may issue a fine for violation.

B. Cause: A violation of the Unified Development Ordinance exists.

C. General Procedure:

1. *Collect Evidence*: Before or after bringing an action to the court of jurisdiction, the Enforcement Official shall collect evidence to conclude there is a violation.
2. *Issue Notice*: Before or after bringing an action to the court of jurisdiction, the Enforcement Official shall mail a notice letter to the violator or the property address (or to the tax record address if mail is undeliverable to the property (e.g. a vacant site) describing the violation.
3. *Court-imposed Fine*: The Enforcement Official may bring an action to a court of jurisdiction to invoke a fine for a violation.
4. *Financial Liability*: A violator found liable for a violation shall be subject to a court-imposed fine. The fine for a violation shall be reasonably in proportion to the severity of the violation, repetitiveness of similar violations by the same violator, and the costs associated with enforcing, mitigating, administering, researching, inspecting the violation, court fees, legal fees, and the like. Fines imposed by the court of jurisdiction shall be no higher than $2,500 for the first violation, and no higher than $7,500 for the second or subsequent violations according to *IC 36-1-3-8*. Each unique violation from the day it was confirmed as a violation is subject to a fine; and each new day the violation persists, excluding days granted to remedy the violation, shall constitute a separate violation and therefore be subject to another fine.

10.18 Other Remedy

Any action allowed by Indiana Code, common law, or other applicable State regulations may be used to force a violation to be in compliance with the Unified Development Ordinance, remedy, or compliance with the terms of an approval.

Article 11

Definitions

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Definitions - Abandonment

11.01 General

The definitions contained in *Article 11: Definitions* shall be observed and applied in the interpretation of all Articles in the Unified Development Ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future; words used in the singular number shall include the plural and the plural the singular; words used in the masculine gender shall include the feminine.

11.02 Defined Words

The terms listed below shall have the meanings as written and illustrated:

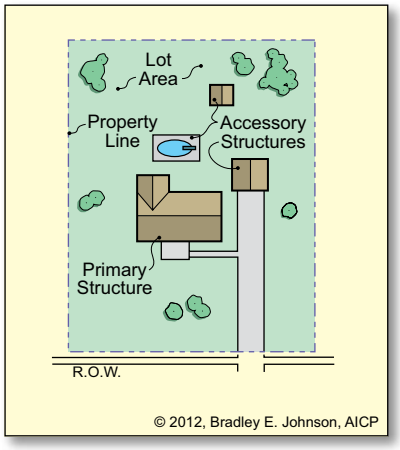
Abandonment: The relinquishment of property or a cessation of the use of the property for a continuous period of one (1) year by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

Accessory Building: See "Accessory Structure."

Access Street: See "Street, Access."

Accessory Structure: A structure which:

1. Is subordinate to a primary structure in area, intent, and/or purpose,
2. Contributes to the comfort, convenience, or necessity of occupants of the primary structure or primary use,
3. Does not alter or change the character of the premises,
4. Is located on the same zoning lot as the primary structure or use,
5. Conforms to the setback, height, bulk, lot coverage, and other requirements of the Unified Development Ordinance unless otherwise provided for,
6. May not be constructed prior to the time of construction of the primary structure, unless used for agricultural or personal storage or otherwise specified in the Unified Development Ordinance,
7. Is not designed for human occupancy as a dwelling or commercial use, and
8. In the case of a telecommunications tower, antenna, or other radio or cellular communications or equipment, a subordinate structure detached from but located on the same site, the use of which is incidental and accessory to that of the primary telecommunications tower, antenna or other radio or cellular communications equipment.



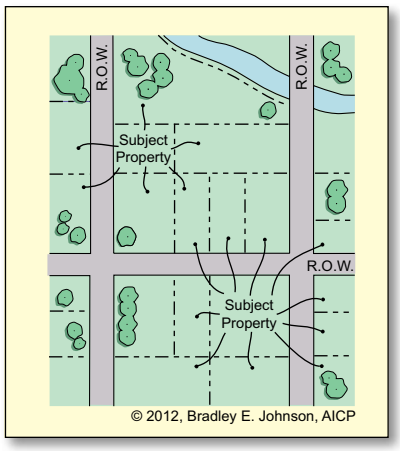
Accessory Structure, Recreation-based: A detached accessory structure placed on a lot and used for recreation, entertainment and lounging. Examples of recreation-based accessory structures may include decks, docks, gazebos, hot tubs, ground-mounted satellite dishes, piers, sport courts, and swimming pools, but specific limitations are listed in the district-specific regulations in *Article 5: Development Standards*. Recreation-based accessory structures do not include any enclosed structures (e.g. a cabana or garage use for a hobby).

Accessory Structure, Storage-based: An accessory structure placed on a lot and used to store, keep, shelter or contain material items. Examples of storage-based accessory structures include barns, carports, detached garages, greenhouses, mini-barns, pole structures, swimming pool houses, and sheds. Generally, storage-based accessory structures are enclosed or partially enclosed buildings used in support of or in conjunction with a primary use or primary structure.

Accessory Structure, Support-based: A detached accessory structure placed on a lot and used to provide essential services to a primary structure, primary land use, or another accessory structure. Examples of support-based accessory structures include maintenance facility, mechanical structure, freestanding canopy, stand-alone restroom facilities, storage building, enclosed vending, kiosk, or structures used in support of the primary structure.

ADA: The Americans with Disabilities Act.

Adjacency: Any definable area adjacent to or directly diagonal to the subject property, whether in reference to an adjacent lot, property, land use, or zoning district. Definable areas across a public right-of-way (ROW) are also considered adjacent. The illustration below notes the definable areas that would be considered adjacent to two (2) different subject properties. This definition shall prevail unless other language in the Unified Development Ordinance clearly indicates otherwise.



Administrator: See "Zoning Administrator."

Advisory Plan Commission: See "Plan Commission."

Agricultural District: Refers to the AG District.

Agriculture: The art or science of cultivating the ground, and raising and harvesting crops, often including feeding, breeding, and management of livestock; tillage; husbandry; farming; in a broader sense, the science and art of the production of plants and animals useful to man, including to a variable extent the preparation of these products for human use and their disposal by marketing or otherwise. In this broad use, it includes farming, horticulture, forestry, dairying, sugar making, etc. Agriculture includes feeding of animals for pleasure, food, fur, pharmaceutical, or other commodity purpose where the maximum number of animals does not meet the definition for confined feeding.

Airport: Any area which is used or intended to be used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or intended to be used for airport structures or facilities, including open spaces, taxiways, and tie-down areas.

Alley: A public right-of-way, other than a street, crosswalk, or easement, that provides secondary access for the special accommodation of abutting property. Lots adjacent to an alley shall not be deemed to have a second front yard, or to be determined to be a corner lot or through lot. Also, the facade that faces an alley shall not be determined to be a front facade.

Amphitheater: A venue for performances and entertainment where the performance and spectator areas are both open-air. An amphitheater includes activities related to major cultural and sports activities; uses customarily incidental and subordinate to an amphitheater including but not limited to: live performances, temporary hospitality facilities, vehicle/product entertainment/trade shows; and temporary camping facilities for staff, participants, and/or patrons of events.

Animal, Exotic: Animals raised and bred healthy and humanely for unique pets or entertainment, or animals rescued from the wild, or from zoos. Exotic animals are primarily securely caged animals. Exotic animals do not include outdoor pets, household pets, or farm animals. Examples of exotic animals include: lions, tigers, wolfs, coyotes, and elephants.

Animal, Farm: Animals raised and bred healthy and humanely for meat, milk, or similar food products, or for wool, fur, or similar textiles, or for estrogen or similar chemical or pharmaceutical products. Farm animals are primarily pastured. Farm animals do not include outdoor pets, household pets, or exotic animals. Examples of farm animals include: cows, horses, sheep, pigs, chickens, turkeys, and goats.

Animal Unit: The number of farm animals, not including offspring that have not yet been weaned.

Animated Message: The changing of any pixel, light element, sign copy, character, graphic, color, or light intensity between every zero (0) seconds and up to, but not including, once every five (5) seconds. Specifically, if anything changes in less than (5) seconds then it is an animated message.

Antenna: Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic or radio waves.

Applicant: The owner or legal representative of real estate who makes application to the Plan Commission and/ or Board of Zoning Appeals for action by the Plan Commission or Board of Zoning Appeals affecting the real estate owned or represented by the applicant.

Arbor: A structure used to create a decorative element, or to display or support climbing vines, flowers or other plants.

Arterial, Major: See "Street, Arterial."

Arterial, Minor: See "Street, Arterial."

Assisted Living Facility: A residential facility where assistance with daily activities, such as taking medicine, dressing, grooming, and bathing are provide for the aged or infirm, or any other reasonably independent person in need of nursing care; and which does not contain equipment for surgical care or for treatment of disease or injury, and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction. Assisted living facilities have private rooms that are not shared by non-related persons.

ATM: See "Automated Teller Machine."

Attached Structure: A structure that is structurally connected to another structure by a foundation, wall, bridge, or roof line, or appears to be connected. Carports, garages, porch awnings, and the like are considered attached structures and must abide by all regulations pertaining to primary structures.

Automated Teller Machine (ATM): An electronically operated device used to conduct financial transactions on-site, by means of direct computerized access.

Automobile Oriented Business (Type 1): A low intensity service business that provides services rendered directly on, to, or for motor vehicles. Vehicle service businesses that meet the characteristics listed below in *Table 11-A: Limits of Automobile Oriented Businesses*. Under no circumstances is an auto salvage business, junk yard, or gas station considered an automobile oriented business.

Automobile Oriented Business (Type 2): A moderate intensity service business that provides services rendered directly on, to, or for motor vehicles. Vehicle service businesses that meet the characteristics listed below in *Table 11-A: Limits of Automobile Oriented Businesses*. Under no circumstances is an auto salvage business, junk yard, or gas station be considered an automobile oriented business.

Automobile Oriented Business (Type 3): A high intensity service business that provides services rendered directly on, to, or for motor vehicles. Vehicle service businesses that meet the characteristics listed below in *Table 11-A: Limits of Automobile Oriented Businesses*. Under no circumstances is an auto salvage business, junk yard, or gas station considered an automobile oriented business.

Table 11-A: Limits of Automobile Oriented Business

	Characteristics						
Vehicle Service Business Types	Size/Weight of Vehicles Serviced	Outdoor Storage or Queuing of Vehicles to be Serviced	Outdoor Storage of Serviced Vehicles	Outdoor Storage of Parts, Equipment, or Waste Products	Percentage of Service Operation Allowed to be Outdoors	Maximum Height of Outdoor Storage	Hours of Operation
Type 1: Low Intensity	passenger vehicles and light duty trucks	up to 4 operable vehicles	up to 4 operable vehicles	not allowed	none	not allowed	between 7 AM and 7 PM
Type 2: Moderate Intensity	passenger vehicles, light duty trucks, and tri-axle trucks	up to 10 operable vehicles and/or four inoperable vehicles	up to 10 operable vehicles	up to 10% of lot area or 3,000 square feet, whichever is more restrictive	up to 20%	up to 6 feet	between 5 AM and 10 PM
Type 3: High Intensity	no limit	no limit	no limit	no limit	no limit	no limit	no limit

Automobile Recovery Lot: A business using an outdoor storage area for motor vehicles that have been towed awaiting recovery by the rightful owner. An automobile recovery lot is regulated as an automobile oriented business.

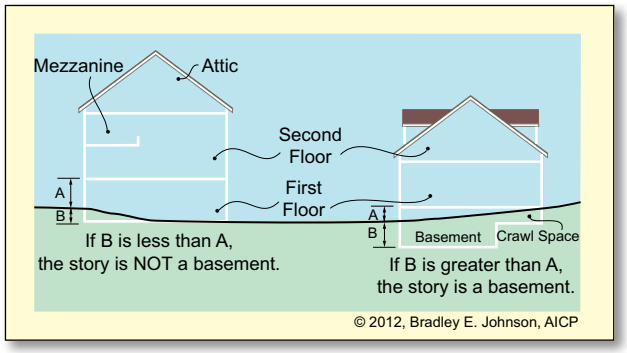
Average Setback: See "Setback, Established."

Bar (or Tavern): An establishment used principally for the sale and consumption of alcoholic beverages on site and that derives sixty percent (60%) or more of its annual gross revenue from the sale of alcoholic beverages. The service of food tends to be incidental. Other names for a bar include tavern, cocktail lounge, pub, or saloon.

Base Zoning District: The existing zoning district of the subject lot:

- Prior to the approval of a planned development, or
- Prior to the effects of an overlay district.

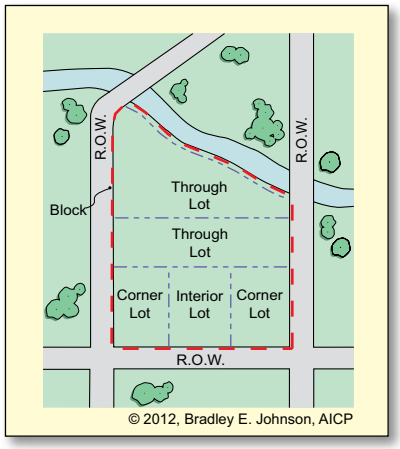
Basement: That portion of a structure below the first or ground floor level and having less than four (4) feet of clearance from its ceiling to the average finished grade of the structure perimeter. A basement shall not be considered a story for the purposes of determining structure height, except when it is used or suitable for habitation.



Bed and Breakfast: An owner occupied or employee of the owner occupied residence containing no more than six (6) guest rooms for hire, for lodging by prearrangement for periods not to exceed three (3) consecutive weeks and providing for occasional meals daily (usually breakfast) and not a hotel/motel.

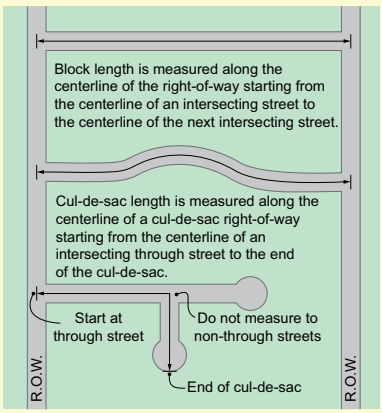
Berm: See “Landscape Berm.”

Block: Property abutting on one (1) side of a street and lying between the two (2) nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway or the end of a dead end street.



Block Length: A measurement rule used to determine the length of a block. The following methodology applies:

1. Measurements shall be taken along the centerline of the right-of-way.
2. The starting point shall be the centerline of an intersecting street, railroad, waterway, or end of a cul-de-sac or dead end street.
3. The finishing point shall be first occurrence of an intersecting street, railroad, waterway, or the end of a cul-de-sac or dead end street.



© 2014, Bradley E. Johnson, AICP

Board: See "Board of Zoning Appeals."

Board of Zoning Appeals: The Brownsburg Board of Zoning Appeals or any division thereof.

Bond: Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the Plan Commission. All bonds shall be approved by the Plan Commission wherever a bond is required by the Unified Development Ordinance.

Broadcast Facility: A place where audio or video programing is prepared, recorded, edited, or broadcast, or where programming is received for editing or re-broadcasting; with on-site telecommunication tower, on-site antennae, and/or on-site commercial satellite dishes.

Broadcast Studio: A place where audio or video programing is prepared, recorded, edited, or broadcast, or where programming is received for editing or re-broadcasting; without on-site telecommunication towers, on-site antennae, or on-site commercial satellite dishes greater than five (5) feet in diameter. See "Broadcast Facility" for broadcast studios with on-site towers, antennae, and/or commercial satellite dishes.

Buffer Landscaping: Any tree, shrub, wall, fence, berm, space, or related landscaping feature required under the Unified Development Ordinance for buffering one (1) or more lots from adjacent properties or public rights-of-way for the purpose of protecting property values, increasing visual shielding of an incompatible use, or other aspects of privacy and/or aesthetics.

Buffer Yard: An area adjacent to front, side, and rear property lines, measured perpendicularly from adjacent property lines and/or right-of-way lines, intended to provide attractive spaces, to reduce the impacts of proposed uses on adjacent property or natural features, and to screen incompatible uses from each other and from the right-of-way. Buffers also help to maintain existing trees or natural vegetation, to block or reduce noise, glare or other emissions, and to maintain privacy. Buffer yards are in addition to (and separate from) front, rear or side yard setbacks.

Buildable Lot: See "Lot, Buildable."

Building: A structure having a roof, supported by columns or walls, for the shelter, support, or enclosure of persons, property, or animals; and when separated by division walls from the ground up and without openings, each portion of such building shall be deemed as a separate building.

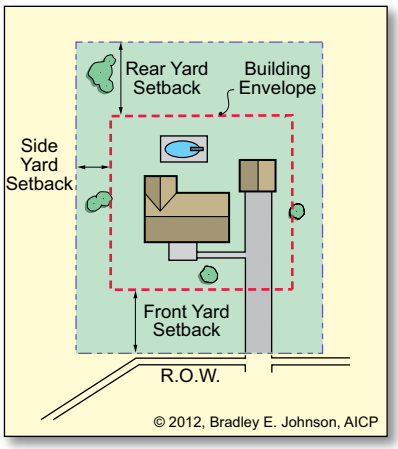
Building Area: See "Floor Area, Main."

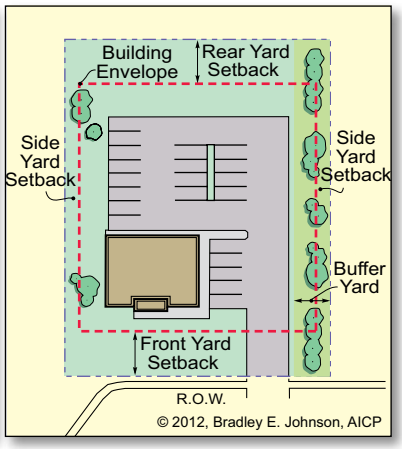
Building Code: The Indiana Building Code which establishes and controls the standards for constructing all forms of permanent structures and related matters.

Building Commissioner: Shall mean the inspector of buildings for the Town of Brownsburg.

Building, Detached: See "Detached Structure."

Building Envelope: The setback lines that establish an area on a lot in which building can occur.

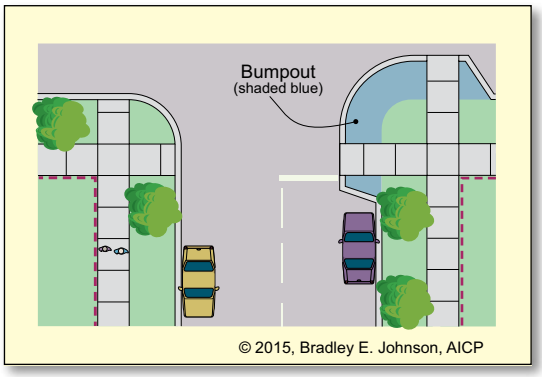




Building Height: See "Structure Height."

Building Permit: An authorization to begin construction of or modification to a structure after submitting mandatory information and complying with construction standards contained within the Indiana Building Code and any applicable local amendments to the Indiana Building Code.

Bumpout: A design feature used along streets, especially near intersections to help define on-street parking areas and shorten crosswalk distances. A bumpout can also provide visual relief, reduce heat, and add to a healthful environment.



Business: The engaging in the purchase, sale, barter or exchange of goods, wares, merchandise, services, or the maintenance or operation of offices, recreational or amusement enterprises.

Business Districts: See "Commercial District."

BZA: See "Board of Zoning Appeals."

Campground: Any site, lot, field or tract of land designed with facilities for short-term occupancy by recreational vehicles and other camping equipment, but not including mobile homes.

Canopy Tree: Deciduous trees that grow to at least forty (40) feet in height and have a canopy that is round or oval in shape. Conical, pear, or tubular shaped trees are not canopy trees.

Carport: A roofed structure designed and intended to shelter a motor vehicle, with at least two (2) sides open to the weather.

Car Wash: A structure, or portion of a structure, containing facilities for washing one (1) or more automobiles at any one time, using production line methods such as a chain conveyor, blower, steam cleaning device or other mechanical devices; or providing space, water, equipment or soap for the complete or partial cleaning of such automobiles, whether by operator or by custom. Car washes are regulated as Automobile Oriented Businesses.

Caretakers Residence: A single-family detached dwelling or a dwelling unit integrated into a non-residential primary structure, located on public park land which is occupied by a person who is employed by the park.

Cellular Communication Equipment: Antennas and other transmitting and/or receiving device or other associated devices used in the provision of telecommunications service.

Cemetery: Property used for interring of the dead, including a memory garden and/or mausoleum.

Central Sewer System: A community sewer system including collection and treatment facilities owned and maintained by a governmental unit.

Central Water System: A community water supply system including existing and new wells and/or surface water sources and intakes, treatment facilities, and distribution lines and includes such of the above facilities established by the developer to serve a new subdivision, or commercial or industrial development.

Certificate of Occupancy: A certificate stating that the location, occupancy, and use of a building or structure complies with all applicable Unified Development Ordinance provisions.

Changeable Copy (Ratio): The portion of a sign that is used for cyclical messages or flashing messages.

Child Care Center: Any institution operated for the care of children, licensed pursuant to *IC 12-3-2-3.1*, et seq., and as defined by *IC 12-3-2-3*.

Child Care Home: An establishment providing non-overnight care, supervision, and protection of children in private residences which is ancillary to the primary use as a residence. A residential structure in which at least six (6) children (not including the children for whom the provider is parent, stepparent, guardian, custodian, or other relative) at any time receive child care from a provider: (a) while unattended by a parent, legal guardian or custodian; (b) for regular compensation; and (c) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The term includes class I child care home and class II child care home as defined in *IC 12-7-2-33.7* and *IC 12-7-2-33.8*.

Child Care Institution:

- A residential facility that provides child care on a twenty-four (24) hour basis for more than ten (10) children; or
- A residential facility with a capacity of not more than ten (10) children that does not meet the residential structure requirements of a group home; or
- Operates under a license issued under *IC 12-17.4*; provides for delivery of mental health services that are appropriate to the needs of the individual; and complies with the rules adopted under *IC 4-22-2* by the Division of Family and Children. A child care institution does not include a juvenile detention facility.

Children's Home: See "Child Care Institution."

Church: See “Place of Worship.”

Clinic: See "Office, Medical."

Clubhouse: A structure used in association with a golf course, in which may be locker rooms, golf course administration offices, golf cart storage and maintenance, rest rooms, lounges, meeting space, snack bar, banquet facilities and retail sales of golf related products. Retail sales shall constitute no more than fifteen percent (15%) of the space accessible to public space of the clubhouse.

Collector, Major: See "Street, Collector."

Collector, Minor: See "Street, Collector."

College: See “University.”

Collocation: A space on an existing or proposed telecommunication tower that can be used for the installation and/or mounting of antennas or radio or cellular communication equipment that operates on a different frequency from the initial user.

Commercial District: Refers to the NC, UC, C1, C2, HC, and EC Districts.

Commercial Wireless Communications Service: A licensed commercial wireless telecommunications service, including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar devices that are marketed to the general public.

Commission: See "Plan Commission."

Community Center: A structure available to the public for community activities, meetings, banquets, projects, gatherings, and the like. A community center may be able to be reserved by the public for private parties and events.

Comprehensive Plan: Refers to the Brownsburg Comprehensive Plan.

Condition of Approval: Stipulations or provisions set forth by the Board of Zoning Appeals or Plan Commission required as a prerequisite for approval of an application.

Condominium: Real estate lawfully subject to *IC 32-25*, et seq. (the Condominium Law), by the recording of condominium instruments, in which undivided interests in the common areas and facilities are vested in the condominium unit owners.

Confined Feeding: The raising of animals for food, fur, or recreation in lots, pens, ponds, sheds, or buildings, where they are confined, fed, and maintained for at least forty-five (45) days during any year, and where there is no ground cover or vegetation present over at least one-half (½) of the animals' confinement area.

Confined Feeding Facility: All elements of a facility used for Confined Feeding, including: animal barns/sheds/structures, lagoons, waste management and storage facilities, animal mortalities storage facilities, animal composting facilities, incinerators, feed storage, mechanical equipment, truck maneuvering areas, loading docks, parking lots, medical facilities, air handling systems, accessory facilities, and other essential equipment, structures, and operational devices.

Confined Feeding, Small: Any confined feeding operation with:

- 50 or more horses, but less than 150,
- 75 or more dairy cattle, but less than 200,
- 100 or more cattle or calves (excluding dairy cattle), but less than 300,
- 200 or more swine, but less than 600,
- 200 or more sheep or lambs, but less than 600,
- 500 or more ducks, but less than 1,500,
- 3,000 or more turkeys, but less than 16,500, or
- 5,000 or more chickens, but less than 30,000.

Construction Plan(s): The maps or drawings showing the specific location and design of improvements to be constructed and/or installed in accordance with the requirements of the Unified Development Ordinance, other governmental entities, and/or the Indiana Building Code.

Construction Standards: Any Town of Brownsburg construction or engineering standard, whether an ordinance, policy document, or adhered to engineering manual or organization literature (e.g. ASHTO standards or ITE standards) that the Town of Brownsburg utilizes as a basis for material selection, construction, design, and/or inspection of infrastructure and facilities for which the town has public interest.

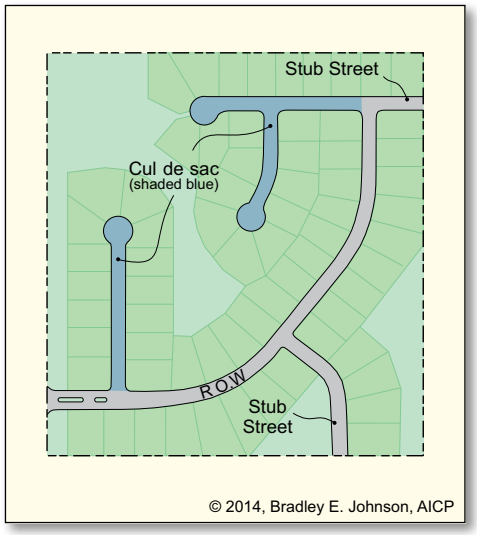
Continuous Mound: See "Landscape Mound."

Corner Lot: See "Lot, Corner."

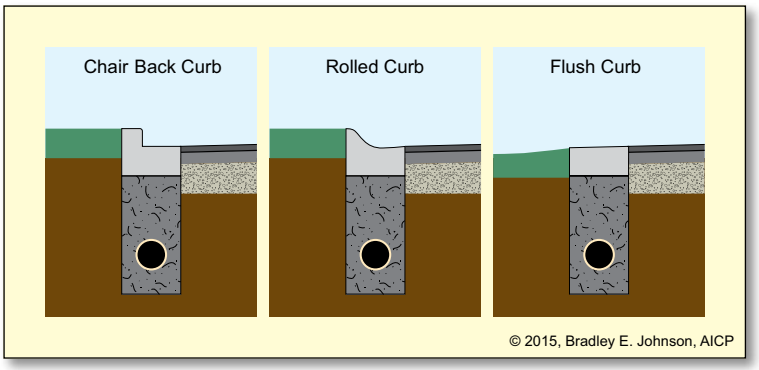
County: Hendricks County, Indiana.

Covenants: Private and legal restrictions of various kinds on the usage of lots, typically within a subdivision and applied by the subdivider. In the case of public health, safety and welfare, covenants may be applied by the Plan Commission, that are recorded with the plat and deed. Covenants can also be placed on commercial and industrial developments. Unless specifically agreed to, covenants are not enforceable by the Plan Commission or its designees. However, they are enforceable in civil court by interested or affected parties.

Cul-de-sac: A street having one (1) end connected to other public streets and the other end permanently terminated by a vehicular turnaround, typically a bulb or circle, with or without an island.



Curb: A flush, rolled or chair-back curb as defined below. Each type of curb is generally illustrated below. The exact specification for each type of curb shall be per the *Town of Brownsburg Construction Standards*.



Curb, Flush: A concrete, linear structure used to define the edge of a street and for aesthetics. A flush curb differs from a rolled or straight curb in that it is generally level with the asphalt street surface. The width, depth, and material specification for a flush curb can be found in the *Town of Brownsburg Construction Standards*. See the definition for "Curb" for a general illustration of a flush curb.

Curb, Rolled: A concrete, linear structure used to define the edge of a street, to manage stormwater, for aesthetics, and as a barrier between vehicles and pedestrians. A rolled curb differs from a flush or straight curb in that it gradually curves up and away from the top edge of the asphalt street surface to an appropriate height. The width, depth, height, curvature, and material specification for a rolled curb can be found in the *Town of Brownsburg Construction Standards*. See the definition for "Curb" for a general illustration of a rolled curb.

Curb, Straight: A concrete, linear structure used to define the edge of a street, to manage stormwater, for aesthetics, and as a barrier between vehicles and pedestrians. A flush curb differs from a rolled or straight curb in that a portion projects vertically to an appropriate height, creating an "L" shape. The width, depth, and material specification for a flush curb can be found in the *Town of Brownsburg Construction Standards*. See the definition for "Curb" for a general illustration of a straight curb.

Cutoff Fixture: See "Fixture, Cutoff."

Cyclical Message: The changing of any pixel, light element, sign copy, character, graphic, color, or light intensity between once every five (5) seconds and once every one (1) hour. Specifically, no changes to the sign shall take place for at least five (5) seconds and the sign shall change at least once within one (1) hour.

Day Care Center: See "Child Care Center."

Deciduous Tree: Any tree which sheds its leaves annually followed by regeneration of its foliage in the spring.

Deck: An accessory structure which is on the ground or is elevated from ground level and is open to the sky.

Decorative Wall: A brick, stone or landscape block masonry wall with top cap or similar design and ornamentation. A cinder block and split-face block masonry wall, and the like, shall not be considered a decorative wall.

Dedication: The setting apart of land or interests in land for use by the municipality or public by ordinance, resolution or entry in the official minutes as by the recording of a plat.

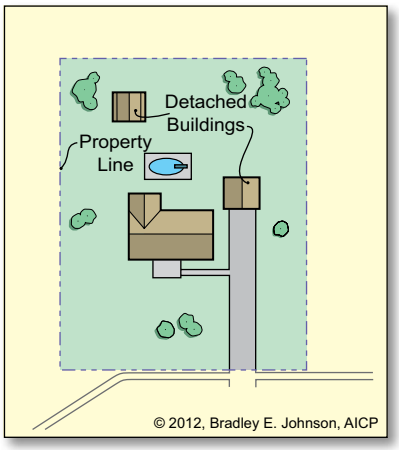
Demolition: The complete removal or destruction of any structure excluding its foundation.

Design Speed: The speed for which a street has been designed to safely accommodate vehicular traffic.

Designed Fail Area: The area surrounding a tower in which the tower could fall should it fail as structurally designed. The designed fail area is quantified in terms of linear distance from the tower to the perimeter of the designed fail area. The designed fail area shall be certified by a structural engineer.

Detached Building: See "Detached Structure."

Detached Structure: A structure that has no structural connection with the primary structure or any other building or structure.



Detention Pond: An engineered facility used to temporarily collect stormwater and outlet it over a designated period of time or at a specific rate of release.

Developed Lot: See "Lot, Developed."

Developer: The owner or legal representative of land proposed to be or currently being developed.

Development: The act of modifying property in a planned manner according to local, State and Federal laws regulating such an action. A development refers to projects like a subdivision, planned development, condominium project, commercial project, apartment project, and the like that create or affect public infrastructure. Development typically does not refer to a home being placed on a lot or similar small projects that have no impact, or insignificant impact on public infrastructure.

Development Standards: Height, bulk, density, environmental performance standards and other standards for development as set forth in the Unified Development Ordinance, including landscaping, parking and other required improvements, excluding those provisions which specifically regulate the use, per se, of property.

Development Standards Variance: See "Variance, Development Standards."

District: See “Zoning District.”

DNR: The Indiana Department of Natural Resources.

Domestic Pets: Animals commonly used as household pets, personal protection, companionship, and for assistance to disabled persons. Domestic pets shall include animals that are cared for and treated humanely. Domestic pets shall include, but not be limited to, dogs, cats, parakeets, parrots, finches, lizards, spiders, guinea pigs, hamsters, gerbils, rats, mice, rabbits, aquarium fish, ferrets, and snakes if cared for and used in the manner described above. A domestic pet shall not be considered a farm animal or vice-versa.

Drive, Private: See "Street, Private."

Drive-through Establishment: A place of business being operated for the sale and purchase at retail of food and other goods, services, or entertainment, which is laid out and equipped so as to allow its patrons to be served or accommodated while remaining in their automobiles.

Driveway: An access facility used primarily to convey motor vehicles from a permitted street curb cut to a garage, primary structure, parking court, parking lot, or the like shall be considered a driveway, except as described:

1. Public or Private Streets: An access facility intended to provide access to three (3) or more lots, three (3) or more dwelling sites within a manufactured home park, three (3) or more condominium units, or five (5) or more dwelling units in a single multiple-family residential building shall not be considered a driveway. These access facilities shall be established as a public or private street.
2. Public Right-of-way: An access to one (1) or more primary buildings or one (1) or more lots that is established as a right-of-way shall be considered a public street and regulated as such.
3. Access to Undeveloped Land: Access to accessory buildings used exclusively for agricultural purposes, land used exclusively for agricultural purposes, natural areas, and undeveloped forested areas shall not be considered a driveway.
4. Construction Access: An access used temporarily for construction vehicles during a permitted and compliant construction project shall not be considered a driveway.
5. Parking Lot or Aisle: Any parking lot or aisle within a parking lot shall not be considered a driveway.
6. Loading Dock: Any loading dock or maneuvering area used for trucks to load and unload shall not be considered a driveway.

Dumpster: A trash receptacle larger than 100 gallons in volume used primarily by commercial, institutional, and industrial uses, and construction projects for collection of trash. Dumpsters are generally constructed of durable metal in box shaped vessels and designed to be easily transported off-site or emptied.

Duplex: See "Dwelling, Single-family Attached."

Dwelling: A building or structure or portion thereof, conforming to all requirements applicable to the district in which it is located, all Building Codes, and that is used exclusively for residential occupancy, including single-family attached dwelling units, single-family detached dwelling unit, and multiple-family dwelling units, but excluding hotels/motels.

Dwelling, Duplex: See “Dwelling, Single-family Attached.”

Dwelling, Manufactured Home: A single-family dwelling unit designed and built in a factory, installed as a permanent residence, and bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law, and which also complies with the following specifications:

1. Constructed after January 1, 1981, and exceeds 950 square feet of occupied space per IC 36-7-4(d);
2. Attached to a permanent foundation of masonry construction and has a permanent concrete or concrete block perimeter enclosure constructed in accordance with the One and Two Family Dwelling Code;
3. Wheels, axles, and towing chassis removed;
4. Pitched roof with a minimum rise of two to twelve (2:12); and
5. Consists of two (2) or more sections which, when joined, have a minimum dimension of twenty three (23) feet in width for at least sixty percent (60%) of its length.

Dwelling, Mobile Home: A transportable dwelling unit which is a minimum of eight (8) feet in width and which is built on a permanent foundation or tied down with perimeter skirting when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained therein, and which was manufactured either:

- Prior to June 15, 1976 and bears a seal attached under Indiana Public Law 135, 1971, certifying that it was built in compliance with the standards established by the Indiana Administrative Building Council, or
- Subsequent to or on June 15, 1976 and bears a seal, certifying that it was built in compliance with the Federal Mobile Home Construction and Safety Standards.

Dwelling, Multiple-family: A residential structure designed to be occupied by four (4) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single-family: See "Dwelling, Single-family Attached" or "Dwelling, Single-family Detached."

Dwelling, Single-family Attached: An attached residential dwelling unit designed to be occupied by two (2) or three (3) families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single-family Detached: A permanent residence designed and constructed to be occupied by one (1) family and not physically connected to another dwelling unit, and either:

1. Recognized by Indiana Building Code as a grandfathered single-family dwelling;
2. Constructed on-site in compliance with the Indiana Building Code for single family dwellings, and which also complies with the following specifications:
   a. The minimum width shall be twenty-three (23) feet for at least sixty percent (60%) of its length,
   b. The minimum depth shall be twenty-three (23) feet for at least sixty percent (60%) of its length; or
3. Constructed in a factory and bearing a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (1974 U.S.C. 5401 et seq.), and which also complies with the following specifications:
   a. Was constructed after January 1, 1981, and exceeds 950 square feet of occupiable space per *IC 36-7-4(d)*,
   b. Is attached to a permanent full-perimeter foundation of concrete or masonry construction constructed in accordance with Indiana Building Code for single family dwellings,
   c. Has the wheels, axles, and towing chassis used to transport the unit to the site removed,
   d. Has a pitched roof with a minimum of two vertical units to twelve horizontal units (i.e. 2:12 pitch),
   e. The minimum width shall be twenty-three (23) feet for at least sixty percent (60%) of its length, and
   f. The minimum depth shall be twenty-three (23) feet for at least sixty percent (60%) of its length.

Dwelling Site: A site within a manufactured home park with required improvements and utilities that is leased for the long-term placement of a manufactured home.

Dwelling, Two-family: See “Dwelling, Single-family Attached.”

Dwelling Unit: A single unit for owner occupancy or for rent/lease, physically separated from any other dwelling units which may be in the same structure, and providing complete and independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, cooking, and sanitation. Examples of a dwelling, unit include a single-family dwelling, multiple-family dwelling, manufactured home dwelling and farmstead.

Dwelling Unit Size: The overall square feet of a dwelling unit. The dwelling size does not include a garage, carport, deck, unfinished storage, patio, or open porch.

Easement: A grant by a property owner (“grantor”) to specific persons, the general public, corporations, utilities, and/or others (aka: “grantee” or “easement holder”) for the purpose of providing services, facilities, infrastructure, landscaping, full access, or limited access on the subject property.

Engineering Standards: See “Construction Standards.”

Entryway Feature: An aesthetically attractive area near vehicular entrances into a development using landscape material, landscape structures, and landscape lighting. A gateway feature may also include architectural elements (e.g. a gazebo), water fall, fountain, or the like that portrays a development theme or character complementary to the overall development and nearby developed area. A gateway feature may also include a non-commercial message (e.g. the name of the subdivision), when and as permitted, and when it complies with design limitations for such identification.

Enforcement Official: The Zoning Administrator and his/her authorized representative, the Plan Commission, the Board of Zoning Appeals, code officers, legal counsel for the Plan Commission, legal counsel for the Board of Zoning Appeals or any other person charged with a full or partial role in the enforcement of the Brownsburg Unified Development Ordinance by Indiana Code, Board of Zoning Appeals Rules and Procedures or official vote, Plan Commission Rules and Procedures or official vote, or by the Brownsburg Unified Development Ordinance.

Entryway Feature Identification Portion: A permanent, non-commercial message (e.g. the name of the subdivision) that gives identity, theme, and/or information about the development.

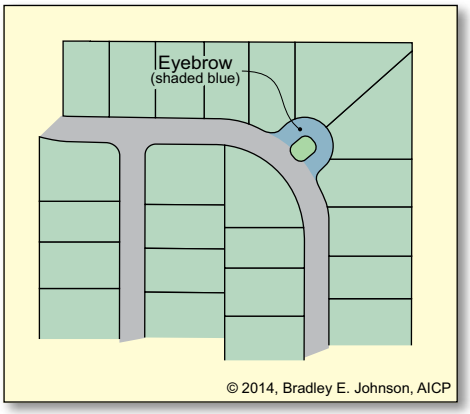
EPA: United States Environmental Protection Agency.

Erosion: The wearing away of the land surface by water, wind, ice, gravity or other geological agents.

Established Setback: See "Setback, Established."

Expressway: See "Street, Interstate."

Eyebrow: A semi-circular extension of a street on one (1) side of a street used to provide additional street frontage for a small number of lots, and that has an island for traffic management purposes.



FAA: Federal Aviation Administration.

Fair Housing Facility (large): To prevent the discrimination of mentally or physically disabled persons, these facilities have been identified as types of housing that are permitted in certain districts, but still must meet "nondiscriminatory" health, fire, safety and building regulations. These facilities include:

- Group homes for children in need of service under *IC 31-34-1* or children who have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*; and specifically a facility that houses more than ten (10) children;
- Residential Facility for the Developmentally Disabled which provides residential services for more than eight (8) developmentally disabled individuals as described in *IC 12-28-4*.

Fair Housing Facility (small): To prevent the discrimination of mentally or physically disabled persons, these facilities have been identified as types of housing that are permitted in any single-family or multiple-family residential zoning districts, but still must meet "nondiscriminatory" health, fire, safety, and building regulations. These facilities include:

- Group homes for children in need of service under *IC 31-34-1* or children who have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*; and specifically a facility that houses not more than ten (10) children.
- Residential Facility for the Developmentally Disabled which provides residential services for eight (8) developmentally disabled individuals or less as described in *IC 12-28-4*.
- Residential Facility for the Mentally Ill which provides residential services for mentally ill individuals as described in *IC 12-28-4*. No two (2) Residential Facilities for the Mentally Ill shall be within 3,000 feet of one another in the zoning jurisdiction as stated in Indiana Code.

Family: An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than three (3) persons, not related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit.

Farm Animal: See "Animal, Farm."

Farmstead: A single-family dwelling unit that is located on and used in connection with a farm.

FBFM: Flood Boundary and Floodway Map.

FCC: United States Federal Communications Commission.

FEMA: United States Federal Emergency Management Agency.

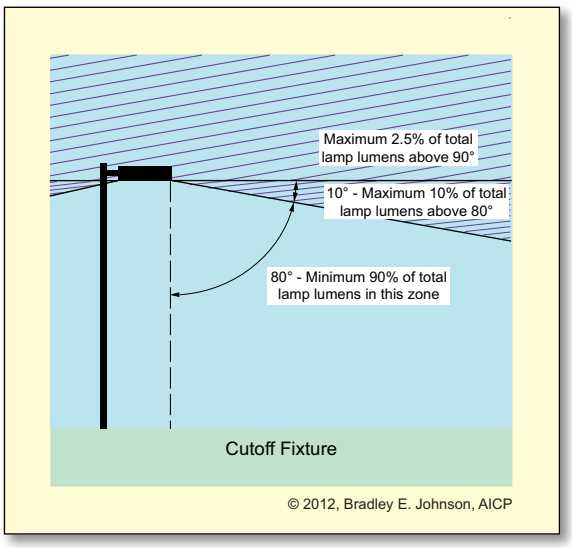
FHBM: Flood Hazard Boundary Map.

Fill Material: A combination of top soil, soil, small aggregate, sand, organic material, and/or any similar resource which is not intended to sustain landscape material, or when used under structures will not conflict with proper installation of foundations. Fill material does not include metal, glass, industrial waste, household waste, asphalt, ash, or similar material.

FIRM: Flood Insurance Rate Map.

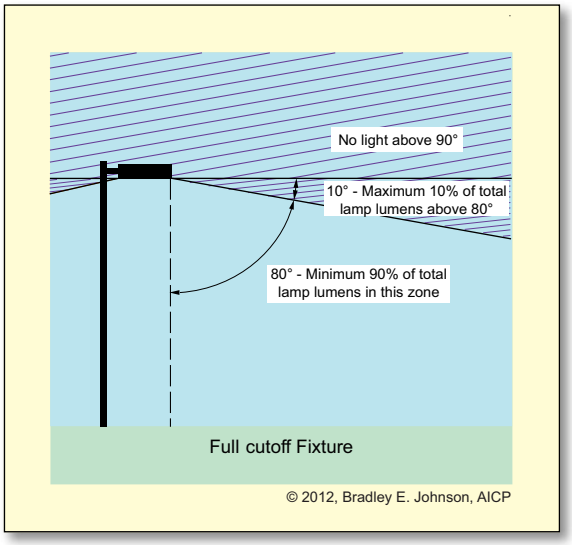
Fixture, Cutoff: A luminaire that:

- Projects at least ninety percent (90%) of the total lamp lumens below eighty degrees (80°) from vertical;
- Does not allow more than ten percent (10%) of the total lamp lumens above eighty degrees (80°) from vertical; and
- Does not allow more than two and one-half percent (2 ½ %) of the total lamp lumens above ninety degrees (90°) from vertical.



Fixture, Full-cutoff: A luminaire that:

- Projects at least ninety percent (90%) of the total lamp lumens below eighty degrees (80°) from vertical;
- Does not allow more than ten percent (10%) of the total lamp lumens above eighty degrees (80°) from vertical; and
- Does not allow any lamp lumens above ninety degrees (90°) from vertical.

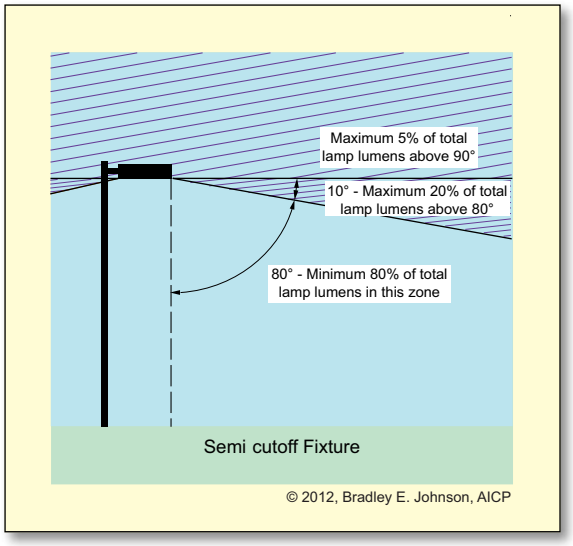


Fixture, Non-cutoff: A luminaire with no control of the horizontal distribution of luminance.

Definitions - Fixture, Semi-cutoff

Fixture, Semi-cutoff: A luminaire that:

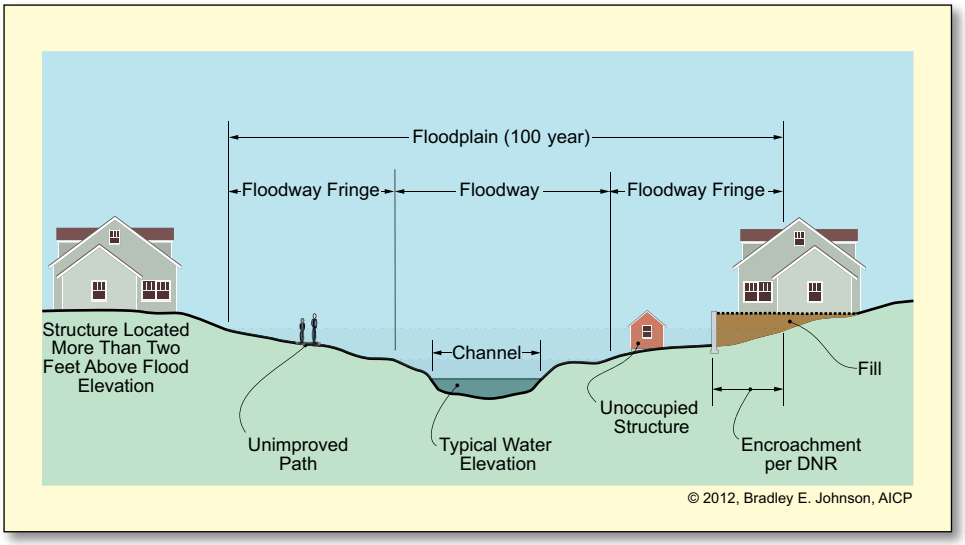
- Projects at least eighty percent (80%) of the total lamp lumens below eighty degrees (80°) from vertical;
- Does not allow more than twenty percent (20%) of the total lamp lumens above eighty degrees (80°) from vertical; and
- Does not allow more than five percent (5%) of the total lamp lumens above ninety degrees (90°) from vertical.



Flood Protection Grade (FPG): The elevation of the regulatory flood plus two (2) feet at any given location in the SFHA.

Flood, Regulatory: A flood having a peak discharge which can be equalled or exceeded on the average of once in a 100-year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. Further, this flood is equivalent to a flood having a one percent (1%) probability of occurrence in any given year.

Floodplain: The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by flood water. The floodplain includes the channel, floodway, and floodway fringe. Floodplain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration.



Floodway, Regulatory: The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge peak flow of the regulatory flood of any river or stream and, is that area covered by floodwaters in significant downstream motion or covered by significant volumes of stored water during the occurrence of the regulatory flood.

Floor Area: The sum of all horizontal surface areas of all floors of all roofed portions of a building enclosed by and within the surrounding exterior walls or roofs, or to the centerline(s) of party walls separating such buildings or portions thereof. The floor area of a building shall exclude exterior open balconies and open porches.

Floor Area, Main: That portion of floor area constructed, completed, and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, working, entertainment, common space linking rooms, areas for personal hygiene, or combination of those areas located on the first (or nearest ground level) floor of the structure. The Main Floor Area of a primary structure does not include a garage, carport, deck, unfinished storage, patio, or open porch.

Foundation: The supporting member of a wall or structure.

Freeway: See "Street, Interstate."

Front Building Line: With respect to a building, the foundation line that is nearest the front lot line.

Front Lot Line: See "Lot Line, Front."

Front Yard: See "Yard, Front."

Frontage: See "Lot Frontage."

Full Cutoff Fixture: See “Fixture, Full Cutoff.”

Garage: An attached or detached building designed to house one (1) or more motor vehicles and/or personal property with:

1. At least one (1) eight-foot (8’) wide garage door,
2. A driveway or other improved surface allowing a motor vehicle to gain access to the garage from a public street, private street or alley, and
3. Interior space at least nine (9) feet wide and nineteen (19) feet deep allowing a vehicle to be parked inside.

Garage, Three Car: A garage with access to space for three (3) motor vehicles to be parked, and with maneuvering space around those vehicles allowing vehicle doors to be opened; plus additional space for storage and residential-scale trash receptacles to be stored. Space for each motor vehicle shall be at least eleven feet by twenty-two feet (11’ X 22’). Space for storage and trash receptacles shall be at least another eighty-eight (88) square feet and be at least four (4) feet in width. Any space used for stairs or mechanical equipment shall not count toward the minimum garage area.

Garage, Two Car: A garage with access to space for two (2) motor vehicles to be parked, and with maneuvering space around those vehicles allowing vehicle doors to be opened; plus additional space for storage and residential-scale trash receptacles to be stored. Space for each motor vehicle shall be at least eleven feet by twenty-two feet (11’ X 22’). Space for storage and trash receptacles shall be at least eighty-eight (88) square feet and be at least four (4) feet in width. Any space used for stairs or mechanical equipment shall not count toward the minimum garage area.

Gas Station: Any building or lot used to sell fuel to the general public to propel motor vehicles. Fuels for dispensing are inclusive of liquid fuels (e.g. gasoline), gas fuels (e.g. natural gas or hydrogen), and electricity. Gas stations may include dispensing of fuel for heating and other appliances when it is subordinate to dispensing fuel for motor vehicles. Gas stations are not inclusive of car washes, convenience stores, fast food restaurants and other primary uses which are often paired with a gas station.

General Services Office: See "Office, General Services."

Geographic Information System (GIS): A computer system that stores and links non-graphic attributes or geographically referenced data with graphic map features to allow a wide range of information processing and display operations, as well as map production, analysis and modeling.

GFA: See "Gross Floor Area."

Gift Shop: A retail store offering a variety of small gift items, as opposed to stores offering primarily specific lines of merchandise such as toys, clothing, or sporting goods.

GIS: See "Geographic Information System (GIS)."

Golf Course: An area of terrain on which the game of golf is played during daylight hours. A golf course includes greens, fairways, natural areas. A golf course may also include a driving range when integrated with the golf course operations and hours.

Government Operations Facility: Any government use of land or land and structures in combination, which is not a government office; typically facilities used for maintenance of vehicles, storage of equipment and machinery, treatment of water or waste, or storage of commodities (e.g. salt storage) used to provide government services, and the like.

GPO District: Refers to the Groundwater Protection Overlay District.

Grade, Finished: The average elevation of the finished surface of the ground within ten (10) feet of the structure after final grading.

Grantee: A person to whom an interest in property is granted.

Green Roof: A roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproof membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Container gardens on roofs, where plants are maintained in pots, are not considered to be a Green Roof.

Gross Floor Area: The sum of all horizontal floor area of all floors within a structure.

Ground Floor Area: See "Floor Area, Main."

Groundwater Protection Overlay District: Refers to the GPO District.

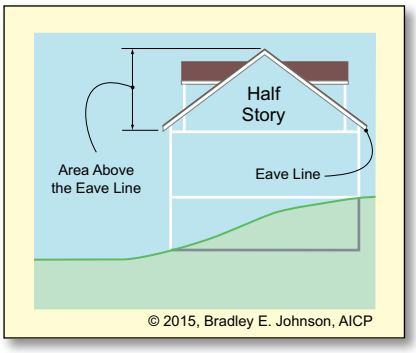
Group Home: A facility that houses not more than ten (10) children that are either:

1. In need of service under *IC 31-34-1*; or
2. Have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*.

Group homes are not subject to covenants, deeds, or other instruments pertaining to the transfer, sale, lease, or use of property that would permit the residential use of property but prohibit the use of that property as a group home as a matter of State public policy reasons. Group homes cannot be prohibited on the grounds that they are a business, the persons living in a group home are not related, or any other reason. All group homes must abide by *IC 12-17.4-5* and shall be a licensed facility with the State, meeting fire codes, building codes, and specific group home regulations.

Habitable Space: Any space in a structure or building that is suitable for living, sleeping, eating or cooking purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms, and similar spaces.

Half Story: A story within a building located above the eave line of the roof structure having windows in gables or dormers. “Above the eave line” shall include floor elevations of the half story within two (2) feet of physically being above the eave line.



Hardship: A practical difficulty with regard to one’s ability to improve land stemming from the application of the development standards of the Unified Development Ordinance, which may or may not be subject to relief by means of Variance. In and of themselves, self-imposed situations and claims based on a perceived reduction of or restriction on economic gain shall not be considered hardships. Self-imposed situations include: the purchase of land with actual or constructive knowledge that, for reasons other than physical characteristics of the property, the development standards herein will inhibit the desired improvement; any improvement initiated in violation of the standards of the Unified Development Ordinance; any result of land division requiring Variance from Development Standards of the Unified Development Ordinance in order to render that site buildable.

Height: See "Structure Height."

High Impact District: Refers to the HI District.

Hobby Farming: The use of land for purposes, including: dairying, pasturage, apiculture, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry. Processing and storage of harvested produce or other end products shall not be allowed on-site. The hobby farming use(s) shall not exceed forty percent (40%) of the land area of the lot and shall abide by all setback regulations. Hobby farming cannot be the primary income source for the owner, operator, or household on-site. Hobby farming shall not include feed lots, stock yards, or the commercial feeding of garbage or offal to swine or other animals.

Home Business (Type 1): A business activity conducted completely within a dwelling unit, operated by a lawful resident of the property, and which is predominantly incidental and secondary to the residential use. Home Business (Type 1) is further regulated by *Section 5.32: Type 1 Home Business Standards*.

Home Business (Type 2): A business activity conducted completely within a dwelling unit, operated by a lawful resident of the property, and which is significantly incidental and secondary to the residential use. Home Business (Type 2) is further regulated by *Section 5.33: Type 2 Home Business Standards*.

Home Business (Type 3): A business activity conducted primarily within an accessory building, operated by a lawful resident of the property, and which is incidental and secondary to the residential use. Home Business (Type 3) is further regulated by *Section 5.34: Type 3 Home Business Standards*.

Homeowner Association: See "Owners' Association."

Hospital: An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

Hotel: A structure in which temporary lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public. Compensation is usually assessed on a day-to-day basis.

Household Pets: See "Pets, Household."

Hub Height: The distance measured from grade to the central axis of the rotors on a horizontal axis wind turbine.

IAC: Indiana Administrative Code.

IC: Indiana Code.

IDEM: Indiana Department of Environmental Management.

Illuminance: The total amount of visible light illuminating (incident upon) a point on a surface from all directions above the surface (i.e. how brightly a surface is illuminated). Illuminance is measured in lux.

Impervious Surface Area: The horizontal surface area of property covered with materials that include, but are not limited to, concrete, asphalt, rooftop, blacktop and gravel, such that the infiltration of stormwater is prevented or impeded. The total amount of impervious surface area located on a property without regard to topographic features of the property is included. Driveways, roadways, parking lots and other areas used for vehicular traffic are considered impervious surface areas. Undisturbed land, tilled agricultural land, ponds, lawns and fields are not considered impervious surface area.

Impervious Surface Coverage: The area of a lot occupied by the primary structure, any accessory structures, and impervious surfaces.

Improved Lot: See "Lot, Buildable."

Improvement: Any permanent structure that becomes part of, placed upon, or is affixed to real estate, or any alteration to the land.

Improvement Location Permit: A permit issued under the Unified Development Ordinance prior to receiving a Building Permit, permitting a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, occupy, use, improve, remove, convert, or demolish any building or structure within its jurisdiction, or permitting a person to change the condition of the land. Improvement Location Permits may be limited to specific action, for example site grading or construction of infrastructure.

Improvement, Off-site: Any infrastructure project not located within the area of the subject property whether or not in the same ownership of the applicant for development approval. Off-site improvements often are necessitated by notable impact to public infrastructure by the development, or from planning documents that call for a pedestrian facility or system.

Incidental: A minor occurrence or condition which is customarily associated with a permitted use and is likely to ensue from normal operations.

Incompatible Districts: Any zoning district that is not recognized as an "Appropriate Adjacent District" in the subject lot's zoning district, as found in *Article 2: Zoning Districts*.

INDOT: Indiana Department of Transportation.

Industrial District: Refers to the I1, I2, and MS Districts.

Industry, Heavy: See "Manufacturing, Heavy."

Industry, Light: See "Manufacturing, Light."

Infill Lot: See "Lot, Infill."

Initial User: The applicant, person, organization, or corporation that originally applies to the Town of Brownsburg for approval for the installation of an antenna or other radio or cellular communication equipment or for approval for the construction of a telecommunication tower or facility.

Institutional District: Refers to the IS District.

Interested Party: For notification purposes relative to public hearings, any owner of land (including those separated by a stream, regulated ditch, easement, right-of-way or similar geographical element) that is partially or fully within six hundred sixty (660) feet, or within two (2) properties from the subject parcel seeking approval, whichever results in the greatest number of properties. The surrounding owners shall be identified by records from the Hendricks County Auditor's office as available on the date the application is filed.

Interested Person: See "Interested Party."

Interior Lot: See "Lot, Interior."

Interstate: See "Street, Interstate."

Junk: An automobile, truck, other motor vehicle, watercraft, large appliances, furniture, or like materials which have been damaged to such an extent that they cannot be operated under their own power or used and/or will require major repairs before being made usable. This also includes such a vehicle which does not comply with State or County vehicle licensing or other laws or ordinances.

Junk Yard: A place, usually outdoors, where waste or discarded used property, including but not limited to automobiles, farm implements and trucks, is accumulated and is or may be salvaged for reuse or resale. This does not include industrial scrap metal or accumulation of organic matter.

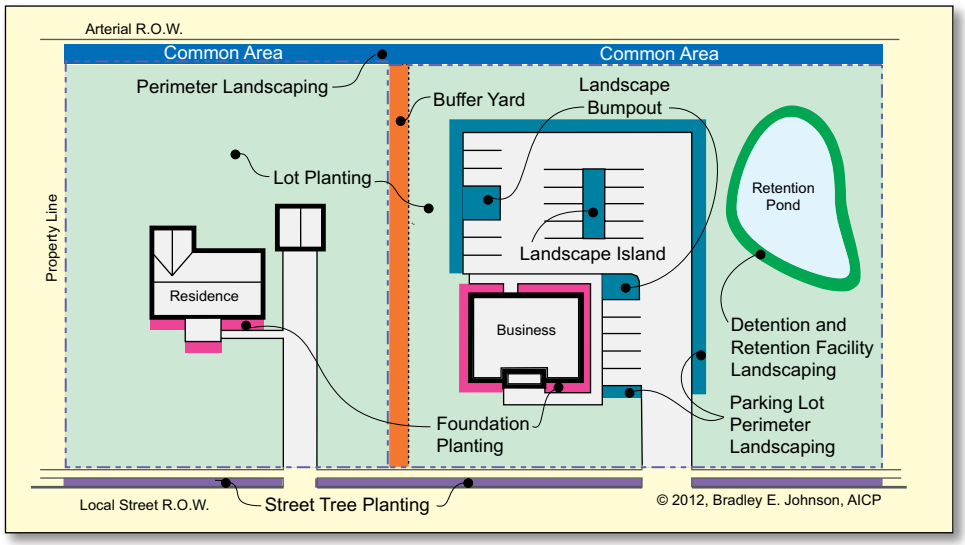
Jurisdiction: See "Planning Jurisdiction"

Juvenile Detention Facility: A facility that holds children or minors (typically under 18 years of age) for punishment and/or counseling as a result of sentencing by a court of jurisdiction for criminal or antisocial behavior.

Kennel, Commercial: A commercial establishment involving boarding, breeding, buying, keeping, training, selling, or similar services offered to owners of dogs, cats, or other domestic animals. This definition is not inclusive of a veterinarian clinic or home enterprise kennel. Commercial kennels are not inclusive of a residential dwelling unit.

Definitions - Landscaping

Landscape Areas: Places on a lot or abutting right-of-way that are identified for application of landscaping regulations. Landscape areas include: street tree planting areas, parking lot planting areas, foundation planting areas, buffer yard areas, and perimeter planting areas. The below image conceptually demonstrates the general location of each landscape area.



Landscape Berm: A linear, man-made, earthen mound of relatively consistent height and width, often used for screening purposes. A landscape berm typically looks like a levy or repetitive earthen structure. A landscape berm is not a landscape mound.

Landscape Buffer: A continuous landscaped area designed, maintained, and used for screening and separation of uses, lots or structures. Landscape buffers can be elective or mandatory. Mandatory buffers are required to be installed and then maintained in perpetuity.

Landscape Lighting: Low voltage or low light emitting fixtures that are used to accent a facade, architectural element, water feature, landscape material, and/or landscape structures. Landscape lighting does not include building facade mounted, roof mounted, tree mounted, or pole mounted lights. Landscape lighting also does not include lighting without proper shielding to prevent glare.

Landscape Material: Trees, shrubs, plants, flowers, ground cover, and the like. Artificial trees, artificial shrubs, turf grass, artificial turf grass and the like are not considered landscape material.

Landscape Mound: A landscape feature used to add visual interest, direct on-site drainage to approved locations, and provide a degree of screening or buffering. A landscape mound must be created by using fill material and top soil piled up in irregular shapes, slopes and undulations. Landscape mounds have variable crest elevations, irregular form, irregular spacing, and can overlap such to emulate a natural landscape. Levy-like berms or regularly shaped and spaced mounds with a generally repetitive cross-section are not considered a landscape mound. Mounds designed and used predominantly for screening or buffering are not considered a landscape mound. A landscape berm is not a landscape mound.

Landscape Structure: Any fence, wall, retaining wall, landscape mound, boulders, small decorative pond, waterfalls, fountain, soft surface paths, benches, and the like. A sidewalk or other improved path may be considered a landscape structure when it is clearly subordinate to the pedestrian network and complementary of all other surrounding landscape material and landscape structures. Irrigation systems, edging, mulch, stakes, guy wires, landscape lighting, landscape mounds, landscape berms, mulch and the like are not considered a landscape structure.

Landscaping: The aesthetic improvement of a lot with landscape material, landscape structures, landscape lighting, and landscape mounds. Landscaping also includes nurturing environmental quality and utilization of landscape material to achieve energy conservation.

Legal Nonconforming Lot of Record: Any legally established and recorded lot in existence prior to the effective date of the Unified Development Ordinance, or its subsequent amendments, that no longer meet the lot-specific development standards.

Legal Nonconforming Sign: Any sign lawfully existing on the effective date of the Unified Development Ordinance, or amendment thereto, that does not conform to all the standards and regulations of the Unified Development Ordinance.

Legal Nonconforming Structure: Any continuously occupied, lawfully established structure in existence prior to the effective date of the Unified Development Ordinance, or its subsequent amendments, that no longer meets the development standards.

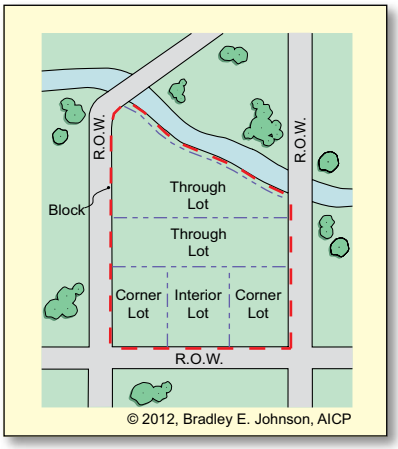
Legal Nonconforming Use: Any continuous, lawful use of structures, land, or structures and land in combination established prior to the effective date of the Unified Development Ordinance or its subsequent amendments that is no longer a permitted use in the district where it is located.

Loading Dock: An off-street space for temporary parking of delivery and pickup vehicles.

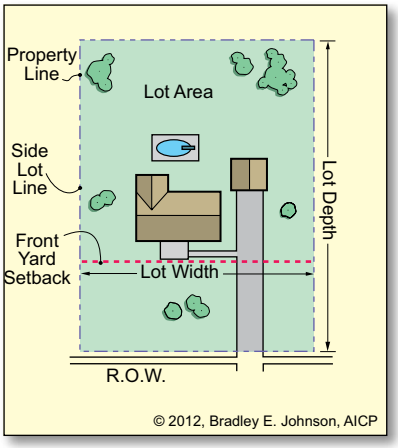
Local Street: See "Street, Local."

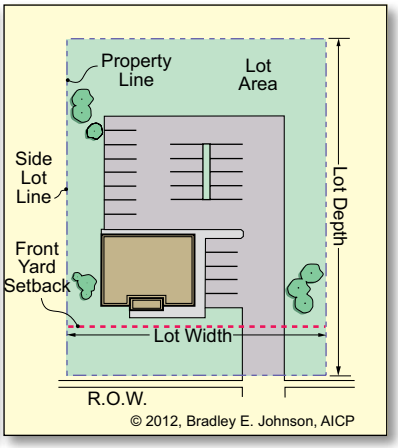
LOMA: FEMA Letter of Map Amendment.

Lot: A single tract of land intended to be used, developed or built upon. There are three types of lots identified in the Unified Development Ordinance: interior lots, corner lots, and through lots.



Lot Area: The area of a horizontal plane bounded by the front, side, and rear lot lines, excepting any easement or right-of-way for public streets.

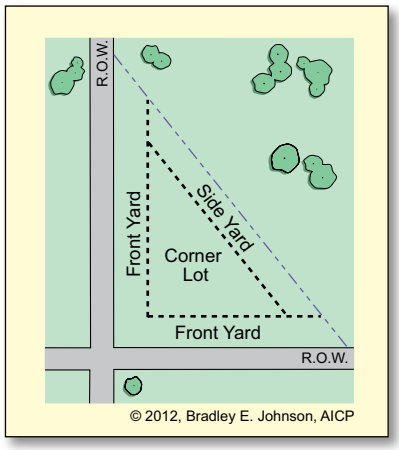


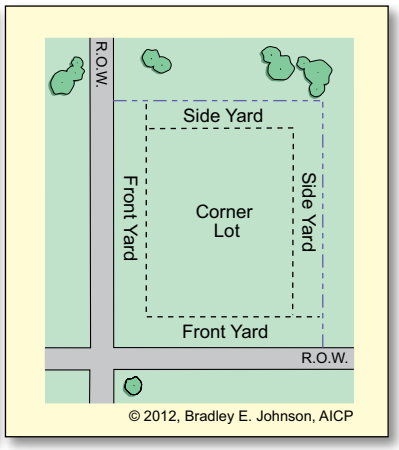


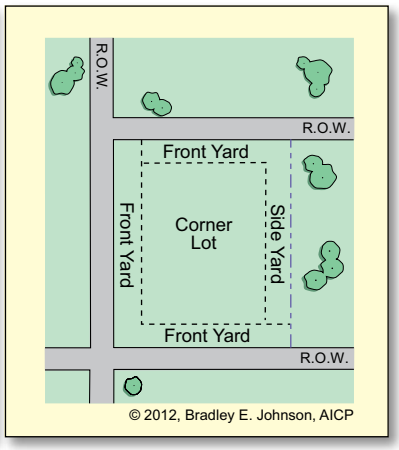
Lot, Buildable: A lot upon which a structure may be constructed and occupied as a result of the fact that it has frontage on and access to an improved street, meets minimum setback requirements, and has all necessary utilities available to the lot such as septic, sewer, water, well, electricity, etc.

Definitions - Lot Line, Front (corner lot)

Lot, Corner: A lot situated at the intersection of two (2) streets or which fronts a street on two (2) or more sides forming an interior angle of less than 135°.







Lot Coverage: The area of a lot occupied by the primary structure, any accessory structures, and impervious surfaces.

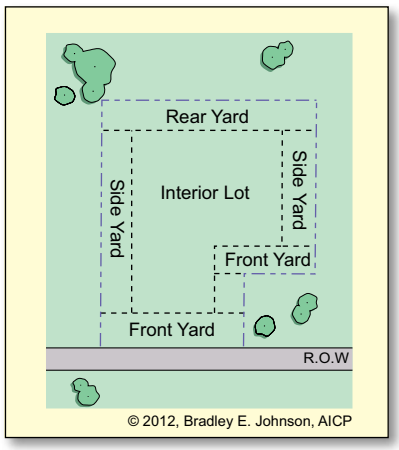
Lot Depth: The horizontal distance between the front and rear lot lines (See graphics for "Lot Area").

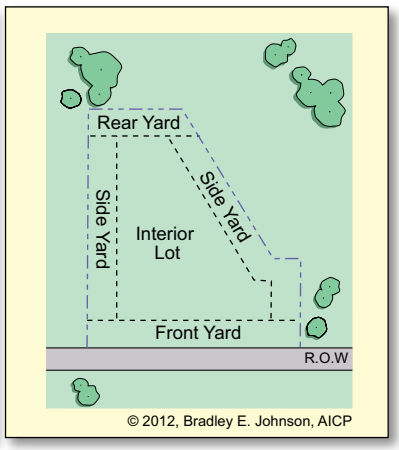
Lot, Developed: A lot with structures situated thereon.

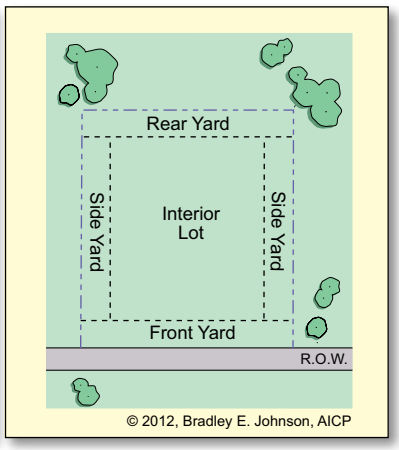
Lot Frontage: The length of the front lot line bordering upon a public right-of-way. The lot frontage is determined by measuring the total distance in which the front lot line touches a public right-of-way.

Lot, Infill: A vacant, buildable lot surrounded on at least three (3) sides by preceding structures. Generally, development on an infill lot is intended to resemble the use, design, architectural features, roof style, massing, and character of buildings on neighboring lots.

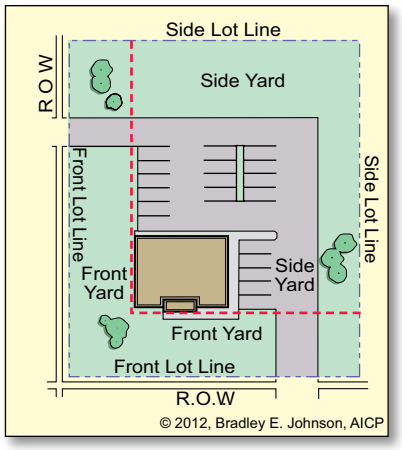
Lot, Interior: A lot other than a corner lot or a through lot.





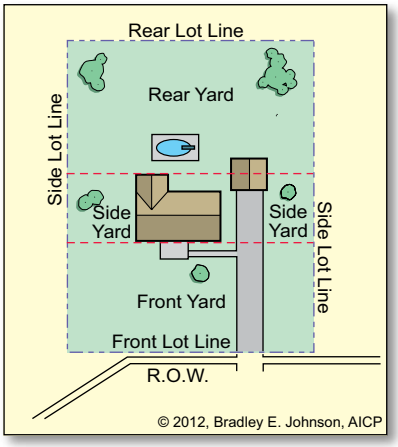


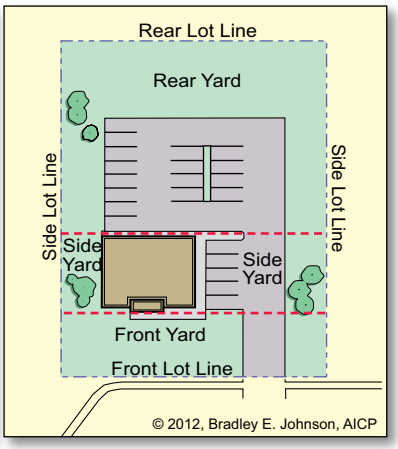
Lot Line, Front (corner lot): The line marking the boundary between the lot and each of the abutting streets.



Definitions - Lot Line, Front (interior or through lot)

Lot Line, Front (interior or through lot): The line marking the boundary between the lot and the abutting street, right-of-way or a lake or watercourse.





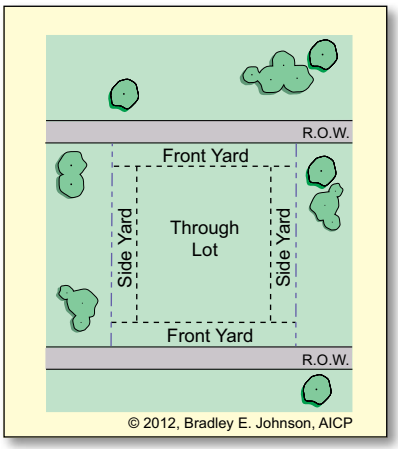
Lot Line, Rear: The lot line that is opposite the front lot line and farthest from it, except that for a triangular or other irregularly-shaped lot, the line ten (10) feet long, parallel to the front lot line, and wholly within the lot, that is farthest from the lot line (See graphic for "Lot Line, Front").

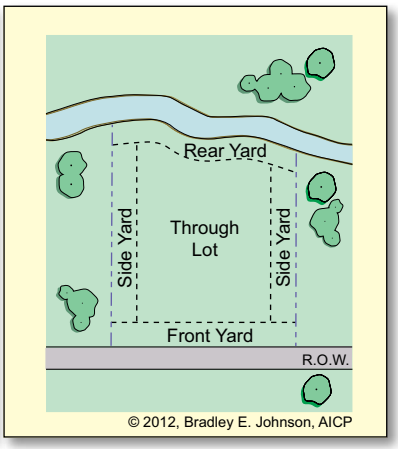
Lot Line, Side: A lot boundary line other than a front or rear lot line (See graphic for "Lot Line, Front").

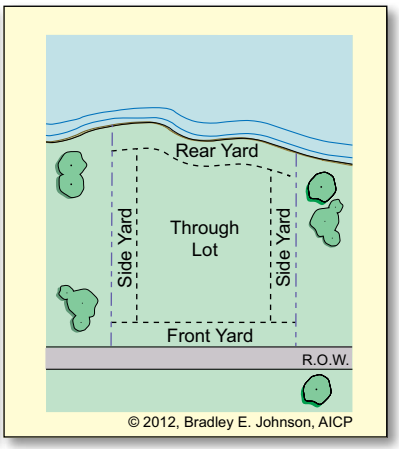
Lot of Record: A lot which is a part of a subdivision recorded in the office of the Hendricks County Recorder, or a parcel or lot described by metes and bounds, a description of which has been so recorded.

Lot, Subject: The lot to which an action has been applied for or otherwise being considered for action.

Lot, Through: A lot fronting on two (2) parallel or approximately parallel streets, or abutting two (2) streets which do not intersect at the boundaries of the lot. Also includes lots fronting on both a street and a watercourse or lake. Accessory structures are allowed in front yards facing watercourses or lakes. An alley shall not be used to determine if a lot is a through lot.







Lot Width: The distance between the side lot lines as measured on the front yard setback line. Cul-de-sac and irregular shaped lots shall measure their front lot widths along the front yard setback line from one side lot line to the other (See graphic for "Lot Area").

Lowest Floor: means the lowest elevation described among the following:

- The lowest floor of a structure.
- The basement floor.
- The garage floor, if the garage is connected to the structure.
- The first floor of a structure elevated on pilings or constructed on a crawl space.

Lumens: A unit of luminous flux in the International System of Units (SI) equal to one candela per steradian. Used to measure the amount of light emitted by lamps.

Lux: Unit of illuminance in the International System of Units (SI) equal to one (1) lumen per square meter.

Mailboxes, Stand-alone: One (1) or more mailboxes affixed to a post or structure intended for a mail carrier to drive up to and deliver mail. This type of mailbox is referred to by the U.S. Postal Service as "curbside delivery" which is a subcategory of "single point delivery."

Mailboxes, Gang: A mail receptacle designed for multiple mailboxes to be securely located, serving multiple residences or commercial enterprises. These receptacles may include horizontal locked mail receptacles, cluster box units (CBUs), wall-mounted receptacles, and the like. This type of mailbox is referred to by the U.S. Postal Service as "central delivery."

Main Floor Area: See "Floor Area, Main."

Maintenance Surety: A means for an applicant to guarantee that the Town of Brownsburg would be provided the money or resource necessary to repair or rebuild any public, or otherwise applicable improvements associated with a project in the event the installed improvement fails or is found to be defective over the duration of the maintenance period.

Maneuvering Space: An open space in a parking area which:

- Is immediately adjacent to a parking space,
- Is used for and/or is necessary for turning, backing or driving forward a motor vehicle into such parking space, but
- Is not used for the parking of or storage of motor vehicles.

Manufactured Home: See "Dwelling, Manufactured Home."

Manufactured Home Park: A parcel of land containing two (2) or more dwelling sites, with required improvements and utilities, that are leased for the long term placement of Manufactured Home Dwellings, and shall include any street used or intended for use as part of the facilities of such Manufactured Home Park. A Manufactured Home Park does not involve the sales of Manufactured Home Dwellings in which unoccupied units are parked for inspection or sale.

Manufactured Home Park District: Refers to the MP District.

Manufacturing, Heavy: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that otherwise do not constitute light manufacturing, and which may include open uses and outdoor storage. Heavy manufacturing generally includes processing and fabrication of products made from extracted or raw materials. Heavy manufacturing shall not include any use that is otherwise listed specifically in any zoning district as a Permitted Use or Special Exception Use.

Manufacturing, Light: The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fume, odors, glare, or health or safety hazards outside of the structure or lot where such assembly, fabrication, or processing of goods are housed entirely within an enclosed building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials. Light manufacturing shall not include any use that is otherwise listed specifically in any zoning district as a Permitted Use or Special Exception Use.

Marker (survey): A stake, pipe, rod, nail, or any other object which is not intended to be a permanent point for record purposes.

Massage Therapist: A person licensed by the State of Indiana and certified by the National Certification Board for Therapeutic Massage and Bodywork, or the American Massage Therapy Association, or under the direct supervision of a licensed physician).

Master Plan: See "Comprehensive Plan."

Maximum Lot Coverage: The highest amount of impervious surface coverage permitted by the Unified Development Ordinance.

Meat Processing: Any edible portion of animal tissues that is packaged, cooked, mixed, combined, ground, crushed, de-boned, modified or similar for wholesale distribution or further processing by another facility. Meet processing does not include rendering plants or slaughter houses.

Medical Office: See "Office, Medical."

Meteorological Tower: A tower that hosts weather instrumentation to evaluate meteorological conditions.

Mini Warehouse: See "Self-storage Facility."

Mobile Home: See "Dwelling, Mobile Home."

Monument (survey): A permanent physical structure which marks the location of a corner or other survey point.

Motel: An establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot, and designed for use by transient automobile travelers. A motel furnishes customary services such as maid service and laundering of linen, telephone, secretarial, or desk service, and the use and upkeep of furniture.

Motor Home: See "Recreational Vehicle."

Motor Vehicle: Any passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, trailer, boat, recreational vehicle, semitrailer, or any other vehicle propelled or drawn by mechanical power.

Mound: See "Landscape Mound."

Multi-use Trail: See "Trail, Multi-use."

Multiple-family District: Refers to the M1, M2, and M3 districts.

Mural: See "Sign, Mural."

Nacelle: A housing, cover, or structure that surrounds a generator and its mechanical and electrical components, typically associated with a wind turbine.

Natural Stone: A building or landscaping material which is derived from the earth in whole, or that is man-made from durable material to significantly resemble earth-formed stone. Natural stone includes earth-formed stone which is quarried, cut, or otherwise formed for its intended use as a building or landscaping material. Natural stone does not include cinder block, split-faced block, brick, mortar, ceramic tile, porcelain, concrete pavers, asphalt blocks, or the like.

NFIP: The National Flood Insurance Program.

Night Club: An establishment for entertainment with table seating, stage, or area for musical performances and a floor area designated for dancing.

NIT: A photometric unit of illuminative brightness equal to cd/m2 (candelas per square meter).

Noise Sensitive Land Use: The use of a structure for a purpose that would be adversely impacted by noise associated with nearby aircraft operations including aircraft overflights. Noise Sensitive Land Uses include but are not limited to residences, schools, churches, child care facilities, medical facilities, retirement homes, and nursing homes.

Nonconforming Building: See "Nonconforming Structure."

Nonconforming Lot of Record: A lot which was created such that it does not conform to the regulations of the district in which it is located.

Nonconforming Sign: A sign or portion thereof, which was designed, erected, or structurally altered such that it does not conform to the regulations of the district in which it is located.

Nonconforming Structure: A building, structure, or portion thereof, which was designed, erected, or structurally altered such that it does not conform to the regulations of the district in which it is located.

Nonconforming Use: A use which does not conform with the use regulations of the district in which it is located.

Non-residential Structure: A primary structure not used for a residential purpose (e.g. home or apartment building).

Nursing Home: A private home for the care of the aged or infirm, or any other person in need of nursing care, and which does not contain equipment for surgical care or for treatment of disease or injury, and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction.

Off-Site Improvement: See "Improvement, Off-Site."

Office: A place in which business, professional and/or clerical activities are conducted. Offices shall include medical offices, government offices and office functions which serve other off-site land uses.

Office, Construction Trade: Electrical contractor, general contractor, heating and cooling contractor, landscaping contractor, plumbing contractor office and the like.

Office, General: An employment service, insurance office, law office, membership association, publishing corporate office, reading clinic, real estate office, secretarial service, service organization, temporary service agency, title company, trade office, travel agency, and the like.

Office, Home Improvement Trades: The office and ancillary facilities for an electrical, general contractor, heating and cooling, landscaping, plumbing or similar enterprise that engages in or solicits home improvement related contracts.

Office, Medical: A medical clinic, dental clinic, optical clinic, rehabilitation clinic, veterinarian clinic, and the like.

Official Zoning Map: A map of the Town of Brownsburg, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the zoning jurisdiction. There is only one Official Zoning Map, and it is kept up to date by the Plan Commission and the Zoning Administrator.

Official Zoning Map Copies: A map of the Town of Brownsburg, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the zoning jurisdiction. These maps may be out of date.

Open Space: An area of land not covered by buildings, structures, parking structures, or accessory uses except for recreational structures. Open space may include nature areas, streams, floodplains, meadows or open fields containing baseball fields, football fields, soccer fields, golf courses, swimming pools, or bicycle paths. Open space does not include street rights-of-way, platted lot area, private yard, patio areas, or land scheduled for future development.

Ornamental Tree: A deciduous tree that does not grow to over thirty (30) feet in height at maturity. Ornamental trees typically are flowering trees.

OSHA: Occupational Safety and Health Administration.

Outdoor Pets: See "Pets, Outdoor.

Outdoor Storage: See "Storage, Outdoor."

Owner: Any person, group of persons, company, corporation, or any other entity having legal title to the subject property (e.g. a lot), or their legal representative.

Owners' Association: A legal means for managing common areas or common property amongst a multiple-lot or multiple-owner development, established in perpetuity. A common type of owner association is a home owners association for a subdivision, which is incorporated as a legal entity and is managed by an elected board of directors. A simpler type of owner association can be a contract between all the owners committing one another to the maintenance cost of shared assets (e.g. a private street or retention pond).

Parcel: See "Lot."

Parent Tract: A lot of record as recorded on the effective date of the Unified Development Ordinance. Multiple pieces (lots) owned by one person, persons in partnership, or a company and that are contiguous shall together be considered one parent tract. Streets, rivers, easements, and other built or natural features shall not constitute a separation of two (2) or more pieces of land owned by one person, persons in partnership, or a business.

Park, Public: A lot available to the general public for passive (e.g. trails, open fields, and nature areas) and/or active recreation (e.g. playground, swimming pool, and sports fields), and that is owned and maintained by a not-for-profit corporation, town, township, county, state or the federal government. Parks are inclusive of common and ordinary uses and structures found in parks.

Parking Area, Public or Private: A group of parking spaces in an open area not including any part of a street or alley, designed or used for temporary parking of motor vehicles.

Parking, Required: The minimum number of off-street parking spaces specified for a particular use or uses by the Unified Development Ordinance.

Parking Space: A horizontal surface within a public or private parking lot primarily for the temporary storage of one (1) motor vehicle. A parking space may vary in size based on the most common size and type of vehicle intended to use the facility.

Path: A pedestrian facility other than a sidewalk.

Path, Improved: A path that is used by pedestrians and/or bicyclists for transportation, leisure, or recreation purposes, and that meets the following criteria to meet accessibility requirements:

1. Is at least six (6) feet in width over its entire length,
2. Has a hard surface (e.g. concrete or asphalt) or other compacted surface,
3. Has a maximum longitudinal slope of five percent (5%), and
4. Has a maximum cross slope of two percent (2%).

Path, Multi-use: A pedestrian facility typically within a street right-of-way designed to accommodate walkers, joggers, cyclists, and strollers; commonly constructed with an asphalt surface.

Path, Off-street: A path that is located outside of a public right-of-way.

Path, On-street: A path that is located inside of a public right-of-way.

Path, Unimproved: A path that is used by pedestrians and/or bicyclists for transportation, leisure, or recreation purposes, and that meets the following criteria to meet accessibility requirements:

1. Is at least four (4) feet in width over its entire length,
2. Has a soft surface (e.g. soil, gravel, engineered wood chips, or natural wood chips), hard surface (e.g. concrete or asphalt), or other compacted surface,
3. Has a maximum longitudinal slope of fifteen percent (15%),
4. Has a maximum cross slope of five percent (5%), and
5. Otherwise does not meet the full definition of an "improved trail."

Paved: A durable surface for parking, driving, riding or similar activities that utilizes asphalt, concrete, brick, paving blocks or similar material. Crushed gravel, stone, rock, or dirt, sand, or grass are not permitted as a paved surface.

Pedestrian Facility: A sidewalk, multi-use path, or trail.

Performance Surety: A means for an applicant to guarantee that the Town of Brownsburg would be provided the money or resource necessary to finish or repair any public, or otherwise applicable improvements associated with a project in the event the developer cannot, does not, or otherwise defaults on completing the required or committed applicable improvements.

Pergola: A structure typically used to provide shade and create an outdoor living space, usually utilizing columns to support an open roof comprised of beams and joists; and that roof structure is at least fifty percent (50%) open for the passage of light and air.

Permanent Foundation: A structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

Permitted Use: See "Use, Permitted."

Person: A corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit, as well as a natural person.

Personal Service: An establishment, other than an office, in which services other than health care are rendered to consumers on an individual basis, such as barber shops and beauty parlors.

Pervious Pavement: A highly durable paving material that has high porosity which allows water to pass through, thus reducing runoff.

Pervious Surface: Any surface that allows the absorption of stormwater into the ground such as a lawn, woodlot, rain garden, pervious pavement, and the like.

Pets, Household: Domestic pets maintained healthy and humanely within the confines of the dwelling unit. Household pets includes hobby breeding of domestic animals as long as the frequency of breeding is limited to one (1) litter per year per household. Household pets do not include outdoor pets, farm animals, pigmy goats, potbelly pigs, or rabbits. Examples of household pets include: dogs, cats, mice, snakes, hamsters, ferrets, and birds.

Pets, Outdoor: Domestic pets maintained healthy and humanely within the confines of the lot. Outdoor pets includes hobby breeding of domestic animals as long as the frequency of breeding is limited to one (1) litter per year per household. Outdoor pets do not include farm animals, rabbits, mice, snakes, hamsters, ferrets, or birds. Examples of outdoor pets include: dogs and cats.

Place of Worship: A building, outdoor structure, and/or outdoor space used for public worship (e.g. church, temple, or mosque).

Plan Commission: The Brownsburg Plan Commission established under *IC 36-7-1-2* (1983) as amended. The Brownsburg Plan Commission is an Advisory Plan Commission.

Planned Development: A large-scale unified development meeting the requirements for zoning approval under the provisions of *Article 4: Planned Developments*. Generally a planned development consists of a parcel or parcels of land, controlled by a single landowner, to be developed as a single entity which does not correspond in size of lots, bulk or type of buildings, density, lot coverage, and required open space to the regulations established in any district of the Unified Development Ordinance. This may result in more attractive and affordable development than conventional developments would allow. Clustered housing (dwellings built in innovative lot arrangements around common open space) and zero lot line housing (dwellings built immediately adjacent to lot lines) are possible as part of planned developments. A planned development requires approval through a zoning map amendment.

Planning Director: See "Zoning Administrator."

Planning Jurisdiction: The area legally assigned to the Town of Brownsburg, Indiana over which the Town exercises planning and zoning authority. Planning and zoning jurisdiction may be different from one another.

Planning Staff: See "Zoning Administrator."

Plat Amendment: See "Replat."

Plat Committee: A subcommittee of the Plan Commission which may be assigned review and approval authority for types of subdivisions or phases of the subdivision approval process per Indiana Code.

Plat, Final: A highly accurate map and/or plan illustration that shows one (1) or more division of land, and the layout for streets, common area, utilities, easements and the like, as applicable, that is intended to be filed for record after its formal and official approval. The final plat instrument also contains text that describes commitments, conditions, and covenants applicable to the division of land. The final plat shall substantially conform with the preceding primary plat

Plat, Primary: The primary plat is the map and/or plan upon which the approval of a proposed subdivision are based.

Plat Process, Final: The second of two required review processes to subdivide land pursuant to IC 36-7-4-700 Series. Also known as and synonymous with the Secondary Plat as described in IC 36-7-4-700 Series. The secondary plat process is not subject to public notice and public hearing according to law.

Plat Process, Primary: The first of two required review processes to subdivide land pursuant to IC 36-7-4-700 Series. The proposed map and plans, and any other required support material, shall be subject to public notice and public hearing according to law and according to Plan Commission rules. (Under former state statutes, the primary plat was referred to as a "preliminary" plat.)

Plat Vacation: In accordance with IC 36-7-3, the process of vacating all or part of a plat, public way, or public easement that destroys the force and effect of the plat, or the subject portions thereof.

Pond, Detention: A pond designed to be used as a means to detain or temporarily hold stormwater as part of a stormwater drainage system. A detention pond is designed to be dry most of the time and to generally detain stormwater for 24-72 hours after a storm event.

Pond, Recreational: A pond designed to permanently hold water and be used predominantly for recreational and/or scenic purposes.

Pond, Retention: A pond designed to be used as a means to retain or permanently hold stormwater as part of a stormwater drainage system. A retention pond retains water at a designed water level (e.g. normal pool elevation) and, during storm events, detain additional amounts of stormwater.

Ponding: A state of temporary flooding in depressed areas or in areas where drainage is being impeded.

Pool, Swimming: See "Swimming Pool."

Porch: A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

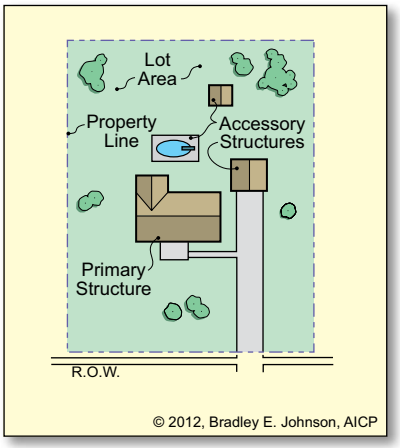
Potable Water: Water that is satisfactory for drinking, culinary, and domestic purposes, meeting current state and federal drinking water standards.

Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of the Unified Development Ordinance. A practical difficulty is not a "hardship," rather it is a situation where the owner could comply with the regulations within the Unified Development Ordinance, but would like a variance from development standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the development standards for a new garage location.

Primary Arterial: See "Street, Arterial."

Primary Plat: See "Plat, Primary."

Primary Structure: The structure in which the primary use of the lot is located or conducted. With respect to residential uses, the primary structure shall be the main dwelling.



Primary Structure Footprint: The area defined by the outside edge of the primary structure's foundation including an attached garage, but not including a deck, patio and other appurtenances.

Primary Use: See "Use, Primary."

Principal Use: See "Use, Primary."

Private Street: See "Street, Private."

Prohibited Use: A use that is not a permitted use or special exception in this Unified Development Ordinance.

Public Capital Improvement: Any street, street feature (e.g. sign), sidewalk, multi-use path, public utility, drainage facility, public park, landscape material, parking, or any other public facility that is for the general public's use, or part of a public system (e.g. utility, drainage system, or street system) for which a municipal unit will ultimately assume the responsibility for maintenance and operation. Public capital improvements may include off-site improvements to public facilities committed to by an applicant, off-site improvements to public facilities required as a condition of approval. The items considered a public capital improvement may differ in a subdivision based on the subdivision type and commitments and conditions related to the development's approval.

Private Parking Area: See "Parking Area, Public or Private"

Public Park: See "Park, Public."

Public Parking Area: See "Parking Area, Public or Private"

Public Place: Any area on public or private property that is easily accessible and clearly visible to the general public. If located on private property, the area must be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.

Public Street: See "Street, Public."

Public Utility: See "Utility, Public."

Public Way: Highways, streets, avenues, boulevards, lanes, or alleys.

Quality Natural Amenity: A wooded or predominantly wooded area with native canopy trees, floodplain with natural (i.e. non-manicured) vegetation, native wetlands, natural areas with slopes greater than fifteen percent (15%), and/or native prairie.

Race Track: A venue for the sport of racing or competing where a participant drives, rides, or controls a motorized vehicle. A race track includes activities related to major cultural and sports activities; uses customarily incidental and subordinate to a race track including but not limited to: live performances, temporary hospitality facilities, vehicle/product entertainment/trade shows; and temporary camping facilities for staff, participants, and/or patrons of events.

Radio/TV Station: See "Broadcast Facility" and "Broadcast Studio."

Raising of Farm Animals: Any livestock operation that falls below the thresholds of a Confined Feeding Operation as defined by IDEM.

Rear Lot Line: See "Lot Line, Rear."

Rear Yard: See "Yard, Rear."

Recreation Center/Play Center: An enclosed structure containing recreational facilities, such as a tennis court, swimming pool, and/or gymnasium. This shall not include outdoor recreation facilities.

Recreational Pond: See "Pond, Recreational."

Recreational Vehicle: A portable, durable living or sleeping space that can be towed, hauled, or driven and primarily designed for recreational, camping, and travel use. Recreational vehicles include travel trailers, truck campers, camping trailers, boats, and self-propelled motor homes.

Recreational Vehicle Park: Any commercially zoned site, lot, field, or tract of land under single ownership, or ownership of two or more people, designed with facilities for short term occupancy for recreational vehicles only.

Recycling Collection Point: A facility where residential and small business recycling (e.g. newspaper and office paper, plastic and glass, and metal) is dropped off by the consumer for collection by a waste management operation.

Registered/Licensed Land Surveyor: A land surveyor properly licensed and registered, or through reciprocity permitted to practice in the State of Indiana.

Registered Professional Engineer: An engineer properly licensed and registered, or through reciprocity permitted to practice in the State of Indiana.

Regulatory Flood: See "Flood, Regulatory."

Replat: The process for a legal change to a recorded plat. Replatting is typically used to changes street layout, common area, drainage, number of lots, lot line adjustments, commitment, condition, covenant, an easement or other substantive changes.

Research: Any use that includes the study or experimenting that results in knowledge, intellectual property, product development, or similar. Research includes forensic, scientific, engineering, medical, and the like.

Residential District: Refers to the RE, R1, R2, R3, TR, M1, M2, M3, and MP Districts.

Residential Facility for the Developmentally Disabled (large): A residential facility which provides residential services for more than eight (8) developmentally disabled individuals as described in *IC 12-28-4.*

Residential Facility for the Developmentally Disabled (small): A residential facility which provides residential services for eight (8) or less developmentally disabled individuals as described in *IC 12-28-4.*

Residential Facility for the Mentally Ill: A residential facility which provides residential services for mentally ill individuals as described in *IC 12-28-4.* No two (2) Residential Facilities for the Mentally Ill shall be within 3,000 feet of one another in the zoning jurisdiction as stated in Indiana Code.

Responsible Party: For purposes of issuing notice of violation, the following persons shall be considered responsible parties, with liability for fines, and responsibility for remedy of the violation: the property owner(s); persons with any possessory interest in the property, and/or any persons and/or their agents who have caused the violation. Any owner, tenant, builder, developer, possessor of interest, architect, designer, property manager, equipment operator known or suspected to be responsible in part or in whole for a violation of the Unified Development Ordinance.

Restaurant: An establishment whose use is the selling of food in a ready-to-consume state, in individual servings, in which the customer consumes these foods while seated at tables or counters located in or immediately adjacent to the building in which the use is located, and which may include carry-out service. "Restaurant" shall include that portion of any establishment which sells prepared food, such as a bakery or a delicatessen, and which is used for seating for the consumption of food on the premises (See also "Drive-Through Establishment").

Retail, Agriculture Related: Retail uses that primarily provide products to farmers and agricultural uses, including, but not limited to farm equipment sales, seed sales, fertilizer sales, seed sales, part sales for farm equipment, farm building materials and repair products, and tack shop.

Retail (Type 1) Very Low Intensity: A very low intensity retail business that provides products to all or portions of the general public and that meets the applicable characteristics listed in *Table 11-B: Limits of Retail Uses* below. A very low intensity retail business also includes ancillary uses, customarily associated with the primary retail business. A very low intensity retail business shall not include business-to-business wholesale operations.

Retail (Type 2) Low Intensity: A low intensity retail business that provides products to all or portions of the general public and that meets the applicable characteristics listed in *Table 11-B: Limits of Retail Uses* below. A low intensity retail business also includes ancillary uses, customarily associated with the primary retail business. A low intensity retail business shall not include business-to-business wholesale operations.

Retail (Type 3) Medium Intensity: A medium intensity retail business that provides products to all or portions of the general public and that meets the applicable characteristics listed in *Table 11-B: Limits of Retail Uses* below. A medium intensity retail business also includes ancillary uses, customarily associated with the primary retail business. A medium intensity retail business shall not include business-to-business wholesale operations.

Retail (Type 4) High Intensity: A high intensity retail business that provides products to all or portions of the general public and that meets the applicable characteristics listed in *Table 11-B: Limits of Retail Uses* below. A high intensity retail business also includes ancillary uses, customarily associated with the primary retail business. A high intensity retail business shall not include business-to-business wholesale operations.

Retail (Type 5) Very High Intensity: A very high intensity retail business that provides products to all or portions of the general public and that meets the applicable characteristics listed in *Table 11-B: Limits of Retail Uses* below. A very high intensity retail business also includes ancillary uses, customarily associated with the primary retail business. A very high intensity retail business shall not include business-to-business wholesale operations.

Table 11-B: Limits of Retail Uses

	Characteristics							
Retail Types	Max. Vehicle per Day	Max. Retail Floor Area	Max. Outdoor Display of Merchandise	Max. Frequency of Dumpster Emptying	Outdoor Storage	Hours of Operation	Drive Through	Sexually Oriented Retail Sales
Type 1: Very Low Intensity	750	5,000 sq ft	2% of retail floor area or 50 square feet whichever is more restrictive	1 per week or use of residential service	not allowed	open between 5 AM and 9 PM	not allowed	not allowed
Type 2: Low Intensity	1,500	10,000 sq. ft.	5% of retail floor area or 200 square feet whichever is more restrictive	2 per week	not allowed	open between 5 AM and 10 PM	not allowed	up to 2% of retail floor area or 2% of gross revenue whichever is more restrictive
Type 3: Medium Intensity	5,000	50,000 sq. ft.	10% of retail floor area or 400 square feet whichever is more restrictive	1 per day	not allowed	open between 5 AM and 11 PM	allowed	up to 2% of retail floor area or 2% of gross revenue whichever is more restrictive
Type 4: High Intensity	15,000	100,000 sq. ft.	1 acre	1 per day or more	20% of retail floor area or 4,000 square feet whichever is more restrictive	no limit	allowed	up to 100% of retail floor area or 100% of gross revenue
Type 5: Very High Intensity	no limit	no limit	no limit	no limit	no limit	no limit	allowed	up to 2% of retail floor area or 2% of gross revenue whichever is more restrictive

Retention Pond: A facility use to indefinitely hold water, like a natural pond, and concurrently used to temporarily collect stormwater and outlet it over a designated period of time or at a specific rate of release.

Retirement Community: An age-restricted development, which may include detached and attached dwelling units and apartments.

Right-of-way: A strip of land occupied or intended to be occupied by transportation facilities, public utilities, or other special public uses.

Road: See "Street."

ROW: See "Right-of-way."

Sales, Walk-in: See "Walk-in Sales."

Satellite Dish/Antenna: An apparatus capable of receiving communications from a transmitter relay located in a planetary orbit, or broadcast signals from transmitting towers.

School: A public or private institution which offers instruction in any of the branches of learning and study comparable to that taught in the public schools under the Indiana School Laws, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business, or commercial schools.

School, Trade or Business: An educational facility which offers instruction specific to a trade, business or commercial practice.

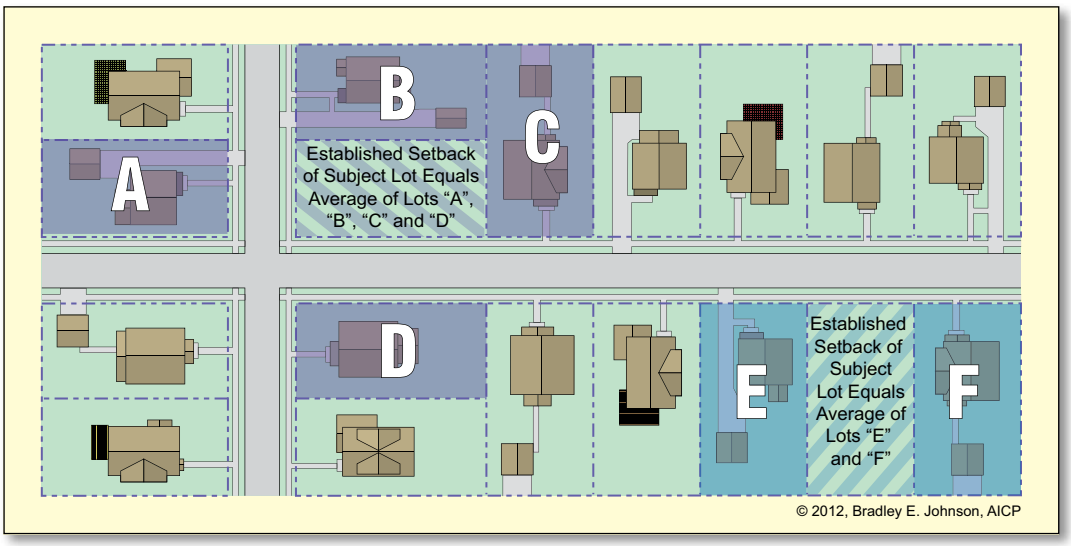
Scrap Metal Yard: A general industrial use established independent of or ancillary to and connected with another general industrial use, which is concerned exclusively in new and salvaged metal pipes, wire, beams, angles, rods, machinery, parts, filings, clippings, and/or all other metal items of every type, and which acquires such items incidental to its connection with the other general industrial use or by purchase, consignment or bailment which stores, grades, processes, melts, cuts, dismantles, compresses, cleans, or in any way prepares said items for reuse by the connected other general industrial use or for storage, sale or shipment and/or use in other industries or businesses including open hearth, electric furnaces and foundry operations. Such an establishment shall not include junk yards, dumps, or automobile or other vehicle graveyards.

Secondary Plat: See "Plat, Secondary."

Self-storage Facility: Generally, a structure or group of structures containing two (2) or more individual storage units for rent to the general public with separate access to each unit for the storage and warehousing of personal property. Self-storage facilities do not include commercial activities run from inside the unit (e.g. wholesaling, retailing, or providing services).

Setback: The minimum horizontal distance between the building line and a lot line. Or in a case where the property runs to the centerline of the street, the minimum horizontal distance between the building line and the right-of-way as proposed in the Brownsburg Thoroughfare Plan.

Setback, Established: An average of the front yard setbacks of all primary structures on either side of the subject property. If the subject property is a corner lot, the average of the front yard setback of structures adjacent to the subject property and directly across the street of the subject property shall be used. Established setbacks may apply to side yard setbacks and rear yard setbacks.



Sexually Oriented Entertainment Business: An establishment which regularly offers live entertainment, lingerie or nude modeling, presentation of motion pictures, or publications by any photographic, electronic, digital, magnetic or other media which are distinguished or characterized by their emphasis on matter depicting, describing or relating "Specified Sexual Activities" or "Specific Anatomical Areas"; or, offers massage therapy or body work (not including when performed by a licensed massage therapist); or, advertises or holds itself in any forum as "XXX", "adult", or "sex". This also includes businesses, clubs, organizations, or associations that organize or plan sex engagements or adult oriented entertainment with two (2) or more persons (e.g. swingers clubs or fetish clubs).

Sexually Oriented Materials: Materials including still or motion pictures, books, magazines, other periodicals, or other depiction recorded on paper, electronic, digital, video, magnetic or other media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating Specified Sexual Activities" or "Specific Anatomical Areas"; or, instruments, devices, or paraphernalia either designed as a representation of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.

Sexually Oriented Retail Business: An establishment with at least ten percent (10%) of its stock in trade or gross floor area devoted to the sale, rental, or display of sexually oriented materials. Or an establishment which advertises or holds itself in any forum as "XXX", "adult" or "sex", or which has stock in trade or floor area devoted to the sale, rental, or display of sexually oriented materials.

SFHA: Special Flood Hazard Area.

Shooting Range: An outdoor area or indoor space designed and used for discharging firearms safely; primarily for sport, maintaining proficiency, and training.

Shooting Range (Indoor): A shooting range fully contained within a building.

Shooting Range (Outdoor): A shooting range which is not fully contained within a building.

Shrub: A plant distinguished from a tree by having several or many woody stems projecting from the ground or a single stem with very low branches which keeps the head of the plant close to the ground (e.g. yew). Other characteristics include heights typically pruned to stay under eight (8) feet, but never exceeding twelve (12) feet at maturity (e.g. lilac, burning bush, hydrangea and spirea varieties). Shrubs include perennial plants with a woody base, multiple-stems projecting from the ground, and which grow to a maximum height of ten (10) feet (e.g. butterfly bush). Shrubs may be deciduous or evergreens.

Side Lot Line: See "Lot Line, Side."

Side Yard: See "Yard, Side."

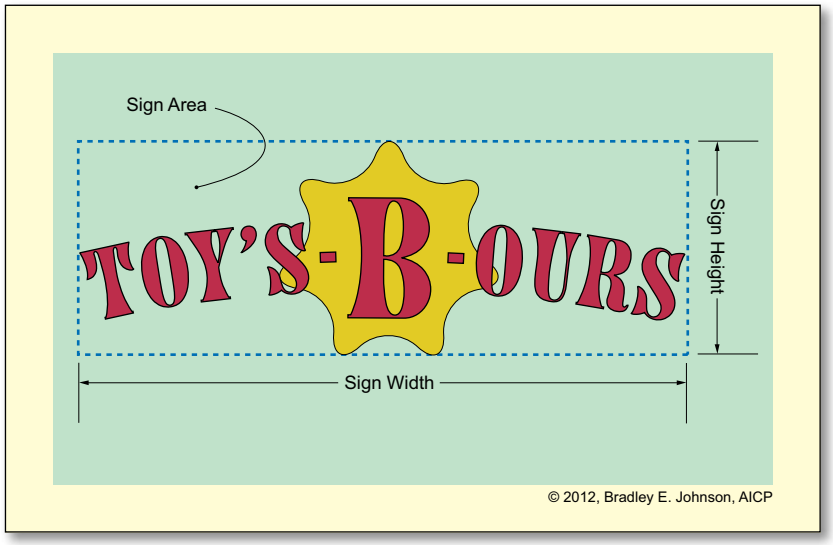
Sidepath: See "Path, Multi-use."

Sign: Any device or means used to convey a name, logo, slogan, brand, identification, description, display, or illustration, or used to attract attention toward an object, product, place, activity, person, institution, organization, or business.

Sign, Abandoned: A sign that no longer correctly identifies or advertises an existing business, product, or activity conducted.

Sign, Animated: A sign with an animated message, video, motion picture, audible sound, odor, visible matter, flashing light, scrolling message, blinking light, fluttering light or color, or that projects laser light or light beams.

Sign Area: The entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all words, logos, illustrations, and characters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction or symbolism of the sign. Channelized signs are measured similarly by multiplying the overall width and height of all channel characters and graphic elements in combination.



Sign, A-Frame: A type of temporary sign or device that is self-supporting with two faces connected at or near the top with each face angled outward making a triangular shape. This type of sign is generally designed to be setup on a sidewalk or other flat surface to attract pedestrians.

Sign, Awning: A sign attached to or integrated into the material of an awning mounted on a building.

Sign, Banner: A sign composed of lightweight fabric, plastic, vinyl, or similar material that is mounted to a building. Banner signs are typically related to a special event or promotion.

Sign, Changeable Copy: A type of sign or device that allows a message to be changed by mechanical, electronic, or manual means. Changeable copy signs may be capable of animated messages, cyclical messages, or static messages. However, the zoning regulations limit the frequency of messages changing even if a changeable copy sign is capable of features not permitted.

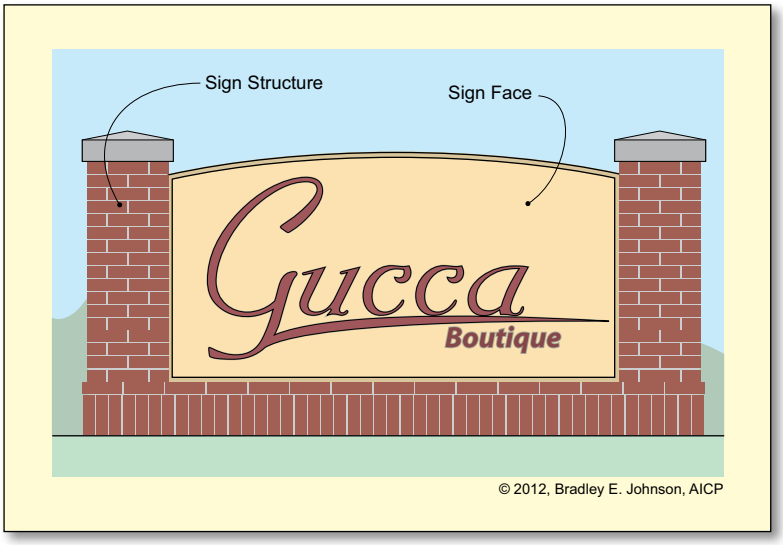
Sign, Commercial: Any sign that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Sign Copy: The wording or graphic illustration used on a sign surface either in permanent or removable form.

Sign, Directional: A sign used to direct the safe flow of vehicular and pedestrian traffic which typically includes words like "enter," and "exit," or uses arrows to communicate information. Also called a directional device.

Sign, Drive-up Menu: Any sign containing a menu or special offerings for restaurant, coffee shop, or other food establishment designed to be visible from and intended for persons in vehicles in drive-through lanes to read and order from.

Sign Face: The surface intended for the display of information on the sign.



Sign, Flashing: See "Sign, Animated."

Sign, Gateway: A common sign, typically located near a major entrance, indicating the presence of multiple-tenants on a property being owned or managed as a single development. Such developments include, but are not limited to: shopping centers, office parks, and industrial parks.

Sign, Ground: A sign in which the bottom edge of the sign is permanently affixed to the ground, or a sign that is supported by one (1) or more poles, posts or braces with a clear space of four (4) feet or less. A monument sign is another name for a Ground Sign (See graphic for "Types of Signs").

Sign, Illuminated: A sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign proper, or which is illuminated by reflectors.

Sign, Monument: See "Sign, Ground."

Sign, Mural: A sign painted onto the side of a building, wall, ground, or structure. A mural sign is regulated as a wall sign in the Unified Development Ordinance (See graphic for "Types of Signs").

Sign, Non-commercial: Any sign that, directly or indirectly, does not name, advertise, or call attention to a business, product, service, or other commercial activity.

Sign, Permanent: A sign that is designed or intended to be used indefinitely, or used indefinitely without change in the same state or place. Permanent signs primarily include: wall signs, ground signs, pole signs, gateway signs, entry feature signs, projecting signs, awning signs, display board signs, and drive-up menu signs.

Sign, Pole: A sign that is supported by one (1) or more poles, posts, or braces mounted to the ground with a clear space in excess of four (4) feet from the finished grade to the bottom of the sign face (See graphic for "Types of Signs").

Sign, Portable: See "Sign, Temporary."

Sign, Projecting: A sign which is mounted perpendicular to and extending away from a structure (e.g. facade) (See graphic for "Types of Signs").

Sign, Scrolling: See "Sign, Animated."

Sign, Self-Standing: A type of temporary sign or device that is self-supporting without being affixed to the ground or without legs that project into the ground. This type of sign is generally designed to be setup on a sidewalk or other flat surface to attract pedestrians.

Sign, Structure: Any structure which supports, has supported, or is capable of supporting a sign, including decorative cover, poles, piers, masonry, stone, foundation, metal frames or cabinets, and/or other structural components.

Sign, Temporary: A sign not fixed to a permanent foundation or substantially affixed to a wall or vehicle, generally meant to convey a message for a short period of time. Typical temporary signs include yard signs, self-standing signs, banner signs, or A-frame signs. Temporary signs do not include changeable copy. Not all types of temporary signs are permitted in each zoning district.

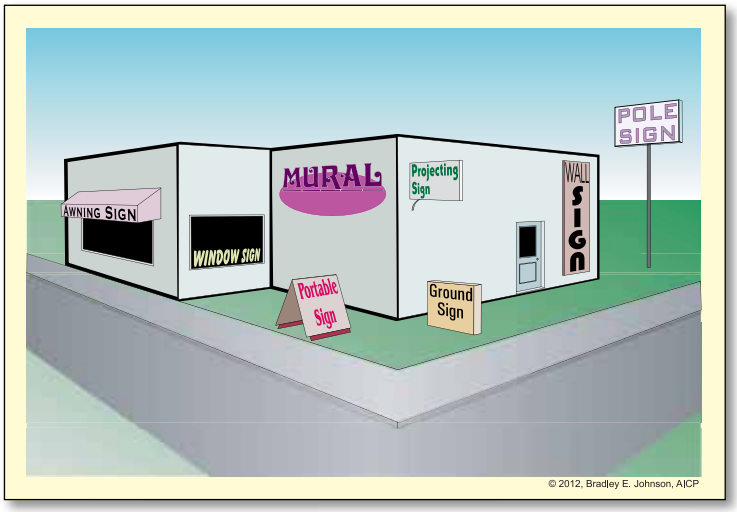
Sign, Tenant Listing: An sign affixed to an exterior wall near a public entrance, or interior wall in a common area of a development used to identify businesses within the building and to direct the public to those businesses within.

Sign, Vehicle: A vehicle displaying a sign, applied to or attached to the vehicle, which is purposefully parked or placed to be visible from a public street.

Sign, Wall: A sign attached to and/or integral with the exterior wall of a building or canopy, the face of which is generally parallel to the wall surface (See graphic for "Types of Signs").

Sign, Window: A sign installed on or inside a window for purposes of being viewed from outside of the building. This term does not include merchandise in the window.

Signs, Types of: The graphic below depicts the primary types of signs used in this ordinance, excluding gateway and entry feature signs. Regulations for each type of permitted sign will very by zoning district. Not all sign types are represented in the illustration.



Sign, Yard: A type of temporary sign or device with one (1) or two (2) faces affixed to one (1) or two (2) legs that are pressed into the ground.

Single-family Residential District: Refers to the RE, R1, R2, R3, and TR districts.

Site Plan: A map of a site, drawn accurately to scale, showing existing and proposed features of the site including but not limited to buildings, and other structures, circulation, grading, trees, and landscaping, sufficient for review. A site plan shall serve as the development plan regulated by *IC 36-7-4-1400.*

Spandrel Panel: The space on a facade between either:

1. The top of the first floor windows and the bottom of second floor windows; or
2. The top of first floor windows and the top of the parapet or eave line (i.e. roof line); or
3. The top of any second or higher floor's windows and the bottom of the windows on the next floor higher; or
4. The top of the highest floor's windows and the top of the parapet or eave line (i.e. roof line).

Special Exception Use: The authorization of a use that is designated as such by this ordinance as being permitted in the district concerned if it meets special conditions, is found to be appropriate and upon application, is specifically authorized by the Board of Zoning Appeals. A Special Exception Use is regulated by *IC 36-7-4-900.*

Specimen Tree: Trees with a caliper of twenty-four (24) inches or greater.

Stable, Private: An agricultural operation utilizing one (1) or more buildings for the shelter and feeding of riding or working horses for personal use. Public offering to board a horse, offering to provide riding lessons, offering to lead trail rides, and the like shall not be considered a private stable.

Stable Public: An agricultural operation utilizing one (1) or more buildings for the shelter and feeding of riding or working horses as a commercial enterprise. Public offering to board a horse, offering to provide riding lessons, offering to lead trail rides, and the like shall be considered a public stable.

Stadium: A venue for sporting events and/or concerts where the performance area is completely or partially surrounded by a structure to seat the spectators. A stadium includes activities related to major cultural and sports activities; uses customarily incidental and subordinate to a stadium including but not limited to: live performances, temporary hospitality facilities, vehicle/product entertainment/trade shows; and temporary camping facilities for staff, participants, and/or patrons of events.

State: The State of Indiana.

Static Message: Not changing any sign copy, character, graphic, color, or pixel, light element, or light intensity (e.g. changing copy on a changeable copy sign) on a sign more frequently than once every one (1) hour.

Storage, Outdoor: The outdoor accumulation of goods, junk, motor vehicles, equipment, products or materials for permanent or temporary holding.

Storage Tank: A structural device used to contain a liquid, gas, or solid commodity.

Storm Event: An estimate of the expected amount of precipitation within a given period of time. For example, a storm event with a one (1) year frequency over a twenty-four (24) hour period duration is a storm that has a one percent (1%) probability of occurring in any one (1) year.

Stormwater: The portion of precipitation that does not naturally infiltrate into the ground or evaporate, but flows via overland flow, interflow, channels, or pipes into a defined surface water channel.

Story: The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof, with the exception of the first (1) and Second (2) floors where the space between the floor and the ceiling above it may not exceed twenty (20) feet in height. Use of the roof of the top floor for incidental purposes shall not be considered as a "story" provided it is not enclosed as habitable space.

Street: Any vehicular facility that is:

1. Established in a right-of-way, or that predates use of right-of-ways and established over property lines.
2. Shown upon a plat approved pursuant to law, that is not a driveway, or
3. An access facility intended to provide access to three (3) or more lots, three (3) or more dwelling sites within a manufactured home park, three (3) or more condominium units, or five (5) or more dwelling units in a multiple-family residential building shall not be considered a driveway.

Street, Access: A frontage street that is designed to provide alternative access to lots abutting it, instead of from an adjacent or nearby arterial or collector street.

Street, Arterial: A street with access control, no parking outside urban areas, and that conveys traffic across the town. State and Federal highways are generally considered arterials.

Street, Collector: A street designed to facilitate the collection of traffic from other collectors. A collector can provide circulation within commercial areas and convenient access from neighborhoods to arterials.

Street, Interior: A street within a development that provides access to lots that do not have access from a perimeter street. The hierarchical classification is not relevant.

Street, Interstate: A divided highway with significant access control that facilitates the movement of traffic from one region to another.

Street, Local: A street designed primarily to provide access to residential or farm properties.

Street, Private: A street on private property, an easement, or common area owned and maintained by the property owner, easement holder, or an owner's association.

Street, Perimeter: A pre-existing street that a new subdivision or development abuts.

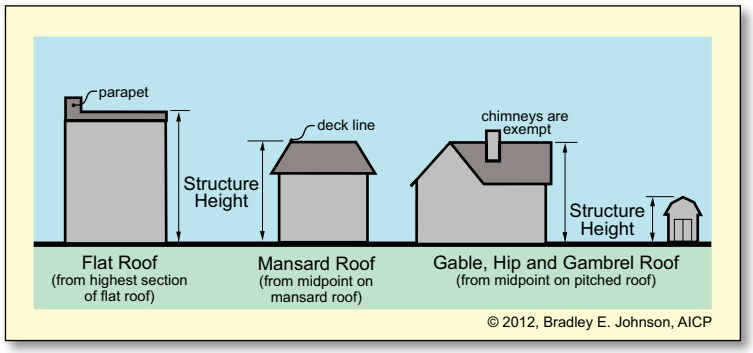
Street, Public: A street within a public right-of-way and maintained by a municipal, county, state or federal government.

Street, Unpaved: A local street with and unpaved surface designed to provide access to minimally developed areas.

Structural Alteration: Any change in the supporting members of a building or structure such as bearing walls, partitions, columns, beams or girders, or any change in the footprint or increase in the size of living space. Also, substantial roofing and siding work when repairs are made to the structure beneath.

Structure: Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground, including but not limited to buildings, sheds, detached garages, manufactured homes, above-ground storage tanks, towers, wind turbines, and signs.

Structure Height: The vertical distance measured from the ground level (i.e. average elevation surrounding the structure, not including any artificial mounds or berms) to the highest point of the roof, or top most portion of the structure. Maximum structure height generally allows a structure to have the maximum number of stories plus enough to allow a pitched roof and other architectural features.



Studio Arts: Karate studio, dance studio, art studio and the like.

Subdivision: Either:

1. The division of a lot into two (2) or more smaller lots so that all resulting lots have development rights; or
2. The combination of two (2) or more lots into a larger lot so that the resulting lot allows development across what was a property line.

Subdivision, Major: The subdivision of a parcel of land into four (4) or more lots, or any subdivision that has common area, easements, or public infrastructure.

Subdivision, Minor: The subdivision of a parcel of land into three (3) or less lots, and that does not include any subdivision that has common area, easements, or public infrastructure.

Subject Lot: See "Lot, Subject."

Surety: Any form of security including, but not limited to, a cash deposit, bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Brownsburg Town Council.

Swimming Pool: A self-contained body of water at least eighteen (18) inches deep and eight (8) feet in diameter or width and used for recreational purposes. It may be above or below ground level, and shall be considered an accessory structure.

Technical Review: The review of a proposed project for compliance with the Unified Development Ordinance, other regulations in the Town of Brownsburg's Code of Ordinances, construction standards, best environmental practices, best urban design practices, best site design practices, best practices to reduce incompatibility, and the like; when required by the Brownsburg Unified Development Ordinance or otherwise authorized.

Technical Review Committee (TEC Committee): Representation of technical staff or volunteers assembled to review applications, site plans, development plans, planned developments, subdivisions, rezonings, and the like. The technical review committee may vary from meeting to meeting due to the expertise necessary to review the projects that the town is considering. Membership of the technical review committee could include, but is not limited to: Director of Planning and Building (chairman), Building Commissioner, Street Superintendent, Water Superintendent, Police Chief, Fire Chief, Director of Parks and Recreation, Town Consulting Review Engineers, and any other persons deemed appropriated by the Plan Commission and/or chairman.

Telecommunication Facility: A land based facility, consisting of towers, antennae, accessory structures or other structures intended for use in connection with the commercial transmission or receipt of radio or television signals, or any other spectrum-based transmissions/receptions.

Telecommunication Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas. The term includes: radio and television transmission towers, microwave towers, cellular telephone and wireless communication towers, alternative tower structures and the like.

Temporary Use/Structure: See "Use, Temporary."

Testing: Any use that includes evaluating a product for quality, function, longevity, or quality control purposes. Testing can also include medical testing.

Theater: A facility for audio and visual productions and performing arts, excluding adult motion picture theaters and adult entertainment businesses.

Thoroughfare: A public way or public place that is included in the Thoroughfare Plan. The term includes the entire right-of-way for public use of the thoroughfare and all surface and subsurface improvements on it such as sidewalks, curbs, shoulders, and utility lines and mains.

Thoroughfare Plan: The official plan, now and hereafter adopted, which includes a street plan, sets forth the location, alignment, dimensions, identification, and classification of existing and proposed streets, and other thoroughfares.

Through Lot: See "Lot, Through."

Tower: See "Telecommunication Tower."

Tower Accessory Structure: Any structure located at or near the base of a tower for housing receiving or transmitting equipment.

Town: The Town of Brownsburg.

Town Engineer: Any person, group of persons, or company, employed by or contracted by the Town of Brownsburg to advise on engineering issues, including the review of development proposals that require the technical expertise of an engineer. If a town engineer is not formally established, the Director of Planning and/or his/her designee shall act as the Town Engineer.

Town Official: A Town Council member, a Plan Commission member, a Board of Zoning Appeals member, or an employee of the Town of Brownsburg.

Townhouse Development, Large: A development with six (6) or more multiple-unit buildings, with each of the multiple units having distinct ownership of its footprint.

Townhouse Development, Small: A development with five (5) or less multiple-unit buildings, with each of the multiple units having distinct ownership of its footprint.

Trail: See "Path," Path, Multi-use," "Path, Improved," "Path, Unimproved."

Trash Receptacles: Any container used to store trash and that is less than 120 gallons in volume.

Tree Lawn: That portion of a public right-of-way lying between the back face of the curb and the leading edge of the sidewalk or path, not covered by paving, often used to plant street trees.

Two-Page Layout: Two (2) facing pages dedicated to each of the zoning districts established in the Brownsburg Unified Development Ordinance and located in *Article 2: Zoning Districts*. Each two-page layout includes the district intent, permitted uses, special exception uses, and basic development standards applicable to that zoning district.

Underlying District: See "Base Zoning District."

University: An establishment for higher education, primarily for students to earn a degree. Ancillary uses include, but are not limited to, academic research, academic publishing, student housing, continuing education, and performing arts for the community. Primary structures include a residence hall, staff housing, dining hall, office building, classroom building, stadium, gymnasium, library, broadcasting facility, student center, sport court, arena, nature center, medical center, parking lot, and parking deck when used in conjunction with providing higher education. University includes any higher education program that results in an Associates, Bachelors, Masters, Doctorate degree, or similar.

Use: The purposes for which land, building, or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

Use, Permitted: A use which may be lawfully established in a particular district or districts provided it conforms with all applicable requirements, regulations and standards.

Use, Primary: The main use of land or buildings as distinguished from an accessory use. A primary use may be either a Permitted Use or a Special Exception Use.

Use, Temporary: A land use or structure established for a limited and fixed period of no more than four (4) months with the intent to discontinue such use or structure upon the expiration of the time period.

Use Variance: See "Variance, Use."

Utility, Private: Any non-Town of Brownsburg entity legally authorized to furnish electricity, gas, steam, communication, cable, fiber optics, internet connection, water distribution, water purification, sewage collection system, sewage treatment system, and the like to the properties within the Town of Brownsburg. The term includes any utility that is not owned and operate by the Town of Brownsburg.

Utility Provider: Any entity which is legally authorized to furnish electricity, gas, steam, communication, cable, fiber optics, internet connection, water distribution, water purification, or sewage collection systems, sewage treatment system and the like.

Utility, Public: Any utility owned and operated by the Town of Brownsburg or other municipal utility which is legally authorized to furnish electricity, gas, steam, communication, cable, fiber optics, internet connection, water distribution, water purification, sewage collection system, sewage treatment system and the like. The term does not include a conservation district, or utility owned and operate by private or not-for-profit company.

Variance, Development Standards: A specific approval granted by the Board of Zoning Appeals in the manner prescribed by the Unified Development Ordinance, to deviate from the development standards (such as height, bulk, area) that the Unified Development Ordinance otherwise prescribes.

Variance, Use: The approval of a use other than permitted uses or special exception uses for the subject zoning district in the Unified Development Ordinance.

Variety Store: A retail establishment that sells a multitude of consumer goods.

Vehicle: See "Motor Vehicle."

Veterinary Clinic or Hospital: A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use. A kennel is not considered part of a veterinarian clinic or hospital.

Vineyard: The area primarily used for the agricultural practice of growing grapes. Vineyards are not inclusive of a winery.

Walk-in Sales: An enterprise where the doors to retail sales area are open to the public during posted hours.

Water Feature, Man-made: Any change to the land for the intent of holding water for aesthetic, ecologic, agricultural, or regulatory purposes (e.g. a required retention pond).

Wind Farm: One (1) or more utility-grade wind turbine systems used collectively to produce electricity for distribution on the electrical grid, including feeder lines, substations, electrical and mechanical systems, on-site control systems, maintenance facilities, and other structures associated with the operation of the wind farm. Interstate and intrastate transmission lines (i.e. the power grid) shall not be considered part of the wind farm. Wind farms are typically located on leased land.

Wind Turbine: A generator, wind-catching device (e.g. rotors), nacelle, and any other mechanical or electronic equipment located inside the nacelle.

Wind Turbine, Horizontal Axis: A wind turbine with the rotation centered around a hub which is relatively parallel to the ground.

Wind Turbine System Height: The overall height above grade of the wind to energy tower plus the rotor.

Wind Turbine System, Large: A conversion system designed to generate electricity from wind, consisting of a wind turbine, wind turbine tower or other mounting device, foundation, and other structural components. Inversion equipment within or attached to a primary structure, wires conveying electricity to a electrical panel, and other electronic equipment within or attached to a primary structure shall not be considered part of the large wind turbine system. A large wind turbine system shall have rated power of at least fifty kilowatts (50 kW), but less than 500 kW [and may have maximum limits as applied by this Unified Development Ordinance].

Wind Turbine System, Small: A conversion system designed to generate electricity from wind, consisting of a wind turbine, wind turbine tower or other mounting device, foundation, and other structural components. Inversion equipment within or attached to a primary structure, wires conveying electricity to a electrical panel, and other electronic equipment within or attached to a primary structure shall not be considered part of the small wind turbine system. A small wind turbine system shall have rated power less than fifty kilowatts (50 kW).

Wind Turbine System, Utility-grade: A conversion system designed to generate electricity from wind, consisting of a wind turbine, wind turbine tower, foundation, and other structural components. Inversion equipment within, attached to, or within a structured at or near the base of the wind turbine system shall be considered part of the utility-grade wind turbine system. Substations, electrical and mechanical systems, control systems, maintenance facilities, and other structures located away from the utility-grade wind turbine system and feeder lines shall not be considered part of the utility-grade wind turbine system. A utility-grade wind turbine system shall have rated power of at least 500 kW.

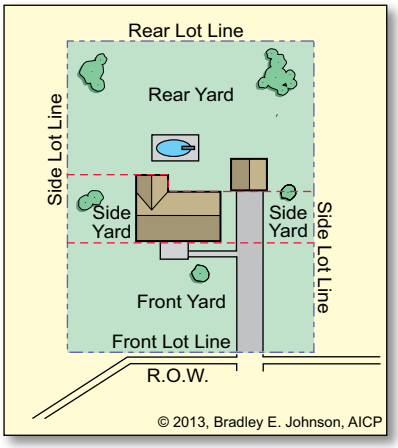
Wind Turbine Tower: A pole-like device used to mount a horizontal axis wind turbine.

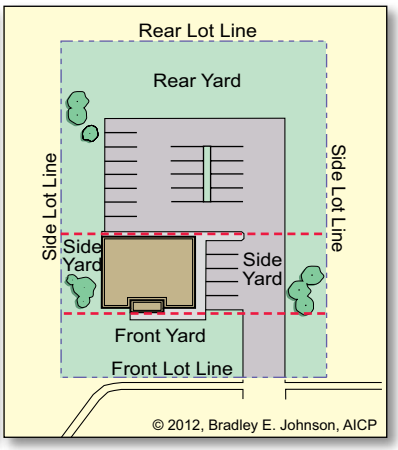
Wind Turbine Tower Height: The distance measured from grade to the bottom of the nacelle.

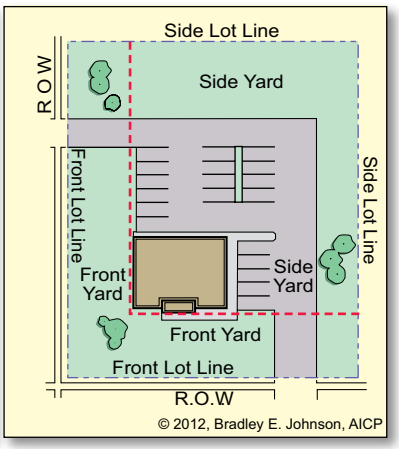
Wind Turbine, Vertical Axis: A wind turbine with the rotation centered around a hub which is relatively perpendicular to the ground.

Winery: A business or operation that makes wine for human consumption. A winery may include ancillary uses that are clearly subordinate, for example: a small cafe, retail sales of products produced on site, retail sales of complementary items such as corkscrews, wine glasses, art, and boutique cheese.

Yard: A space on the same lot with a primary building that is open and unobstructed except as otherwise authorized by the Unified Development Ordinance. All required yards shall be kept free of all material including but not limited to, buildings, structures, material for sale, storage, advertising or display to attract attention and parking lots.







Yard, Front: On a lot without a primary structure, the front yard shall be the area between the front lot line and front yard setback line, between side lot lines. On a lot with a primary structure, the front yard shall be the space within the polygon described by the following instructions.

1. Step One, "Primary Structure's Front Corners": The primary structure's front corners shall be the two (2) points on the primary structure's foundation closest to the front lot line and the side lot lines.
2. Step Two, "Side Lot Point": Find the point on each side lot line that is perpendicular to the side lot line and that bisects the closest primary structure's front corner.
3. Step Three, "Yard-Dividing Segment": Draw a line between the side lot point and the primary structure's front corner on each side of the primary structure, thus creating the line that divides the front yard from the side yard.
4. Step Four, Define the Front Yard Polygon:
   a. Segment One of the Polygon: The front lot line creates the first segment of the polygon (Note: corner lots will have two (2) front yard segments),
   b. Segment Two of the Polygon: The side lot line between the front lot line and the side lot point creates the second segment of the polygon,
   c. Segment Three of the Polygon: The "yard-dividing segment" creates the third segment of the polygon,
   d. Segment Four of the Polygon: The foundation line across the front of the primary structure between the two (2) "primary structure front corners," including an attached garage if applicable, creates the fourth segment of the polygon,
   e. Segment Five of the Polygon: The next "yard-dividing segment" creates the fifth segment of the polygon, and
   f. Segment Six of the Polygon: The side lot line between the side lot point and the front lot line creates the final segment of the polygon.

Yard, Rear: On a lot without a primary structure, the rear yard shall be the area between the rear lot line and rear yard setback line, between side lot lines. On a lot with a primary structure, the rear yard shall be the space within the polygon described by the following instructions.

1. Step One, "Primary Structure's Rear Corners": The "primary structure's rear corners" shall be the two (2) points on the primary structure's foundation closest to the rear lot line and the side lot lines.
2. Step Two, "Side Lot Point": Find the point on each side lot line that is perpendicular to the side lot line and that bisects the closest "primary structure's rear corner."
3. Step Three, "Yard-Dividing Segment": Draw a line between the "side lot point" and the "primary structure's front corner on each side of the primary structure, thus creating the line that divides the rear yard from the side yard.
4. Step Four, Define the Rear Yard Polygon:
   a. Segment One of the Polygon: The rear lot line creates the first segment of the polygon (Note: corner lots will utilize the two (2) side yard segments, from their intersection to each of the "side lot points"),
   b. Segment Two of the Polygon: The side lot line between the rear lot line and the side lot point creates the second segment of the polygon (Note: corner lots will not have this segment),
   c. Segment Three of the Polygon: The "yard-dividing segment" creates the third segment of the polygon,
   d. Segment Four of the Polygon: The foundation line across the back of the primary structure between the two (2) "primary structure rear corners," creates the fourth segment of the polygon,
   e. Segment Five of the Polygon: The next "yard-dividing segment" creates the fifth segment of the polygon, and
   f. Segment Six of the Polygon: The side lot line between the side lot point and the rear lot line creates the final segment of the polygon (Note: corner lots will not have this segment).

Yard, Required: A combination of one or more side yards, rear yards, and/or front yards as established by the regulations in the Brownsburg Unified Development Ordinance.

Yard, Side: Area on a lot which is not defined as a front yard or a rear yard, roughly described as the area between the side foundation and the side lot line between the front yard and rear yard.

Zoning Administrator: The officer appointed by and/or delegated the responsibility for the administration of the Unified Development Ordinance's regulations by the Brownsburg Plan Commission. The term "Zoning Administrator" includes his/her authorized representatives.

Zoning District: A purposefully created and uniquely named classification used to prescribe a set regulations to geographic areas within the zoning jurisdiction of the Town of Brownsburg. Districts are drawn on the Official Zoning Map.

Zoning Jurisdiction: The area within the corporate limits of the Town of Brownsburg, Indiana over which the town exercises planning and zoning authority.

Zoning Map: See "Official Zoning Map."

Appendix A

Land Use Matrix

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules inc.
website www.groundrulesinc.com

Agricultural Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Agricultural Uses																							
agricultural crop production		P	P																				
agricultural crop production, organic		P	P																				
agricultural products, processing		S																	S	P			
agricultural products, sales		S																					
agricultural products, storage		P																	S	P			
agricultural tourism (type 1)		P																					
agricultural tourism (type 2)		S																					
bio-diesel production (micro)		S																					
cider mill		S																					
forestry	S	P	S																				
grain elevator		S																	S				
hobby farming		P	P																				
land conservation	P	P	P																				
orchard		P	P																				
plant nursery, wholesale		P	S																				
raising of exotic animals		S																					
raising of farm animals		P																					
stable (private)		P	S																				
stable (public)		S																					
tree farm, wholesale		P	S																				
vineyard		P																					

Commercial Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Commercial Uses																							
airport, private		S																					
amusement park																							P
animal grooming															P	P							
auction (indoor)															S	P							
auction (outdoor)																S							
automobile oriented business (type 1)													S	S	P	P	P						
automobile oriented business (type 2)															S	P	S						
automobile oriented business (type 3)																S			P		P		
bakery													P	P	P	P	P						
bank													S	P	P	P		P					
bank/atm, drive-up													P	S	P	P	P	P					
bank/atm, walk-up													P										
banquet hall														S	S	P							
bar or tavern													S	P	P	P							
barber or beauty shop													P	P	P	P							
billiard hall or arcade														S	P								
bowling alley															S								
brew pub														P	P	P							
broadcast studio															S	P			P				
campground (primitive)	S																						
campground (serviced)	S																						
car rental															S	P							
catering service															P	P							
check cashing service																S							
club or lodge														P	P	P							
coffee shop													P	P	P	P	P	P					
coin laundry													S		P	P							
computer service														P	P	P		P					
copy center														P	P	P		P					
counseling center													S	P	P			S					
country club	S												P		S								
crematory												S				S				S			
day care												S	P	S	P	S	S	S					
delicatessen													P	P	P	P	P	P					
design services													S	P	P	P					P		
donation collection point															P	P							
driving range	S																						
dry cleaning pickup and drop-off													P	P	P	P							
express shipping center														P	P	P		P					
exterminator																P			P				
farmers market	P	P										P		P	P								
funeral home														S	S	P							
gas station															P	P	P						
golf course	P																						
heliport, private		S																					
hotel														S	S	P	P						
ice cream shop													P	P	P	P	P						
kennel		S														S							
lumberyard																			P				
media rental													P	P	P	P							
medical clinic														S	P	P		S					

Commercial Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Commercial Uses																							
mobile device dealer														P	P	P							
motel																S	S						
nail salon													P	P	P	P							
night club																P							
office, construction trade																S			P				
office, general													P	P	P	P		P	P				
office, medical													P	P	P	P		P					
paintball facility	S															S							
parcel shipping													S										
parking lot, pay														P									
party facility	S													S	P	P			S				
pharmacy														P	P	P							
photography studio													S		P	P							
printing, commercial															P	P			P				
race track, animal																							
race track, motor vehicle																							P
real estate office													S	P	P								
recreation center (indoor)															P	P	S		S		P		
recreation center (outdoor)															S	P	S				S		
recreational vehicle park	S																						
rehabilitation clinic, medical															P			P					
repair shop, electronics														P	P	P							
repair shop, equipment															P	P					P		
repair shop, general														S	P								
restaurant													P	P	P	P	P	S	S	S	S		
restaurant, drive-in															P	P	P						
restaurant, drive-through only															S	P	P						
restaurant with drive-up window															S	P	P						
retail, agriculture related		S														P							
retail (type 1) very low intensity													P	P	P	P	S				P		
retail (type 2) low intensity													S	P	P	P	S				P		
retail (type 3) medium intensity														S	P	P							
retail (type 4) high intensity														S	S	P							
retail (type 5) very high intensity															S	S							
seamstress/tailor														P	P	P							
self-storage warehouse															S	S			P				
sexually oriented entertainment																S							
shoe repair														P	P								
shooting range (indoor)																S							
shooting range (outdoor)		S																					P
software development												S						P	P				
spa														P	P	P							
sports field (indoor)	S															P			S	S			
sports field (outdoor)	S																						
studio arts													S	P	P	P							
swimming pool	S												S			S							
tanning salon													P	P	P	P							
tattoo/piercing parlor														S	P	P							
theater, movie (indoor)														S	P	P							
theater, movie (outdoor)																S							
title company														P	P			P					
tool/equipment rental (indoor)																P			P				

Commercial Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Commercial Uses																							
tool/equipment rental (outdoor)																S			P	P			
trade or business school																P		S	P		P		
travel agency														P	P			P					
veterinary clinic															P	P							
veterinary hospital															S	S			P				
water park																S							
wellness facility													P	S	P	P		P	S				
winery		S													S	P							

Industrial Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Industrial Uses																							
asphalt plant																							P
assembly																		S	P	P	P		
bio-diesel production																			S	P			
bio-fuels production																							P
blast furnace																							P
bottling/canning																			P	P			
brewery																			P	P			
broadcast facility																			S				
call center																		P					
chemical manufacturing																				S			P
coatings and finishes																					P		
coke oven																							P
composting facility	S	S																	P	P			
concrete plant																				S			P
construction materials landfill																							P
distribution facility																			P	P	P		
dry cleaning processing																S			P	P			
electrical generation plant																							P
explosives manufacturing																							P
fireworks manufacturing																							P
fleet vehicle storage																			S	P	P		
flex space																		S	P	P	P		
food processing																			S	P			
freight terminal																			P	P			
fuel dealer																					S		
heavy equipment repair																				P	S		
heliport, private																					S		
incinerator																				S			P
industrial park																			P	P			
junk yard																							P
liquid fertilizer distribution																			S	P			
manufacturing, heavy																				S			
manufacturing, light																				P	P		
materials recycling (type 1)																			P	P			
materials recycling (type 2)																			S	P			
materials recycling (type 3)																							P
meat processing																				S			
metal casting																			S	P			
mining, rock or sand																				S			P
motor sports team																					P		
outdoor storage																			S	P	P		
petroleum processing																							P
printer, industrial																			P	P			
produce terminal																			P	P			
rail yard																							P
rendering plant																							P
research center, general																		P	P	P	P		
research center, medical																		P	P				
rock crushing																							P
sanitary landfill/refuse dump																							P
saw mill																							P

Industrial Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Industrial Uses																							
scrap metal yard																							P
sign fabrication																			P	P			
smelting																							P
stone cutting																				P			
storage tanks (hazardous)																							P
storage tanks (non-hazardous)																			P	P			
telecommunication facility	S	S																	S	P			
testing lab, electronics																		P	P	P			
testing lab, materials																		S	P	P			
tool and die shop																			P	P	P		
transfer station																			S	P			
utility facility, above-ground																			P	P			
warehouse																S			P	P	P		
welding service																			P	P	P		
wholesale business																			P	P			

Institutional Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Institutional Uses																							
aquarium												S											
arena												S											
botanical gardens	P											P											
cemetery or mausoleum												P											
child care institution												P											
community center												P	P	P									
emergency service training facility												P											
fairground												P											
fire, police, or rescue station												P											
government office												P		P									
government operations facility												P							P	P			
heliport, public												S											
homeless shelter												S											
hospice facility										S		P		S	S								
hospital												P											
information center												P		P			P						
jail												S											P
juvenile detention facility												S											P
library												P											
museum												P									P		
nature center	P																						
nature preserve	P	P																					
observatory	S											P											
park, public	P																						
parking garage, public												P		P									
parking lot, public												P		P	P	P	P						
performing arts center	S											P		S									
place of worship												P		S	P	P							
police substation												P	P	P	P	P	P	P					
post office												P											
prison																							P
recycling collection point												S				S			P	P			
rehabilitation clinic, drug												S											
school (P-12), private												P	S		S	P							
school (P-12), public												P							S				
sewage treatment facility, public												P											
shelter												S		S									
sports stadium												P											
transit station (local hub)												P	S	S	S	S	S	P	S	S			
transit station (regional)												P											
university or college												P		S				P					
water tower	P	P										P							P	P			
water treatment facility, public												P											
wellhead, public	P											P											
wildlife preserve	S											S											
zoo	S											P											

Residential Uses

	PR	AG	RE	R1	R2	R3	TR	M1	M2	M3	MP	IS	NC	UC	C1	C2	HC	EC	I1	I2	MS	RO	HI
Residential Uses																							
assisted living facility							S	S	P	P		S		P									
assisted living facility, upper floor														P									
bed and breakfast		S	S	S			S							S									
caretakers residence	P																						
dwelling, accessory																					P		
dwelling, duplex (2 units)							S	P	P	S													
dwelling, manufactured home											P												
dwelling, multiple-family (3 to 4 units)								P	P														
dwelling, multiple-family (5 to 8 units)									P	P													
dwelling, multiple-family (9 to 16 units)									S	P													
dwelling, multiple-family (17+ units)										S													
dwelling, single-family attached							S	S	P														
dwelling, single-family detached		P	P	P	P	P	P	S			S												
dwelling, upper floor (multiple-family)													S	P									
dwelling, upper floor (1 unit)													P	P	S								
fair housing facility (large)									S			S											
fair housing facility (small)		P	P	P	P	P	P	S															
hostel												S											
manufactured home park											P												
nursing home									S	P		P			P								
retirement community									P	P	S												

Appendix B

Recommended Plant Material

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Recommended Plant Material

A. Introduction: The physical and environmental characteristics for a number of landscape plants are given here. Unless otherwise noted, plants on this list are hardy in central Indiana, tolerant of the built environment, easily maintained and commercially available. Other suitable plants may be commercially available as new cultivars are developed.

The tables are arranged by plant size (largest to smallest), and they specify the following characteristics:

1. *Evergreen Plant*: Useful if you want year-round interest or if you need a screen to block a view.
2. *Average Spread*: Denotes the average diameter of a plant's foliage so that you will have some idea of the mature size of a plant.
3. *Growth Rate*: Denotes the speed at which a plant will grow given typical growing conditions.
4. *Density*: Denotes how easy it is to see through a plant's foliage.
5. *Form*: Denotes the shape of the plant's foliage and limbs.
6. *Sunlight Requirement*: Denotes the amount of sunlight required by a plant.
7. *Soil Moisture Requirement*: Denotes the amount of soil moisture required by a plant.
8. *Comments*: Lists any special attributes and/or requirements for a plant. It also lists available and proven cultivars.

TABLE B-1: TABLE OF RECOMMENDED PLANT MATERIALS

Large Trees (over 40 feet tall)

Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Acer Platanoides Norway Maple	N	30 ft. to 40 ft.	Moderate	Dense	Rounded	Partial Shade to full sun	Moderate
Acer Rubrum Red or Sugar Maple	N	40 ft. to 50 ft.	Moderate	Dense	Oval	Partial Shade to Full Sun	Moderate
Acer Saccharum Sugar Maple	N	50 ft. to 60 ft.	Moderate	Dense	Rounded	Partial Shade to Full Sun	Moderate
Catalpa Speciosa Northern Catalpa	N	20 ft. to 40 ft.	Moderate	Dense	Rounded	Partial Shade to Full Sun	Moderate
Celtis Laevigata Sugar Hackberry	N	50 ft. to 60 ft.	Moderate	Moderate	Rounded	Full Sun	Moderate to Wet
Celtis Occidentalis Common Hackberry	N	50 ft. to 60 ft.	Moderate	Moderate	Rounded	Full Sun	Moderate
Cercidiphyllum Japonicum Katsura Tree	N	30 ft. to 50 ft.	Moderate	Moderate	Oval to Columnar	Partial shade to Full Sun	Moderate
Chamaecyparis Pisifera Sawara False Cypress	Y	10 ft. to 20 ft.	Slow to Moderate	Very Dense	Pyramidal	Full Sun	Moderate
Fagus spp. Beech	N	35 ft. to 45 ft.	Slow	Dense to Moderate	Rounded	Full Sun	Moderate
Fraxinus Americana White Ash	N	40 ft. to 60 ft.	Fast	Dense	Oval to Rounded	Full Sun	Moderate
Fraxinus Auadrangulata Blue Ash	N	30 ft. to 40 ft.	Fast	Dense	Oval to Upright	Full Sun	Moderate
Fraxinus Pennsylvanica Green Ash	N	30 ft. to 40 ft.	Fast	Dense	Oval to Upright	Full Sun	Moderate
Ginkgo Biloba Ginkgo or Maidenhair Tree	N	30 ft. to 50 ft.	Slow	Moderate	Pyramidal to Rounded	Full Sun	Moderate

Recommended Plant Material

Large Trees (over 40 feet tall)

Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Gleditsia triacanthos Honeylocust	N	30 ft. to 40 ft.	Fast	Light	Oval	Full Sun	Moderate
Gymnocladus Dioica Kentucky Coffeetree	N	40 ft. to 50 ft.	Moderate	Moderate	Oval	Full Sun	Moderate
Larix spp. Larch	N	25 ft. to 30 ft.	Moderate	Moderate	Pyramidal	Full Sun	Moderate
Liquidambar Styraciflua Sweet Gum	N	40 ft. to 50 ft.	Moderate	Moderate	Pyramidal to Oval	Full Sun	Moderate
Liriodendron Tulipifera Tulip Tree or Yellow Poplar	N	35 ft. to 50 ft.	Moderate to Fast	Moderate	Oval	Full Sun	Moderate
Nyssa Sylvatica Sour Gum or Black Gum	N	20 ft. to 30 ft.	Slow to Moderate	Dense	Pyramidal to Oval	Full Sun	Wet to Moderate
Picea Abies Norway Spruce	Y	25 ft. to 30 ft.	Fast	Dense	Pyramidal	Full Sun	Moderate
Platanus Occidentalis American Planetree or Sycamore	N	60 ft. to 80 ft.	Fast	Dense	Rounded	Full Sun	Moderate
Pseudotsuga Mensiezii Douglas Fir	Y	12 ft. to 20 ft.	Moderate	Very Dense	Pyramidal	Full Sun	Moderate
Quercus Alba White Oak	N	40 ft. to 60 ft.	Slow	Dense	Rounded	Full Sun	Moderate
Quercus Imbricaria Shingle Oak	N	40 ft. to 60 ft.	Slow	Dense	Oval to Rounded	Full Sun	Moderate
Quercus Macrocarpa Bur Oak	N	40 ft. to 60 ft.	Slow	Dense	Oval to Rounded	Full Sun	Moderate
Quercus Prinus Chestnut Oak	N	40 ft. to 60 ft.	Slow	Dense	Oval to Rounded	Full Sun	Moderate
Taxodium Distichum Baldcypress	N	20 ft. to 30 ft.	Moderate	Moderate	Pyramidal	Full Sun	Moderate to Dry
Tilia Americana Basswood or American Linden	N	40 ft. to 60 ft.	Moderate	Dense	Oval	Full Sun	Moderate
Tilia Tomentosa Silver Linden	N	30 ft. to 50 ft.	Moderate	Dense	Oval to Rounded	Full Sun	Moderate
Zelkova serrata Japanese Zelkova	N	40 ft. to 70 ft.	Moderate	Moderate	Vase-shaped	Full Sun	Moderate

Medium Trees (26 to 50 feet tall)

Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Abies concolor White Fir	Y	15 ft. to 30 ft.	Slow	Very Dense	Pyramidal	Partial Shade to Full Sun	Moderate
Acer Campestre Hedge Maple	N	25 ft.	Slow	Dense	Rounded	Partial Shade	Moderate

Recommended Plant Material

Small Trees (13 to 25 feet tall)							
Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Acer Ginnala Amur Maple	N	15 ft. to 25 ft	Slow	Dense	Rounded	Partial Shade to Full Sun	Moderate
Acer Palmatum Japanese Maple	N	15 ft. to 25 ft	Slow	Dense	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Acer Tataricum Tatarian Maple	N	30 ft. to 35 ft	Slow	Dense	Rounded	Partial Shade to Full Sun	Moderate
Alnus Glutinosa European or Black Alder	N	20 ft. to 30 ft	Moderate	Dense	Oval to Rounded	Full Sun	Wet to Moderate
Amelanchier sp. Serviceberry, Juneberry or Shadblow	N	15 ft. to 30 ft	Moderate	Moderate	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Cercis Canadensis Eastern Redbud	N	25 ft. to 30 ft	Slow to Moderate	Moderate	Rounded to Irregular	Partial Shade to Full Sun	Moderate
Cornus Florida Flowering Dogwood	N	30 ft. to 40 ft	Slow to Moderate	Dense	Rounded to Irregular	Partial Shade	Moderate
Cotinus Coggygria Smoke Tree	N	10 ft. to 15 ft	Slow	Dense	Rounded	Full Sun	Moderate
Crataegus Crusgalli Cockspur Hawthorn	N	20 ft. to 35 ft	Slow to Moderate	Moderate	Rounded	Full Sun	Moderate to Dry
Crategus Phaenopyrum Washington Hawthorn	N	20 ft. to 25 ft	Slow	Moderate	Rounded	Full Sun	Moderate to Dry
Crataegus Viridis Green Hawthorn	N	20 ft. to 35 ft	Slow to Moderate	Moderate	Rounded	Full Sun	Moderate to Dry
Magnolia x Loebneri Loebner Magnolia	N	25 ft. to 35 ft	Moderate	Moderate	Irregular	Full Sun	Moderate
Magnolia x Soulangiana Saucer Magnolia	N	20 ft. to 30 ft	Moderate	Moderate	Irregular	Full Sun	Moderate
Magnolia Stellata Star Magnolia	N	10 ft. to 15 ft	Moderate	Moderate	Irregular	Full Sun	Moderate
Malus Cultivars Crabapple	N	15 ft. to 25 ft	Slow to Moderate	Dense	Rounded	Full Sun	Moderate
Malus Sargentii Sargent Crabapple	N	6 ft. to 8 ft	Slow to Moderate	Dense	Rounded	Full Sun	Moderate
Prunus x Blireiana Purple-leaved Plum	N	15 ft. to 20 ft	Slow to Moderate	Dense	Rounded	Full Sun	Moderate
Prunus Serrulata Japanese Flowering Cherry	N	15 ft. to 20 ft	Slow to Moderate	Dense	Rounded	Full Sun	Moderate
Syringa Reticulata Japanese Tree Lilac	N	15 ft. to 25 ft	Slow	Dense	Rounded to Oval	Full Sun	Moderate

Recommended Plant Material

Large Shrubs (Over 13 feet tall)							
Scientific Name Common Name	**Evergreen**	**Average Spread**	**Growth Rate**	**Density**	**Form**	**Sunlight Requirement**	**Soil Moisture Requirement**
Hamamelis spp. and Cultivars Witchhazel	N	15 ft. to 20 ft	Slow to Moderate	Dense	Rounded	Partial Shade to Full Sun	Moderate
Viburnum lantana Wayfaring Tree	N	10 ft. to 15 ft	Slow to Moderate	Dense	Rounded to Oval	Full Sun	Moderate to Dry
Viburnum Prunifolium Black Haw	N	8 ft. to 12 ft	Slow to Moderate	Dense	Rounded to Oval	Partial Shade to Full Sun	Moderate
Viburnum Sieboldii Siebold Viburnum	N	10 ft. to 15 ft	Moderate	Dense	Rounded to Oval	Partial Shade to Full Sun	Moderate
Juniperus Communis Common Juniper	Y	8 ft. to 12 ft	Slow	Very Dense	Spreading to Columnar	Full Sun	Moderate to Dry
Juniperus Scopulorum Rocky Mountain Juniper	Y	8 ft. to 15 ft	Slow	Dense	Pyramidal	Full Sun	Moderate to Dry
Lindera Benzoin Spicebush	N	6 ft. to 12 ft	Slow to Moderate	Moderate	Upright to Rounded	Full to Partial Shade	Moderate to Wet
Taxus Cuspidata Japanese Yew	Y	15 ft. to 50 ft	Slow	Very Dense	Pyramidal to Rounded	Partial Shade	Moderate
Taxus x Media Anglo-Japanese	Y	15 ft. to 30 ft	Slow	Very Dense	Rounded to Spreading	Partial Shade	Moderate
Thuja Occidentalis American Arborvitae or Eastern White Cedar	Y	10 ft. to 15 ft	Slow	Very Dense	Pyramidal	Full Sun	Moderate

Recommended Plant Material

Medium Shrubs (6½ to 12 feet tall)							
Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Soil Moi Requirem Acanthopanax Sieboldianus Fiveleaf Aralia	N	8 ft. to 10 ft.	Slow to Moderate	Dense	Rounded to Spreading	Full shade to full sun	Moderate dry
Calycanthus Floridus Sweetshrub	N	6 ft. to 12 ft.	Slow to Moderate	Dense	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Cornus Alba Tatarian Dogwood	N	5 ft. to 10 ft.	Fast	Dense	Upright to Rounded	Partial Shade to Full Sun	Moderate
Cornus Mas Cornelian Cherry	N	15 ft. to 20 ft.	Slow	Dense	Rounded	Full sun	Moderate
Cornus Racemosa Grey Dogwood	N	6 ft. to 8 ft.	Moderate to fast	Dense	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Cornus Sericea Red Osier Dogwood	N	10 ft. to 15 ft.	Fast	Dense	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Elaeagnus Umbellata Autumn Olive	N	12 ft. to 18 ft.	Moderate to fast	Dense	Spreading	Full sun	Moderate dry
Euonymus Alata Burning Bush	N	15 ft. to 20 ft.	Slow	Dense	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Forsythia x Intermedia Border Forsythia	N	10 ft. to 12 ft.	Fast	Moderate	Upright to Spreading	Partial Shade to Full Sun	Moderate
Hamamelis Vernalis Vernal Witchhazel	N	8 ft. to 12 ft.	Moderate	Moderate	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Hibiscus Syriacus Rose-of-Sharon	N	8 ft. to 15 ft.	Moderate	Moderate	Upright	Full Sun	Moderate
Hydrangea Quercifolia Oak Leaf Hydrangea	N	4 ft. to 8 ft.	Slow to moderate	Moderate	Upright to Irregular	Full shade to full sun	Wet to moderate
Ilex verticillata Winterberry	N	6 ft. to 10 ft.	Slow to moderate	Dense	Rounded	Partial shade to full sun	Wet to moderate
Kolkwitzia Amabilis Beautybush	N	9 ft. to 12 ft.	Moderate	Dense	Upright to Rounded	Partial Shade to Full Sun	Moderate
Philadelphus Coronarius Sweet Mockorange	N	10 ft. to 12 ft.	Fast	Dense	Rounded	Partial Shade to Full Sun	Moderate
Prunus x Cistena Purpleleaf Sand Cherry	N	10 ft. to 15 ft.	Moderate	Dense	Rounded	Full sun	Moderate
Spirea Prunifolia Bridalwreath Spirea	N	6 ft. t0 8 ft.	Fast	Moderate	Upright to Spreading	Full sun	Moderate
Syringa Vulgaris Common Lilac	N	10 ft. to 20 ft.	Moderate	Moderate	Upright to Spreading	Full sun	Moderate
Viburnum x Burkwoodii Burkwood Viburnum	N	5 ft. to 7 ft.	Slow to moderate	Dense	Rounded	Full shade to full sun	Moderate
Viburnum Dentatum Arrowwood	N	8 ft. to 10 ft.	Slow to moderate	Dense	Rounded to Spreading	Full shade to full sun	Moderate
Viburnum Dilatatum Linden Viburnum	N	6 ft. to 10 ft.	Slow to moderate	Dense	Upright to Rounded	Partial Shade to Full Sun	Moderate
Viburnum Farreri Fragrant Viburnum	N	8 ft. to 12 ft.	Moderate	Dense	Upright to Irregular	Full sun	Moderate
Viburnum x juddii Judd Viburnum	N	6 ft. to 8 ft.	Slow to Moderate	Dense	Rounded	Partial Shade to Full Sun	Moderate

Recommended Plant Material

Medium Shrubs (6½ to 12 feet tall)							
Scientific Name Common Name	**Evergreen**	**Average Spread**	**Growth Rate**	**Density**	**Form**	**Sunlight Requirement**	**Soil Moisture Requirement**
Viburnum Opulus European Cranberry Bush	N	10 ft. to 15 ft.	Moderate	Dense	Upright to Rounded	Partial Shade to Full Sun	Moderate
Viburnum Plicatum Doublefile Viburnum	N	9 ft. to 12 ft.	Moderate	Dense	Upright to Rounded	Partial Shade to Full Sun	Moderate
Viburnum x Rhtidophylloides Lantanaphyllum Viburnum	N	8 ft. to 10 ft.	Moderate	Moderate	Upright to Rounded	Partial Shade	Moderate

Small Shrubs (3 to 6 feet tall)							
Scientific Name Common Name	**Evergreen**	**Average Spread**	**Growth Rate**	**Density**	**Form**	**Sunlight Requirement**	**Soil Moisture Requirement**
Abelia x Grandflorai Glossy Abelia	N	3 ft. to 4 ft.	Moderate	Moderate	Rounded	Partial Shade to Full Sun	Moderate
Abeliophyllum Distichum White Forsythia	N	3 ft. to 4 ft.	Moderate	Moderate	Upright to Irregular	Partial Shade to Full Sun	Moderate
Berberis Thunbegii Japanese Barberry	N	4 ft. to 7 ft.	Moderate	Moderate	Rounded to Spreading	Full Sun	Moderate
Buddleia Davidii Orange-eye Butterfly Bush	N	5 ft. to 10 ft.	Fast	Moderate	Upright to Spreading	Partial Shade to Full Sun	Moderate
Callicarpa Japonica	N	4 ft. to 6 ft.	Fast	Moderate	Rounded	Partial Shade	Moderate

Recommended Plant Material

Dwarf Shrubs (Under 3 feet tall)							
Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Buxus microphylla Littleleaf Boxwood	Y	3 ft. to 4 ft.	Slow	Very Dense	Rounded	Partial Shade to Full Sun	Moderate
Chamaecyparis Obtusa "Nana" Hinoki False Cypress	Y	3 ft. to 4 ft.	Slow	Very Dense	Rounded	Partial Shade to Full Sun	Moderate
Cotoneaster Apiculatus Cranberry Cotoneaster	N	3 ft. to 6 ft.	Slow to Moderate	Moderate	Spreading	Full Sun	Moderate
Cotoneaster Horizontalis Rockspray Cotoneaster	N	5 ft. to 8 ft.	Slow to Moderate	Moderate	Spreading	Full Sun	Moderate
Deutzia Gracilis Slender Deutzia	N	3 ft. to 4 ft.	Slow to Moderate	Moderate	Rounded	Partial Shade to Full Sun	Moderate
Fothergilla Gardenii Dwarf Fothergilla	N	3 ft. to 4 ft.	Slow	Moderate	Rounded	Partial Shade to Full Sun	Moderate
Ilex Glabra "Compacta" Compact Inkberry Holly	Y	4 ft. to 6 ft.	Slow	Very Dense	Spreading	Partial Shade to Full Sun	Moderate
Juniperus Chinensis "Pfitzerana Compacta" Nick's Compact Juniper	Y	6 ft. to 10 ft.	Slow to Moderate	Very Dense	Spreading	Full Sun	Moderate Dry
Juniperus Chinensis "San Jose" San Jose Juniper	Y	6 ft. to 8 ft.	Slow to Moderate	Very Dense	Spreading	Full Sun	Moderate Dry
Juniperus Communis Common Juniper	Y	4 ft. to 6	Slow	Very Dense	Spreading	Full Sun	Moderate Dry
Juniperus Conferta Shore Juniper	Y	5 ft. to 9 ft.	Slow	Very Dense	Spreading	Full Sun	Moderate Dry
Juniperus Procumbens Japanese Garden Juniper	Y	10 ft. to 15 ft.	Slow	Very Dense	Spreading	Full Sun	Moderate Dry
Juniperus Sabina Savin Juniper	Y	5 ft. to 9 ft.	Slow	Very Dense	Spreading	Full Sun	Moderate Dry
Potentilla Fruticosa Bush Cinquefoil	N	2 ft. to 5 ft.	Slow	Moderate	Upright to Rounded	Full Sun	Moderate
Spirea x Bumalda "Anthony Waterer" Anthony Waterer Spirea	N	4 ft. to 5 ft.	Fast	Moderate	Rounded	Full Sun	Moderate
Symphoricarpos x Chenaultii Chenault Coralberry	N	3 ft. to 6 ft.	Fast	Moderate	Rounded to Spreading	Partial Shade to Full Sun	Moderate
Taxus Baccata "Repandens" Dwarf English Yew	Y	10 ft. to 12 ft.	Slow	Very Dense	Spreading	Partial Shade	Moderate
Tsuga Canadensis Dwarf Cultivars Dwarf Canada Hemlock	Y	5 ft. to 8 ft.	Slow	Dense	Spreading	Partial Shade	Moderate
Yucca Filamentosa Yucca or Adam's Needle	Y	2 ft. to 5 ft.	Moderate	Open	Upright	Full Sun	Moderate Dry

Recommended Plant Material

Ground Covers (Less than 1 1/2 feet tall)

Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Aegopdium Podagraria Bishop's Weed or Gout Weed	N	2 ft. to 4 ft.	Fast	Dense	Spreading	Full Sun to Full Shade	Moderate Dry
Ajuga Bugleweed	Y	6 ft. Plus	Moderate to Fast	Dense	Spreading	Full to Partial Shade	Moderate
Arundinaria Variegata Dwarf Whitestripe Bamboo or Gardener's Garters	N	3 ft. to 6 ft.	Fast	Dense	Upright to Spreading	Full Sun to Full Shade	Moderate
Comptonia Peregrina Sweet Fern	N	4 ft. to 8 ft.	Slow to Moderate	Moderate	Spreading	Partial Shade to Full Sun	Moderate
Convallaria Majalis Lily of the Valley	N	2 ft. to 4 ft.	Moderate	Moderate	Spreading	Full to Partial Shade	Wet to Moderate
Cotoneaster Dammeri Bearberry Cotoneaster	N	4 ft. to 6 ft.	Fast	Moderate	Spreading	Full Sun	Moderate
Epimedium hybrids, cultivars and species	N	2 ft. to 5 ft.	Fast	Dense	Spreading	Full to Partial Shade	Moderate

Vines and Climbers

Scientific Name Common Name	Evergreen	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement
Actinidia Arguta Bower Actinidia Hardy Kiwi	N	-	Fast	Moderate	Climbing Vine	Partial Shade to Full Sun	Moderate
Akebia Quintata Fiveleaf Akebia	N	-	Fast	Dense	Climbing Vine	Partial Shade to Full Sun	Moderate
Campsis Radicans Trumpet Creeper or Trumpetvine	N	-	Fast	Dense	Climbing Vine	Full Sun	Moderate
Celastrus Scandens American Bittersweet	N	-	Fast	Dense	Climbing Vine	Full Shade to Full Sun	Moderate
Clematis Clematis	N	-	Fast	Moderate	Climbing Vine	Partial Shade to Full Sun	Moderate
Hedera Helix English Ivy	Y	-	Fast	Dense	Climbing Vine	Full Shade to Full Sun	Moderate
Hydrangea Anomala Climbing Hydrangea	N	-	Slow to Moderate	Moderate	Climbing Vine	Full Shade to Full sun	Moderate
Lonicera Spp., hybrids and cultivars Vine Honeysuckle	N	-	Fast	Dense	Climbing Vine	Partial Shade to Full Sun	Moderate
Parthenocissus Quinquefolia Virginia Creeper	N	-	Fast	Moderate	Climbing Vine	Full Shade to Full Sun	Moderate
Parthenocissus Tricuspidata Boston Ivy	N	-	Fast	Moderate	Climbing Vine	Full Shade to Full sun	Moderate
Polygonum Aubertii China or Silver Fleecevine	B	-	Fast	Dense	Climbing Vine	Full Sun	Moderate to Dry
Wisteria Japanese or Chinese Wisteria	N	-	Fast	Dense	Climbing Vine	Full Sun	Moderate

Recommended Plant Material

B. Introduction: The tables are arranged by plant size, (largest to smallest), and they indicate recommendations for the following uses:

1. *Screen*: Includes categories for screening plants up to 6 feet in height and over 6 feet in height.
2. *Parking Area*: Includes plant recommendations for both perimeter and interior parking area landscaping.
3. *Intersections*: Useful for choosing plants that will not interfere with traffic visibility at intersections.
4. *Under Utility Lines*: Denotes which plants are most appropriate for planting near overhead utility lines. Generally less than 25 feet tall.
5. *Street Tree*: Denotes which trees are most appropriate for planting along street frontages.
6. *Shade Tree*: Includes those trees which will produce the most shade.
7. *Specimen Tree*: Tree species with unique qualities that make them suitable for individual viewing.

TABLE B-2: PLANT USE TABLE

Large Trees (over 40 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Acer Platanoides Norway Maple			X	X	X	X	X	X
Acer Rubrum Red or Swamp Maple			X	X		X	X	X
Acer Saccharum Sugar Maple			X			X	X	X
Catalpa Speciosa Northern Catalpa							X	X
Celtis Laevigata Sugar Hackberry			X	X			X	X
Celtis Occidentalis Common Hackberry			X	X			X	X
Cercidiphyllum Japonicum Katsura Tree			X	X			X	X
Chamaecyparis Pisifera Sawara False Cypress		X						X
Fagus spp. Beech							X	X
Fraxinus Americana White Ash			X	X		X	X	X
Fraxinus Auadrangulata Blue Ash			X	X		X	X	X
Fraxinus Pennsylvanica Green Ash			X	X		X	X	X
Ginkgo Biloba Ginkgo or Maidenhair Tree			X	X		X	X	X
Gleditsia triacanthos Honeylocust			X	X		X	X	X
Gymnocladus Dioica Kentucky Coffeetree			X	X			X	X
Larix spp. Larch			X	X			X	X

Recommended Plant Material

Large Trees (over 40 feet tall)

Scientific Name Common Name	Screen (3 ft. to 6 ft. high)	Screen (Greater than 6 ft. high)	Parking Area (Permitted)	Parking Area (Interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
Liquidambar Styraciflua Sweet Gum							X	X
Liriodendron Tulipifera Tulip Tree or Yellow Poplar								
Nyssa Sylvatica Sour Gum or Black Gum			X	X			X	X
Picea Abies Norway Spruce		X						X
Platanus Occidentalis American Planetree or Sycamore							X	X
Pseudotsuga Mensiezii Douglas Fir		X						X
Quercus Alba White Oak						X	X	X
Quercus Imbricaria Shingle Oak						X	X	X
Quercus Macrocarpa Bur Oak						X	X	X
Quercus Prinus Chestnut Oak						X	X	X
Taxodium Distichum Baldcypress								
Tilia Americana Basswood or American Linden								
Tilia Tomentosa Silver Linden								
Zelkova serrata Japanese Zelkova								

Medium Trees (26 to 50 feet tall)

Scientific Name Common Name	Screen (3 ft. to 6 ft. high)	Screen (Greater than 6 ft. high)	Parking Area (Permitted)	Parking Area (Interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
Abies Concolor White Fir		X						X
Acer Campestre Hedge Maple		X	X		X	X	X	X
Aesculus x carnea Red Horse Chestnut			X	X		X	X	X
Aesculus glabra Ohio Buckeye					X		X	X
Aesculus hippocastanum Common Horse Chestnut			X	X		X	X	X

Recommended Plant Material

Medium Trees (26 to 50 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Betula Birch			X					X
Carpinum Betulus European Hornbeam			X	X		X	X	X
Carpinus Caroliniana American Hornbeam or Ironwood			X		X		X	X
Chamaecyparis Lawsoniana Lawson False Cypress		X				X		X
Chamaecyparis obtusa Hinoko False Cypress		X						X
Chionanthus virginicus Fringetree			X		X		X	X
Cladrastis lutea Yellowwood			X				X	X
Diospyros virginiana Common Persimmon							X	X
Koelreuteria paniculata Golden Rain Tree			X		X		X	X
Maackia amurensis Amur Maackia			X			X	X	X
Ostrya virginiana Hop Hornbeam or Ironwood			X	X			X	X
Phellodendron amurense Amur Corktree			X		X		X	X
Picea ormorika Serbian Spruce		X						X
Picea Pungens Colorado Spruce		X						X
Pinus sylvestris Scotch Pine		X						X
Pyrus calleryana Callery Pear			X	X		X	X	X
Sophora japonica Japanese Pagoda or Chinese Scholar Tree			X	X			X	X
Tsuga canadensis Canada Hemlock		X						X
Ulmus parvifolia Chinese Elm			X	X		X	X	X

Recommended Plant Material

Small Trees (13 to 25 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Acer Ginnala Amur Maple			X	X	X			X
Acer Palmatum Japanese Maple								X
Acer Tataricum Tatarian Maple			X	X	X	X		X
Alnus Glutinosa European or Black Alder			X	X			X	X
Amelanchier sp. Serviceberry, Juneberry or Shadblow								
Cercis Canadensis Eastern Redbud								
Cornus Florida Flowering Dogwood								
Cotinus Coggygria Smoke Tree								
Crataegus Crusgalli Cockspur Hawthorn								
Crategus Phaenopyrum Washington Hawthorn								
Crataegus Viridis Green Hawthorn								
Magnolia x Loebneri Loebner Magnolia								
Magnolia x Soulangiana Saucer Magnolia								
Magnolia Stellata Star Magnolia					X			X
Malus Cultivars Crabapple					X			X
Malus Sargentii Sargent Crabapple					X			X
Prunus x Blireiana Purple-leaved Plum		X	X		X			
Prunus Serrulata Japanese Flowering Cherry			X		X			X
Syringa Reticulata Japanese Tree Lilac			X	X	X	X		X

Recommended Plant Material

Large Shrubs (Over 13 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Hamamelis spp. and Cultivars Witchhazel		X	X		X			X
Viburnum lantana Wayfaring Tree								
Viburnum Prunifolium Black Haw								
Juniperus Communis Common Juniper		X	X	X	X			
Juniperus Scopulorum Rocky Mountain Juniper		X	X		X			
Lindera Benzoin Spicebush		X	X		X			
Taxus Cuspidata Japanese Yew		X	X	X				
Taxus x Media Anglo-Japanese		X	X	X				
Thuja Occidentalis American Arborvitae or White Cedar		X	X					
Viburnum lantana Wayfaring Tree		X	X		X	X		
Viburnum Prunifolium Black Haw		X	X		X	X		
Viburnum Sieboldii Siebold Viburnum		X	X		X			

Recommended Plant Material

Medium Shrubs (6½ to 12 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Soil Moi Requirem Acanthopanax Sieboldianus Fiveleaf Aralia		X	X	X	X			
Calycanthus Floridus Sweetshrub								
Cornus Alba Tatarian Dogwood								
Cornus Mas Cornelian Cherry								
Cornus Racemosa Grey Dogwood								
Cornus Sericea Red Osier Dogwood								
Elaeagnus Umbellata Autumn Olive								
Euonymus Alata Burning Bush								
Forsythia x Intermedia Border Forsythia								
Hamamelis Vernalis Vernal Witchhazel								
Hibiscus Syriacus Rose-of-Sharon								
Hydrangea Quercifolia Oak Leaf Hydrangea								
Ilex verticillata Winterberry								
Kolkwitzia Amabilis Beautybush								
Philadelphus Coronarius Sweet Mockorange								
Prunus x Cistena Purpleleaf Sand Cherry			X		X			
Spirea Prunifolia Bridalwreath Spirea								
Syringa Vulgaris Common Lilac								
Viburnum x Burkwoodii Burkwood Viburnum								
Viburnum Dentatum Arrowwood	X		X	X	X			
Viburnum Dilatatum Linden Viburnum	X		X	X	X			
Viburnum Farreri Fragrant Viburnum								

Recommended Plant Material

Medium Shrubs (6½ to 12 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Viburnum Opulus European Cranberrybush		X	X		X			
Viburnum Plicatum Doublefile Viburnum		X	X		X			X
Viburnum x Hytidophylloides Lantanaphyllum Viburnum		X	X		X			
Abelia x Grandiflora Glossy Abelia	X		X	X	X			X

Small Shrubs (3 to 6 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Abelia x Grandflorai Glossy Abelia								
Abeliophyllum Distichum White Forsythia								
Berberis Thunbegii Japanese Barberry	X		X	X	X			
Buddleia Davidii Orange-eye Butterfly Bush	X				X			X
Chaenomeles Speciosa Japanese Quince	X		X	X	X			
Deutzia Gracilis Slender Deutzia	X		X	X	X			X
Euonymus Alata Compactus Dwarf Burning Bush	X		X	X	X			
Ilex x Meserveae Meserveae Holly	X		X	X	X			X
Kerria Japonica Japanese Kerria	X		X	X	X			
Ligustrum Obtusifolium Border Privet	X		X	X	X			
Ligustrum x Vicaryi Golden Privet	X		X		X			
Myrica Pensylvanica Bayberry	X		X	X	X			
Picea Glauca “conica” Dwarf Alberta Spruce					X			X
Pinus Mugos Mugho Pine	X		X	X	X			

Recommended Plant Material

Dwarf Shrubs (Under 3 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Buxus microphylla Littleleaf Boxwood	X		X	X	X			
Chamaecyparis Obtusa Dwarf Cultivars	X		X	X	X			X
Chamaecyparis Pisifera Dwarf Cultivars	X		X	X	X			X
Cotoneaster Apiculatus Cranberry Cotoneaster			X	X	X			
Chamaecyparis Obtusa "Nana" Hinoki False Cypress								
Cotoneaster Apiculatus Cranberry Cotoneaster								
Cotoneaster Horizontalis Rockspray Cotoneaster			X	X	X			
Deutzia Gracilis Slender Deutzia	X		X	X	X			
Fothergilla Gardenii Dwarf Fothergilla			X	X	X			X
Ilex Glabra "Compacta" Compact Inkberry	X		X	X	X			
Juniperus Chinensis "Pfitzerana Compacta" Nick's Compact Juniper	X		X	X	X			
Juniperus Chinensis "San Jose" San Jose Juniper			X	X	X			
Juniperus Communis Common Juniper			X	X	X			
Juniperus Conferta Shore Juniper			X	X	X			
Juniperus Procumbens Japanese Garden Juniper			X	X	X			
Juniperus Sabina Savin Juniper	X		X	X	X			
Polygonum Cuspidatum Low Japanese Fleece Flower					X			
Potentilla Fruticosa Bush Cinquefoil	X		X	X	X			
Rosa-floribundai Floribunda Roses			X	X	X			
Spirea x Bumalda "Anthony Waterer" Anthony Waterer Spirea			X	X	X			

Recommended Plant Material

Dwarf Shrubs (Under 3 feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Symphoricarpos x Chenaultii Chenault Coralberry	X		X	X	X			
Taxus Baccata "Repandens" Dwarf English Yew	X		X	X	X			X
Tsuga Canadensis Dwarf Cultivars Dwarf Canada Hemlock	X		X	X	X			X
Yucca Filamentosa Yucca or Adam's Needle			X	X	X			

Ground Covers (Less than 1½ feet tall)								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Aegopdium Podagraria Bishop's Weed or Gout Weed			X	X	X			
Ajuga Bugleweed or Carpet Bugle			X	X	X			
Arundinaria Variegata Dwarf Whitestripe Bamboo or Gardener's Garters								
Comptonia Peregrina Sweet Fern								
Convallaria Majalis Lily of the Valley								
Cotoneaster Dammeri Bearberry Cotoneaster								
Epimedium hybrids, cultivars and species								
Liriope Spicata Creeping Lilyturf or Liriope			X	X	X			
Pachysandra Terminalis Japanese Spurge			X		X			
Rosa Wichuraiana Memorial Rose			X	X	X			
Vinca Minor Common Periwinkle			X		X			

Recommended Plant Material

Vines and Climbers								
Scientific Name Common Name	**Screen (3 ft. to 6 ft. high)**	**Screen (Greater than 6 ft. high)**	**Parking Area (Permitted)**	**Parking Area (Interior)**	**Under Utility Lines**	**Street Tree**	**Shade Tree**	**Specimen**
Actinidia Arguta Bower Actinidia Hardy Kiwi		X						
Akebia Quintata Fiveleaf Akebia		X						
Campsis Radicans Trumpet Creeper or Trumpetvine		X						
Celastrus Scandens American Bittersweet		X						
Clematis Clematis		X						
Hedera Helix English Ivy		X						
Hydrangea Anomala Climbing Hydrangea		X						
Lonicera Spp. Vine Honeysuckle		X						
Parthenocissus Quinquefolia Virginia Creeper		X						
Parthenocissus Tricuspidata Boston Ivy		X						
Polygonum Aubertii China or Silver Fleecevine		X						
Rosa wichuraiana Memorial Rose		X						
Wisteria Japanese or Chinese Wisteria		X						

Appendix C

Amendment Tracking Table

TOWN OF Brownsburg

© 2014, Bradley E. Johnson, AICP

GroundRules
website www.groundrulesinc.com

Amendment Tracking Table

Ordinance Number	Plan Commission/ Town Council Approval Date	Effective Date	Sections Affected	Pages Changed	Brief Description of Changes	Date Codified	Internal Use
2015-22	8-24-2015 8-27-2015	12-16-2015	2.29, 2.31, 2.35, 5.03, 5.12, 5.20, 5.42, 5.43, 5.44, 5.45, 5.46, 5.51, 5.62, 5.63, 5.67, 5.69, 5.71, 5.75, 5.80, 5.85, 5.88, 5.91, 9.02, 11.02	2-30, 2-32, 2-36, 5-03, 5-08, 5-14, 5-41 to 5-42, 5-47, 5-53, 5-63, 5-71 to 5-73, 5-76, 5-80, 5-81, 5-95, 5-112, 5-117 to 5-119, 5-121, 9-04, 11-18, 11-27, 11-38	• Added cross reference to 5.82: General Commercial Special Exception Standards for two special exception uses in the C2 district • Allow unlimited storage and recreation-based accessory structures in PR and AG • Allowed exception to accessory structures in front yards, for porticos and canopies in C1, C2 and HC districts • Clarified the maximum lighting standards for each zoning district • Clarified the regulations for recreational vehicles • Synchronized the text with graphics in parking standards in nonresidential parking standards • Clarified setback standards applicable to driveways • Added new and full sign standards for PR district • Increased temporary sign area from 16 to 24 sq ft in the IS district • Synchronized quantity of special temporary and standard temporary signs with one another in IS district • Changed map-based street classification with a text-based listing of street corridors • Clarified the number and type of construction trailers • Added special event sign standards for nonresidential temporary uses • Made typo change in VC section, kept 45 feet • Made typo change to Improvement Location Permit section in Art. 9 • Added definition for “Office, Home Improvement Trades” • Added new development standards for Canopy and Portico • Clarified that pole signs are only permitted for single-tenant buildings in the C2 district • Removed permanent sign standards for single- and two-family residential districts because the subdivision control ordinance now regulates them • Added “Office, Home Improvement Trades” as a permitted or special exception use in C1, C2, and EC district	11-18-2015	(1)