City of Carmel

CARMEL LAND USE AND SPECIAL STUDIES COMMITTEE
MEETING AGENDA

WEDNESDAY, AUGUST 5, 2026 - 5:30 PM
CARMEL CLAY PUBLIC LIBRARY, BOARD ROOM, SECOND FLOOR

1. THE PURPOSE OF THIS MEETING IS TO DISCUSS:

a. **Ordinance D-2795-25;** An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing Public Areas of City Hall; Sponsor: Councilor Snyder.

Synopsis: An ordinance establishing public areas of City Hall.

b. **Ordinance D-2843-26;** An Ordinance of the Common Council of the City of Carmel, Indiana Amending Carmel City Code Chapter 8, Article 4, Section 8-44, Chapter 3, Article 2, Section 3-58, and Chapter 8, Article 4, Section 8-40; Sponsors: Councilors Aasen, Minnaar, Snyder, Taylor, Worrell.

Synopsis: Ordinance amending regulations of the use of Micromobility and E-Moto Devices within the City of Carmel.

c. **Unified Development Ordinance Review**

Land Use and Special Studies Committee Members

Anita Joshi, Chair	**Teresa Ayers**	**Ryan Locke**	**Tony Green**
Appointed by City Council	Appointed by City Council	Appointed by City Council	Appointed by City Council
Jan - Dec 2026	Jan - Dec 2026	Jan - Dec 2026	Jan - Dec 2026

Sponsor: Councilor Snyder

ORDINANCE NO. D-2795-25

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA ESTABLISHING PUBLIC AREAS OF CITY HALL

Synopsis:
An Ordinance establishing public areas of City Hall

WHEREAS, the Common Council of the City of Carmel, Indiana ("Council"), is the legislative body of the City and is empowered under Indiana Code § 36-4-6-18 and related provisions to enact ordinances governing the use of City-owned property;

WHEREAS, City Hall is owned by the citizens of Carmel and serves as the primary seat of local government and the center of civic engagement;

WHEREAS, the Council finds that maintaining open and reasonable public access to City Hall fosters transparency, participation, and trust between residents and their government; and

WHEREAS, it is the intent of the Council that City Hall remain accessible to the people whenever such access is necessary to fulfill civic, governmental, or participatory needs — including but not limited to public meetings, committee meetings, hearings, and any meeting whose intent is for the general good of the people of Carmel — all consistent with Indiana's Open Door Law (IC 5-14-1.5);

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. Definition of Public Areas. For purposes of this Ordinance, public areas of City Hall shall include, but not be limited to, lobbies, corridors, the Council Chambers, meeting rooms not located within or directly connected to office space occupied by a City department, and the restrooms located on the first and second floors of City Hall. Access may be temporarily limited only for emergency, maintenance, sanitation, or security purposes, or during all local, state, and federally mandated holidays unless otherwise provided for by the Common Council, or as otherwise required by law.

Section 3. Council Authority Over Access. The Common Council shall determine, by resolution or other formal action adopted in a public meeting, which portions of City Hall are designated as public and the conditions under which such areas shall remain open to the people.

Section 4. Access to Public Areas. The designated public areas of City Hall shall be open and accessible to the public at any time necessary to fulfill the needs of the people, including times when civic meetings, committee meetings, hearings, or other public purposes are conducted. City Hall shall remain open for any meeting, hearing, or event scheduled or determined by (1) the Common Council or any of its committees, or (2) any duly authorized City board, commission, or department. No closure or restriction of such areas shall occur without prior authorization by the Common Council, except as provided in Section ~~1~~ 2 of this Ordinance.

Section 5. Implementation. The City Clerk is directed to record this Ordinance and provide copies to the Mayor, Chief of Staff, and Department of Administration to ensure consistent implementation and communication of this policy of public access.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and any publication required by law.

PASSED by the Common Council of the City of Carmel, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA

_____
Adam Aasen, President

_____
Matthew Snyder, Vice-President

_____
Teresa Ayers

_____
Anita Joshi

_____
Ryan Locke

_____
Shannon Minnaar

_____
Anthony Green

_____
Rich Taylor

_____
Jeff Worrell

ATTEST:

_____
Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____ 2025, at _____ __.M.

_____
Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____ 2025, at _____ __.M.

_____
Sue Finkam, Mayor

ATTEST:

_____
Jacob Quinn, Clerk

Prepared by: Ted Nolting
Kroger Gardis & Regas LLP
111 Monument Circle, Suite 900
Indianapolis, IN 46204

ORDINANCE NO. D-2843-26

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA AMENDING CARMEL CITY CODE CHAPTER 8, ARTICLE 4, SECTION 8-44, CHAPTER 3 ARTICLE 2 SECTION 3-58, AND CHAPTER 8 ARTICLE 4 SECTION 8-40

Synopsis: Ordinance amending regulations of the use of Micromobility and E-Moto Devices within the City of Carmel

WHEREAS, the City of Carmel (the "City") desires to provide safe, efficient, and sustainable transportation options for its residents, visitors, and businesses; and

WHEREAS, it is essential to establish clear regulations governing the operation of Micromobility Devices and other devices to ensure the safety of riders, pedestrians, and other users of City's multi-use trails, sidewalk, trail, and road networks, and to promote sustainable transportation options while managing potential conflicts, minimizing risks to riders, pedestrians, and congestion, and maintaining the high quality of life enjoyed by Carmel residents; and

WHEREAS, these regulations are intended to complement and not supersede existing state and federal laws pertaining to the operation of motor vehicles and other transportation devices; and

WHEREAS, ordinance D-2796-25, as amended, was adopted in November of 2025 and established regulations for the use of Micromobility Devices within the City; and

WHEREAS, amendments to Ordinance D-2796-25 are needed to enhance enforcement as the City has received frequent and numerous complaints about improper operation of certain Micromobility and E-Moto Devices.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. Chapter 8 Article 4 Section 8-44 of Carmel City Code is hereby amended and shall read as follows:

"§ 8-44 Micromobility Devices.

(~~1~~a) *Purpose.* The purpose of this section is to regulate the use of Micromobility and E-Moto Devices within the City of Carmel to ensure public safety, manage congestion, and promote sustainable transportation options while minimizing risks to riders, pedestrians, and other users of City's multiuse paths, greenways, sidewalks, trails, and road networks.

(~~2~~b) *Definitions.* For the purpose of this section, the following definitions shall apply:

Micromobility Device. Any open-air device designed for personal transportation, propelled wholly or in part by a mechanical or electrical motor, regardless of whether it also incorporates human power, and typically operating at lower speeds than traditional motor vehicles like cars or motorcycles, and

This Ordinance was prepared by Allison Lynch McGrath, Assistant Corporation Council, on July 21, 2026, at 10:00 p.m. No subsequent revision to this Ordinance has been reviewed by Ms. Lynch McGrath for legal sufficiency or otherwise.

not exceeding three (3) feet in width. The term does not include motorized wheelchairs, assistive mobility electric scooters, electric knee scooters, golf carts, go-karts, low speed vehicles, electric trikes, electric mopeds capable of reaching speeds exceeding twenty (20) miles per hour, electric motorcycles and other E-Moto Devices.

Electric-Scooter (E-Scooter). A device weighing one hundred (100) pounds or less that is equipped with two or three wheels, handlebars, and an electric motor, and which is powered by an electric motor that is capable of powering the device with or without human propulsion at a maximum speed on a paved level surface of no more than twenty (20) miles per hour. The term does not include assistive mobility electric scooters, electric knee scooters.

E-Bike or E-Bicycle. A bicycle with an electric or mechanical motor that assists pedaling, classified into Class 1 (pedal-assist up to 20 miles per hour), Class 2 (throttle and pedal e-assisted up to 20 miles per hour), and Class 3 (pedal-assist up to 28 miles per hour), and complies with applicable regulations of Indiana Code 9-21-11- et seq, as amended.

E-Moto Device. A device powered by electric or mechanical motor that typically exceeds 750 watts and capable of generating speed when powered solely by the motor of more than twenty (20) miles per hour or more. Examples of E-Moto Device include, but are not limited to, electric motorcycles, electric mopeds, off-road electric dirt bikes, electric trikes, and other non-classified devices. The term does not include golf carts, ~~or~~ low speed vehicles, or any Class 1, Class 2, or Class 3 E-Bicycle.

Greenway Trails. The following multi-use trails within the City of Carmel: the Monon Greenway, the Hagan-Burke Trail, the Greyhound Trail, Bear Creek, the White River Greenway, and other greenway trails that may be designated by the City of Carmel or the Carmel Clay Parks and Recreation Board or its Department in the future.

Multi-Use Trail. A paved or unpaved path designated for use by pedestrians, bicyclists, and other Micromobility Devices.

Sidewalk. A part of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Street. For purposes of this section, any public roadway within the City limits which is primarily used for purposes of vehicular travel.

Park. Any land owned or managed by the Carmel Clay Parks and Recreation Board or its Department.

(~~3~~c) *General Regulations.*

(1) Permitted and Restricted Locations. Micromobility Devices may be operated in the following areas within the City of Carmel:

a) Except for exceptions for device-specific regulations as set forth in this section, any Streets having a posted speed limit of forty (40) miles per hour or less. Operators of Micromobility Devices must adhere to the same traffic laws and regulations as bicyclists.

b) All Micromobility Devices ridden on a Street or a roadway shall be operated in the right-hand lane. An operator of a Micromobility Device who is proceeding at less than the normal speed of traffic shall pull over when safe to allow faster-moving traffic to pass.

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c) Designated bicycle lanes and Multi-Use Trails, including all Greenway Trails, unless otherwise restricted by signage or this section.

i) *Monon Boulevard*. Micromobility Devices may only be operated on Streets and designated bicycle lanes on the Monon Boulevard between West Main Street and City Center Drive. In all other areas, operators shall dismount Micromobility Devices and walk.

d) Parks and other recreational areas, subject to regulations and closures established by the Carmel Clay Parks and Recreation Board or its Department.

e) Micromobility Devices may be operated on public Sidewalks in a careful and prudent manner, except in areas where signage explicitly prohibits such operation, in which case users must dismount and walk their devices.

(2) Speed Limits:

a) The maximum speed limit for Micromobility and E-Moto Devices on Streets shall be the posted speed limit of that Street. However, in no case shall a Micromobility or E-Moto Device be operated at a speed greater than thirty five (35) miles per hour unless authorized by applicable State law.

b) On Multi-Use Trails, the maximum speed limit for Micromobility Devices shall be twenty (20) miles per hour, unless otherwise posted. Operators of Micromobility Devices must adhere to all speed limits and operational regulations established by the Carmel Clay Parks and Recreation Board or its Department when operating within any Park, Greenway Trail, or recreational area. These specific park regulations supersede any differing general requirements set forth in this section.

c) On public Sidewalks, the maximum speed limit for Micromobility Devices shall be fifteen (15) miles per hour.

d) When approaching crosswalks, intersections, or areas with high pedestrian traffic, operators must reduce their speed to a safe and reasonable level.

(3) Operational Rules. An operator of a Micromobility Device:

a) Shall obey all applicable traffic laws, signals, signs, and markings;

b) Shall yield the right-of-way to pedestrians at all times;

c) Shall pass pedestrians at a safe distance, providing a minimum of three (3) feet of clearance if possible, and must wait until it is safe to pass;

d) Shall immediately dismount and walk their device if passing a pedestrian cannot be executed safely, or if insufficient space exists to maintain a safe distance;

e) Shall provide an audible advance warning (e.g., bell, horn, voice) when approaching pedestrians from behind;

f) Shall avoid sudden or erratic movements that could endanger others;

g) Shall give due regard to the safety of others, including those with visual, auditory, or mobility impairments;

h) Shall keep the Micromobility Device under directional, speed, and stopping control at all time;

i) Shall not operate in an irregular or reckless manner to disregard their own safety, others, animals, or property;

j) When emerging from an alley, driveway, garage or building, upon approaching a Sidewalk or Multi-Use Trails extending across any such alley, driveway, garage or building, shall

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yield the right-of-way to all pedestrians and other users traveling on said Sidewalk or Multi-Use Trail;

k) When entering a Street, shall yield the right-of-way to all vehicles and other users traveling on said Street; and

l) Operators of Micromobility Devices must adhere to all speed limits and operational regulations established by the Carmel Clay Parks and Recreation Board or its Department when operating within any Park, Greenway Trail, or recreational area. These specific park regulations supersede any differing general requirements set forth in this section.

(4) Device-Specific Regulations.

a) Electric Scooters (E-Scooters):

~~1.~~ i) Shall not exceed a weight of 100 pounds.

~~2.~~ ii) Operators of E-Scooters shall comply with all applicable regulations of Indiana Code 9-21-11-13.6, as amended.

~~3.~~iii) Use of locking devices to secure E-Scooters shall not damage public or private property.

b) Electric Bicycles (E-Bikes):

~~1.~~ i) Class 1, Class 2, and Class 3 E-Bikes are permitted in locations where traditional bicycles are allowed.

~~2.~~ ii) Class 3 E-Bikes shall not be operated by persons younger than fifteen (15) years of age.

iii) No person shall operate an E-Bike that has been modified in a manner that causes the E-Bike to exceed the performance characteristics established under Indiana law for Class 1, Class 2, or Class 3 E-Bikes.

iv) It is a violation of this section to operate an E-Bike that does not have display the manufacturer or distributor's label displaying the class level of the E-Bike as required by State Law.

c) E-Moto Devices:

~~1.~~ i) E-Moto Devices shall only be operated on Streets. Operation of E-Moto Devices is prohibited on all Sidewalks, and Multi-Use Trails, including Greenway Trails. Operating an E-Moto Device on Sidewalks, Multi-Use Trails, including Greenway Trails and exceeding the speed limits established for Micromobility Devices ~~in~~ under *General Regulations*, subsection (c)~~(ii)~~(2)~~(3)~~ constitute additional and separate violations of this section.

~~2.~~ ii) Operators must comply with safety and operational rules and regulations for motor driven cycles as outlined in Indiana Code 9-19- *et seq* and all Safety Requirements outlined in subsection (5) below.

(5) Safety Requirements and Prohibited Behavior. In addition to requirements outlined in Chapter 8 Article 4 Section 8-40 of this Code, operators of Micromobility and E-Moto Devices shall comply with the following safety requirements:

a) Helmet Use: All riders younger than sixteen (16) years of age operating Micromobility Devices~~,~~ must wear a properly fitted and fastened helmet.

b) Distracted Operation: Operators ~~of Micromobility Devices~~ must not use cell phones or other electronic devices while operating the ~~Micromobility~~ Device, unless using a hands-free device.

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c) Micromobility Devices and E-Moto may only carry the number of passengers for which they are designed.
d) Operators shall not attach the device or themselves to any moving motor vehicle by tow rope, hand grip or otherwise.
e) Operators shall not tow any other vehicle or device upon the Streets, Sidewalks, Park, or Multi-Use Trails of the City unless the vehicle or device is manufactured for such use.
f) Operators shall not engage in stunt riding or single-wheel operation, including, but not limited to (1) intentionally lifting or balancing the device on a single wheel (a.k.a. wheelies), (2) jumping curbs, retaining walls, or any park infrastructure while the Device is in motion, (3) intentionally causing a vehicle's tires to lose traction (a.k.a. burnouts); or (4) execute controlled skids (a.k.a drifting).
g) Operators shall not engage in racing or speed contests.
h) Operators shall not operate the device on stairs, grass, turf, or landscaped areas.
i) Operators shall not operate devices in groups of three (3) or more in a manner that obstructs or impedes the safe and orderly movement of traffic or pedestrians.
j) Operators shall not operate devices off permitted areas, including on unpaved footpaths, public lawns, earthen embankments, stormwater retention structures, or environmentally sensitive zones.

(6) Compliance with State Regulation. Operators of Micromobility and E-Moto Devices shall comply with all applicable State laws, rules and regulations relating to licensing, operation, and maintenance of such devices.

(7) Enforcement.
a) The City shall issue an ordinance violation citation to any person violating any provision of this section in the following amounts~~, which shall be processed and paid to the Carmel Ordinance Violation Bureau ("OVB") as follows~~:
~~1.~~ i) First and Second Offense~~: One Hundred Dollars ($100.00);~~
~~2. Second Offense within the same rolling 365 day period of time: One Hundred Fifty Dollars ($150.00); and~~
~~3. Third Offense and each additional offense~~ within the same rolling 365 day period of time: Two Hundred Fifty Dollars ($250.00) ~~and impoundment of the Micromobility or E-Moto Device.~~ which shall be processed and paid to the Carmel Ordinance Violation Bureau ("OVB").
ii) Third Offense and each additional offense within the same rolling 365 day period: $500 to $2,500.
b) Failure to pay OVB citations in the manner proscribed herein, and/or pursuant to Carmel City Code § 2-14, may result in formal court proceedings being initiated by the Office of Corporation Counsel.
c) If a violation is issued to a minor, the minor's parent or guardian shall be notified of the violation.
d) If a law enforcement officer determines that a minor operates a Micromobility or E-Moto Device in a reckless manner that endangers pedestrians or other users of the public right- of-way including the minor, the officer may immediately impound the device. The device may only be released to the minor's parent or legal guardian.

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(8) Impoundment and Forfeiture:

a) Micromobility or E-Moto Devices may be impounded for repeated violations of any City Code section, Ordinance, or applicable State law. The City or its contactor may impound Micromobility or E-Moto Devices to a private impound facility.

b) The owner of an impounded Micromobility or E-Moto Device, or a parent or legal guardian if the Micromobility or E-Moto Device is operated by a minor, shall be responsible for all impoundment and storage fees.

c) Any Micromobility Device or E-Moto Device may be subject to Forfeiture pursuant to Indiana Code 34-24-1.

(9) Authority.

a) The Carmel Police Department and other designated City enforcement officers shall have the authority to enforce the provisions of this section.

b) In determining whether a Device is an E-Bike or E-Moto Device, an officer may consider the following:

i) Manufacturer specifications
ii) Factory labels and marketing, advertising, or promotional materials detailing the intended operational environment and performance capabilities of the device
iii) Certificate of origin
iv) VIN information
v) Advertising or marketing materials
vi) Presence of an independent throttle and lack of fully operative pedal-crank assembly
vii) Motor wattage and power ratings
viii) System voltage and battery capacity
ix) Digital display indicators, onboard diagnostic readouts, or connected application firmware settings indicating operational capabilities that exceed statutory E-Bike limits
x) Observable structural component design, including but not limited to motorcycle-grade suspension, frame geometry, tire width, and heavy-duty braking assemblies inconsistent with standard E-Bike manufacturing
xi) Any other observable characteristics or verifiable data relevant to the device's mechanical and electrical classification"

Section 3. Chapter 3 Article 2 Section 3-58 of Carmel City Code is hereby amended and shall read as follows:

"§ 3-58 Establishment of Violations Bureau and Appointment of Violations Clerk.

(c) The following ordinance violations are designated as subject to admission before the Violations Clerk:

(4) ~~All~~ First and Second violations of the Micromobility and E-Moto Device ordinance within the same rolling 365 day period, ~~violations~~ described in § 8-44 and subject to the schedule of fines contained in § 8-44."

Section 4. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

This Ordinance was prepared by Allison Lynch McGrath, Assistant Corporation Council, on July 21, 2026, at 10:00 p.m. No subsequent revision to this Ordinance has been reviewed by Ms. Lynch McGrath for legal sufficiency or otherwise.

Section 5. If a change is needed immediately due to public safety hazard the City's executive may make a change to any provision of this Ordinance for up to 180 days prior to Common Council codification or rejection of said change.

Section 6. This Ordinance shall be in full force and effect upon its passage and signing by the Mayor and any such publication as required by law.

PASSED by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2026, by a vote of _____ ayes and _____ nays.

_____ _____
Matthew Snyder, President Ryan Locke, Vice-President

_____ _____
Jeff Worrell Teresa Ayers

_____ _____
Shannon Minnaar Anita Joshi

_____ _____
Adam Aasen Anthony Green

_____
Rich Taylor

ATTEST:

_____
Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____ 2026, at _____ __.M.

_____
Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____ 2026, at _____ __.M.

_____
Sue Finkam, Mayor

ATTEST:

_____
Jacob Quinn, Clerk

Ordinance D-2843-26
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This Ordinance was prepared by Allison Lynch McGrath, Assistant Corporation Council, on July 21, 2026, at 10:00 p.m. No subsequent revision to this Ordinance has been reviewed by Ms. Lynch McGrath for legal sufficiency or otherwise.

City of Carmel Unified Development Ordinance

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GroundRules
website www.groundrulesinc.com

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Article 1

Ordinance Foundation

City of Carmel
Unified Development
Ordinance

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GroundRules
website www.groundrulesinc.com

1.01 Title

This ordinance shall be formally known as the "Carmel Unified Development Ordinance," and may be cited and referred to as "this Ordinance," "Zoning Ordinance," "Subdivision Control Ordinance," or "Unified Development Ordinance."

1.02 Unified Development Ordinance

The City of Carmel'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 two (2) documents, 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.

1.03 Defined Words

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

1.04 Purpose and Intent

This Unified Development Ordinance is intended to guide the growth and development of the City in accordance with the laws of the State of Indiana, local ordinances and regulations, and the Comprehensive Plan, and for the following purposes:

A. 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.

B. General Welfare: To promote the public health, safety, morals, comfort, convenience, and general welfare.

C. Development and Growth: To promote orderly, responsible, and beneficial development and growth of the areas within the planning jurisdiction in accordance with the City's land use policy.

D. Quality Divisions of Land: To establish: the proper arrangement and design of streets and pedestrian facilities; adequate open space; necessary provision for public utilities and other public facilities; non-monotonous development; low impact development; and other requirements that will promote conditions favorable to the health, convenience, and prosperity of the citizens.

E. Character: To protect the character and stability of residential, institutional, commercial, industrial, historical, and natural areas.

F. Circulation and Safety: To minimize or avoid congestion on public streets, sidewalks, multi-use paths, and trails; and to ensure safe, convenient, and efficient vehicular, bicycle, and pedestrian circulation.

G. 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 or intensity.

H. Intensity: To regulate and limit the use of buildings, structures, and land when deemed necessary for compatibility, infrastructure capacity, and compliance with the Comprehensive Plan.

I. Public Service: To define the powers and duties of administrative officials and bodies, and to establish procedures for the implementation and enforcement of the Unified Development Ordinance.

J. Compliance: To require ongoing compliance with the regulations and punitive recourse for noncompliance regarding the provisions of the Unified Development Ordinance.

K. Environmental Integrity: To preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the City.

1.05 Authority

This Unified Development Ordinance is adopted by the City of Carmel pursuant to its authority under the laws of the State of Indiana, *IC 36-7-4 et seq*. Whenever any provision of the Unified Development Ordinance refers to or cites a section of the Indiana Code and that section is later amended or superseded, this Ordinance shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

1.06 Jurisdiction

Unless specifically indicated by superseding jurisdiction, this Ordinance applies to all incorporated land within the City of Carmel.

1.07 Compliance

A. Zoning Regulations: Except as hereinafter provided, no structure shall be placed, erected, constructed, reconstructed, moved, structurally altered, converted, enlarged, or used; nor shall any land be used; nor shall any existing use be changed or expanded except when in full compliance with all provisions of this Ordinance and the permits and approvals required herein have lawfully been issued. Compliance also includes instances where a variance has been legally granted by the Board of Zoning Appeals. Land uses and structures that do not comply with the Unified Development Ordinance, may be grandfathered (i.e. a legal nonconformance) if they were legally established under previous zoning ordinance or subdivision control ordinances. For information regarding legal nonconformance, See *Article 8: Nonconformances*.

B. Subdivision Control Regulations: No subdivision of land, merging of parcels, shifting of a lot line, replat, amendments to a plat, conversion of common area, modification to a written commitment or condition imposed by the Plan Commission during the platting process, or any other alteration to a platted lot or subdivision shall be permitted except when in full compliance with all applicable provisions of the Unified Development Ordinance and *IC 36-7-4-700 Series*. Compliance shall include instances where Plan Commission legally granted a waiver. Further, no final action shall be complete until all required signatures have been entered in writing and applicable recordings have been completed. See *Section 9.10: Subdivision, Minor - Plat*, *Section 9.11: Subdivision, Major - Primary Plat*, and *Section 9.13: Subdivision, Administrative* for the applicable processes.

C. Compliance With Current Standards: All Improvements and installations required by the this Ordinance shall be in accordance with current standards of the City of Carmel.

D. Effect on PUD: Structures and Improvements within an approved Planned Unit Development (PUD) shall follow the development requirements contained in the approved PUD Ordinance, unless PUD Ordinance is silent on a particular matter, then this Ordinance shall control.

E. Thoroughfare Plan: In addition to meeting requirements of Americans with Disabilities Act (ADA), all projects, Improvements, or authorizations that adjoin, include, are served by or affect existing streets bearing a designation in the Comprehensive Plan shall conform to the requirements of the Thoroughfare Plan map, Street Typologies, Streetscape Facilities, Mobility and Pedestrian Plan Sections of the Comprehensive Plan (collectively "Thoroughfare Plan") in regard to:

1. The design and minimum development standards for Rights-of-Way including any required dedications of public Right-of-Way;
2. Design and construction of the improvements indicated by the Thoroughfare Plan across the roadway frontage of the project;
3. Applicable setback; and
4. Any other affected development standards.

F. Monetary Commitment In-lieu-of Compliance: The petitioner may elect to provide a monetary commitment equal to the value to otherwise design and construct the improvements indicated by the Thoroughfare Plan across the roadway frontage. The value of the commitment shall be equal to the difference in the value to otherwise design and construct the improvements indicated by the Thoroughfare Plan across the roadway frontage, minus the cost to design and construct those improvements indicated by the Thoroughfare Plan across the roadway frontage that will be installed by the petitioner. The values established above shall be approved by the Department of Engineering. In making such approvals, the Engineering Department shall take into consideration the effects and overall additional burden of the proposed development or Improvement on the City's infrastructure and whether the required monetary commitment is roughly proportionate to such effects and burden.

Conformance with the Thoroughfare Plan as outlined above shall be in addition to any improvements required:

1. On the application form for a Subdivision;
2. In *Section 9.03(B)(2)(i): Service Reports*; and
3. Any other applicable standards.

G. Petitions Excluded from Compliance: The following petition types are excluded from the requirements of subsections E and F above:
   1. Development Standard variances.
   2. Residential and Non-Dwelling Short-Term Rental special exception.
   3. ADLS-only petitions.
   4. Waiver of Development Standard.

H. Transition from Overlay Districts to Primary Zoning Districts: Any pre-existing commitments and/or conditions of approval applicable to a development that was approved under the former US-31 Overlay District or Old Meridian Overlay District shall run with the land and shall remain in effect. Release from any pre-existing commitment and/or condition of approval requires a Plan Commission public hearing and approval.

1.08 Severability

If any provision or the application of any provision of this Ordinance is held unconstitutional or invalid by any court of competent jurisdiction or applicable state or federal law, all remaining provisions of this Ordinance and the application of the unconstitutional or invalid provision to other circumstances shall not be affected.

1.09 Interpretation

A. Minimum Requirements: The provisions of the Unified Development Ordinance are the minimum requirements necessary for the protection of health, safety, comfort, morals, convenience, and general welfare of the Carmel residents and visiting public.

B. Conflict or Inconsistency:
   1. *Internal*: Unless otherwise specifically stated herein, if two (2) or more provisions of the Unified Development Ordinance are in conflict or are inconsistent with one another, then the more restrictive provision shall apply.
   2. *Federal, State, and Local*:
      a. 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 City ordinance or regulation, the provision of the Unified Development Ordinance shall apply unless specifically preempted by such code or regulation.
      b. Whenever a provision of any State or federal code or regulation or other City 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 City ordinance or regulation shall apply.
   3. *Other*: Whenever a private covenant, contract, easement, 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 City of Carmel is not obligated to enforce the provisions of such private covenants, contracts, agreements or other similar regulation. Unless specifically provided herein, the City of Carmel shall not consider, interpret, or enforce private covenants, contracts, easements, restrictions, or other private agreements.

C. Text: In case of discrepancies between the Unified Development Ordinance text and any drawing, table, figure, title, or section heading, the text shall govern.

D. 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 City offices are closed, the time frame will be extended to the end of the next business day.

E. Building or Structure: The word "building" or "structure" includes any part thereof, unless clearly indicated otherwise. The word "building" and "structure" may be utilized interchangeably, unless clearly indicated otherwise.

F. Petitioner or Applicant: The word "petitioner" and "applicant" and variations thereof may be used interchangeably, unless clearly indicated otherwise.

G. Mandatory and Permissive Terms: The words "shall" or "must" are always mandatory. The words "may" is permissive. The word "should" is a preferred concept or idea.

H. Words Used: Any Legal or technical word used in this Ordinance that is not defined in *Article 11: Definitions* shall be construed to be as defined by an appropriate lexicon, legal dictionary or common and current dictionary as determined by the Director of Community Services. Any other word used that is not defined in *Article 11: Definitions* shall be determined by a common and current dictionary. Under all circumstances the context and inference from surrounding text shall be considered.

I. Tense: If words are used in a specific tense (past, future, or present) it shall be construed to include all tenses, unless the context clearly indicates a single tense.

J. 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.

K. Gender: If a feminine term is used, the masculine shall also apply and vice versa.

L. Conjunctions: The word "and" shall be construed to include all connected items in a series, conditions and provisions. The word "or" shall be construed to include one or more of the items in a series, conditions and provisions, unless the context clearly suggests the contrary.

M. Rounding: If a formula is used within this Ordinance or referenced City regulation, policy, or guidance results in a non-whole number of an indivisible object or feature, the non-whole number shall be rounded to the next highest whole number.

N. Ownership: Cooperatives, condominiums and all other forms of property ownership do not affect the provisions of these regulations and all requirements shall be observed as though the property were under single ownership. Further, properties developed with internal streets, pedestrian facilities and parking areas shall observe all regulations as if those streets and parking areas are public infrastructure (e.g. setbacks would be measured from those streets, pedestrian facilities, and parking areas as if they were a public right-of-way).

O. 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.

1.10 Repealed

A. The following City of Carmel ordinances are hereby repealed and are replaced by the City of Carmel Unified Development Ordinance and Official Zoning Map:

1. *Zoning Ordinance*: The Zoning Ordinance of the City of Carmel, Indiana as amended, and its associated Zoning Map (*Chapter 10, Article 1* of the City's Code of Ordinance), and
2. *Subdivision Control*: The Subdivision Control Ordinance of the City of Carmel, Indiana as amended (*Chapter 10, Article 2* of the City's Code of Ordinance).

1.11 Administrative Officer

The Director of Community Services shall have the primary responsibility for administration of this Ordinance.

1.12 Code Enforcement

At the direction of the Office of Corporation Counsel, Code Enforcement shall have the primary responsibility for enforcement of this Ordinance. The Common Council, Plan Commission, and BZA can authorize enforcement of conditions and conditions of approvals made before them.

1.13 Saving Provision

This Unified Development Ordinance shall not be construed as eliminating or reducing any right granted or responsibility imposed pursuant to an existing law of previous Zoning Ordinance, Subdivision Control Ordinance, or related ordinance. This Unified Development Ordinance shall not be construed as discontinuing, reducing, modifying, or altering any penalty accrued or accruing under said regulations.

1.14 Effect of Annexation or Vacation on Zoning

Any right-of-way vacated by the City of Carmel shall automatically be assigned the zoning district from the adjacent property(ies). If one (1) or more zoning districts surround the vacated right-of-way then those zoning districts shall only be extended to the centerline of the former right-of-way, following the newly establish property lines, if applicable. Partial vacations of a right-of-way shall extend only the adjoining zoning district(s) to include all vacated area.

1.15 Statutory Changes

Whenever 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.

1.16 Subdivision of Land

The Subdivision of land may occur in accordance with *Article 6: Subdivision Types* and *Article 7: Design Standards* in all zoning districts established in *Section 1.17: Zoning Districts Established*.

1.17 Zoning Districts Established

The City of Carmel planning jurisdictional area is hereby divided into the following districts:

A. Primary Zoning Districts:
   1. P1 Park and Recreation District
   2. S1 Residence District
   3. S2 Residence District
   4. R1 Residence District
   5. R2 Residence District
   6. R3 Residence District
   7. R4 Residence District
   8. R5 Residence District
   9. UR Urban Residential District
   10. B1 Business District
   11. B2 Business District
   12. B3 Business District
   13. B5 Business District
   14. B6 Business District
   15. B7 Business District
   16. B8 Business District
   17. C1 Mixed-Use District
   18. C2 Mixed-Use District
   19. UC Urban Core District
   20. MC Meridian Corridor District
   21. I1 Industrial District
   22. M3 Manufacturing District
   23. PUD Planned Unit Development District

B. Secondary Zoning Districts:
   1. Home Place Overlay District
   2. Keystone Parkway Overlay District
   3. Monon Greenway Overlay District
   4. Old Town Overlay District
   5. Range Line Road Overlay District
   6. US 421 - Michigan Road Overlay District
   7. West 116th Street Overlay District

1.18 Zoning District Listed Land Uses

The two-page layout for each Primary Zoning District in *Article 2: Zoning Districts* identifies land uses allowed in that district as a Permitted Use or Special Use as denoted by the headings of "Permitted Use," and "Special Use," on each two-page layout.

1.19 Zoning District Unlisted Land Uses

A. General: Any land use not listed in *Article 2: Zoning Districts* in either the Permitted Use or Special Use sections shall be prohibited in that Primary Zoning District.

B. Administrative Interpretation: A land use not explicitly listed as a Permitted or Special Use within a Primary Zoning District may be deemed permitted by interpretation of the Planning Administrator, provided it is substantially similar to a listed Permitted or Special Use in that same district. This review will assess the use's consistency with the intent of each district and its compatibility with the characteristics of permitted uses within those districts. Based on this review, the Planning Administrator will determine the appropriate district for the unlisted use. If an aggrieved party disagrees with the Planning Administrator's determination, they may appeal the decision to the Board of Zoning Appeals.

1.20 Official Zoning Map

A. Territory within the planning jurisdiction is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of the Unified Development Ordinance.

B. The Official Zoning Map shall be identified by the signature of the Mayor and the City Clerk under the words "Official Zoning Map," together with the date of the adoption of the Unified Development Ordinance.

C. Regardless of the existence of purported copies of the Official Zoning Map which may, from time to time, be made or published, the Official Zoning Map shall be located in the office of the City Clerk and shall be the final authority as to the current zoning status of land and water areas, building and other structures within the jurisdiction of the Plan Commission.

D. Interactive Zoning Map is available online at:
https://www.carmel.in.gov/government/departments-services/community-services/zoning-map-tools

1.21 Official Zoning Map Changes

A. If the Common Council amends district boundaries or other matters portrayed on the Official Zoning Map, in accordance with this Unified Development Ordinance and applicable state law, the Director of Community Services shall enter these changes on the Official Zoning Map within ninety (90) days of the amendment's approval.

B. No change of any nature shall be made to the Official Zoning Map, or matter shown thereon, except in conformity with the amendment procedures set forth in the Unified Development Ordinance.

1.22 Official Zoning Map Replacement

A. In the event that the Official Zoning Map becomes damaged, lost, or difficult to interpret because of the number of changes and additions, the Common Council may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof.

1.23 Interpretation of the Zoning Map

A. Where uncertainty exists as to the exact boundaries of any district as shown on the Official Zoning Map, the following rules shall apply:

1. In subdivided areas, or where a district boundary subdivides a lot, the exact location of the boundary shall be determined by use of the scale of the Official Zoning Map.
2. In the case of further uncertainty, the Board of Zoning Appeals shall interpret the intent of the Official Zoning Map as to the location of the boundary in question.

B. The Official Zoning Map, which accompanies and is hereby declared to be a part of the Unified Development Ordinance, shows the boundaries of and the area covered by the district. Notations, references, indications and other matters shown on the Official Zoning Map are as much a part of the Unified Development Ordinance as if they were fully described herein.

C. In determining the boundaries of districts and establishing the regulations applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the City.

1.24 The Common Council

The authority and duties of the Common Council pursuant to state law and this Ordinance are:

A. Consider amendments to the text of this Ordinance.
B. Consider amendments to the Official Zoning Map.
C. Adopt a Comprehensive Plan.

1.25 The Plan Commission

The authority and duties of the Plan Commission pursuant to state law and this Ordinance are:

A. Advise the Common Council in writing on amendments to the written zoning regulations.
B. Advise the Common Council in writing on amendments to the Official Zoning Map.
C. Consider Development Plan and ADLS applications for all applicable Primary Zoning Districts, including Planned Unit Development Districts.
D. Consider Development Plan and ADLS applications for Overlay Zoning Districts.
E. Consider applications for subdivision of land (i.e. plats) and waivers of design standards.
F. Accept commitments and impose conditions as permitted by state law and this Ordinance.
G. Delegate to a committee, a hearing examiner, a hearing officer, or any other zoning official the authority to hold hearings, make decisions, or conduct secondary reviews under this Ordinance and pursuant to *IC 36-7-3-10*, *IC 36-7-4-402*, *IC 36-7-4-407*, *IC 36-7-4-408*, *IC 36-7-4-701*, *IC 36-7-4-710*, *IC 36-7-4-711*, *IC 36-7-4-1402*, *IC 36-7-4-1511*, or other applicable statutes.
H. Designate a hearing examiner or committee of the Plan Commission to conduct combined hearing procedures relative to developments that require more than one hearing, as provided in *IC 36-7-4-403.5*, on the condition that all members of the Common Council shall be notified not less than three (3) calendar days before a development is docketed for a combined hearing procedure and that each member of the Common Council shall be entitled to object to the use of the combined hearing procedure for that development.
I. Appoint hearing officers for the Board of Zoning Appeals pursuant to *IC 36-7-4-923*.

1.26 The Board of Zoning Appeals

The authority and duties of the Board of Zoning Appeals pursuant to state law and this Ordinance are:

A. Consider Special Exception and Special Use applications.
B. Consider Variance applications.
C. Consider appeals from decisions of administrative officials.
D. Make final interpretation of zoning district boundaries.
E. Make decisions concerning the existence of nonconforming uses.

1.27 The Director of Community Services

A. It shall be the duty of the Director of Community Services to administer and enforce the Unified Development Ordinance. All permits, Certificates of Occupancy, official determinations and all other directorial approvals or documents contemplated by this Ordinance are issued by the Director of Community Services, and he/she shall be responsible for determining whether all such permits required herein are in compliance with the provisions of this Ordinance. He/she shall receive applications required by this Ordinance, furnish prescribed documents and forms, issue notices or orders as may be necessary, administer all matters pertaining to zoning, subdivision and signage control within the planning jurisdiction, including the retention of all records related thereto, with the exception of official documents required to be retained by the City Clerk. All such records shall be open to public inspection during normal office hours, but shall not be removed from the office of the Director of Community Services.
B. Improvement Location Permits and Certificates of Occupancy: See *Carmel City Code*; *Chapter 7*: *Building Code*; *Article 3: Specific Regulations*.

C. Records of the Director of Community Services: The Director of Community Services shall retain records (electronic format is permissible if authorized by state law) of the following items:
   1. Copies of Improvement Location Permits and associated building permits and informational materials.
   2. Copies of Certificates of Occupancy, both permanent and temporary.
   3. Copies of demolition permits.
   4. Approved and signed subdivision plat mylars.
   5. Approved and signed Development Plans.
   6. All files related to the activities of the Board of Zoning Appeals, Common Council, and Plan Commission shall be maintained. These activities include, but are not limited to: subdivision platting, appeals, variances, special uses, Development Plans, zoning amendments (text and map changes), nonconforming use determinations, and zoning district boundary determinations. Each file shall contain: application forms, newspaper legal notices, records of notification to adjacent property owners, all required or necessary plans and information for the application, and relevant meeting minutes from the applicable governing body.

1.28 The City Clerk

It shall be the duty of the City Clerk to retain the official copy of the Unified Development Ordinance and all amendments thereto, and the Official Zoning Map (electronic format is permissible if authorized by state law). All official zoning materials shall be available for public viewing in the office of the City Clerk during normal office hours.

1.29 Filing Fees

Applications and petitions filed pursuant to the provisions of this Ordinance shall be accompanied by the filing fees hereinafter specified and shall be paid to the City of Carmel and collected by the Department of Community Services. On or before December 31st of each year, the Director of Community Services shall determine if there has been an increase in the Consumer Price Index (United States city average) prepared by the United States Department of Labor, by comparing the arithmetic mean of the Index for July, August, and September of the current year with the same three-month period of the preceding year. If there has been an increase, the increase shall be stated as a percentage of the arithmetic mean for the three-month period for the year preceding the current year (the Adjustment Percentage). The Adjustment Percentage shall be rounded to the nearest one-tenth of one percent and may not exceed four percent (4%), unless otherwise provided by ordinance. Whenever the Director determines that there has been an increase, the Director may make a corresponding adjustment to the filing and inspection fees (including late fees) that are assessed under this 1.29 Filing Fees, in order to recoup increases in personnel and administrative costs within the Department. However, the adjustment may not be greater than the Adjustment Percentage determined under this paragraph. The adjusted fees as determined by the Director under this paragraph take effect on January 1 of the succeeding year.

A. Exemptions from Fees: Unless otherwise provided herein, the listed fees are waived for all City of Carmel, Clay Township and Carmel/Clay School buildings or facilities.

B. Withholding Permits: The Department of Community Services is empowered to withhold issuing new permits or granting inspections to any individual, firm, or corporation until all previously required permits, inspections and Certificates of Occupancy have been issued and all fees paid.

C. Fee Schedule:

Zoning and Development Fees (Effective 1/5/26)

Plan Commission Applications

Application	Filing Fee
Primary Plat	$1,500.00 plus $250.00 per lot
Plat Amendment, Replat or Plat Vacation	$750.00 plus $200.00 per lot
Secondary Plat	$1,500.00 plus $200.00 per lot
Lot Split	$750.00
Condominium (HPR)	$2,000.00 plus $200.00 per unit
Waiver (design standards or development standards)	$1,500.00 plus $500.00 per each additional
Zoning Ordinance Amendment/Rezone	$2,500.00 plus $250.00 per acre
Planned Unit Development (PUD) Ordinance	$4,500.00 plus $250.00 per acre
PUD Text Amendment	$2,500.00
Development Plan (DP)	$1,500.00 plus $250.00 per acre
DP Amendment	$1,500.00 plus $250.00 per acre
ADLS Building/Site	$1,500.00 plus $250.00 per acre (if no DP)
ADLS Sign Package	$500.00 plus $50.00 per sign
ADLS Amendment - Major Building/Site Modification	$1,000.00 plus $250.00 per acre
ADLS Amendment - Minor Building/Site Modification	$500.00
ADLS Amendment - Sign Only	$250.00 plus $50.00 per sign
ADLS Amendment - Commercial Patio	$250.00
Commitment Amendment - Plan Commission	$2,500.00
Site Plan and Design Review (SDR) - Residential	$750.00
Site Plan and Design Review (SDR) - Commercial	$1,000.00
Technical Review (formerly TAC only)	$250.00 plus $250.00 per acre
Zoning Determination Letter (formerly Zoning Certificate)	$150.00 (no charge for primary residence)
Time Extension Review	No Charge
Re-review Fee	$450.00

Board of Zoning Appeals Applications

Applications	Filing Fee
Development Standards Variance •Single-family (primary residence) •Other Class II Structure •All Class I Structure	 •$450.00 plus $250.00 for each additional variance request •$1,750.00 plus $500.00 for each additional variance request •$2,150.00 plus $450.00 for each additional variance request
Use Variance	$2,500.00 plus $250.00 per acre
Special Use (SU)	$1,500.00 plus $250.00 per acre
Special Use Amendment	$750.00 plus $250.00 per acre
Administrative Appeal	$250.00
BZA Hearing Officer - Development Standards Variance •Class II (primary residence) •Other Class II Uses •Class I Uses	 •$250.00 plus $100.00 for each additional variance request •$500.00 plus $250.00 for each additional variance request •$950.00 plus $350.00 for each additional variance request
Special Exception, Group Home	$250.00 plus $125.00 per bedroom
Special Exception, Short Term Rental	$250.00
Special Exception Renewal	$75.00

Signs Permit Fees

Applications	
Sign Permit	$150.00
Sign Installation Improvement	$50.00 plus $2.50 per sq. ft.
Construction Fence Sign	$50.00 plus $0.50 per sq. ft.
Permanent Sign Inspection	$100.00
Temporary Sign	$150.00

Permits and Inspection Fees (Effective 4/27/26)

Fee calculation = Permit fee plus applicable inspections plus Certificate of Occupancy (C/O) plus late fees.

Improvement Location Permit (ILP) Fees:

Applications	Filing Fee
Class I Structure - New	$1,250.00 plus $0.25 per gross sq. ft.
Class I Structure, Residential - New (Class I residential buildings are assessed a 'per unit' fee and a 'per gross sq. ft.' fee for all community/back of house areas)	$1,250.00 plus $450.00 per residential unit, plus $0.25 per gross sq. ft.
Class I Structure - Tenant Space Permit	$750.00 plus $0.25 per gross sq. ft.
Class I Structure - Remodel	$750.00 plus $0.25 per gross sq. ft.
Class I Structure - Change of Occupancy	$200.00
Class I Structure - Addition	$950.00 plus $0.25 per gross sq. ft.
Class II Structure - New	$650.00 plus $0.25 per gross sq. ft.
Class II Structure - Addition	$350.00 plus $0.25 per gross sq. ft.
Class II Structure - Remodel	$250.00 plus $0.25 per gross sq. ft.
Class II Structure - Basement Finish	$250.00 plus $0.10 per gross sq. ft.
Class II - Accessory Structure (over 120 sq. ft.)	$1.00 per sq. ft.
Swimming Pool •Class II •Class I	$500.00 •plus $0.20 per sq. ft. •plus $0.30 per sq. ft.
Residential Patio (over 120 sq. ft.)	$125.00 plus $0.10 per sq. ft.
Residential Deck	$125.00 plus $0.10 per sq. ft.
Fence Permit - Residential District	$95.00 plus $0.10 per linear ft.

Applications	Filing Fee
Fence Permit - Commercial District	$150.00 plus $0.15 per linear ft.
Fence Replacement Permit (no charge if permit is on file)	$75.00
ILP Time Extension Review •Class II Structure •Class I Structure	 •$75.00 •$250.00
ILP Expiration Notification/Renewal	•$250.00
Re-review Fee •Class II Structure •Class I Structure	 •$250.00 •$450.00
Plan Amendment •Class II Structure •Class I Structure	 •$250.00 •$450.00

Electrical Permits

Application	Filing Fee
Class I Structure **Permit Types** Meter Base or Panel Upgrade Solar Panel Generator Vehicle Charging Installation	$200.00
Class II Structure **Permit Types** Meter Base or Panel Upgrade Solar Panel Generator Vehicle Charging Installation	$100.00

Temporary Permits

Application	Filing Fee
Temporary Use Permit (base fee)* •Food Stand (up to 3 months) •Fireworks/Other Seasonal Sales (up to 30 days) •Outdoor Sales (5 days) •Model Home, Construction Trailer (up to 18 months)	$150.00 plus any applicable subcategory below •$250.00 plus $100.00 per month extension, up to 3** •$500.00 plus $250.00 per month extension, up to 30 days** •$25.00/day •$900.00 plus $150.00 per month extension, up to 6 months**
Special Event Permit (up to 5 days)(base fee)* •1-day •3-day •5-day	$125.00 plus the applicable length category below •$25.00 •$75.00 •$125.00
Special Event Extension (up to 5 days)*	$25.00/day
Builder Application (annual fee)	$150.00
Sexually Oriented Business Permit (annual permit)	$4,500.00

* Temporary permit and special event fees shall be 1/2 base fee only for Carmel/Clay Schools, Carmel/Clay Public Library, and 501(c)(3) organizations.
**Temporary use extension requests are not automatic and are subject to Director review and approval.

Filing Fees

Certificate of Occupancy

Application	Filing Fee
Class II Structure	$100.00
Class I Structure	$250.00 plus $100.00 per residential unit
Partial C/O •Class II •Class I	 •$200.00 •$400.00
Temporary C/O •Class I or Class II •Class I	 •$50.00 per residential unit •$150.00
Certificate of Substantial Completion	$250.00

Demolition Fees

Application	Filing Fee
Demolition Permit (includes 1 inspection)	$250.00 plus $150.00 for each additional structure
Demolition Reinspection	$100.00

Construction Inspections

Application	Filing Fee
Class II Structure	$100.00 plus $150.00 for any required reinspection
Class I Structure	$200.00 plus $300.00 for any required reinspection
Timed/Same-day/Weekend - Class II Structure	2 times (2X) regular fee
Timed/Same-day/Weekend - Class I Structure	2 times (2X) regular fee
Inspection Types	
Footing (upper, lower)	
Foundation	
Under Slab Plumbing (pre backfill)	
Under Slab (r-board and vapor barrier)	
Electrical	
Insulation	
Pool Bonding and Grounding	
Rough-in	
Plumbing	
Residential Porch	
Residential Exterior (pre finish siding)	
Deck	
Patio	
Final Building	
Class II Final Site	
Class I Structure - Site + ADA + Bicycle	
Class I Structure - Site Landscaping	
Residential Subdivision Site - Common Area Landscaping	
Other Inspection	
Tree Preservation - Preconstruction	$500.00
Tree Preservation - Post Construction	$250.00

Permit Late Fees

	Filing Fee
Class II Structure (new or addition)	$1,000.00
Class II Other (remodel, accessory, deck/patio)	$350.00
Class I Structure (new or addition)	$3,500.00
Class I Other (remodel, accessory, tenant finish)	$750.00
Temporary Permits	$200.00
Sign Permit	$250.00
Continuing Work Under Stop Work Order	$1,000.00

Inspection Late Fees

	Filing Fee
Class II Structure (new, addition or pool)	$1,000.00
Class II Other (remodel, accessory, deck/patio)	$250.00
Class I Structure (new or addition)	$2,000.00
Class I Other (remodel, accessory, tenant finish)	$500.00
Permanent Sign	$200.00
Tree Preservation	$2,500.00 for each occurrence

Residential Rental Registration

	Filing Fee
Annual Permit Fee	$5.00
Late Fee - Past 30 Days	Fee + $100.00
Late Fee - Past 60 Days	Fee + $200.00

Record Research/Plan Retrieval

	Filing Fee
Per request (no charge if for primary residence)	$125.00

Parks and Recreation Impact Fees (Effective 1/1/26)

Parks and Recreation Impact Fee (PRIF)

	Fee
Per Dwelling Unit	$6,029

1.30 Parks and Recreation Impact Fees

Adopted by the Council on June 3, 2024 and effective on and after January 1, 2025, as set forth in *Section 1.30(O): Effective Date and Expiration Date*.

A. Title: *Section 1.30: Parks and Recreation Impact Fees* shall be referred to and known as the *Parks and Recreation Impact Fee Ordinance* (the "*PRIF Ordinance*") for the City of Carmel, Hamilton County, Indiana.

B. Definitions: Terms used in the Unified Development Ordinance are defined in *Article 11: Definitions*.

C. Establishment of Impact Zone: There is hereby established one Parks and Recreation Infrastructure Impact Zone, the borders of which are coterminous with the Planning Jurisdiction. In this regard, the Council specifically finds that there is a functional relationship between the components of the Park and Recreation Master Plan and the Zone Improvement Plan, as each is amended from time to time, and that such plans will provide a reasonably uniform benefit to all of the citizens throughout the Impact Zone. The Council further finds that all areas within the Impact Zone are contiguous as required in *IC 36-7-4-1316*. Except as provided below, this PRIF Ordinance shall apply uniformly to all developments within the Impact Zone hereby established for which the City may require an improvement location permit and which create a need for new and additional Parks and Recreation Infrastructure. This PRIF Ordinance shall not apply to:
   1. Improvements which do not require an improvement location permit;
   2. Improvements which do not create a need for new and additional Parks and Recreation Infrastructure, including the erection of a sign, construction of accessory buildings, structures or fences or the alteration, renovation or expansion of an improvement where the use, or intensity thereof, has not changed; or
   3. The replacement of a destroyed or partially destroyed improvement, provided that the replacement improvement does not create a need for new and additional Parks and Recreation Infrastructure over and above the infrastructure needed by the original improvement prior to the destruction or partial destruction thereof.

D. Zone Improvement Plan: The Council hereby finds that, prior to the adoption of this *PRIF Ordinance*, the Plan Commission undertook a comprehensive and detailed park and recreational impact analysis and consulted with a qualified engineer, and the resulting study and data base were used in the preparation of the *Zone Improvement Plan* as required by *IC 36-7-4-1318(d)*. The Council has heretofore adopted the *Zone Improvement Plan* and finds in this regard that the *Zone Improvement Plan* does contain the following elements:
   1. Reasonable estimates relating to the nature and location of development that is expected within the Impact Zone during the planning period, which, for the purposes of this *PRIF Ordinance* is defined to be a period of ten (10) years commencing with the date of adoption hereof.
   2. A reasonable determination of the community level of service for the Impact Zone.
   3. A reasonable determination of the current level of service provided within the Impact Zone.
   4. A reasonable estimate of the nature, location, sequencing, and timing of the park and recreational improvements and costs necessary to provide the community level of service for the developments contemplated in *Section 1.30(D)(1)* hereof.
   5. A reasonable estimate of the share of the park and recreational costs identified in *Section 1.30(D)(4)* hereof that will be used to:
      a. Raise the current level of service for existing development or provide service to existing development; or
      b. Provide service to new development.
   6. A reasonable estimate of revenues that:
      a. Are from sources other than impact fees; and,
      b. Will be used to finance the costs identified in *Section 1.30(D)(5)(a)* above.
   7. A description of the nature and location of existing infrastructure in the Impact Zone.
   8. A general description of the sources and amounts of money used to pay for infrastructure during the previous five years.
   9. A reasonable estimate of the share of the park and recreational costs identified in *Section 1.30(D)(4)* hereof that will be used to pay the directly related expenses incurred in preparing or updating the Zone Improvement Plan, as limited by *IC 36-7-4-1330*.

   In addition, the Council has specifically adopted the *Zone Improvement Plan* as an official part of the Comprehensive Plan pursuant to *IC 36-7-4-500 et seq*.

E. Establishment of Impact Fee: Based upon the Park and Recreation Master Plan and the *Zone Improvement Plan* previously referred to and which are hereby incorporated by reference into this *PRIF Ordinance*, the Council determines that the impact costs, minus the sum of nonlocal revenues and impact deductions (as defined in *IC 36-7-4-1321*), do not exceed the amount of $8,275 per equivalent dwelling unit, and that, therefore, the impact fee to be imposed on every development subject to this *PRIF Ordinance* shall equal the product of:

1. $5,425, during months 1-12 of the effectiveness of this PRIF Ordinance;
   $6,029, during months 13-24 of the effectiveness of this PRIF Ordinance;
   $6,700, during months 25-36 of the effectiveness of this PRIF Ordinances;
   $7,446, during months 37-48 of the effectiveness of this PRIF Ordinance; or
   $8,275, after month 48; times
2. The number of equivalent dwelling units to be constructed pursuant to the improvement location permit obtained by the developer (or individual).

The Council does hereby make as a part of the record of these proceedings, all of the data collected, the calculations made, and the conclusions reached by the Plan Commission in the process of developing the *Zone Improvement Plan*, and specifically instructs the Director of Community Services to make such data and other information inclusively available to anyone for review during regular business hours. In the event that any parcel of real estate considered in the creation of the *Zone Improvement Plan* undergoes a change in use, redevelopment, or a modification which requires an improvement location permit, and creates a need for new infrastructure, an impact fee will be assessed only for the increase in the burden on infrastructure.

F. Credit in Lieu of Payment; Exemptions:

1. Pursuant to *IC 36-7-4-1335*, any developer (or individual) obligated to pay a fee pursuant to the terms of this PRIF Ordinance may be granted the option of financing, constructing and dedicating Parks and Recreation Infrastructure instead of making all or part of any impact fee payment which may be due, so long as such financing, construction and dedication are accomplished either:
   a. Pursuant to the Zone Improvement Plan and with the consent and acceptance of the Carmel-Clay Board of Parks and Recreation, or
   b. With respect to components of infrastructure or other improvements that are not included in the *Zone Improvement Plan*, after consultation with the Director of Carmel-Clay Parks and Recreation, with the initial approval by the Council, where, if desired, the Council can set a percentage limit, with deviation limits, of how much credit is allocated for site improvements, and with final consent and acceptance of the Board of Public Works and Safety.
2. The developer (or individual) providing the infrastructure or improvement, shall be allowed a credit in an amount equal to the sum of:
   a. The actual cost of constructing or providing the infrastructure or improvements, plus
   b. The fair market value of the land, real property interests, and site improvements provided.
3. The amount of the credit shall be determined by agreement (the "Credit Agreement") between the person constructing or providing the infrastructure or improvement and either:
   a. The Carmel-Clay Board of Parks and Recreation; or
   b. The Board of Public Works and Safety, depending upon which entity is best suited to accept the dedication of the infrastructure or improvement. The developer (or individual) shall make a request for credit prior to the issuance of the improvement location permit. The Board of Public Works and Safety shall not approve a proposed Credit Agreement if the credit allocation for any site improvement(s) exceeds the percentage limit, including deviation limits, set by Council, if applicable. In the event the credit is less than the amount of the impact fee due pursuant to *Section 1.30(E): Establishment of Impact Fee* above, the remaining balance shall be due in accordance with the provisions stated hereafter.
4. Credits against impact fees otherwise due shall be allowed pursuant to this section for all infrastructure and improvements constructed or furnished in accordance with *IC 36-7-4-1313* and *IC 36-7-4-1335* since January 1, 1989. In addition, a developer (or individual) responsible for installing infrastructure or improvements may designate in writing a method of allocating its credits to future owners who may be successors in interest to the credits earned by the developer (or individual) as part of the Credit Agreement provided for above.
5. Any developer (or individual) obligated to pay the fee established by this PRIF Ordinance whose property was totally or partially destroyed by fire, storm or other casualty beyond his or her control, shall be exempt from said fee if such developer (or individual) repairs or replaces the destroyed structure without creating a burden on Parks and Recreation Infrastructure greater than the burden imposed by the destroyed structure. In the event of such additional burden, the fee shall be calculated based only on the increased burden created by the structure.

6. The Council reserves the right to conduct audits and request any information from any source related to the credits approved under this section, the progress of the projects for infrastructure and other improvements related thereto, and the fund (or funds) established under *IC 36-7-4-1329* for purposes of receiving the fees collected to determine compliance with this section.

G. Impact Fee Due Upon Issuance of Improvement Location Permit: The impact fee imposed pursuant to the terms of this *PRIF Ordinance* shall be due and payable upon the issuance of an improvement location permit. The entire fee which is calculated pursuant to the terms of this *PRIF Ordinance* shall be due at said time, except that an installment plan may be requested by the applicant in accordance with the terms set forth in *IC 36-7-4-1324 (a), (b), (c), and (d)*. The Impact Fee Review Board shall establish specific rules consistent with said code provisions for installment payments. The interest rate on any installment plan or deferred payment shall be the pre-judgment rate of interest set forth in the Indiana Code as from time to time amended. If a developer (or individual) requests, the amount of the impact fee shall be assessed upon the voluntary submission of a development plan or upon the issuance of the improvement location permit, whichever is earlier. For purposes of this section, "assessment" means the act of calculating the amount of the impact fee which shall be due at said time. The Director of Community Services shall make such assessment within thirty (30) days of the date of such voluntary request or at the issuance of the improvement location permit with or without a request.

H. Lien Rights Established: Pursuant to *IC 36-7-4-1325*, the City of Carmel acquires a lien against the real estate which is the subject of the impact fee. Upon adoption, this *PRIF Ordinance* shall be recorded, and, thereafter, it shall constitute constructive notice of the lien rights of the City. The City may, in its discretion, file a specific instrument setting forth its lien rights with respect to a parcel of real estate which is the subject of an installment payment plan for an impact fee, and such instrument shall constitute actual notice in addition to the constructive actual notice in addition to the constructive notice provided for by the recording of this *PRIF Ordinance*.

I. Form of Receipt: The Director of Community Services shall issue a receipt for any and all impact fees collected, and the form of such receipt shall be as follows:

Received of [fee payer], this [date] day of [month, year], the sum of $ [amount] in [full/partial] satisfaction of impact fees due pursuant to the City of Carmel Unified Development Ordinance, Section 1.30, relating to improvements to be constructed on the real estate described on Exhibit A, attached hereto, made part hereof, and subject to lien rights in favor of the City of Carmel in the event of partial payment with payments remaining due. The remaining balance due (if any) is in the following amount: $_____. This impact fee is dedicated to the creation of the following infrastructure elements in accordance with the Zone Improvement Plan:

_____

_____

DEPARTMENT OF COMMUNITY SERVICES

City of Carmel

J. Establishment of Impact Fee Review Board; Hearing of Appeals: There is hereby established the Carmel Impact Fee Review Board. The Impact Fee Review Board shall consist of three (3) citizen members, appointed by the Mayor of the City to serve for terms of four (4) years; however, for the purpose of providing for staggered terms of office, the initial members of the Impact Fee Review Board shall be appointed for respective terms of two (2) years, three (3) years, and four (4) years. The members of the Impact Fee Review Board shall not be members of the Plan Commission and shall meet the qualifications prescribed by *IC 36-7-4-1338(b)*, that is, one (1) licensed real estate broker, one licensed (1) engineer, and one (1) certified public accountant. Whenever a member of the Impact Fee Review Board is unable to participate in any matter before the board because of a conflict of interest, the Mayor shall appoint a temporary replacement member, meeting the qualifications of the member being replaced, to serve on the board for the purpose of hearing that matter only. The Impact Fee Review Board shall be governed by *IC 36-7-4-1338(c)* and all other applicable provisions of the Impact Fee Statute. Any developer (or individual) who believes itself to be aggrieved by the calculation of an impact fee may appeal from such calculation to the Impact Fee Review Board and the Impact Fee Review Board shall conduct a hearing with regard thereto. At such hearing, the developer (or individual) shall bear the burden of going forward with the evidence and shall present evidence addressing either of the following propositions:

1. A fact assumption used in determining the amount of the impact fee is incorrect; or
2. The amount of the impact fee is greater than the amount allowed under *IC 36-7-4-1320*, *IC 36-7-4-1321*, and *IC 36-7-4-1322*.

Upon conclusion of the presentation of evidence, the Impact Fee Review Board shall make a determination within thirty (30) days, upon the facts presented and may make such adjustments in the impact fee as it deems are appropriate under the circumstances, if any. An appeal under *Section 1.30(J): Establishment of Review Board; Hearing of Appeals* shall be filed not later than thirty (30) days after the issuance of the improvement location permit. The appeal shall be initiated with the filing of a Petition for Review with the Director of Community Services, together with a filing fee in the amount of $100. The filing fee shall be refunded in full:

1. If the Petition of Review is granted and the impact fee is eliminated, reduced or adjusted by the Review Board, by independent action of the Director of Community Services, or by a court having jurisdiction, and
2. If the reviewing body determines that the amount of the fee, reductions, or credits were arbitrary or capricious.

The Petition for Review shall be in a form calculated to inform the Impact Fee Review Board of the nature of the complaint, the parties to the action, and the relief requested. In addition, the petition shall describe the new development on which the impact fee has been assessed, all facts related to the assessment of the impact fee, and the reasons the petitioner believes that the amount of the impact fee assessed is erroneous or is greater than the amount allowed by the fee limitations set forth in the Impact Fee Statute. The Director of Community Services shall not deny the issuance of improvement location permit on the basis that the impact fee has not been paid, or condition issuance of the permit on the payment of the impact fee.

K. Establishment of Impact Fee Fund: There is hereby established an Impact Fee Fund as a non-reverting fund, as may be designated by the Council, within the City to receive any and all sums collected pursuant to this *PRIF Ordinance* and any other Impact Fee Ordinance that may hereafter be adopted, to be utilized in connection with the purposes set forth in *Section 1.30(L): Use of Impact Fees Collected* below. The Impact Fee Fund shall have separate line items for each project, separating the sums that are received and collected by each specific project, pursuant to this *PRIF Ordinance*. In the event, and only in the event, that an additional Impact Zone for Parks and Recreation Infrastructure is created hereafter, a separate account shall be maintained for each separate Impact Zone established within the City. Interest earned on any such account shall be deposited and maintained within the separate account. The Fiscal Officer shall manage the Impact Fee Fund according to the provisions of the Impact Fee Statute and maintain records of the status of any such account. Pursuant to *IC 36-7-4-1329*, the Fiscal Officer shall make an annual report to the Plan Commission and the Carmel-Clay Board of Parks and Recreation of said accounts which shall be available to the public in general and developer (or individual), upon request, in particular. The right to any refund of an impact fee shall be determined strictly in accordance with *IC 36-7-4-1332*, and the Fiscal Officer is designated, pursuant to *IC 36-7-4-1332(e)*, as the official responsible for acting upon any refund applications that may be filed by the developer (or individual). In order to facilitate the payment of any refunds when they may be due, the Fiscal Officer is directed to identify the purpose of any impact fee paid in order that a refund, if any, may be paid from the account into which the fee was originally deposited.

L. Use of Impact Fees Collected: Any and all fees collected pursuant to the provisions of this *PRIF Ordinance* may be utilized, subject to Council approval, only for the following purposes:

1. Providing funds to be utilized by the Carmel-Clay Board of Parks and Recreation, after consultation with the Executive Director of Carmel Redevelopment Commission, for the purpose of paying the capital costs of Parks and Recreation Infrastructure that is necessary to serve the new development within the City that is identified in the *Zone Improvement Plan*;
2. An amount not to exceed five percent (5%) of the annual collections of the fees, to be utilized by the Carmel-Clay Board of Parks and Recreation for expenses incurred by the Carmel-Clay Board of Parks and Recreation and/or the City for the consulting services that are used with regard to the establishment and maintenance of this impact fee program;
3. To pay any refund that may be due under *IC 36-7-4-1332*;
4. To pay the debt service cost on an obligation issued to provide Parks and Recreation Infrastructure described in *Section 1.30(L)(1)* in accordance with *IC 36-10-3-27* or other applicable law;
5. Providing funds to be utilized by the Carmel Redevelopment Commission, after consultation with the Director of Carmel-Clay Parks and Recreation, for the purpose of paying the capital costs of Urban Parks and Recreation Infrastructure.

M. Conflicts with Impact Fee Statute: The Council specifically acknowledges the existence of the Impact Fee Statute, which regulates the adoption of impact fee ordinances by municipal corporations within the State of Indiana. It is the intent of the Council to comply with such legislation, and this *PRIF Ordinance* shall be construed in all respects to be consistent with the Impact Fee Statute. The substantive and procedural requirements of the Impact Fee Statute shall control in the event of conflicts, which are unintended by the Council.

N. Amendments and Review: The impact fee provided for herein is based upon information that, in large part, is subject to inflation and other economic and market forces over which the Council has no control. The Council may, therefore, from time to time, cause a review to be made by the Director of Community Services, or such consultants as may be required, to determine the continuing validity of the Impact Fee, the Impact Zone, and the *Zone Improvement Plan*. The Council may consider and adopt such amendments as are necessary to cause a substantive compliance with all constitutional and statutory requirements. To the extent required by the facts and circumstances, this process shall include the steps necessary to update the *Zone Improvement Plan* and the Comprehensive Plan.

O. Effective Date and Expiration Date: Pursuant to *IC 36-7-4-1340*, this *PRIF Ordinance* shall be effective January 1, 2025, which is not earlier than six (6) months following its adoption in accordance with the Impact Fee Statute, replacing the *PRIF Ordinance* adopted on November 18, 2019, and wholly contained in *Section 1.30: Parks and Recreation Impact Fees*. This *PRIF Ordinance* shall expire five (5) years following such effective date, and no impact fee may be collected under this *PRIF Ordinance* after such expiration date. However, the Council may adopt a replacement impact fee ordinance to take effect before, on or after such expiration date if the replacement ordinance complies with the provisions of the Impact Fee Statute.

1.31 Plan Commission Certification

The Unified Development Ordinance was certified by the City of Carmel Advisory Plan Commission with a favorable recommendation for adoption on August 15, 2017 then forwarded to the legislative body. The official minutes and vote are available in the Department of Community Services.

1.32 Unified Development Ordinance Adoption and Effective Date

The Unified Development Ordinance was adopted by the Common Council of the City of Carmel, Indiana on October 16, 2017. The Unified Development Ordinance became effective on January 1, 2018. Record of the meeting and vote are available at the City Clerk's office.

Article

2

Zoning Districts

City of Carmel
Unified Development
Ordinance

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GroundRules
website www.groundrulesinc.com

P1 District

2.01 P1 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for historic, museum, religious and charitable, and park and recreational uses and to protect the environment within this district by providing only for those uses and for compatible, less intensive urban land uses.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreational Permitted Use
- country club
- golf course
- park, public

Miscellaneous Permitted Use
- historic site

Temporary Permitted Use
- food stand*
- construction facility
- special event, outdoor

Accessory Permitted Use
- private parking area

Special Exception/Special Use

Cultural/Entertainment Special Use
- museum

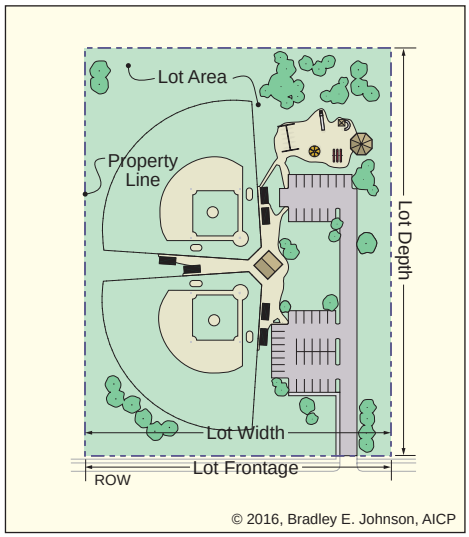
Education Special Use
- school, elementary or secondary education

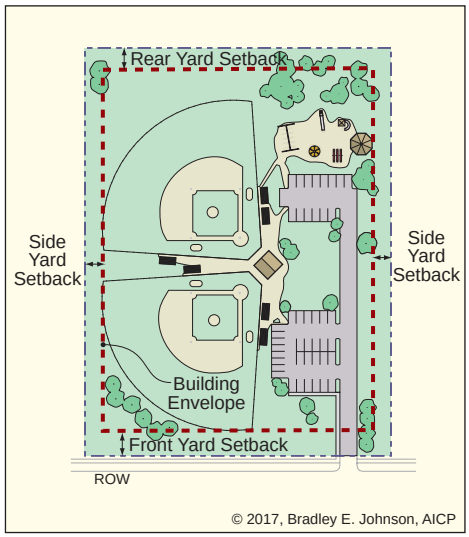
Institutional Special Use
- church/temple/place of worship

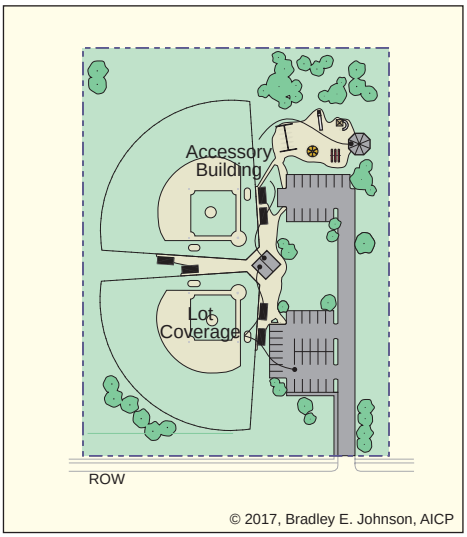
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*

**** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply***

2.02 P1 District Development Standards







Minimum Lot Area
- 3 acres

Minimum Lot Width
- 200 feet (measured at the front building setback line)

Minimum Lot Frontage
- not applicable

Maximum Lot Depth
- not applicable

Minimum Front Yard Setback
- 40 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 20 feet for a principal building
- 50 feet aggregate
- See *Section 5.03* for accessory building setbacks

Minimum Rear Yard Setback
- 15 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 35%

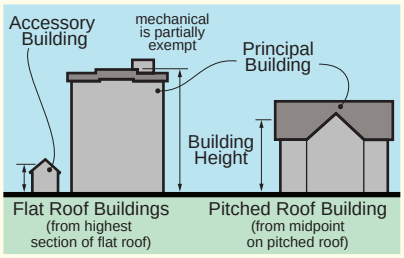
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- 1,000 sq. ft.

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- no

ADLS Required
- no



Maximum Building Height
- no limit for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-01 ..... pg. 5-70
- US-20 ..... pg. 5-72

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.03 S1 District Intent, Permitted Uses and Special Uses

Intent

The purpose of the S1 District is to provide for the development of innovative residential environments in keeping with the rural character of this district, by providing for a development process that allows a high degree of flexibility in the design of single-family subdivisions. Further, it is the purpose of this district to provide for a development process that allows for more efficient use of the land through the introduction of open space and conservation lands within subdivisions. It is the intention of this district to protect remaining significant natural features within this district by placing an emphasis on less intensive urban land uses.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreation Permitted Use
- park, public

Residential Permitted Use
- dwelling, single-family

Temporary Permitted Use
- construction facility
- model home
- special event, outdoor

Accessory Permitted Use
- bona fide servants quarters
- guest house
- home occupation
- private swimming pool
- residential kennel

Special Exception/Special Use

Agricultural Special Use
- commercial greenhouse*
- plant nursery*
- raising/breeding of non-farm or exotic animals

Education Special Use
- college or university
- kindergarten/preschool*
- school, elementary or secondary education

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library
- water management and use facility

Office Special Use
- clinic or medical health center

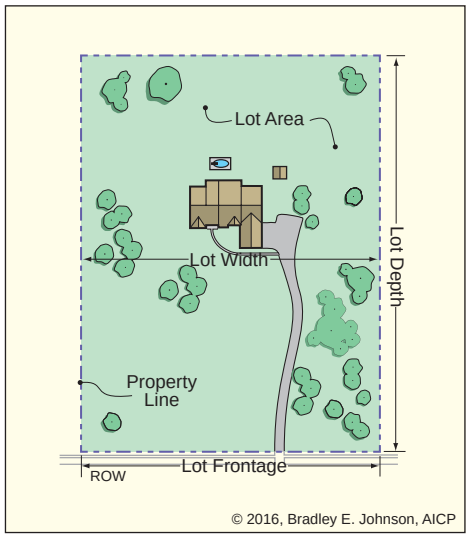
Recreational Special Use
- country club
- golf course
- private recreational facility*
- riding stable

Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*
- radio/television transmission tower

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.04 S1 District Development Standards



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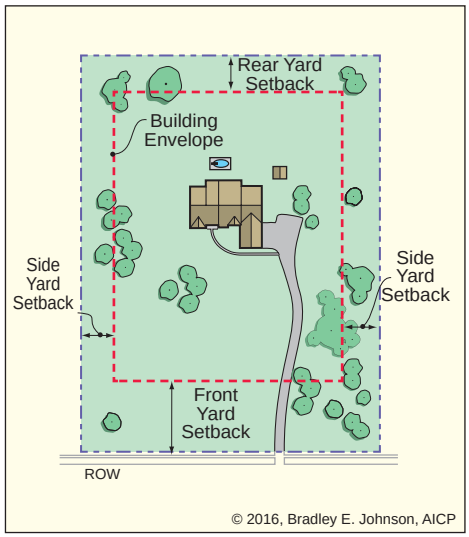
Minimum Lot Area
- 15,000 sq ft

Minimum Lot Width
- 120 feet for single-family dwellings
- 200 feet for all other uses



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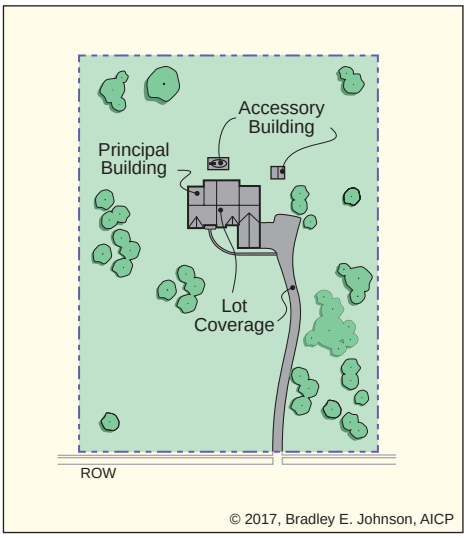
Minimum Front Yard Setback
- 40 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Side Yard Setback
- 10 feet for single-family dwellings
- 20 feet for all other uses
- See *Section 5.02* for accessory building setbacks

Minimum Aggregate of Side Yards
- 30 feet for single-family dwellings
- 50 feet for all other uses

Minimum Rear Yard Setback
- 20 feet for single-family dwellings
- 15 feet for all other uses
- See *Section 5.02* for accessory building setbacks



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Maximum Lot Coverage
- 35%

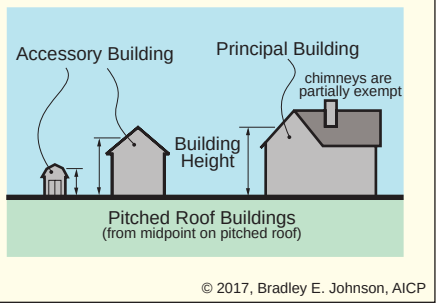
Minimum Ground Floor Area
- 1,000; one-story single-family dwelling
- 800; two-story single-family dwellings
- 800; all other uses

Maximum Density
- 1.0 lot/acre

Maximum Principal Buildings per Lot
- 1

Development Plan Required
- no

ADLS Required
- no



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Maximum Building Height
- 35 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-01 ..... pg. 5-3

Architectural
- AR-01 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31

Manufactured Home
- MH-01 ..... pg. 5-32

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48
- SB-02 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-01 ..... pg. 5-70
- US-02 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-05 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-02 ..... pg. 5-87

2.05 S2 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for low-density single-family residential development in areas facing conversion from a rural-agricultural nature to a residential nature. The preservation of natural features and encouragement of open space residential land-use patterns in this district is intended to correspond to Suburban Residential in the Comprehensive Plan's Land Classification Plan.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreation Permitted Use
- park, public

Residential Permitted Use
- dwelling, single-family

Temporary Permitted Use
- construction facility
- model home
- special event, outdoor

Accessory Permitted Use
- bona fide servants quarters
- home occupation
- guest house
- private swimming pool
- residential kennel

Special Exception/Special Use

Agricultural Special Use
- commercial greenhouse*
- plant nursery*

Education Special Use
- college or university
- kindergarten/preschool*
- school, elementary or secondary education

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library
- water management and use facility

Office Special Use
- clinic or medical health center

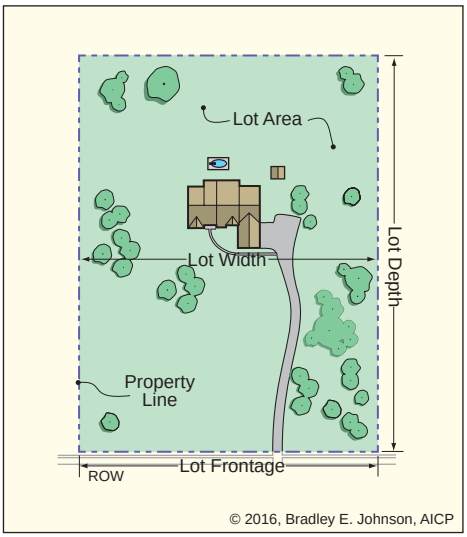
Recreational Special Use
- country club
- golf course
- private recreational facility*
- riding stable

Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

Miscellaneous Special Use
- artificial lake or pond, non-commercial (non-platted)
- cemetery*
- radio/television transmission tower

**** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply***

2.06 S2 District Development Standards



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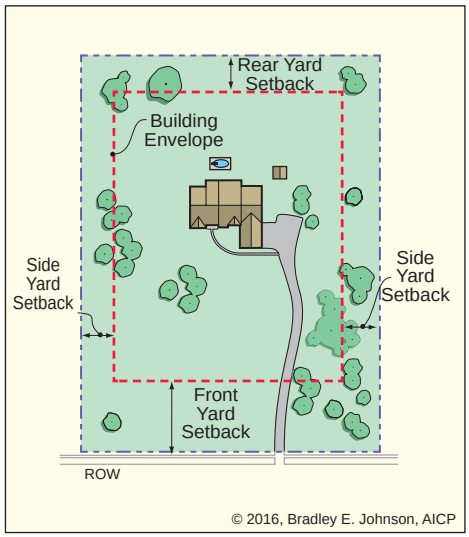
Minimum Lot Area
- 12,000 sq ft

Minimum Lot Width
- 100 feet for single-family dwellings
- 200 feet for all other uses



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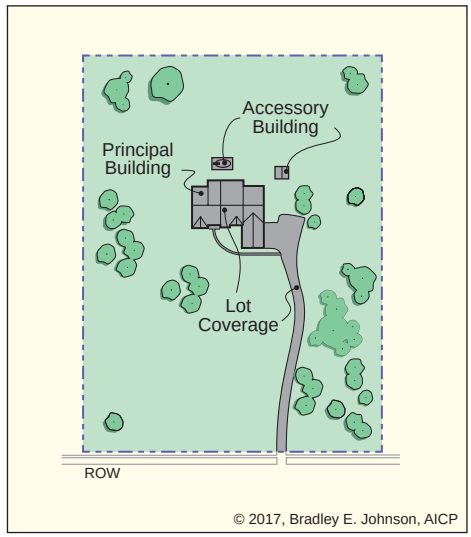
Minimum Front Yard Setback
- 35 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Side Yard Setback
- 10 feet for single-family dwellings
- 20 feet for all other uses
- See *Section 5.02* for accessory building setbacks

Minimum Aggregate of Side Yards
- 25 feet for single-family dwellings
- 40 feet for all other uses

Minimum Rear Yard Setback
- 20 feet for single-family dwellings
- 15 feet for all other uses
- See *Section 5.02* for accessory building setbacks



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Maximum Lot Coverage
- 35%

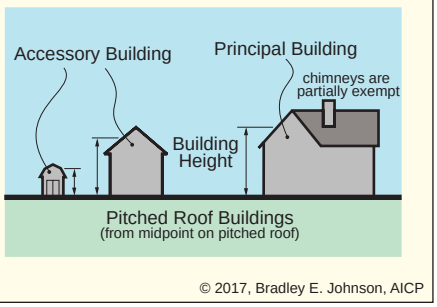
Minimum Ground Floor Area
- 1,100; one-story single-family dwelling
- 800; two-story single-family dwellings
- 800; all other uses

Maximum Density
- 2.4 lots/acre

Maximum Principal Buildings per Lot
- 1

Development Plan Required
- no

ADLS Required
- no



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Maximum Building Height
- 35 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-01 ..... pg. 5-3

Architectural
- AR-01 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31

Manufactured Home
- MH-01 ..... pg. 5-32

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-01 ..... pg. 5-70
- US-02 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-05 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-02 ..... pg. 5-87

2.07 R1 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for low-density single-family residential development where adequate public facilities are available. The preservation of natural features and encouragement of open space residential land-use patterns in this district is intended to correspond to Suburban Residential in the Comprehensive Plan's Land Classification Plan.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreation Permitted Use
- park, public

Residential Permitted Use
- dwelling, single-family

Temporary Permitted Use
- construction facility
- model home
- special event, outdoor

Accessory Permitted Use
- bona fide servants quarters
- guest house
- home occupation
- private swimming pool
- residential kennel

Special Exception/Special Use

Education Special Use
- kindergarten/preschool*
- school, elementary or secondary education

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library
- water management and use facility

Office Special Use
- clinic or medical health center

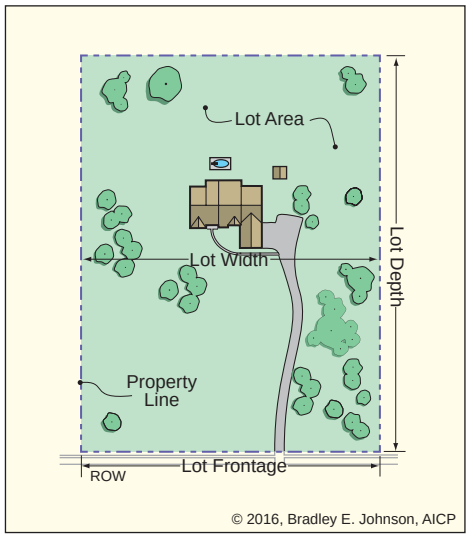
Recreational Special Use
- country club
- golf course
- private recreational facility*

Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.08 R1 District Development Standards



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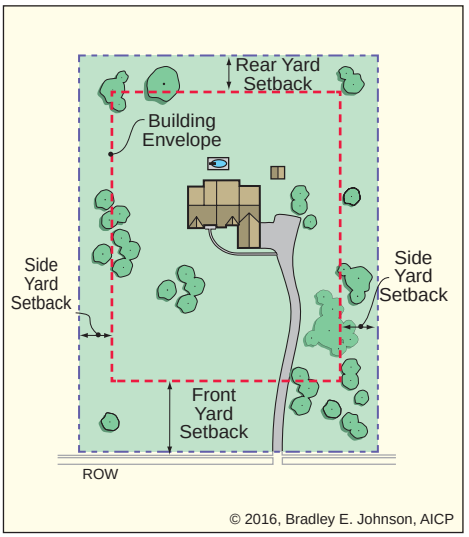
Minimum Lot Area
- 10,000 sq ft

Minimum Lot Width
- 100 feet

Public Utilities
- required community water hookup
- required sanitary sewer system hookup



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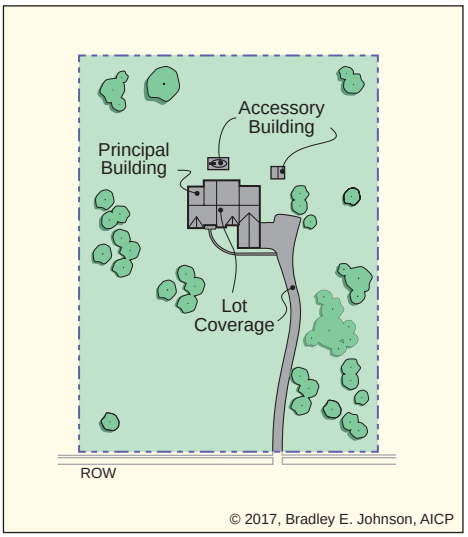
Minimum Front Yard Setback
- 35 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Side Yard Setback
- 10 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Aggregate of Side Yards
- 20 feet for a principal building

Minimum Rear Yard Setback
- 20 feet for single-family dwellings
- 15 feet for all other uses
- See *Section 5.02* for accessory building setbacks



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Maximum Lot Coverage
- 35%

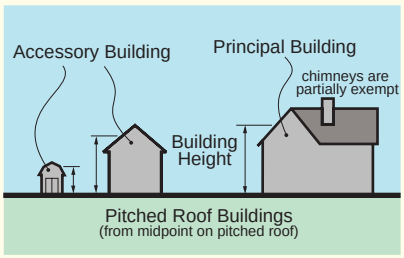
Minimum Ground Floor Area
- 1,100; one-story single-family dwelling
- 900; two-story single-family dwellings
- 900; all other uses

Maximum Density
- 2.9 lots/acre

Maximum Principal Buildings per Lot
- 1

Development Plan Required
- no

ADLS Required
- no



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Maximum Building Height
- 35 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-01 ..... pg. 5-3

Architectural
- AR-01 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31

Manufactured Home
- MH-01 ..... pg. 5-32

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-01 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-02 ..... pg. 5-87

2.09 R2 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for medium density single-family residential development where adequate public facilities are available. The preservation of natural features, and encouragement of open space residential land-use patterns in this district is intended to implement the Comprehensive Plan's Residential Community Objective. The R2 District corresponds to Suburban Residential in the Comprehensive Plan's Land Classification Plan.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreation Permitted Use
- park, public

Residential Permitted Use
- dwelling, single-family

Temporary Permitted Use
- construction facility
- model home
- special event, outdoor

Accessory Permitted Use
- bona fide servants quarters
- guest house
- home occupation
- private swimming pool
- residential kennel

Special Exception/Special Use

Education Special Use
- kindergarten/preschool*
- school, elementary or secondary education

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library
- water management and use facility

Office Special Use
- clinic or medical health center

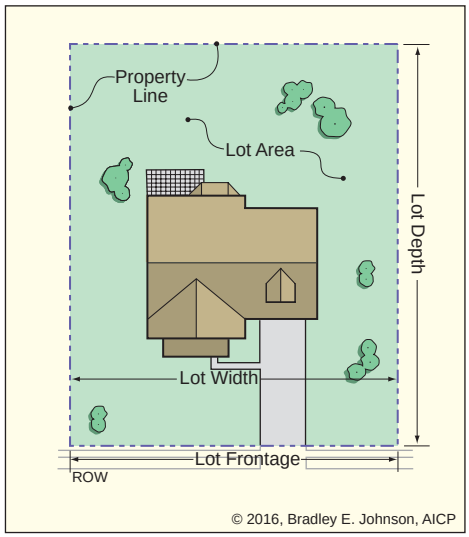
Recreational Special Use
- country club
- golf course
- private recreational facility*

Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.10 R2 District Development Standards



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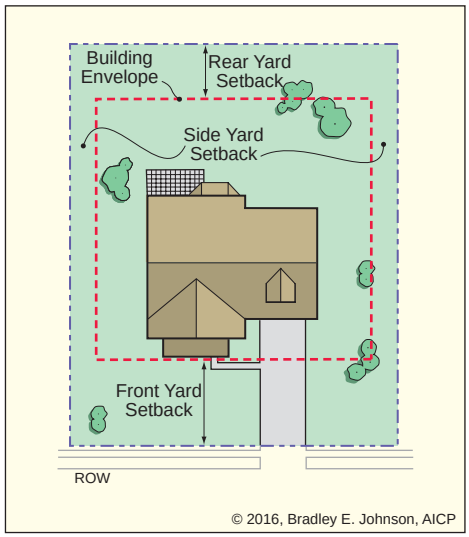
Minimum Lot Area
- 10,000 sq ft

Minimum Lot Width
- 80 feet

Public Utilities
- required community water hookup
- required sanitary sewer system hookup



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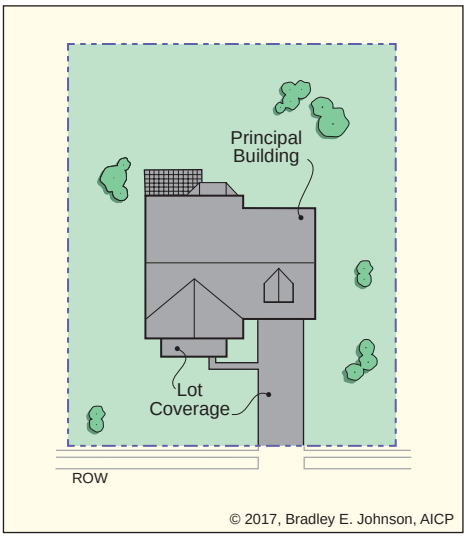
Minimum Front Yard Setback
- 35 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Side Yard Setback
- 5 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Aggregate of Side Yards
- 15 feet for a principal building

Minimum Rear Yard Setback
- 20 feet for single-family dwellings
- 15 feet for all other uses
- See *Section 5.02* for accessory building setbacks



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Maximum Lot Coverage
- 35%

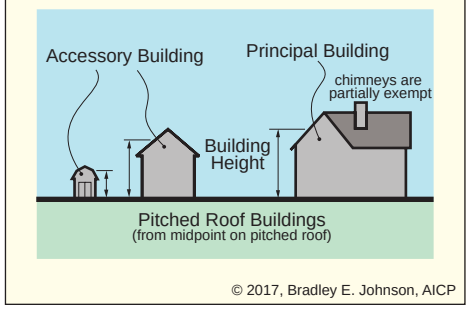
Minimum Ground Floor Area
- 1,100; one-story single-family dwelling
- 900; two-story single-family dwellings
- 900; all other uses

Maximum Density
- 3.9 lots/acre

Maximum Principal Buildings per Lot
- 1

Development Plan Required
- no

ADLS Required
- no



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Maximum Building Height
- 35 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-01 ..... pg. 5-3

Architectural
- AR-01 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31

Manufactured Home
- MH-01 ..... pg. 5-32

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-01 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-02 ..... pg. 5-87

2.11 R3 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for medium density single- and two-family development on smaller lots in urbanized areas. The preservation of natural features, and encouragement of open space residential land-use patterns in this district is intended to implement the Comprehensive Plan's Residential Community Objectives. The R3 District corresponds to Urban Residential in the Comprehensive Plan's Land Classification Plan.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreation Permitted Use
- park, public

Residential Permitted Use
- dwelling, single-family
- dwelling, two-family

Temporary Permitted Use
- construction facility
- model home
- special event, outdoor

Accessory Permitted Use
- bona fide servants quarters
- guest house
- home occupation
- private parking area
- private swimming pool
- residential kennel

Special Exception/Special Use

Education Special Use
- kindergarten/preschool*
- school, elementary or secondary education

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library
- water management and use facility

Office Special Use
- clinic or medical health center

Recreational Special Use
- country club
- golf course
- private recreational facility*

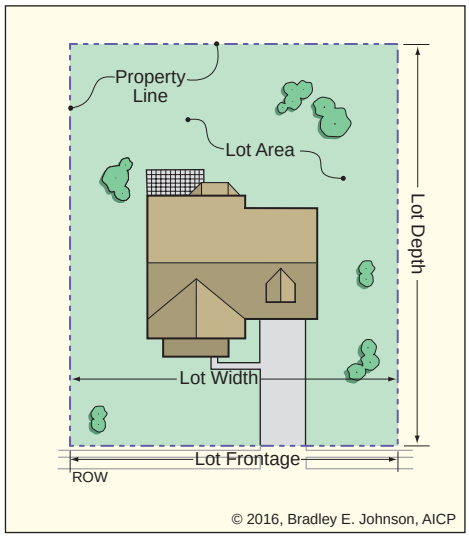
Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

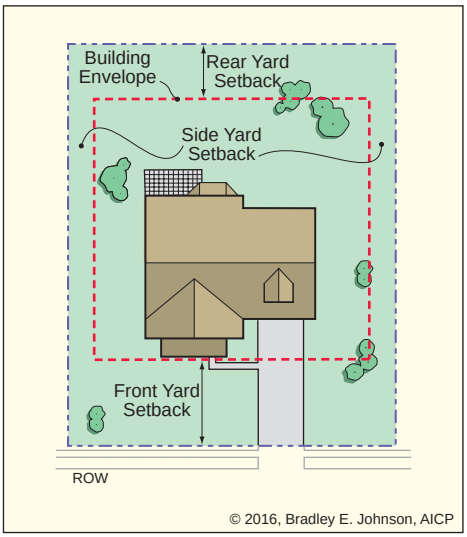
Residential Special Use
- boarding or lodging house
- continuing care retirement community
- nursing/retirement/convalescent facility

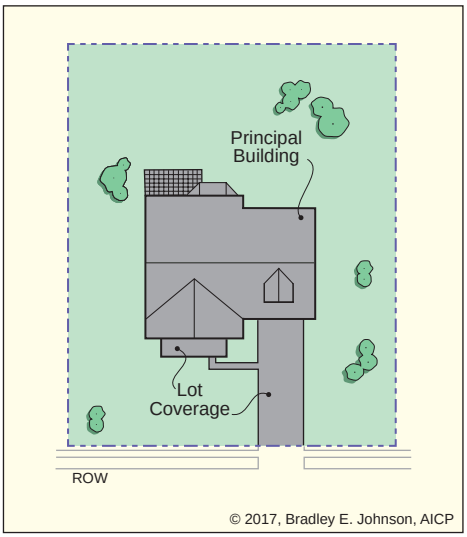
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.12 R3 District Development Standards







Minimum Lot Area
- 8,000 sq ft

Minimum Lot Width
- 60 feet

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 30 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Side Yard Setback
- 5 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Aggregate of Side Yards
- 15 feet for a principal building

Minimum Rear Yard Setback
- 20 feet for single-family dwellings
- 15 feet for all other uses
- See *Section 5.02* for accessory building setbacks

Maximum Lot Coverage
- 35%

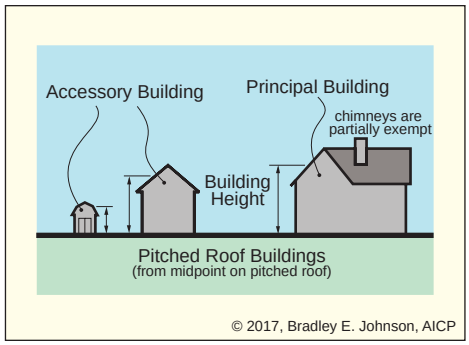
Minimum Ground Floor Area
- 800; one-story single-family dwelling
- 700; two-story single-family dwellings
- 800; all other uses

Maximum Density
- 5.0 lots/acre

Maximum Principal Buildings per Lot
- 1

Development Plan Required
- no

ADLS Required
- no



Maximum Building Height
- 35 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-01 ..... pg. 5-3

Architectural
- AR-01 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31

Manufactured Home
- MH-01 ..... pg. 5-32

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-01 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-02 ..... pg. 5-87

2.13 R4 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for high-density single-, two- and multiple-family development on small lots in distinctly urbanized areas. The intent of this district is to protect and conserve existing residential development, particularly in locations featuring marginally standard housing and facing potential change from original uses, and to preserve natural features, and encourage open space residential land-use patterns in this district is intended to corresponds to Urban Residential in t

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreation Permitted Use
- park, public

Residential Permitted Use
- dwelling, single-family
- dwelling, two-family

Temporary Permitted Use
- construction facility
- model home
- special event, outdoor

Accessory Permitted Use
- bona fide servants quarters
- guest house
- home occupation
- private parking area
- private swimming pool
- residential kennel

Special Exception/Special Use

Education Special Use
- kindergarten/preschool*
- school, elementary or secondary education

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library
- water management and use facility

Office Special Use
- clinic or medical health center

Recreational Special Use
- country club
- golf course
- private recreational facility*

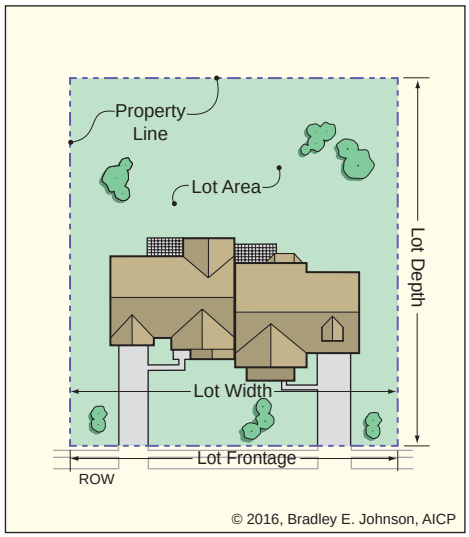
Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

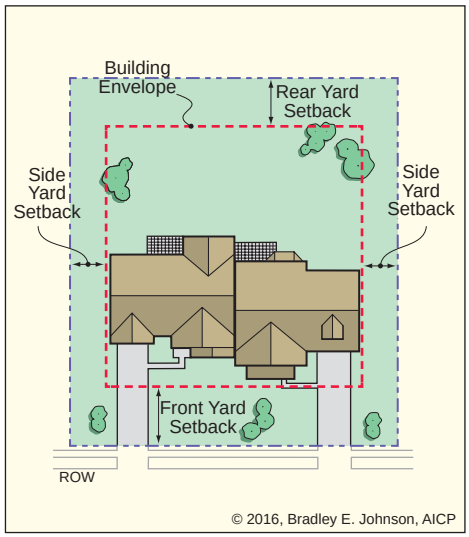
Residential Special Use
- boarding or lodging house
- continuing care retirement community
- dwelling, multiple family
- mobile home park*
- nursing/retirement/convalescent facility

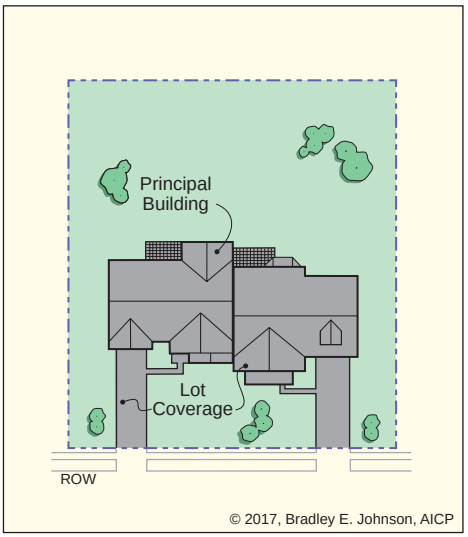
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.14 R4 District Development Standards







Minimum Lot Area
- 4,000 sq ft

Minimum Lot Width
- 60 feet; single- and two-family dwellings
- 200 feet; all other uses

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 30 feet for a principal building; single- and two-family dwellings
- 5 feet for a principal building; for all other uses, applicable to only existing or new principal buildings, not additions to existing
- See *Section 5.02* for accessory building setbacks

Maximum Front Yard Setback
- 30 feet for a principal building; not including single-family and two-family dwellings

Minimum Side Yard Setback
- 5 feet for a principal building; single- and two-family dwellings
- 20 feet for a principal building; all uses adjacent to single- and two-family dwellings
- 5 feet for a principal building; when not adjacent to single- and two-family dwellings
- See *Section 5.02* for accessory building setbacks

Minimum Aggregate of Side Yards
- 15 feet for a principal building; single- and two-family dwellings
- 40 feet for a principal building; all other uses

Minimum Rear Yard Setback
- 20 feet; single- and two-family dwellings
- 20 feet; all uses adjacent to single- and two-family dwellings
- 15 feet; when not adjacent to single- and two-family dwellings
- See *Section 5.02* for accessory building setbacks

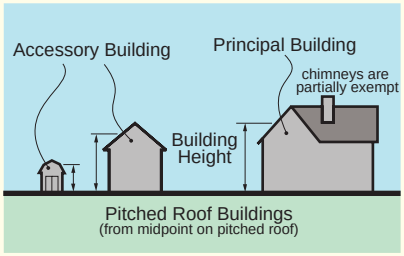
Maximum Lot Coverage
- 35%

Maximum Density
- 8.0 lots/acre

Maximum Principal Buildings per Lot
- 1

Development Plan Required
- no

ADLS Required
- no



Maximum Building Height
- 35 feet for the principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-01 ..... pg. 5-3

Architectural
- AR-01 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-02 ..... pg. 5-29

Lot
- LO-01 ..... pg. 5-31

Manufactured Home
- MH-01 ..... pg. 5-32

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-01 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-06 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-21 ..... pg. 5-73
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-02 ..... pg. 5-87

2.15 R5 District Intent, Permitted Uses and Special Uses

Intent

The purpose of the R5 District is to provide for the encouragement of large scale, diverse residential developments of good design with residential open space, and maximum living amenities. Mixed residential structures, their supporting accessory buildings and uses and limited commercial uses are allowed with maximum layout flexibility permitted. Densities are variable within the district in order to assure versatility of development. Application to the Plan Commission is required for Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) approval and Development Plan (DP) approval.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- public service facility

Recreation Permitted Use
- park, public
- private recreational facility*

Residential Permitted Use
- dwelling, multiple family
- dwelling, single-family

Temporary Permitted Use
- construction facility
- firework sales
- model home
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- home occupation
- private parking area
- private swimming pool
- residential kennel

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- water management and use facility

Office Special Use
- general office*
- professional office*

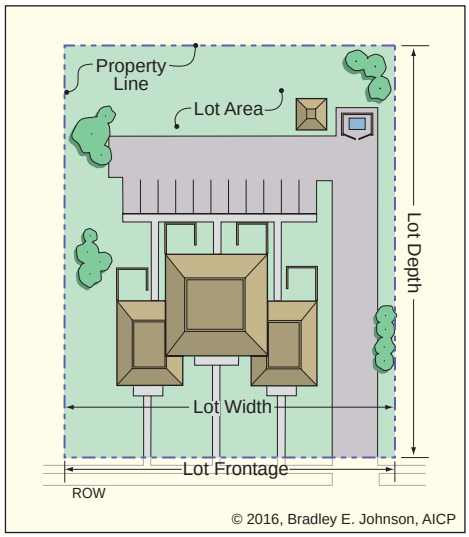
Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

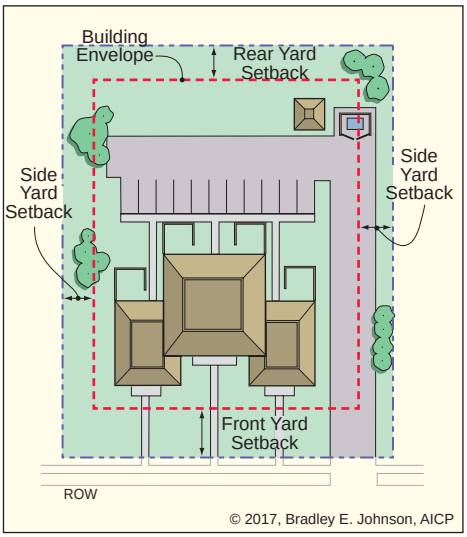
Retail and Service Special Use
- general retail*

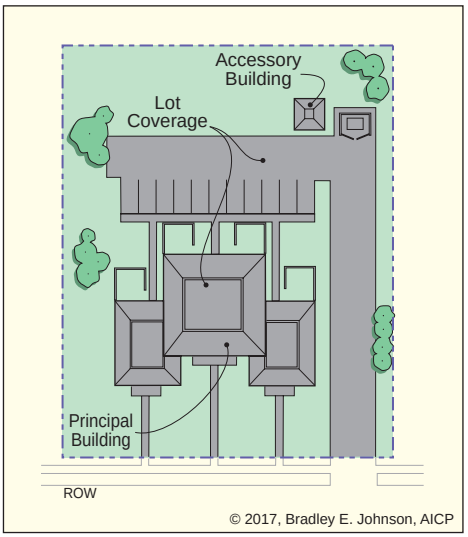
Miscellaneous Special Use
- artificial lake or pond (non-platted)

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.16 R5 District Development Standards







Minimum Lot Area
- 10 acres for residential uses
- 30 acres for all other uses

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 10 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Side Yard Setback
- 50 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Minimum Rear Yard Setback
- 50 feet for a principal building
- See *Section 5.02* for accessory building setbacks

Maximum Lot Coverage
- 40%

Minimum Living Area per Dwelling
- minimum average of 600 square feet

Minimum Ground Floor Area
- 700 sq ft for single-family dwellings
- 600 sq ft for multiple-family dwelling
- 900 sq ft for all other uses

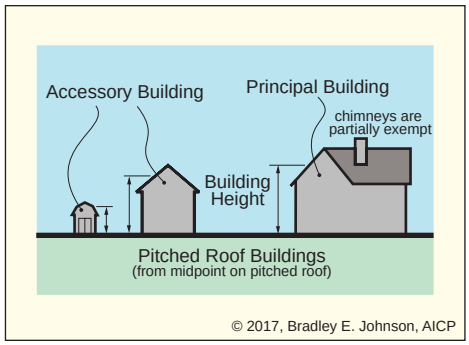
Minimum Separation Between Principal Buildings
- not applicable

Maximum Density
- 12.0 units/acre

Maximum Principal Buildings per Lot
- 1

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 35 feet for single- and two-family dwellings
- 45 feet for multiple-family dwellings
- 45 feet for all other uses
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-01 ..... pg. 5-3

Architectural
- AR-01 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-02 ..... pg. 5-29

Lot
- LO-01 ..... pg. 5-31

Manufactured Home
- MH-01 ..... pg. 5-32

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-07 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-02 ..... pg. 5-87

2.17 UR District Intent, Permitted Uses and Special Uses

Intent

The purpose of the Urban Residential (UR) District is to establish a tool for urban dwellings within walking distance to commercial and activity nodes like Old Town, Midtown, and City Center; and to transit nodes. This district can also be used in the redevelopment of Merchants Square. The use should predominantly be residential, but complementary mixed-use on ground floors is appropriate.

The Urban Residential District is not intended to be used when surrounded by the Urban Core (UC) District. Rather, it is intended as support to those districts and transitional from those districts to single-family residential districts.

The Urban Residential District should be designed first for pedestrian and bicycle accessibility, thus emphasizing non-vehicular connections to nearby goods, services, entertainment and amenities.

Permitted Uses

Cultural/Entertainment Permitted Use
- restaurant, without drive-thru food sales (ground floor only)

Institutional Permitted Use
- public service facility

Office Permitted Use
- general office*
- professional office*

Recreational Permitted Use
- park, public
- private recreational facility*
- public plaza
- rooftop parks and gardens

Residential Permitted Use
- dwelling, multiple family
- dwelling, single-family attached

Retail and Service Permitted Use
- financial institution (ground floor only)
- food stand (ground floor only)*
- general retail*
- general service*

Accessory Permitted Use
- athletic courts
- fitness facility
- home occupation
- outdoor dining
- private swimming pool
- private surface parking area

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

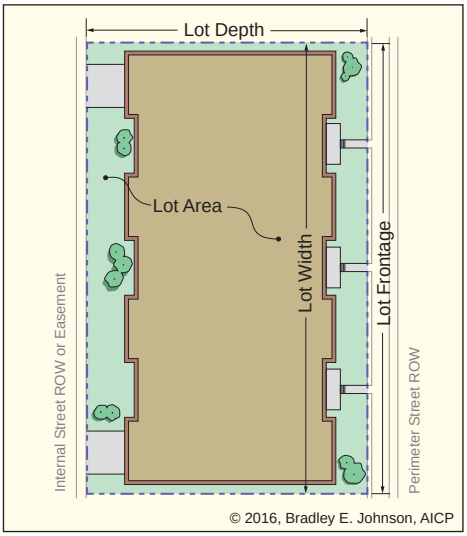
Office Special Use
- general office (second floor only)
- professional office (second floor only)

Residential Special Exception
- group home*
- non-dwelling short-term rental*
- short-term residential rental*

Accessory Special Use
- parking garage
- podium parking (first floor only)

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.18 UR District Development Standards



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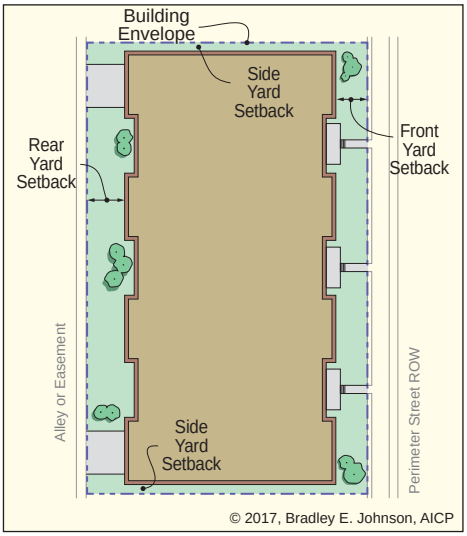

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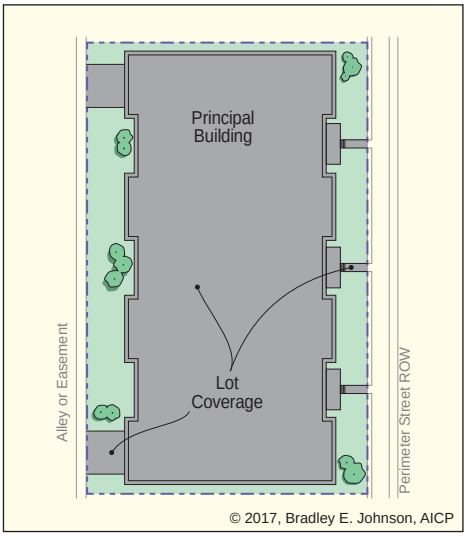

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Minimum Lot Area
- not applicable

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 0 feet for a principal building
- 10 feet for an accessory building
- 50 feet for surface parking

Maximum Front Yard Setback
- 10 feet, for 40% to 100% of all street-facing facades of a principal building
- 20 feet, for up to 60% of all street-facing facades of a principal building
- no maximum for accessory buildings and surface parking

Minimum Side Yard Setback
- 5 or 0 feet per *Section 5.06* for principal buildings
- 6 feet for an accessory building and surface parking

Maximum Side Yard Setback
- not applicable

Minimum Rear Yard Setback
- not applicable

Maximum Rear Yard Setback
- 6 feet for surface parking
- 10 feet when adjacent to an alley
- 20 feet when not adjacent to an alley

Maximum Lot Coverage
- 80%

Minimum Living Area per Dwelling
- minimum average of 500 square feet

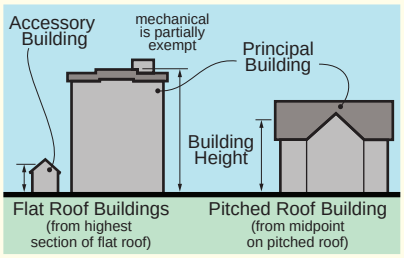
Minimum Floor Area
- See *Section 5.11*

Maximum Principal Buildings per Lot
- not applicable

Minimum Principal Buildings per Lot
- See *Section 5.05(D)*

Development Plan Required
- yes

ADLS Required
- yes



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Maximum Building Height
- 5 stories for principal building when adjacent to a P1, UR, B2, B6, C1, C2, UC or MC district, plus up to 2 additional stories per *Section 5.15*
- 3 stories for principal building when adjacent to all other districts
- 18 feet for an accessory building

Minimum Building Height
- 2 stories for principal building

Additional Development Standards that Apply

Architectural
- AR-02 ..... pg. 5-7

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Floor Area
- FA-01 ..... pg. 5-17

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19
- HT-02 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31
- LO-02 ..... pg. 5-31

Outdoor Storage
- OS-02 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-04 ..... pg. 5-43

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48
- SB-03 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67

Use-Specific
- US-20 ..... pg. 5-72
- US-23 ..... pg. 5-74
- US-25 ..... pg. 5-74
- US-26 ..... pg. 5-75
- US-27 ..... pg. 5-76
- US-28 ..... pg. 5-77

Utility Service
- UT-01 ..... pg. 5-79

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Zero Lot Line
- ZL-01 ..... pg. 5-88

2.19 B1 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide primarily for light commercial and office uses to be developed as a unit or on individual parcels. The intent is to provide an area where lighter businesses may locate, protected from encroachment of other uses, with minimal requirements.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- carnival, fair, or circus*
- catering establishment
- indoor theater
- meeting or party hall
- restaurant, with walk-up/drive-thru
- restaurant, without drive-thru food sales
- tavern/night club

Education Permitted Use
- school, trade or business

Institutional Permitted Use
- hospital
- post office
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility

Recreation Permitted Use
- commercial recreational facility, indoor
- park, public
- private club or lodge
- shooting gallery

Residential Permitted Use
- continuing care retirement community
- nursing/retirement/convalescent facility

Retail and Service Permitted Use
- automobile service station*
- automobile/boat sales
- automobile/truck repair (indoor)
- car wash
- commercial kennel
- dry cleaning (with on-site plant)
- equipment sales/repair (indoor)
- financial institution
- funeral home/mortuary/crematory
- general retail
- general service
- lumber/building material sales (enclosed)
- recreational vehicle/mobile home sales
- roadside sales stand*
- self-service laundry
- tattoo studio
- veterinary hospital with commercial kennel
- veterinary hospital without commercial kennel

Miscellaneous Permitted Use
- commercial parking lot
- motor bus or railroad passenger station
- radio/television studio

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- sales, outdoor
- sales, seasonal outdoor
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- display, outdoor
- private parking area

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Agricultural Special Use
- feed store
- grain elevator
- plant nursery*

Cultural/Entertainment Special Use
- hotel
- hotel (full service)

Education Special Use
- college or university
- kindergarten/preschool*

Industrial Special Use
- artisan industrial
- borrow pit/top soil removal and storage*
- light industrial
- mineral/sand/gravel extraction operation*
- printing/publishing establishment
- storage and/or warehousing, indoor
- storage/distribution facility
- storage or sale of petroleum products

Institutional Special Use
- church/temple/place of worship
- library

Recreational Special Use
- commercial recreational facility, outdoor
- private recreational facility*

Residential Special Use
- boarding or lodging house

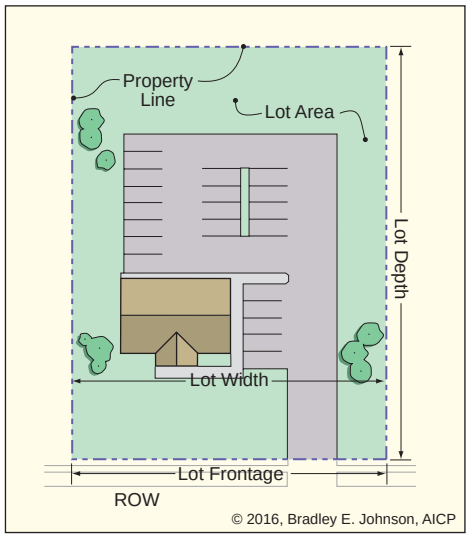
Retail and Service Special Use
- dry cleaning (without on-site plant)
- wholesale sales

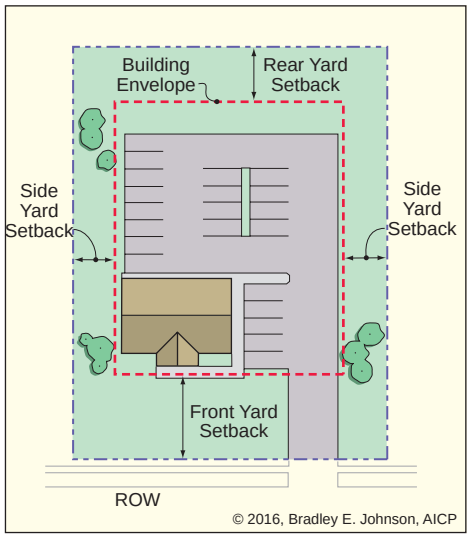
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*
- radio/television transmission tower

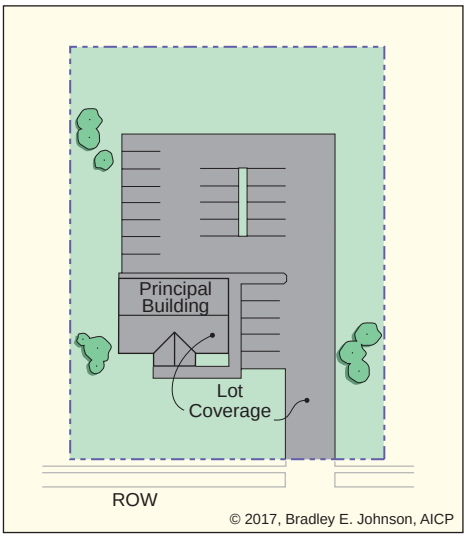
Accessory Special Use
- storage and/or warehousing, outdoor

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.20 B1 District Development Standards







Minimum Lot Area
- 7,000 sq ft per dwelling unit
- 7,000 sq ft for all other uses

Minimum Lot Width
- 50 feet

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 15 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 5 feet for residential or any other use in the same block as a residential use or district; or any use on a corner lot
- 0 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Minimum Aggregate of Side Yards
- 10 feet

Minimum Rear Yard Setback
- 20 feet for residential uses
- 15 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 35% for single- and two-family dwelling
- 40% for multiple-family dwelling
- 90% for all other uses

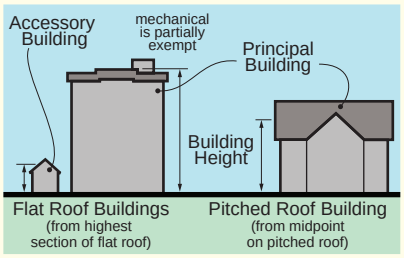
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- 700 sq ft for single-family dwellings
- 600 sq ft for two- and multiple-family dwelling
- 900 sq ft for all other uses

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 45 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Outdoor Display
- OD-01 ..... pg. 5-33

Outdoor Storage
- OS-01 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-03 ..... pg. 5-66
- TU-04 ..... pg. 5-67
- TU-05 ..... pg. 5-68
- TU-06 ..... pg. 5-69

Use-Specific
- US-01 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-05 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-17 ..... pg. 5-72
- US-18 ..... pg. 5-72
- US-19 ..... pg. 5-72
- US-20 ..... pg. 5-72
- US-23 ..... pg. 5-74

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.21 B2 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide primarily for heavy commercial and office uses to be developed as a unit or on individual parcels. The intent is to provide an area where heavy businesses may locate with minimal requirements.

Permitted Uses

Agricultural Permitted Use
- feed store
- general agriculture (farm)
- grain elevator
- plant nursery*

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- carnival, fair, or circus*
- catering establishment
- indoor theater
- meeting or party hall
- restaurant, without drive-thru food sales
- restaurant, with walk-up/drive-thru
- tavern/night club

Education Permitted Use
- day nursery/day care*
- kindergarten/preschool*
- school, trade or business

Industrial Permitted Use
- artisan industrial
- light industrial
- printing/publishing establishment
- storage and/or warehousing, indoor
- storage/distribution facility
- storage or sale of petroleum products

Institutional Permitted Use
- hospital
- post office
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility

Recreation Permitted Use
- commercial recreational facility, indoor
- park, public
- private club or lodge
- shooting gallery

Residential Permitted Use
- continuing care retirement community
- nursing/retirement/convalescent facility

Retail and Service Permitted Use
- automobile service station*
- automobile/boat sales
- automobile/truck repair (indoor)
- car wash
- commercial kennel
- dry cleaning (without on-site plant)
- dry cleaning (with on-site plant)
- equipment sales/repair (indoor)
- financial institution
- funeral home/mortuary/crematory
- general retail
- general service
- lumber/building material sales (enclosed)
- recreational vehicle/mobile home sales
- roadside sales stand*
- self-service laundry
- tattoo studio
- veterinary hospital with commercial kennel
- veterinary hospital without commercial kennel
- wholesale sales

Miscellaneous Permitted Use
- commercial parking lot
- motor bus or railroad passenger station
- radio/television studio
- radio/television transmission tower

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- sales, outdoor
- sales, seasonal outdoor
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- display, outdoor
- private parking area

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Cultural/Entertainment Special Use
- hotel
- hotel (full service)
- outdoor theater*

Education Special Use
- college or university

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*
- sanitary landfill, junk yard, salvage yard*

Institutional Special Use
- church/temple/place of worship
- library
- penal or correctional institution

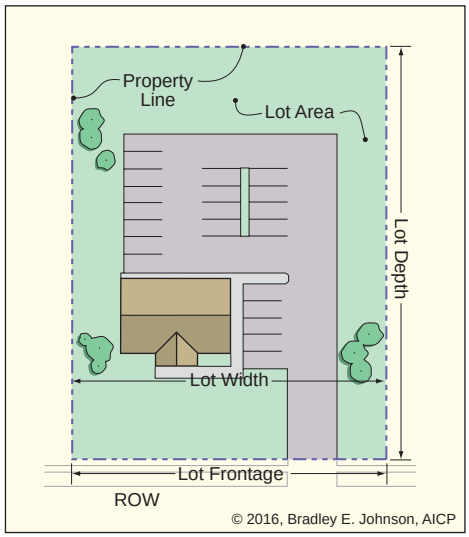
Recreational Special Use
- commercial recreational facility, outdoor
- private recreational facility*

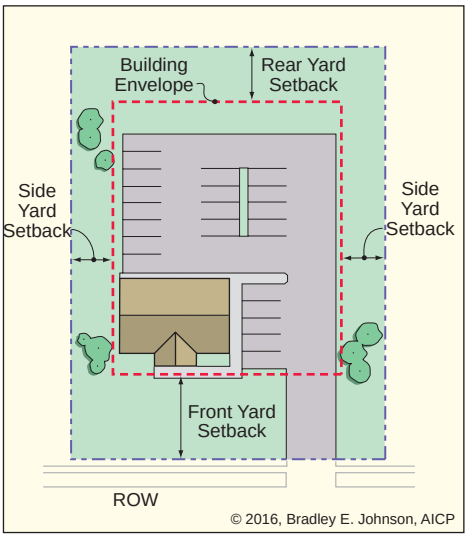
Residential Special Use
- boarding or lodging house

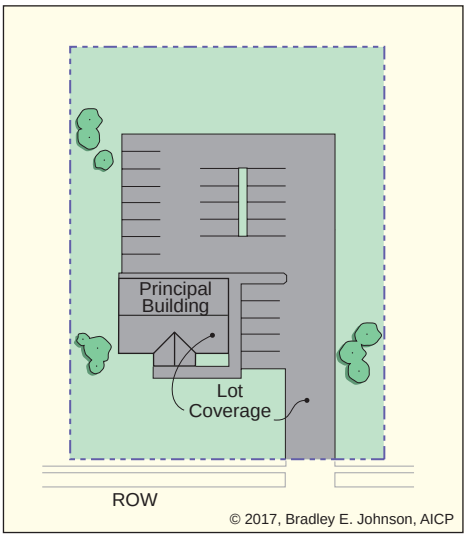
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*
- radio/television transmission antenna

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.22 B2 District Development Standards







Minimum Lot Area
- 7,000 sq ft per dwelling unit
- 7,000 sq ft for all other uses

Minimum Lot Width
- 50 feet

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 15 feet for residential uses
- 0 feet all other uses
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 5 feet for residential or any other use in the same block as a residential use or district; or any use on a corner lot
- 0 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Minimum Aggregate of Side Yards
- 10 feet

Minimum Rear Yard Setback
- 20 feet for residential uses
- 15 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 35% for single- and two-family dwelling
- 40% for multiple-family dwelling
- 90% for all other uses

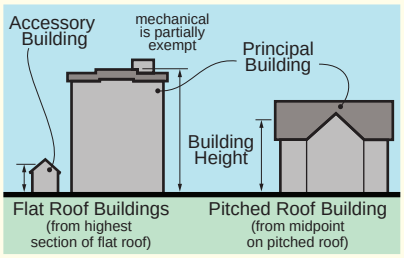
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- 700 sq ft for single-family dwellings
- 600 sq ft for two- and multiple-family dwelling
- 900 sq ft for all other uses

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 60 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Outdoor Display
- OD-01 ..... pg. 5-33

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-03 ..... pg. 5-66
- TU-04 ..... pg. 5-67
- TU-05 ..... pg. 5-68
- TU-06 ..... pg. 5-69

Use-Specific
- US-01 ..... pg. 5-70
- US-03 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-05 ..... pg. 5-70
- US-08 ..... pg. 5-70
- US-09 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-17 ..... pg. 5-72
- US-18 ..... pg. 5-72
- US-19 ..... pg. 5-72
- US-20 ..... pg. 5-72
- US-23 ..... pg. 5-74

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.23 B3 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for a wide variety of commercial and office uses in transitional locations throughout the community. The intent is to establish somewhat more stringent requirements in order to better regulate businesses locating in primarily newly developing areas.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)
- plant nursery*

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- carnival, fair, or circus*
- catering establishment
- indoor theater
- meeting or party hall
- restaurant, without drive-thru food sales
- restaurant, with walk-up/drive-thru
- tavern/night club

Education Permitted Use
- day nursery/day care*
- kindergarten/preschool*

Industrial Permitted Use
- printing/publishing establishment
- storage or sale of petroleum products

Institutional Permitted Use
- hospital
- post office
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- research laboratory/facility
- professional office

Recreation Permitted Use
- commercial recreational facility, indoor
- country club
- golf course
- park, public
- private club or lodge
- shooting gallery

Residential Permitted Use
- dwelling, multiple family
- group home
- nursing/retirement/convalescent facility
- continuing care retirement community
- short-term residential rental

Retail and Service Permitted Use
- automobile service station*
- automobile/boat sales
- automobile/truck repair (indoor)
- car wash
- commercial kennel
- dry cleaning (without on-site plant)
- dry cleaning (with on-site plant)
- equipment sales/repair (indoor)
- financial institution
- funeral home/mortuary/crematory
- general retail
- general service
- lumber/building material sales (enclosed)
- recreational vehicle/mobile home sales
- roadside sales stand*
- self-service laundry
- tattoo studio
- veterinary hospital with commercial kennel
- veterinary hospital without commercial kennel
- wholesale sales

Miscellaneous Permitted Use
- radio/television studio
- radio/television transmission tower
- motor bus or railroad passenger station
- commercial parking lot

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- sales, outdoor
- sales, seasonal outdoor
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- display, outdoor
- home occupation
- private parking area
- residential kennel
- storage and/or warehousing, indoor

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Cultural/Entertainment Special Use
- hotel
- hotel (full service)

Education Special Use
- college or university
- school, trade or business

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library

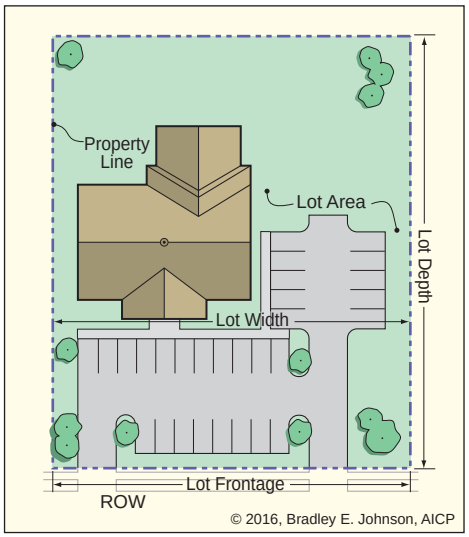
Recreational Special Use
- commercial recreational facility, outdoor
- private recreational facility*

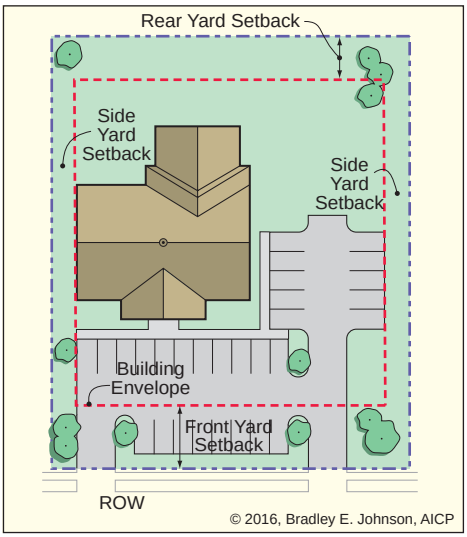
Residential Special Use
- boarding or lodging house

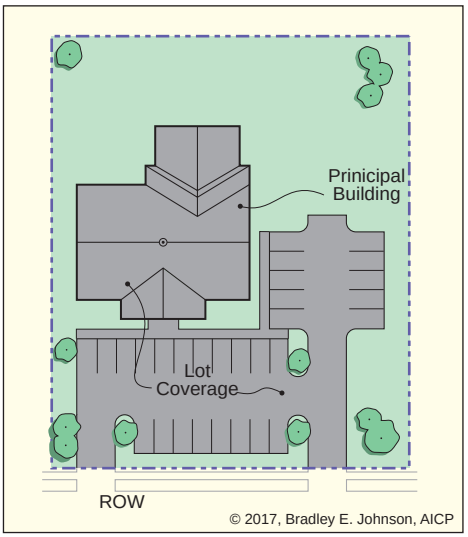
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*
- radio/television transmission antenna

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.24 B3 District Development Standards







Minimum Lot Area
- 5,000 sq ft per multiple-family dwelling unit
- 10,000 sq ft for all other uses

Minimum Lot Width
- 80 feet for single-family residential uses
- 100 feet for all other uses

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 30 feet for residential uses
- 60 feet all other uses
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 10 feet for residential uses
- 30 for any other use in the same block as a residential use or district; or any use on a corner lot
- 0 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Minimum Aggregate of Side Yards
- 20 feet for residential uses
- 30 for any other use in the same block as a residential use or district; or any use on a corner lot
- 0 feet for all other uses

Minimum Rear Yard Setback
- 20 feet for residential uses
- 30 for any other use in the same block as a residential use or district; or any use on a corner lot
- 15 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 40% for multiple-family dwelling
- 80% for all other uses

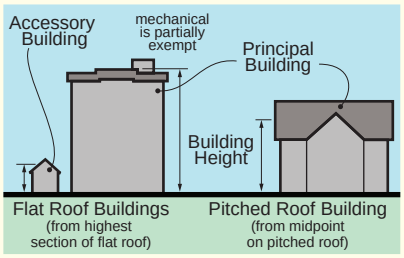
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- 800 sq ft for multiple-family dwelling
- 900 sq ft for all other uses

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



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Maximum Building Height
- 35 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Outdoor Display
- OD-01 ..... pg. 5-33

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-03 ..... pg. 5-66
- TU-04 ..... pg. 5-67
- TU-05 ..... pg. 5-68
- TU-06 ..... pg. 5-69

Use-Specific
- US-01 ..... pg. 5-70
- US-03 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-05 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-17 ..... pg. 5-72
- US-18 ..... pg. 5-72
- US-19 ..... pg. 5-72
- US-20 ..... pg. 5-72
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.25 B5 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide a location for office buildings and general offices protected from encroachment from heavier commercial uses. Inasmuch as this district is frequently found in close proximity to residential areas and/or intermixed with residential areas, it is the intention of this district to allow for a compatible mixture of the two uses with reasonable regulations.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Institutional Permitted Use
- post office
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility

Recreation Permitted Use
- park, public

Residential Permitted Use
- dwelling, single-family
- dwelling, two-family
- group home
- short-term residential rental

Retail and Service Permitted Use
- financial institution
- general retail
- general service
- tattoo studio
- veterinary hospital without commercial kennel

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- sales, outdoor
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- display, outdoor
- home occupation
- private parking area
- private swimming pool
- residential kennel

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Education Special Use
- college or university
- kindergarten/preschool*
- school, elementary or secondary education
- school, trade or business

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- hospital
- water management and use facility

Recreational Special Use
- golf course
- private recreational facility*

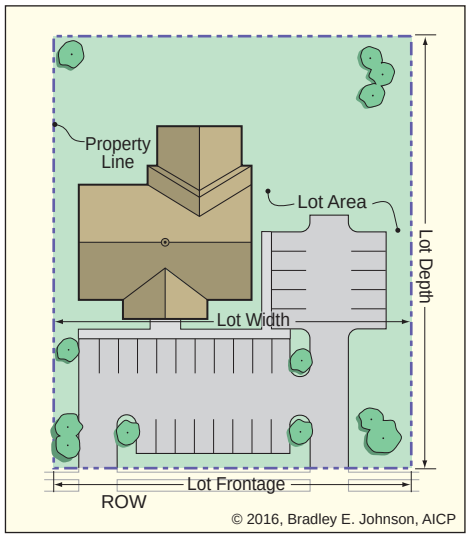
Residential Special Use
- boarding or lodging house
- continuing care retirement community
- dwelling, multiple family
- nursing/retirement/convalescent facility

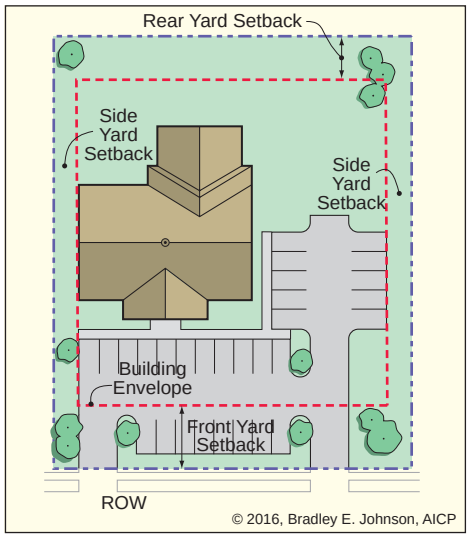
Retail and Service Special Use
- funeral home/mortuary/crematory

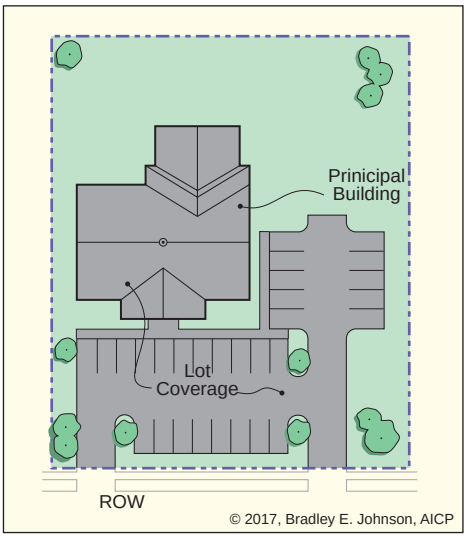
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- cemetery*
- commercial parking lot
- motor bus or railroad passenger station
- radio/television studio
- radio/television transmission antenna

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.26 B5 District Development Standards







Minimum Lot Area
- 5,000 sq ft per multiple-family dwelling unit
- 10,000 sq ft per single- and two- family dwelling unit
- 10,000 sq ft for all other uses

Minimum Lot Width
- 80 feet for single-family dwellings
- 100 feet all other uses

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 20 feet for residential uses
- 15 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 5 feet for all uses
- See *Section 5.03* for accessory building setbacks

Minimum Aggregate of Side Yards
- 15 feet for all uses

Minimum Rear Yard Setback
- 20 feet for residential uses
- 15 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 35% for single- and two-family dwelling
- 40% for multiple-family dwelling
- 75% for all other uses

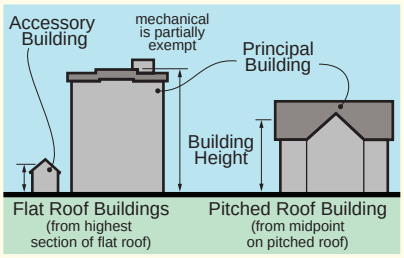
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- 1,000 sq ft for single-family dwellings
- 800 sq ft for two- and multiple-family dwelling
- 900 sq ft for all other uses

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 35 feet for residential uses
- 45 feet for all other uses
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Outdoor Display
- OD-01 ..... pg. 5-33

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-03 ..... pg. 5-66
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-01 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-20 ..... pg. 5-72
- US-23 ..... pg. 5-74
- US-26 ..... pg. 5-75

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.27 B6 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide a location for light commercial and office uses adjacent to limited access highways. The intent is to permit these uses to develop in an area of high commercial potential utilizing access roads and existing secondary streets and roads and buffering surrounding residential uses.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Cultural/Entertainment Permitted Use
- hotel
- hotel (full service)
- indoor theater
- meeting or party hall
- restaurant, without drive-thru food sales
- stadium or coliseum*
- tavern/night club

Education Permitted Use
- college or university
- school, trade or business

Institutional Permitted Use
- hospital
- post office
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility

Recreation Permitted Use
- commercial recreational facility, indoor
- park, public

Residential Permitted Use
- continuing care retirement community
- dwelling, single-family
- dwelling, two-family
- group home
- nursing/retirement/convalescent facility
- short-term residential rental

Retail and Service Permitted Use
- automobile/boat sales
- automobile service station*
- equipment sales/repair (indoor)
- financial institution
- funeral home/mortuary/crematory
- lumber/building materials sales (enclosed)
- veterinary hospital without commercial kennel

Miscellaneous Permitted Use
- commercial parking lot
- motor bus or railroad passenger station
- radio/television studio

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- home occupation
- private parking area
- private swimming pool
- residential kennel

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Agricultural Special Use
- commercial greenhouse*
- plant nursery*

Cultural/Entertainment Special Use
- restaurant, with walk-up/drive-thru

Education Special Use
- day nursery/day care*

Industrial Special Use
- printing/publishing establishment

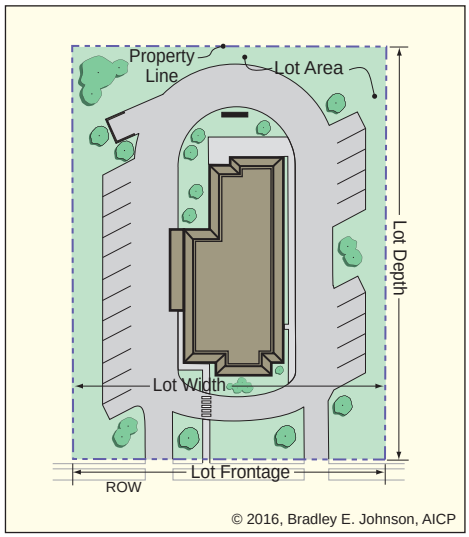
Institutional Special Use
- church/temple/place of worship

Retail and Service Special Use
- automobile/truck repair (indoor)
- general retail
- roadside sales stand*
- veterinary hospital with commercial kennel

Miscellaneous Special Use
- radio/television transmission antenna

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.28 B6 District Development Standards



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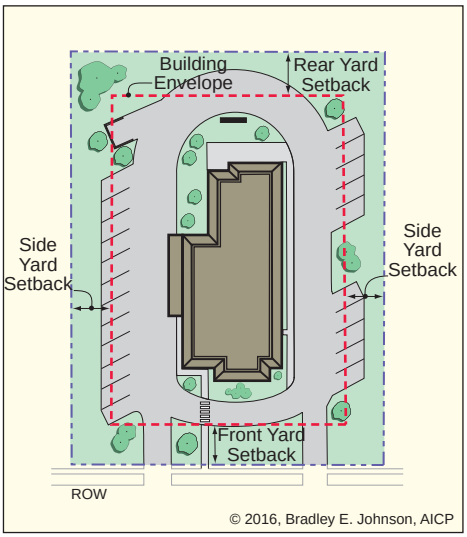

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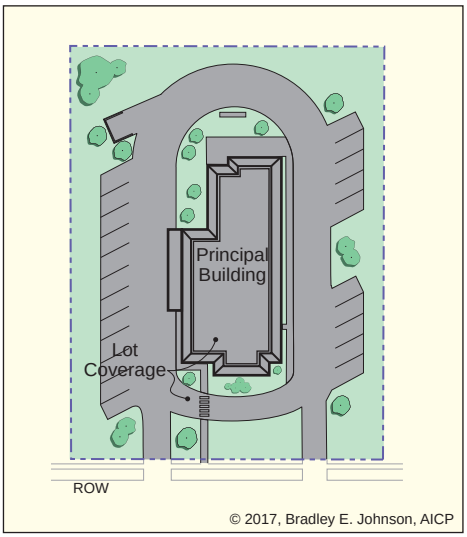

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Minimum Lot Area
- 10,000 sq ft for single- and two-family dwellings
- 10,000 sq ft for all other uses

Minimum Lot Width
- 80 feet for single-family dwellings
- 100 feet all other uses

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 60 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 30 feet for residential uses
- 60 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Minimum Aggregate of Side Yards
- 60 feet for residential uses
- 120 feet for all other uses

Minimum Rear Yard Setback
- 30 feet for residential uses
- 60 feet for all other uses
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 35% for single- and two-family dwelling
- 40% for multiple-family dwelling
- 75% for all other uses

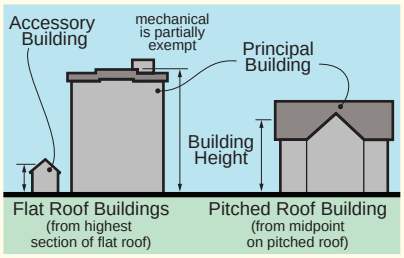
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- 1,000 sq ft for single-family dwellings
- 800 sq ft for two- and multiple-family dwelling
- 900 sq ft for all other uses

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



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Maximum Building Height
- 100 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-02 ..... pg. 5-70
- US-03 ..... pg. 5-70
- US-05 ..... pg. 5-70
- US-10 ..... pg. 5-71
- US-18 ..... pg. 5-72
- US-19 ..... pg. 5-72
- US-20 ..... pg. 5-72

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.29 B7 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to allow for development of a wide variety of commercial uses near areas zoned or utilized for residential purposes. The intent is to permit efficient land usage while protecting and maintaining the character of neighboring residential areas.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- restaurant, without drive-thru food sales

Education Permitted Use
- day nursery/day care*
- kindergarten/preschool*
- school, trade or business

Institutional Permitted Use
- church/temple/place of worship
- public service facility
- water management and use facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office

Recreation Permitted Use
- park, public

Residential Permitted Use
- continuing care retirement community
- dwelling, multiple family
- group home
- nursing/retirement/convalescent facility
- short-term residential rental

Retail and Service Permitted Use
- dry cleaning (without on-site plant)
- financial institution
- general retail
- general service
- tattoo studio
- wholesale sales

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- special event, outdoor

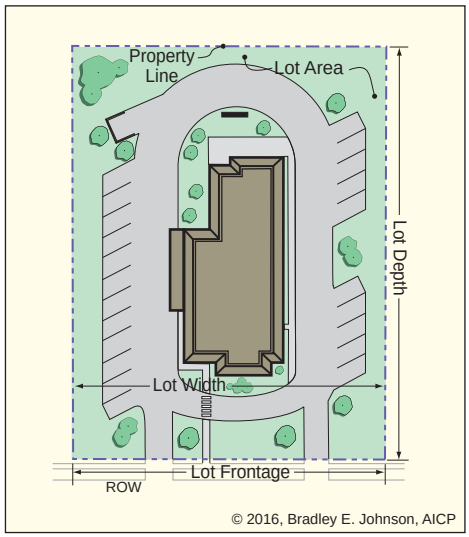
Accessory Permitted Use
- automated teller machine (atm)
- home occupation
- private parking area
- residential kennel

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Miscellaneous Special Use
- radio/television transmission antenna

2.30 B7 District Development Standards



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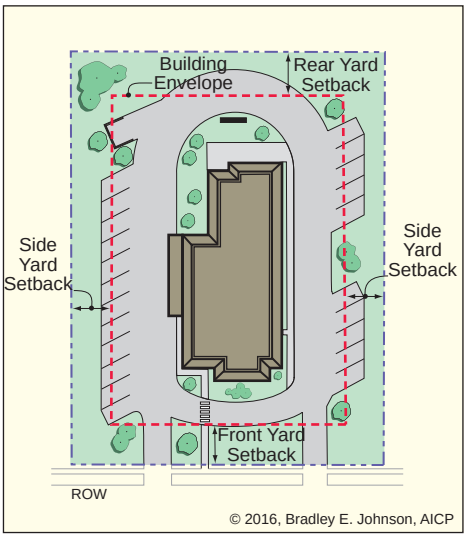

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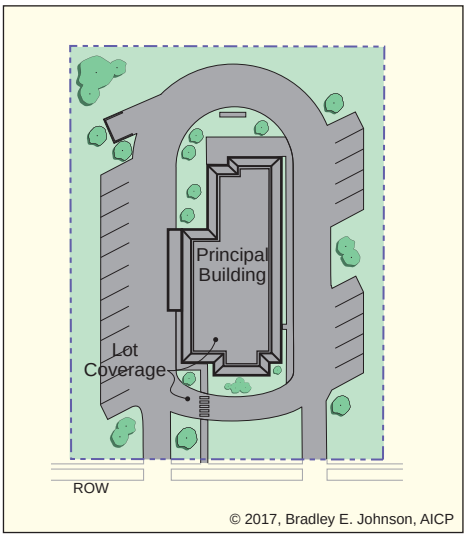

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Minimum Lot Area
- 5,000 sq ft per multiple-family dwelling unit
- 10,000 sq ft for all other uses

Minimum Lot Width
- 100 feet

Minimum Lot Frontage
- not applicable

Maximum Lot Depth
- none

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 40 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 10 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Aggregate of Side Yards
- 25 feet for a principal building

Minimum Rear Yard Setback
- 30 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 40% for multiple-family dwelling
- 50% for all other uses

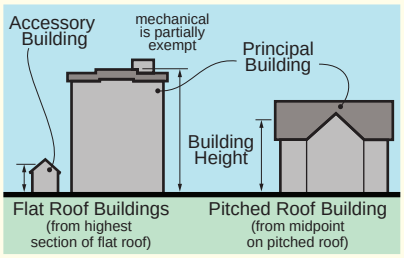
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- 800 sq ft for multiple-family dwelling
- 900 sq ft for all other uses

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



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Maximum Building Height
- 35 feet for a principal building
- maximum 2 stories for principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-03 ..... pg. 5-70
- US-04 ..... pg. 5-70
- US-20 ..... pg. 5-72

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.31 B8 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for a variety of commercial and office uses to be developed in a shopping center type environment which may include one or more unified shopping centers and/or one or more commercial and office buildings.

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- catering establishment
- indoor theater
- meeting or party hall
- restaurant, with walk-up/drive-thru
- restaurant, without drive-thru food sales
- tavern/night club

Institutional Permitted Use
- post office
- public service facility

Office Permitted Use
- general office
- professional office

Recreation Permitted Use
- commercial recreational facility, indoor
- park, public
- shooting gallery

Residential Permitted Use
- continuing care retirement community
- nursing/retirement/convalescent facility

Retail and Service Permitted Use
- automobile service station*
- car wash
- dry cleaning (with on-site plant)
- dry cleaning (without on-site plant)
- financial institution
- general retail
- general service
- self-service laundry
- tattoo studio
- wholesale sales

Miscellaneous Permitted Use
- commercial parking lot
- motor bus or railroad passenger station
- radio/television studio

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- sales, seasonal outdoor
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- private parking area

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Cultural/Entertainment Special Use
- carnival, fair, or circus*

Education Special Use
- day nursery/day care*
- school, trade or business

Industrial Special Use
- borrow pit/top soil removal and storage*
- mineral/sand/gravel extraction operation*

Institutional Special Use
- church/temple/place of worship
- library
- water management and use facility

Office Special Use
- clinic or medical health center

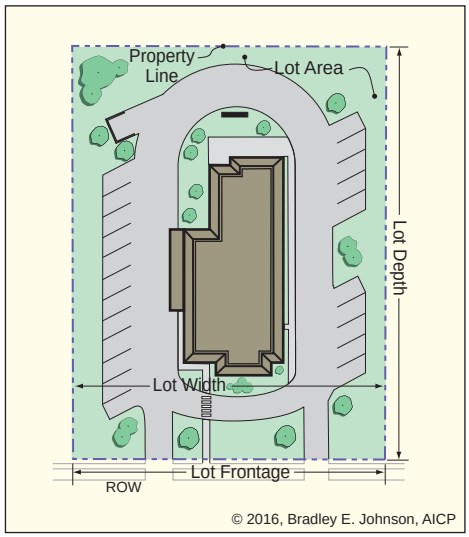
Recreation Special Use
- commercial recreational facility, outdoor
- private club or lodge
- private recreational facility*

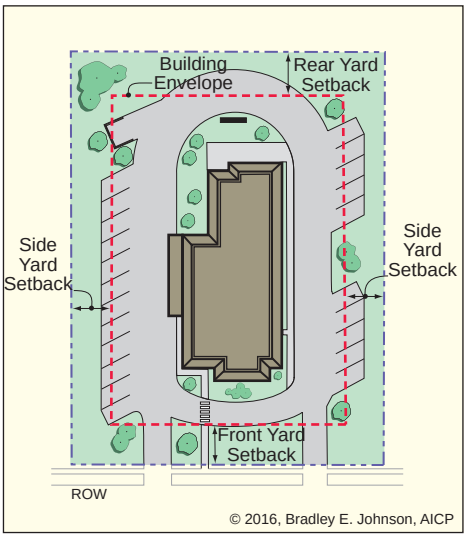
Retail and Service Special Use
- funeral home/mortuary/crematory

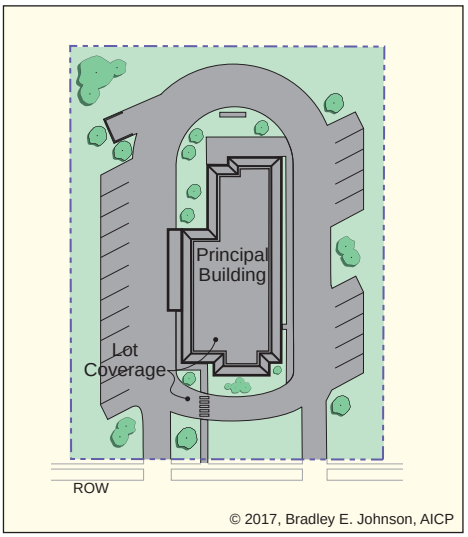
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- radio/television transmission antenna

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.32 B8 District Development Standards







Minimum Lot Area
- not applicable

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 25 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 10 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Aggregate of Side Yards
- not applicable

Minimum Rear Yard Setback
- 10 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 60%

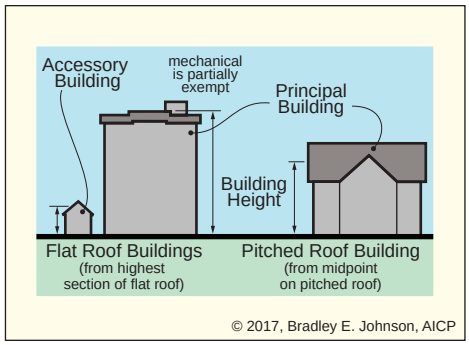
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- not applicable

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 50 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-05 ..... pg. 5-68
- TU-06 ..... pg. 5-69

Use-Specific
- US-03 ..... pg. 5-70
- US-15 ..... pg. 5-71
- US-16 ..... pg. 5-71
- US-17 ..... pg. 5-72
- US-19 ..... pg. 5-72
- US-20 ..... pg. 5-72
- US-23 ..... pg. 5-74

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.33 C1 District Intent, Permitted Uses and Special Uses

Intent

The purpose of the C1 City Center District is to create and protect land areas for the development of the Carmel City Center, a central mixed-use complex of retail, residential, office, and community facilities designed to meet the cultural and economic needs of the community. The development is intended to stabilize an area that has fallen into disuse, and provide an energetic focus to the city's central business district. The combination of retail shopping and entertainment is intended to provide a destination for families. The office complex included in the project is intended to attract the very best corporate citizens to the community. The City Center will be bisected by the Monon Greenway, further developing the attractiveness of the linear park project. When coupled with a museum/exhibit hall and performing arts center, the City Center will provide the attractions necessary to support a retail and entertainment complex and will lend itself to hosting large cultural and entertainment events. To promote the development of the City Center district, the City of Carmel will provide master land planning, land acquisition, street improvements, landscaping and utility infrastructure.

Permitted Uses

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- catering establishment
- hotel
- hotel (full service)
- indoor theater
- meeting or party hall
- museum
- outdoor theater*
- restaurant, without drive-thru food sales
- tavern/night club

Education Permitted Uses
- day nursery/day care
- kindergarten/pre-school
- school, trade or business

Industrial Permitted Use
- artisan industrial

Institutional Permitted Use
- library
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility

Recreational Permitted Use
- commercial recreational facility, indoor
- commercial recreational facility, outdoor
- community center
- park, public
- private club or lodge
- public plaza
- rooftop parks/gardens

Residential Permitted Use
- accessory dwelling
- attached dwelling
- dwelling, multiple family
- dwelling, single-family
- dwelling, two-family
- model home
- short-term residential rental

Retail and Service Permitted Use
- dry cleaning (without on-site plant)
- financial institution
- general retail
- general service
- tattoo studio
- wholesale sales

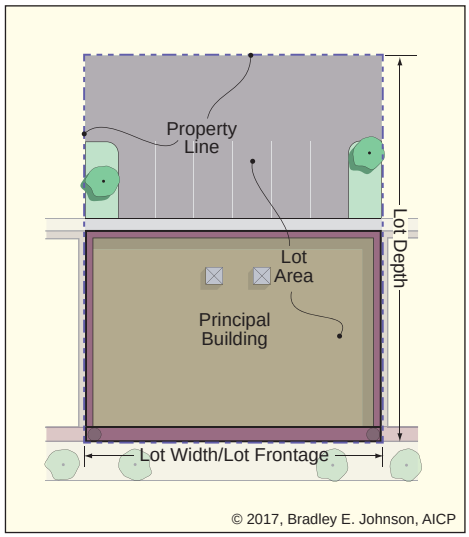
Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- model home
- special event, outdoor

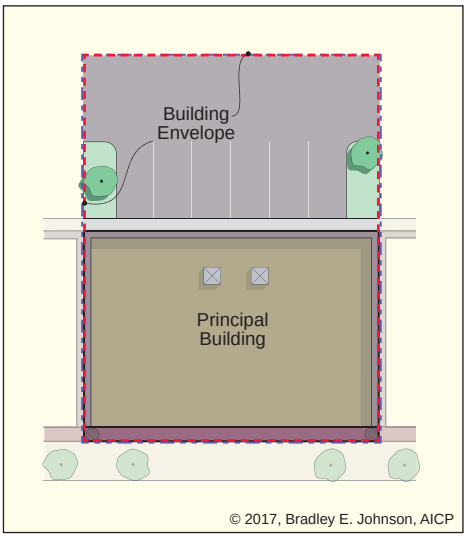
Accessory Permitted Use
- automated teller machine (atm)
- bona fide servants quarters
- guest house
- home occupation
- parking garage
- private parking area
- private swimming pool
- residential kennel

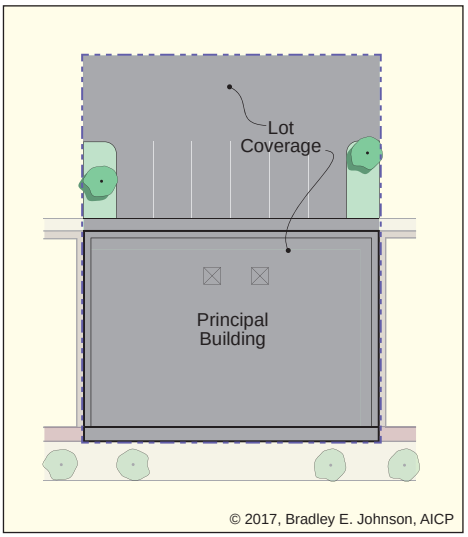
** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

2.34 C1 District Development Standards







Minimum Lot Area
- 2,000 sq ft for residential uses
- 20,000 sq ft for all other uses, per principal building

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- 20 feet for residential uses
- 100 feet for all other uses

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- not applicable
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- not applicable
- See *Section 5.03* for accessory building setbacks

Minimum Rear Yard Setback
- not applicable
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 80%

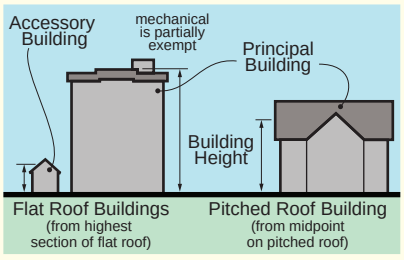
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- not applicable

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 150 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-03 ..... pg. 5-30

Lot
- LO-01 ..... pg. 5-31
- LO-02 ..... pg. 5-31

Parking
- PK-02 ..... pg. 5-37

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48
- SB-03 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-09 ..... pg. 5-70
- US-20 ..... pg. 5-72

Utility Service
- UT-01 ..... pg. 5-79

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Zero Lot Line
- ZL-01 ..... pg. 5-88

2.35 C2 District Intent, Permitted Uses and Special Uses

Intent

The purpose of the C2 Mixed Use District is to define and support land areas for the redevelopment of parcels in the North Central and South Central areas of the City. The intent of the City of Carmel is that all redevelopment proposals for this area should incorporate significant civic value and mercantile activity and provide opportunities to improve the fabric of the urban setting. It is further intended that the availability of C2 zoning in this area should foster a successful public/private relationship between the City of Carmel and prospective developers, while ensuring the compatibility of any redevelopment proposals with existing building codes and zoning regulations

Permitted Uses

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- catering establishment
- hotel
- hotel (full service)
- indoor theater
- meeting or party hall
- museum
- outdoor theater*
- restaurant, without drive-thru food sales
- tavern/night club

Education Permitted Uses
- day nursery/day care
- kindergarten/pre-school
- school, trade or business

Industrial Permitted Use
- artisan industrial

Institutional Permitted Use
- library
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility

Recreational Permitted Use
- community center
- commercial recreational facility, indoor
- park, public
- private club or lodge
- public plaza
- rooftop parks/gardens

Residential Permitted Use
- accessory dwelling
- dwelling, multiple family
- attached dwelling
- dwelling, single-family
- dwelling, two-family
- model home
- short-term residential rental

Retail and Service Permitted Use
- dry cleaning (without on-site plant)
- financial institution
- general retail
- general service
- tattoo studio
- wholesale sales

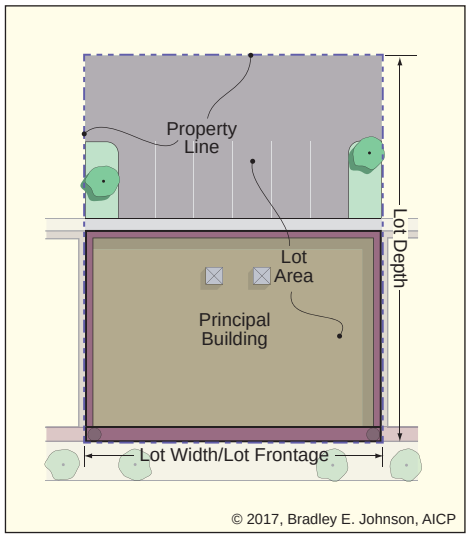
Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- model home
- special event, outdoor

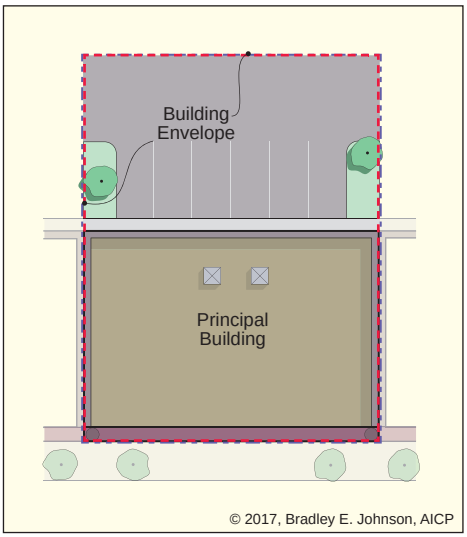
Accessory Permitted Use
- automated teller machine (atm)
- bona fide servants quarters
- guest house
- home occupation
- parking garage
- private parking area
- private swimming pool
- residential kennel

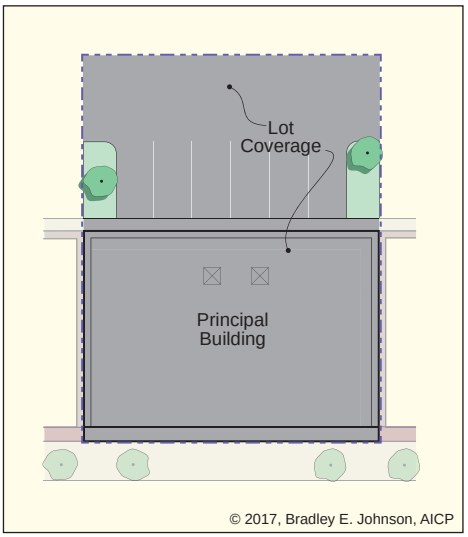
** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

2.36 C2 District Development Standards







Minimum Lot Area
- not applicable

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- not applicable
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- not applicable
- See *Section 5.03* for accessory building setbacks

Minimum Rear Yard Setback
- not applicable
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 80%

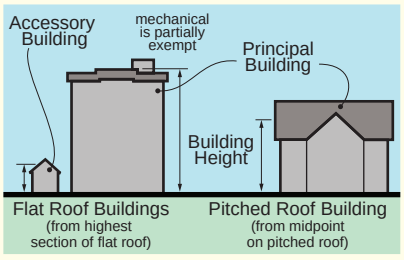
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- not applicable

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 75 feet for a principal building
- 35 feet for a principal building when adjacent to single-family residences
- maximum 6 stories for principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-03 ..... pg. 5-30

Lot
- LO-01 ..... pg. 5-31
- LO-02 ..... pg. 5-31

Parking
- PK-02 ..... pg. 5-37

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48
- SB-03 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-02 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-20 ..... pg. 5-72

Utility Service
- UT-01 ..... pg. 5-79

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Zero Lot Line
- ZL-01 ..... pg. 5-88

2.37 UC District Intent, Permitted Uses and Special Uses

Intent

The purpose of the Urban Core (UC) District is to establish a tool for urban development to be applied to build-out Midtown, City Center, Merchants Square, the Science and Technology Park, and transit hubs. The intent is promote fully mixed-use, transit oriented district with region-serving businesses and entertainment opportunities, employment, residences, and all day vitality and culture.

The Urban Core (UC) District is not intended to be used where it would conflict with suburban residential areas. However, it may be used adjacent to such residential areas when a proper transition between such use is utilized. Additionally, lighting, noise, traffic, odors, and height transitions should be strictly regulated to protect existing single family neighborhoods.

The Urban Core is not intended for ground floor residential. However, upper story residential is encouraged. The Urban Core (UC) District may be used adjacent to commercial, multiple-family, or high density single-family residential districts.

The Urban Core District development emphasizes pedestrian and bicycle accessibility to goods, services, entertainment and amenities.

Permitted Uses

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- catering establishment
- hotel
- hotel (full service)
- indoor theater
- meeting or party hall
- museum
- outdoor theater*
- restaurant, without drive-thru food sales
- stadium or coliseum*
- tavern/night club

Education Permitted Use
- any private or public education facility

Industrial Permitted Use
- artisan industrial

Institutional Permitted Use
- hospital
- library
- post office
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility
- training facility

Recreational Permitted Use
- any public park facility
- commercial recreational facility, indoor
- private club or lodge

Residential Permitted Use
- bed and breakfast (upper floors only)
- dwelling, multiple family (upper floors only)
- nursing/retirement/convalescent facility
- short-term residential rental

Retail and Service Permitted Use
- general retail (ground floor only)*
- general service (ground floor only)*

Miscellaneous Permitted Use
- motor bus or railroad passenger station

Temporary Permitted Use
- construction facility
- firework sales
- model home (upper floors only)
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- community gardens
- home occupation
- outdoor dining
- parking garage
- private parking area
- private swimming pool
- urban agriculture

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

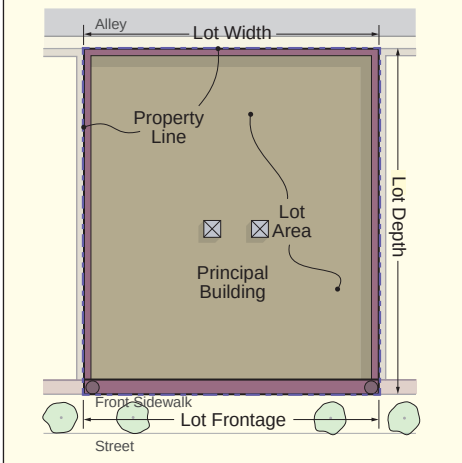
Special Exception/Special Use

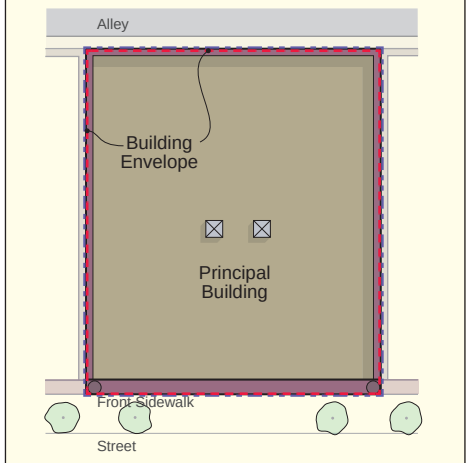
Industrial Special Use
- light manufacturing
- printing/publishing establishment
- storage/distribution facility

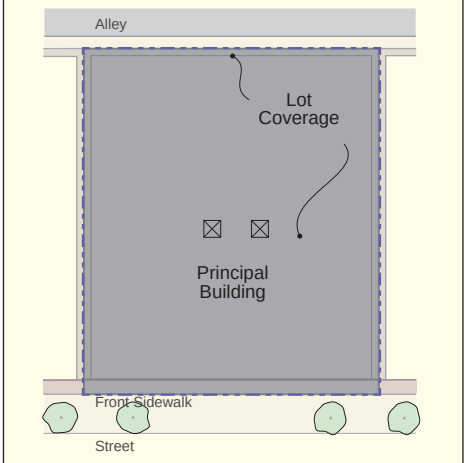
Residential Special Use
- dwelling, multiple family (first floors only)*
- dwelling, single family (first floors only)*

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.38 UC District Development Standards







Minimum Lot Area
- not applicable

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 0 feet for a principal building
- 10 feet for an accessory building
- 50 feet for surface parking

Maximum Front Yard Setback
- 2 feet, for 65% to 100% of all street-facing facades of a principal building
- 10 feet, for up to 35% of all street-facing facades of a principal building
- no maximum for accessory buildings and surface parking

Minimum Side Yard Setback
- 40 feet for surface parking and accessory buildings
- 4 or 0 feet per *Section 5.06* for principal buildings

Maximum Side Yard Setback
- 20 feet for a principal building

Minimum Rear Yard Setback
- 40 feet for surface parking and accessory buildings
- otherwise not applicable

Maximum Rear Yard Setback
- 5 feet for a principal building when adjacent to an alley
- 20 feet for a principal building otherwise

Maximum Lot Coverage
- 100%

Minimum Living Area per Dwelling
- minimum average of 500 square feet

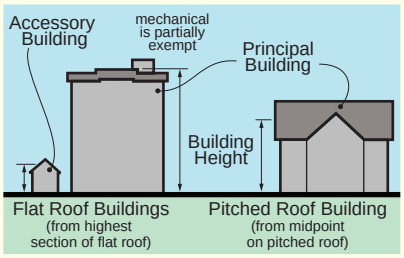
Minimum Floor Area
- See *Section 5.12*

Maximum Principal Buildings per Lot
- not applicable

Minimum Principal Buildings per Lot
- See *Section 5.06(D)*

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 4 stories for principal building when 50 feet from the shared property line with any district other than P1, UR, B2, B6, C1, C2, UC or MC
- 5 stories for principal building, plus up to 3 additional stories per *Section 5.16* in all other districts
- 18 feet for an accessory building

Minimum Building Height
- 4 stories for principal building when the subject lot is partially or fully within 1,000 feet of a major intersection
- 3 stories for principal building in all other locations

Additional Development Standards that Apply

Architectural
- AR-03 ..... pg. 5-9

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Floor Area
- FA-02 ..... pg. 5-17

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19
- HT-03 ..... pg. 5-20

Home Occupation
- HO-01 ..... pg. 5-22

Lot
- LO-01 ..... pg. 5-31
- LO-02 ..... pg. 5-31

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-05 ..... pg. 5-44

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48
- SB-03 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-13 ..... pg. 5-71
- US-14 ..... pg. 5-71
- US-24 ..... pg. 5-74

Utility Service
- UT-01 ..... pg. 5-79

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Zero Lot Line
- ZL-01 ..... pg. 5-88

2.39 MC District Intent, Permitted Uses and Special Uses

Intent

The purpose of the Meridian Corridor (MC) District is to establish a tool for mixed-use development to encourage quality redevelop of and further build-out of the US 31 Corridor, with potential application in the Science and Technology Park as well. The intent is promote predominantly employment uses, with mixed-uses that are complementary to employers, community-serving retail and services, and the transient population traveling on US 31.

The intent is to transition the US 31 corridor into a more transit and pedestrian oriented district with region-serving businesses and entertainment opportunities, employment, residences, and day and evening vitality and culture.

The Meridian Corridor District is not intended to be used where it would conflict with suburban residential areas. However, it may be used adjacent to such residential areas when exceptional means to properly transition from such uses is fully utilized. Additionally, lighting, noise, traffic, odors, and height transitions should be strictly regulated to protect low density neighborhoods.

The Meridian Corridor is not intended for ground floor residential, but upper story residential is permitted. The Meridian Corridor (MC) District may be used adjacent to commercial, institutional, multiple-family, or attached single-family residential districts with proper transition.

The Meridian Corridor District should be designed for pedestrians, bicyclists, transit, and motor vehicles to move about safely. However, because this area was originally designed for automobile accessibility, particular attention shall be paid to pedestrian and bicyclist routes, crossings and safety.

Pre-existing commitments and conditions of approvals from the former US-31 Overlay District shall run with the land and shall remain in effect.

Permitted Uses

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- catering establishment
- hotel (upper floors only)
- hotel, full service
- indoor theater
- meeting or party hall
- museum
- restaurant without drive-thru food sales (ground and top floor only)
- stadium or coliseum*
- tavern/night club

Educational Permitted Use
- any private or public education facility

Institutional Permitted Use
- hospital
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility
- training facility

Recreational Permitted Use
- any public park facility
- commercial recreational facility, indoor

Residential Permitted Use
- dwelling, multiple family (upper floors only)
- short-term residential rental

Retail and Service Permitted Use
- general retail (ground floor only)*
- general service (ground floor only)*

Miscellaneous Permitted Use
- motor bus or railroad passenger station

Temporary Permitted Use
- firework sales

Accessory Permitted Use
- automated teller machine (atm)
- home occupation
- outdoor dining
- parking garage
- private parking area
- private swimming pool

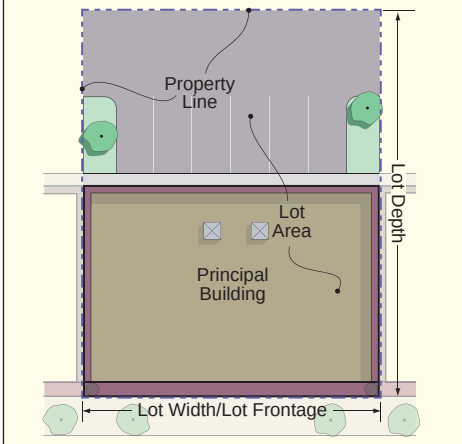
** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Industrial Special Use
- printing/publishing establishment
- storage/distribution facility

Miscellaneous Special Use
- private helicopter landing/service

2.40 MC District Development Standards



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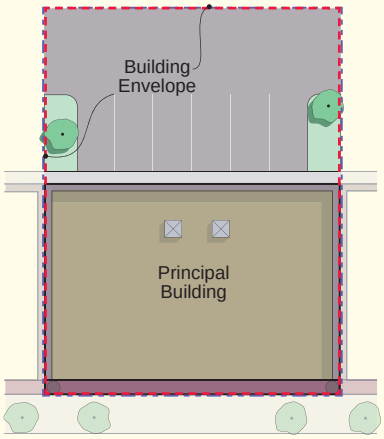

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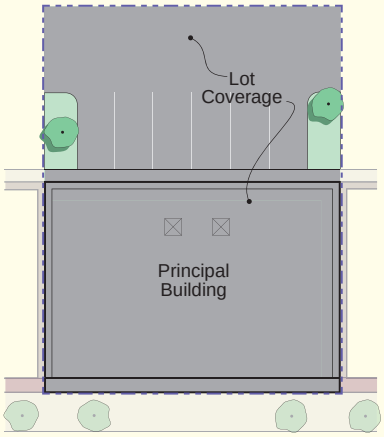

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Minimum Lot Area
- not applicable

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 50 feet from US 31 for all buildings and surface parking
- 30 feet from arterial, boulevard, and collector streets for surface parking and accessory buildings
- 20 feet from local streets for surface parking and accessory buildings
- 0 feet for a principal building from all other streets

Maximum Front Yard Setback
- not applicable

Minimum Side Yard Setback
- 20 feet for an accessory building and surface parking
- 15 or 0 feet per *Section 5.07* for principal buildings

Maximum Side Yard Setback
- not applicable

Minimum Rear Yard Setback
- 20 feet for all buildings and surface parking
- 0 feet with a cooperative agree with adjacent properties

Maximum Rear Yard Setback
- not applicable

Maximum Lot Coverage
- 80%

Minimum Living Area per Dwelling
- minimum average of 500 square feet

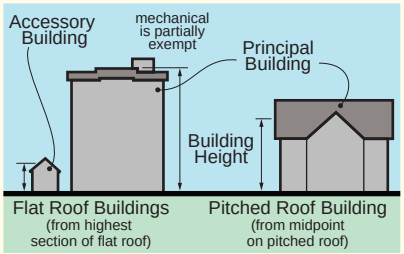
Minimum Floor Area
- *Section 5.12*

Maximum Principal Buildings per Lot
- not applicable

Minimum Principal Buildings per Lot
- See *Section 5.07(D)*

Development Plan Required
- yes

ADLS Required
- yes



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Maximum Building Height
- 2 stories for principal building when adjacent to single-family residential areas; See *Section 5.17(A)* for full details
- 8 stories for principal building, plus up to 3 additional stories per *Section 5.17*
- 18 feet for an accessory building

Minimum Building Height
- 4 stories for principal building when the subject lot is partially or fully within 800 feet of a major intersection
- 2 stories for principal building when adjacent to single-family residential areas
- 3 stories for principal building in all other locations

Additional Development Standards that Apply

Architectural
- AR-04 ..... pg. 5-11

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Floor Area
- FA-02 ..... pg. 5-17

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19
- HT-04 ..... pg. 5-21

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31
- LO-02 ..... pg. 5-31

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-06 ..... pg. 5-45

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-13 ..... pg. 5-71
- US-14 ..... pg. 5-71

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Zero Lot Line
- ZL-01 ..... pg. 5-88

2.41 I1 District Intent, Permitted Uses and Special Uses

Intent

The purpose of this district is to provide for a wide variety of industrial, commercial and office uses, but to restrict or prohibit those industries which have characteristics likely to produce serious adverse effects within or beyond the limits of the district. The intention of this district is to preserve the land in the district for industrial, commercial, and office uses and to exclude residential use. However, no new such districts shall be created after August 18, 1982, in accordance with amending Ordinance No. Z-184.

Permitted Uses

Agricultural Permitted Use
- commercial greenhouse*
- general agriculture (farm)

Cultural/Entertainment Permitted Use
- art and music center
- art gallery
- carnival, fair, or circus*
- catering establishment
- hotel
- hotel (full service)
- indoor theater
- meeting or party hall
- museum
- outdoor theater*
- restaurant, with walk-up/drive-thru
- restaurant, without drive-thru food sales
- stadium or coliseum*
- tavern/night club

Education Special Use
- school, trade or business

Industrial Permitted Use
- artisan industrial
- heavy industrial
- light industrial
- light manufacturing
- printing/publishing establishment
- storage and/or warehousing, indoor
- storage and/or warehousing, outdoor
- storage/distribution facility
- storage or sale of petroleum products
- wholesaling facility

Institutional Permitted Use
- public service facility

Office Permitted Use
- clinic or medical health center
- general office
- professional office
- research laboratory/facility

Recreation Permitted Use
- commercial recreational facility, indoor
- park, public

Retail and Service Permitted Use
- automobile/boat sales
- automobile service station*
- automobile/truck repair (indoor)
- car wash
- commercial kennel
- dry cleaning (with on-site plant)
- dry cleaning (without on-site plant)
- equipment sales/repair (indoor)
- financial institution
- funeral home/mortuary/crematory
- general retail
- general service
- lumber/building materials sales (enclosed)
- manufactured housing sales
- recreational vehicle/mobile home sales
- self-service laundry
- tattoo studio
- veterinary hospital with commercial kennel
- veterinary hospital without commercial kennel
- wholesale sales

Miscellaneous Permitted Use
- commercial parking lot

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- sales, outdoor
- sales, seasonal outdoor
- special event, outdoor

Accessory Permitted Use
- automated teller machine (atm)
- display, outdoor
- private parking area
- sexually oriented business*

**** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply***

Special Exception/Special Use

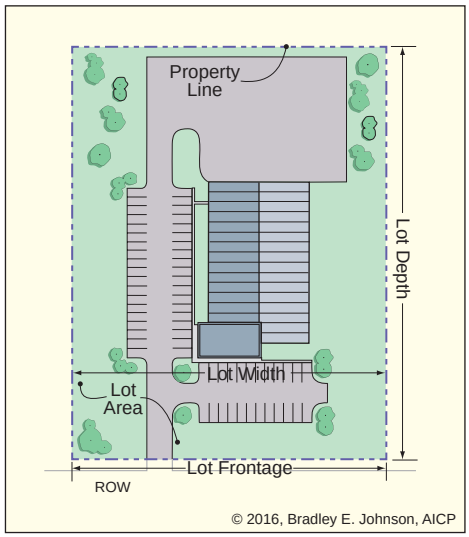
Industrial Special Use
- sanitary landfill, junk yard, salvage yard*

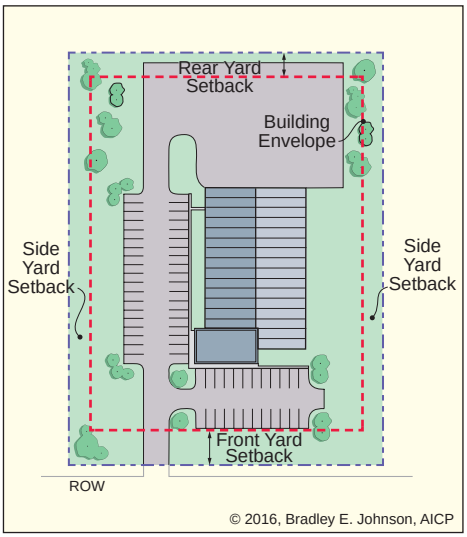
Institutional Special Use
- commercial sewage or garbage

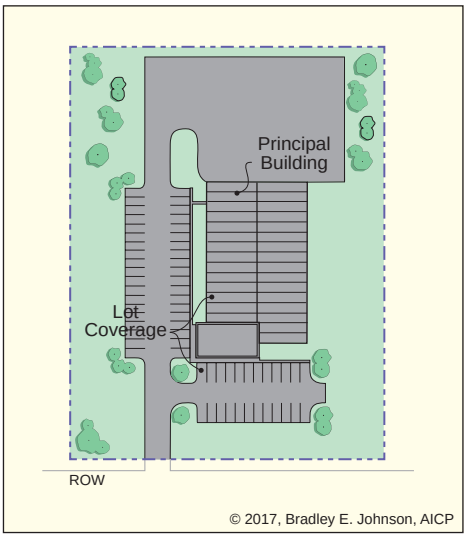
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- radio/television transmission antenna
- wireless support structure

**** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply***

2.42 I1 District Development Standards







Minimum Lot Area
- 0 acres

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- not applicable

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 15 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 25 for a principal building if abutting residential use or district
- 5 feet for a principal building if abutting any other use or district
- See *Section 5.03* for accessory building setbacks

Minimum Rear Yard Setback
- 15 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 90%

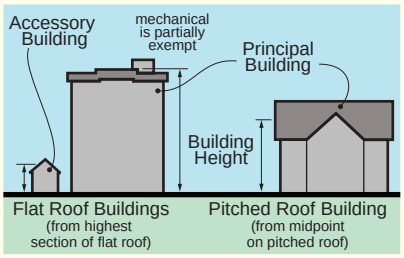
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- not applicable

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 60 feet for a principal building
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Outdoor Display
- OD-01 ..... pg. 5-33

Outdoor Storage
- OS-01 ..... pg. 5-34

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-03 ..... pg. 5-66
- TU-04 ..... pg. 5-67
- TU-05 ..... pg. 5-68
- TU-06 ..... pg. 5-69

Use-Specific
- US-02 ..... pg. 5-70
- US-08 ..... pg. 5-70
- US-09 ..... pg. 5-70
- US-10 ..... pg. 5-71
- US-17 ..... pg. 5-72
- US-19 ..... pg. 5-72
- US-20 ..... pg. 5-72
- US-22 ..... pg. 5-73

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
- WP-01 ..... pg. 5-82

Wireless Support Structure
- WL-01 ..... pg. 5-83

Yard
- YS-01 ..... pg. 5-86
- YS-03 ..... pg. 5-87

2.43 M3 District Intent, Permitted Uses and Special Uses

Intent

The purpose of the M3 Manufacturing Park District is to create and protect land areas for the development of unified preplanned manufacturing and other compatible land uses within a park- like setting. All activities associated with manufacturing, commercial, warehousing, transportation, service, office and residential activities shall be conducted within completely enclosed buildings in such a manner that any nuisance factors are not emitted outside the building. Solid visual screening of the outside activities including, but not limited to, storage and trash collection areas shall be included. It shall be a requirement of all preplanned manufacturing parks to be reviewed and approved by the Plan Commission. A Development Plan shall address the comprehensive arrangement of land uses, buildings, landscape areas, road and parking areas in accordance with harmonious and aesthetic principles of architecture, design, sign and industrial management. Land areas to be rezoned M3 shall be served by public utilities (sewer, water, etc.).

Permitted Uses

Agricultural Permitted Use
- general agriculture (farm)

Cultural/Entertainment Permitted Use
- restaurant, without drive-thru food sales

Education Permitted Use
- school, trade or business

Industrial Permitted Use
- artisan industrial
- light manufacturing
- printing/publishing establishment
- wholesaling facility

Institutional Permitted Use
- public service facility

Office Permitted Use
- general office
- professional office
- research laboratory/facility

Recreation Permitted Use
- park, public

Retail and Service Permitted Use
- general retail*
- wholesale sales

Temporary Permitted Use
- construction facility
- firework sales
- food stand*
- special event, outdoor

Accessory Permitted Use
- home occupation
- private parking area
- residential kennel
- storage and/or warehousing, indoor

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

Special Exception/Special Use

Agricultural Special Use
- commercial greenhouse*

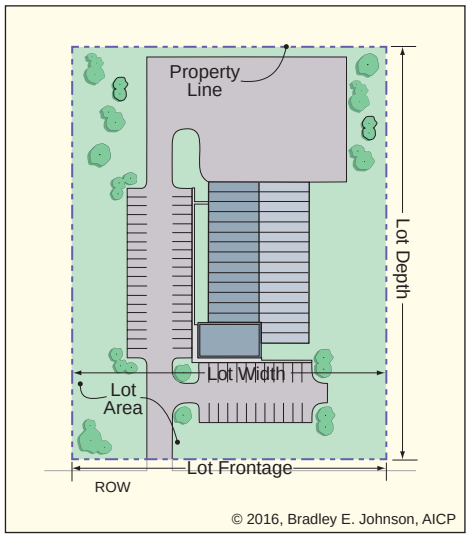
Industrial Special Use
- storage/distribution facility

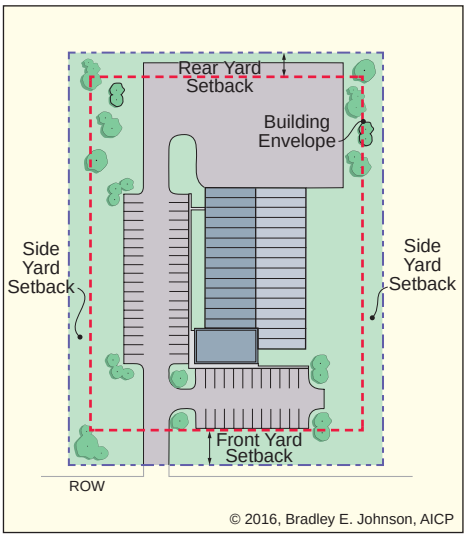
Residential Special Use
- accessory dwelling*
- dwelling, multiple family*
- dwelling, single-family*
- dwelling, two-family*

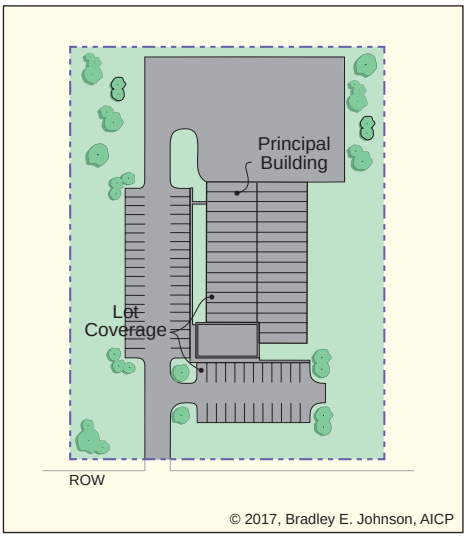
Miscellaneous Special Use
- artificial lake or pond (non-platted)
- private airplane landing/service facility
- private helicopter landing/service
- radio/television transmission antenna

** See Use-Specific Standards in Article 5, 5.47 through 5.74 for additional standards that apply*

2.44 M3 District Development Standards







Minimum Lot Area
- 10,000 sq ft for residential uses
- 20,000 sq ft for all other uses, per principal building
- shall be a part of a 10 acre or greater area zoned M3

Minimum Lot Width
- not applicable

Minimum Lot Frontage
- 60 feet for residential uses
- 100 feet for all other uses

Public Utilities
- required community water hookup
- required sanitary sewer system hookup

Minimum Front Yard Setback
- 20 feet for a principal building
- See *Section 5.03* for accessory building setbacks

Minimum Side Yard Setback
- 50 feet for a principal building if abutting residential use or district
- 20 feet for a principal building if abutting any other use or district
- See *Section 5.03* for accessory building setbacks

Minimum Rear Yard Setback
- 50 feet for a principal building if abutting residential use or district
- 20 feet for a principal building if abutting any other use or district
- See *Section 5.03* for accessory building setbacks

Maximum Lot Coverage
- 80%

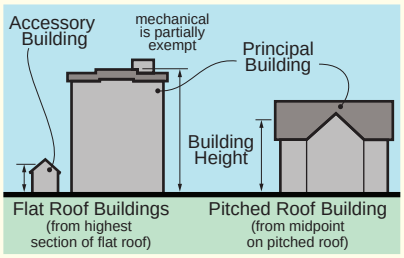
Minimum Living Area per Dwelling
- not applicable

Minimum Ground Floor Area
- not applicable

Maximum Principal Buildings per Lot
- not applicable

Development Plan Required
- yes

ADLS Required
- yes



Maximum Building Height
- 30 feet for a principal building when adjacent to residential use or district
- 50 feet for a principal building when adjacent to any other use or district
- 18 feet for an accessory building

Additional Development Standards that Apply

Accessory Building and Use
- AB-02 ..... pg. 5-6

Density and Intensity
- DI-01 ..... pg. 5-13

Fence and Wall
- FW-01 ..... pg. 5-14

Floodplain
- FP-01 ..... pg. 5-16

Grading and Drainage
- GD-01 ..... pg. 5-18

Height
- HT-01 ..... pg. 5-19

Home Occupation
- HO-01 ..... pg. 5-22

Landscaping
- LS-01 ..... pg. 5-23

Lot
- LO-01 ..... pg. 5-31

Parking
- PK-01 ..... pg. 5-35
- PK-02 ..... pg. 5-37
- PK-03 ..... pg. 5-40

Recreational Vehicle
- RV-01 ..... pg. 5-46

Premises Identification
- PI-01 ..... pg. 5-47

Setback
- SB-01 ..... pg. 5-48

Signs
- SI-01 ..... pg. 5-49

Telecommunication Facility
- TC-01 ..... pg. 5-64

Temporary Use and Structure
- TU-01 ..... pg. 5-65
- TU-04 ..... pg. 5-67
- TU-06 ..... pg. 5-69

Use-Specific
- US-02 ..... pg. 5-70
- US-11 ..... pg. 5-71
- US-12 ..... pg. 5-71
- US-20 ..... pg. 5-72

Utility Service
- UT-01 ..... pg. 5-79

Vision Clearance
- VC-01 ..... pg. 5-80

Weed and Solid Waste
- WS-01 ..... pg. 5-81

Wellhead Protection
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Article 3

Overlay Districts

City of Carmel
Unified Development
Ordinance

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GroundRules
website www.groundrulesinc.com

Home Place Overlay (HP-OL) District

3.01 HP-OL District Intent, Effect on Uses, Process and Applicability

District Intent

It is the purpose of the Home Place Overlay District to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties located in the Home Place neighborhood in Clay Township, Hamilton County, Indiana. The Plan Commission and Common Council, in establishing this zone, are relying on *IC 36-7-4-600* et seq. and *IC 36-7-4-1400* et seq.

This zoning district is, likewise, intended to serve as a tool for implementing the development policies and guidelines set for the Home Place Overlay District in the Comprehensive Plan.

Home Place Business Sub-Area:

This sub-area is intended to foster urban neighborhood village-like commercial activity, in keeping with the intention of the Comprehensive Plan. It is to contain office and retail uses that are of an intensity and scale compatible with the surrounding residential areas, both in scale and architecture. These commercial uses should provide services and support the existing residential areas and nearby US 31 commercial corridor.

The purpose of the Home Place Business Sub-Area standards is to provide site design requirements that orient buildings to the street and are pedestrian in scale. The object is to align buildings in order to create a sense of an outdoor room, encompassing sidewalks and the street.

West Home Place Commercial Corridor Sub-Area

The purpose of West Home Place Commercial Corridor Sub-Area standards is to provide site design, architectural, and landscaping requirements that will create a transition between the commercial uses along US 31 buildings and nearby residential areas. The buildings in this corridor will also serve as a buffer between the intensive commercial uses along US 31 and the existing residential areas.

Higher intensity commercial development will be considered desirable in the northern portion of this area while lower intensity, residential-scale commercial development will be desirable in the southern half. These two areas are shown in the Home Place Overlay District and Sub-Areas map, Figure A.

Effect on Uses

Permitted Uses
- Permitted uses shall be per the base zoning district, except as may be prohibited below

Special Uses
- Special uses shall be per the base zoning district, except as may be prohibited below

Prohibited Uses
- if zoned commercial, single-family residential and multiple-family residential shall not be permitted on the ground floor.
- automobile/boat sales
- borrow pit/top soil removal and storage
- commercial kennel
- commercial sewage or garbage disposal plant
- grain elevator
- heavy industrial
- heavy manufacturing
- light industrial
- lumber/building materials sales (enclosed)
- manufactured housing sales
- mineral/sand/gravel extraction operations
- mobile home park
- penal or correctional institution
- power generating plant
- private airplane landing/service facility
- private helicopter landing/service facility
- raising/breeding of non-farm or exotic animals
- recreational vehicle/mobile home sales
- restaurant with walk-up/drive-thru food sales
- roadside sales stand
- sanitary landfill, junk yard, salvage yard
- sexually oriented business
- storage and/or warehousing, indoor
- storage and/or warehousing, outdoor
- veterinary hospital with commercial kennel

Process and Applicability

Application Procedure
- Development Plan: As per the base zoning district
- Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS): As per the base zoning district

Property Applicability

If the subject property is located partially inside and outside of the overlay district (or sub-area), then the entire property shall be considered inside the overlay district (or sub-area); thus subject to the applicable regulations and processes.

Development Standards Applicability

Any development standard in *Article 2: Zoning Districts* or *Article 5: Development Standards* applicable to the subject property (base zoning district) shall apply unless the Home Place Overlay District specifies a different standard.

Project Applicability

These regulations apply to development, expansion, additions, or construction in the Home Place Overlay District, except single-family and two-family residential uses.

3.02 HP-OL District Boundaries

The boundaries of the Home Place Overlay District and its Sub-Areas are hereby established as shown on the Official Zoning Map. The Home Place Overlay District is generally depicted in *Figure A: Home Place Overlay District and Sub-Areas.* The Home Place Overlay District is generally bounded by the following streets: to the west by Pennsylvania Street, to the north by East 116th Street, to the east by the Monon Greenway, and to the south by I-465. The Home Place Overlay District is comprised of the following sub-areas.

A. Home Place Business Sub-Area: The Home Place Business Sub-Area is primarily comprised of the properties located near the intersection of East 106th Street and North College Avenue.

B. West Home Place Commercial Corridor Sub-Area: The West Home Place Commercial Corridor Sub-Area is comprised of properties on the East side of Pennsylvania Street from East 103rd Street to East 116th Street.

3.03 HP-OL Exemptions

A. Property zoned or used as single-family residential or two-family residential shall be exempt from the Home Place Overlay District.

3.04 HP-OL Interpretation

A. There are no special interpretations related to this overlay district.

3.05 HP-OL Accessory Building and Use Standards

A. General Accessory Building and Use Standards: All Accessory Buildings and Uses which are permitted in the base zoning district(s) shall be permitted.

B. Architectural Compatibility Standards: Any detached Accessory Building shall be architecturally compatible with the Principal Building(s) with which it is associated.

C. Additions to Existing Residential Standards: Uses and Detached Buildings accessory to Single-family Dwelling Units are permitted provided that the use and/or structure meets the requirements of the base zoning district. Additionally, any detached structure shall be of compatible architectural design with the Principal Building.

3.06 HP-OL Architectural Standards

A. Home Place Business Sub-Area Architectural Standards:

1. *Building Orientation Standards*:
    a. All Principal Buildings shall face the public street.
    b. The primary building entrance shall be from a public street.
    c. Secondary building entrances shall face the side or rear of the building.
2. *Architectural Design Standards*:
    a. Principal Buildings shall be a maximum of two (2) stories.
    b. The Principal Building shall be primarily composed of brick and/or stucco with other materials used for accent.
    c. The first and second floors will have a coordinated composition, which will usually be indicated by the alignment of upper floor windows and other features with openings and features on the first floor.
    d. The two (2) front facades (those facing the public street) of Principal Buildings on Corner Lots shall be of the same materials and similarly detailed.
    e. In general, buildings will have flat fronts with large window or door openings.
    f. All window design shall be compatible with the style, materials, color, details and proportion of the building. The number of panes, the way it opens, the trim around it and whether it is embellished with shutters shall be consistent with the architectural style of the structure.
    g. Rooftop equipment shall be screened from view.

B. West Home Place Commercial Corridor Sub-Area Architectural Standards:

1. *Building Orientation Standards*:
    a. All buildings shall face Pennsylvania Street.
2. *Low Intensity Commercial Corridor Sub-Area Architectural Design Standards*:
    a. Buildings shall be residential in character.
    b. Buildings shall be designed to contribute to the neighborhood scale environment and to be compatible with residential uses in nearby single-family areas.
    c. Buildings shall be faced in brick and trimmed in metal, stone, pre-cast concrete, wood, or stucco.
    d. Every face of the building shall have windows.

e. Concrete block is not allowed on the exterior.
f. Building entrances shall be clearly articulated.
g. The architectural style, including materials and detailing, shall be consistent on all sides of the building.
h. Rooftop equipment shall be screened from view.

3. *High Intensity Commercial Corridor Sub-Area Architectural Design Standards*:
   a. Large expanses of glass are allowed, but the building shall not be constructed entirely of a metal and glass curtain wall.
   b. A minimum of three (3) materials shall be used for building exteriors, from the following list: stone, brick, architectural pre-cast (panels or detailing), architectural metal panels, glass, and ornamental metal.
   c. Concrete block shall not be allowed as an exterior finish material.
   d. Building entrances shall be clearly articulated.
   e. The architectural style, including materials and detailing, shall be consistent on all sides of the building.
   f. All buildings shall be designed with respect to the general character of the US 31 Corridor and, particularly, with due consideration to buildings located on lots that abut the subject property.
   g. Rooftop equipment shall be screened from view.

3.07 HP-OL Bike and Pedestrian Facility Standards

A. Pedestrian and Bicycle Circulation:
   1. Neither sidewalks nor walkways shall be used by auto traffic.
   2. Bicycle parking shall be provided at one (1) space per 100 feet of building frontage.
   3. Walkways, shall be provided, as applicable, between buildings to provide access between rear parking areas and principal building entrance or the street.

3.08 HP-OL Fence and Wall Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.09 HP-OL Height Standards

A. Home Place Business Sub-Area Building Height Standards:
   1. *Minimum*: Twenty (20) feet.
   2. *Maximum*: Thirty-five (35) feet.

B. West Home Place Commercial Corridor Sub-Area Building Height Standards:
   1. *Low Intensity Commercial Corridor Sub-Area*: Buildings located in the Low Commercial Corridor Sub-Area shall be a maximum of two (2) stories tall or thirty (30) feet, whichever is less.
   2. *High Intensity Commercial Corridor Sub-Area*: Buildings located in the High Intensity Commercial Corridor Sub-Area shall be a maximum of three (3) stories tall or forty-five (45) feet, whichever is less.

3.10 HP-OL Landscaping Standards

A. Protection of Existing Trees and Vegetation Standards:
   1. Sites within the Home Place Overlay District with existing trees or stands of trees shall protect and incorporate them into the overall site design. The Landscape Plan shall preserve not less than fifty percent (50%) of all trees that are:
      a. Six-inch (6") DBH or larger, and
      b. Located within the Bufferyard or Greenbelt.
   2. *Protection of Existing Trees*: Sites with existing trees or stands of trees should make reasonable efforts to protect and incorporate them into the overall site design. Existing vegetation proposed to be removed and tree preservation areas shall be graphically illustrated on a separate plan, to be called the Tree Preservation Plan. (See City of Carmel's Tree Preservation Detail)
      a. Tree Preservation Plans should be prepared by an International Society of Arboriculture Certified Arborist or Board Certified Master Arborist, American Society of Consulting Arborists Registered Consulting Arborist, state licensed Landscape Architect or similar professional.
      b. When tree preservation is not possible due to other site constraints, the Director of Community Services may require a reforestation or afforestation plan.

B. Home Place Business Sub-Area Buffer Standards:
   1. Any properties adjacent to or abutting an existing residence or residential area shall create at least a five-foot (5') wide buffer consisting of a minimum of three (3) shade trees, two (2) ornamental trees, and nine (9) shrubs per 100 linear foot increment.

C. West Home Place Commercial Corridor Sub-Area Buffer Standards:
   1. Low Intensity Commercial Corridor Sub-Area: Any properties adjacent to or abutting an existing residence or residential area shall create at least a five-foot (5') wide buffer consisting of a minimum of three (3) shade trees, two (2) ornamental trees, and nine (9) shrubs per 100 linear foot increment.
   2. High Intensity Commercial Corridor Sub-Area: Any properties adjacent to or abutting an existing residence or residential area shall create at least a ten-foot (10') wide buffer consisting of a minimum of five (5) shade trees, four (4) ornamental trees, and fifteen (15) shrubs per 100 linear foot increment.

3.11 HP-OL Lighting Standards

A. General Lighting Standards:
   1. Storefronts shall be internally illuminated to prominently and attractively display the business and/or its products.
   2. Exterior lighting may be affixed to the building.
   3. Pedestrian passages to parking lots (walkways) shall be lit to a minimum of three (3) foot-candles.
   4. All exterior architectural, display, decorative, and sign lighting shall be generated from concealed, low level fixtures.
   5. Exterior lighting shall be architecturally integrated with the building style, material and color. Rooftop lighting shall be prohibited.

B. Lighting Height Standards: The maximum height of lighting standards in parking areas shall not exceed the Building Height or twenty-five (25) feet, whichever is less. When light standards abut or fall within ninety (90) feet of single-family residential areas, their height shall not exceed fifteen (15) feet.

3.12 HP-OL Lot Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.13 HP-OL Outdoor Display Standards

A. Product Material and Refuse Storage Standards:
   1. Material or product storage shall occur within the Principal Building or an Accessory Building.
   2. Any Accessory Building used for storage shall:
      a. Be architecturally compatible with the Principal Building and integrated into the overall site layout, and
      b. Be approved by the Plan Commission.
   3. Any Accessory Building use for storage or disposal of refuse shall:
      a. Accommodate waste and recyclable materials, and, if applicable, grease or other cooking refuse,
      b. Be architecturally compatible with the Principal Building and integrated into the overall site layout, and
      c. Be approved by the Plan Commission.

3.14 HP-OL Parking Standards

A. General Parking Standards:
   1. No parking shall be allowed in the Front Yard.
   2. All parking shall be paved with asphalt or concrete, and curbed using poured-in-place concrete curbing.
   3. Parking areas shall be located at the rear or side of buildings, and screened from the sidewalk by low walls, low fences or hedges.
   4. Parking space dimensions shall be nine feet by twenty feet (9' x 20') or ten feet by eighteen feet (10' x 18').

B. Connectivity Standards: Adjacent/adjoining lots shall be interconnected either by alleys or internal driveways.

C. Home Place Business Sub-Area Parking Standards:
   1. Parking shall be provided at the minimum ratio of one (1) space per 1,000 square feet of Gross Floor Area.

3.15 HP-OL Setback Standards

A. Home Place Business Sub-Area Setback Standards:
   1. *Front Yard Setback*:
      a. Minimum: Five (5) feet from Front Lot Line.
      b. Maximum: Fifteen (15) feet from Front Lot Line.
      c. Uses which require outdoor seating shall be set back no less than ten (10) feet.
   2. *Minimum Side Yard Setback*:
      a. There are no Minimum Side Yard Setbacks; however, walkways to rear parking shall be a minimum of six (6) feet wide.
      b. See also *Section 3.10: HP-OL Landscaping Standard*.
   3. *Minimum Rear Yard Setback*:
      a. Minimum: Ten (10) feet
      b. See also *Section 3.10: HP-OL Landscaping Standard*.

B. West Home Place Commercial Corridor Sub-Area Setback Standards:
   1. *Front Yard Setback*:
      a. Minimum: Five (5) feet
   2. *Side Yard Setback*:
      a. Minimum: Ten (10) feet
   3. *Rear Yard Setback*:
      a. Next to existing residence(s): Fifteen (15) feet
      b. Next to existing business: Ten (10) feet

3.16 HP-OL Sign Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.17 HP-OL Site Design Standards

A. West Home Place Commercial Corridor Sub-Area Architectural Standards:
   1. *Vehicular Entrances*:
      a. The primary vehicular entrance shall be from at least a boulevard street.
      b. Secondary vehicular entrances shall not be through residential areas.

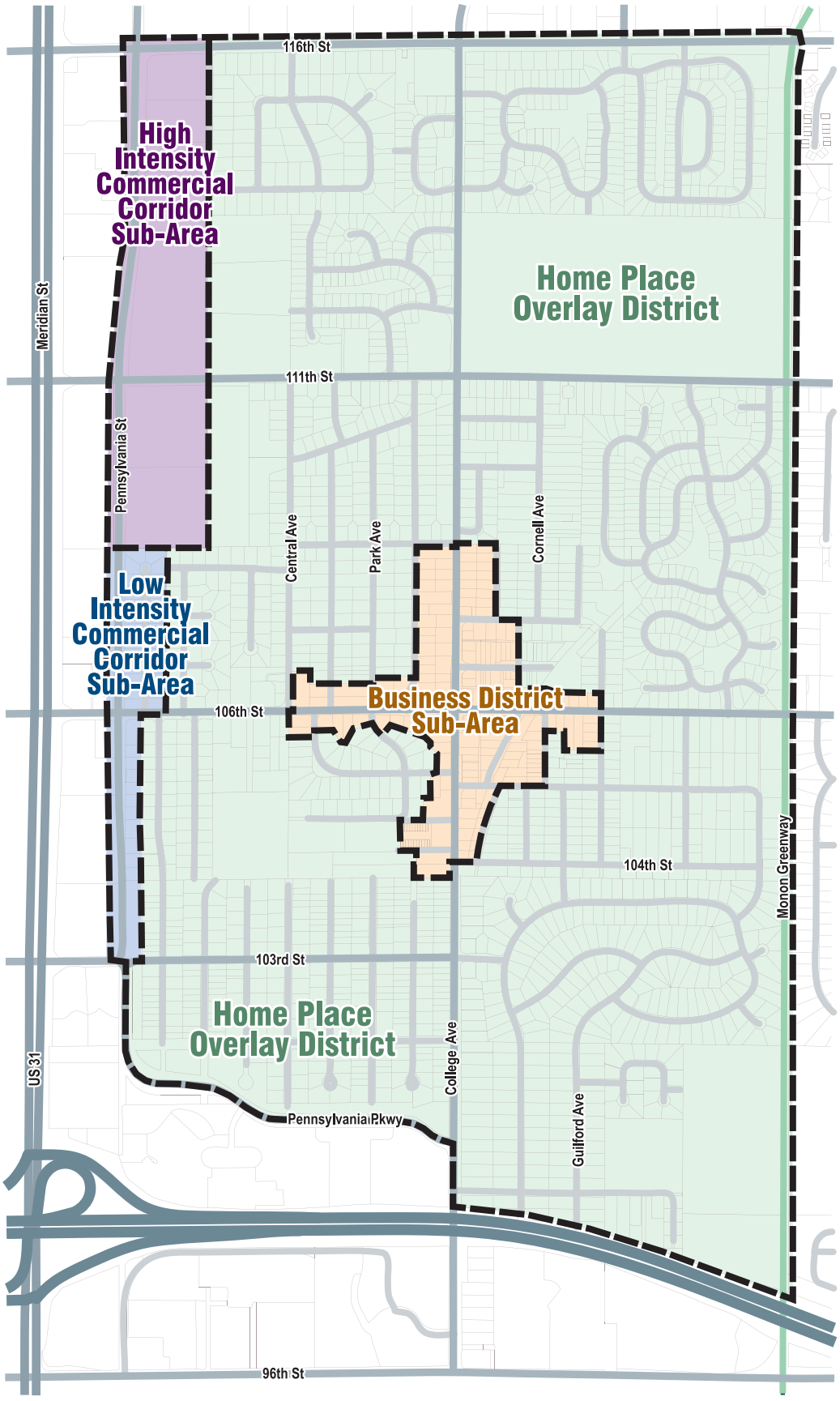
3.18 HP-OL Structure Standards

A. Home Place Business Sub-Area Gross Floor Area Standards:
   1. *Maximum Gross Floor Area*: 15,000 square feet.

B. West Home Place Commercial Corridor Sub-Area Gross Floor Area Standards:
   1. *Maximum Gross Floor Area*: No limit.

3.19 HP-OL Other Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.



Home Place Overlay District and Sub-Areas **Figure A**

Keystone Parkway Overlay (KP-OL) District

3.20 KP-OL District Intent, Effect on Uses, Process and Applicability

District Intent

The purpose of this overlay district is:

- To provide consistent treatment for properties bordering the limited access highway, known as Keystone Parkway,
- To preserve the aesthetic qualities of these properties, and
- To protect the health and safety of the property owners.

This overlay district is superimposed over the other base zoning districts and its regulations shall supersede those of the base zoning districts over which it is superimposed. The Plan Commission, in establishing this overlay district, is relying on *IC 36-7-4-100* et seq.

Effect on Uses

Permitted Uses

- Permitted uses shall be per the base zoning district, except as may be prohibited below

Special Uses

- Special uses shall be per the base zoning district, except as may be prohibited below

Prohibited Uses

- automobile/truck repair (indoor)
- commercial greenhouse
- commercial kennel
- commercial recreational facility (outdoor)
- commercial sewage or garbage disposal plant
- dry cleaning (with on-site plant)
- equipment sales/repair (indoor)
- feed store
- funeral home/mortuary/crematory
- grain elevator
- heavy industrial
- heavy manufacturing
- light industrial
- lumber/building materials sales (enclosed)
- manufactured housing sales
- mobile home park
- penal or correctional institution
- plant nursery
- power generating plant
- private airplane landing/service facility
- raising/breeding of non-farm or exotic animals
- recreational vehicle/mobile home sales
- roadside sales stand
- sanitary landfill, junk yard, salvage yard
- self-service laundry
- sexually oriented business
- storage and/or warehousing, indoor
- storage and/or warehousing, outdoor
- tattoo studio
- truck stop
- veterinary hospital with commercial kennel
- veterinary hospital without commercial kennel
- wholesaling facility

Process and Applicability

Development Plan Approval

Development Plan (DP): Shall be per the base zoning district.

ADLS Approval

Property Zoned and/or Used for:

- Single-family Dwellings: Not required
- Two-family Dwellings: Not required
- Multiple-family: Required
- Business: Required
- Industrial: Required
- Manufacturing: Required

Property Applicability

If the subject property is located partially inside and outside of the overlay district, then the entire property shall be subject to the overlay district regulations and its applicable processes.

Development Standards Applicability

Any development standard in *Article 2: Zoning Districts* or *Article 5: Development Standards* applicable to the subject property (base zoning district) shall apply unless this overlay district specifies a different standard.

Keystone Parkway Overlay (KP-OL) District

3.21 KP-OL District Boundaries

The Keystone Parkway Overlay District shall generally include an area of 120 feet on either side of the right-of-way for Keystone Parkway. The official boundaries of the Keystone Parkway Overlay District are hereby established as drawn on the Official Zoning Map.

3.22 KP-OL Exemptions

A. There are no special exemptions related to this overlay district.

3.23 KP-OL Interpretation

A. There are no special interpretations related to this overlay district.

3.24 KP-OL Accessory Building and Use Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.25 KP-OL Architectural Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.26 KP-OL Fence and Wall Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.27 KP-OL Height Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.28 KP-OL Landscaping Standards

A. Greenbelt Standards:
   1. *Greenbelt Width*: A landscaped Greenbelt area shall extend along the right-of-way of Keystone Parkway with a minimum width of thirty (30) feet.
   2. *Greenbelt Planting*: A minimum base-planting unit for each 100 linear foot increment of the Greenbelt has been designated, as follows:
      a. Six (6) shade trees
      b. Two (2) ornamental trees
      c. Fifteen (15) shrubs

3.29 KP-OL Lighting Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.30 KP-OL Lot Standards

A. Minimum Front Yard Standards: Measured from the right-of-way of Keystone Parkway:
   1. *Residential Zones*: Thirty (30) feet.
   2. *Business, Industrial, and Manufacturing Districts and/or Uses*: 120 feet.

3.31 KP-OL Outdoor Display Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.32 KP-OL Parking Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.33 KP-OL Setback Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.34 KP-OL Sign Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.35 KP-OL Site Design Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.36 KP-OL Structure Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.37 KP-OL Other Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

Monon Greenway Overlay (MG-OL) District

3.38 MG-OL District Intent, Effect on Uses, Process and Applicability

District Intent

The purpose of the Monon Greenway Overlay District is to protect and enhance the health, safety and welfare of the citizens and property owners of Carmel by protecting the physical integrity of the Monon Greenway, including its ballast foundation and drainage ways, and by complying with the Monon Greenway easement covenants as they pertain to the natural character and existing vegetation of the trail and its protection. For purposes of this overlay district, the Monon Greenway shall be defined as any property conveyed to the City of Carmel, by title or easement, for purposes of establishment of the Monon Greenway.

It is the City's intent to achieve the purpose of this overlay district by:

- Providing a consistent design treatment for properties along the Monon Greenway;
- Providing controls for architecture and landscape design that establish continuity of design between projects and to improve the physical relationship and human scale between new buildings and the Monon Greenway;
- Protecting the Monon Greenway character; and
- Protecting the physical integrity of the Monon Greenway.

This overlay district is superimposed over the other base zoning districts and its regulations shall supersede those of the base zoning districts over which it is superimposed. In establishing this overlay district, the Plan Commission and Common Council relies on *IC 36-7-4-1400* et seq.

Effect on Uses

Permitted Uses

- Permitted uses shall be per the base zoning district, except as may be prohibited below
- Residential uses are permitted regardless of the base zoning district

Special Uses

- Special uses shall be per the base zoning district, except as may be prohibited below

Prohibited Uses

- automobile/boat sales
- automobile service station
- automobile/truck repair (indoor)
- borrow pit/top soil removal and storage
- car wash
- commercial kennel
- commercial sewage or garbage disposal plant
- dry cleaning (with on-site plant)
- feed store
- funeral home/mortuary/crematory
- grain elevator
- heavy industrial
- heavy manufacturing
- light industrial
- light manufacturing
- lumber/building materials sales (enclosed)
- mineral/sand/gravel extraction operation
- mobile home park
- penal or correctional institution
- printing/publishing establishment
- restaurant with walk-up/drive-thru food sales
- sanitary landfill, junk yard, salvage yard
- self-service laundry
- sexually oriented business
- shooting gallery
- stadium or coliseum
- storage and/or warehousing, indoor
- storage and/or warehousing, outdoor
- storage/distribution facility
- storage or sale of petroleum products
- veterinary hospital with commercial kennel
- water management and use facility
- wholesale sales
- wholesaling facility

Process and Applicability

Application Procedure

- Development Plan: As per the base zoning district
- Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS): As per the base zoning district

Property Applicability

If the subject property is located partially inside and outside of the overlay district (or sub-area), then the entire property shall be considered inside the overlay district (or sub-area); thus subject to the applicable regulations and processes.

Development Standards Applicability

Any development standard in *Article 2: Zoning Districts* or *Article 5: Development Standards* applicable to the subject property (base zoning district) shall apply unless this overlay district specifies a different standard.

3.39 MG-OL District Boundaries

The official boundaries of the Monon Greenway Overlay District and its Sub-Areas are as illustrated on the Official Zoning Map. Generally, the boundaries are illustrated in *Figure B: Monon Greenway Overlay District - Urban and Natural Sub-Areas*, extending eighty-eight (88) feet from the centerline of the Monon Greenway. The Sub-Areas are further described below.

A. Urban Sub-Area Boundary: Properties which abut the Monon Greenway from First Street NW to the southern property line of properties fronting the south side of Carmel Drive.

B. Natural Sub-Area Boundary: Properties which abut the Monon Greenway from 146th Street to First Street NW and Carmel Drive to 96th Street.

3.40 MG-OL Exemptions

A. Exemption: Parcels in the C1 District and C2 Districts shall be exempt from the requirements of the Monon Greenway Overlay District.

3.41 MG-OL Interpretation

A. Conflicts: The Old Town Overlay District and Home Place Overlay District shall govern over the Monon Greenway Overlay District where conflicts exist, except the requirements in *Section 3.51: MG-OL Setback Standards* shall apply. The Monon Greenway Overlay District shall also govern in instances where other overlay districts are silent.

3.42 MG-OL Accessory Building and Use Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.43 MG-OL Architectural Standards

A. Urban Sub-Area Architectural Design: Buildings in the Urban Sub-Area with frontage on the Monon Greenway shall include the following characteristics:

1. Large blank facades are not allowed. Buildings with continuous facades that are fifty feet (50') or greater in width, shall be designed with offsets (projecting or recessed) not less than eight feet (8') in depth and continuous for not less than twenty-five feet (25') along the length of the facade.
2. All elevations shall exhibit variety through inclusion of architectural elements such as windows and surrounds, storefronts, doors, special brick coursing, pilasters, lintels, canopies and covered walkways or recesses. Facades shall also exhibit variable roof heights, a diversity of building materials and varied building mass within a given structure.
3. Architectural elements shall be arranged in a balanced, relatively uniform fashion. Faux window openings and special masonry coursing may be used in service areas, especially areas where rooftop skylighting is designed.
4. Ground and upper floors shall utilize transparent glass; the ground floor elevations of non-residential uses must incorporate the transparent glass as a significant component.
5. The first floor and all other floors will have a coordinated composition, which will usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floor.

6. Retail storefronts shall have a primary entrance oriented along the Monon Greenway on the first floor of the building, other entrances such as pedestrian entrances to parking areas shall be permitted on non-greenway facades.
7. Every facade of a building abutting the Monon Greenway shall have openings for windows.
8. Large expanses of glass are allowed, but no facade may be constructed entirely of a metal and glass curtain wall.
9. Fixed or retractable awnings are encouraged if they complement a building's architectural style, material, colors, and details; do not conceal architectural features (such as cornices, columns, pilasters, or decorative details); do not impair facade composition; and are designed as an integral part of the facade. Awnings may not be internally illuminated.
10. Pedestrian scale detailing is required at the ground level. As the buildings will be viewed very close up, it is important to exhibit articulated detail and ornament that is scaled to the pedestrian. Examples include, but are not limited to cornices, columns, pilasters, lighting, decorative moldings, sills and quoins, as well as canopies, awnings covered walkways and other similar sheltering features.
11. Modulation of the roof and/or roof line are required in order to eliminate box-shaped buildings. Parapets shall be fully integrated into the architectural design of the building and provide seamless design transitions, including exterior materials between the main building mass, mechanical penthouses and other roof structures. Should they be used, partial parapets shall have a return that extends inward to at least the first structural bay, or twenty (20) feet, whichever is greater. Parapet heights shall vary by no less than three (3) feet, including between neighboring structures on the same or adjacent parcel.
12. Architectural styles, primary materials, building setbacks, separations, heights and mass shall vary among neighboring buildings along the Monon Greenway.

3.44 MG-OL Fence and Wall Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.45 MG-OL Height Standards

A. Urban Sub-Area:
   1. *Minimum Height*: None.
   2. *Maximum Height*: Sixty (60) feet, or as permitted in the base zoning district, whichever is greater.
      a. When adjacent to a residential district, the building height shall be limited to the maximum height of that residential district.
      b. When used, facade step backs shall be at least twenty feet (20') in depth and shall be constructed as usable outdoor space, such as a rooftop patio or garden.

B. Natural Sub-Area:
   1. *Minimum Height*: None.
   2. *Maximum Height*: As permitted in the base zoning district.

3.46 MG-OL Landscaping Standards

A. This Overlay District is exempt from any landscaping requirements within *Section 5.19: Commercial Landscaping Standards*, and requires only landscaping which is stated herein.

B. Urban Sub-Area Landscaping Standards:
   1. *Planting Requirements*:
      a. When a Development Plan or other Plan Commission approval includes or requires reconstruction of the Monon Greenway, the Landscape Plan shall comply with the Monon Greenway Cross Section requirements and shall meet the approval of the Director of Carmel-Clay Parks and the Director of Community Services.
      b. The Monon Greenway Setback shall be landscaped with a combination of shade trees, shrubs, planting beds and ground cover, with exceptions for appropriate pedestrian access to building entrances.
      c. Alternatively, the Monon Greenway Setback may be covered with decorative hard surfaces and/or pavers to allow seating areas or outdoor tables; such areas shall be surrounded by low shrubs or planting beds.
      d. Remaining facades shall have foundation plantings in beds no less than five (5) feet in width, with exceptions for appropriate pedestrian access to building entrances. Initially, plantings shall cover at least seventy-five percent (75%) of the base of the building (horizontally).

2. *Tree Preservation Requirements*: Existing vegetation within the Monon Greenway Easement or Right-of-Way shall be preserved in accordance with the Monon Greenway covenants. Proposed preservation plans or alterations to the existing vegetation in the Monon Greenway may be sought through a Development Plan/ADLS proposal and require the approval of the Director of Carmel-Clay Parks. Otherwise no changes to the Monon Greenway vegetation shall be made. Any proposed preservation or alteration outside of the Monon Greenway shall be reviewed by the Director of Community Services and Plan Commission and shall be in accordance with *Section 3.46: MG-OL Landscaping Standards*. When deemed appropriate, and upon the approval of the Director of Community Services, mitigation may occur within the Monon Greenway.

C. Natural Sub-Area Landscaping Standards:
   1. *Planting Requirements*: When a Bufferyard is required per *Section 5.20: Bufferyard Standards*, plantings along the Monon Greenway shall be provided as said type 'C' Bufferyard.
   2. *Tree Preservation Requirements*: Existing vegetation within the Monon Greenway Easement or Right-of-Way shall be preserved in accordance with the Monon Greenway covenants. Proposed preservation plans or alterations to the existing vegetation in the Monon Greenway may be sought through a Development Plan/ADLS proposal and require the approval of the Director of Carmel-Clay Parks. Otherwise no changes to the Monon Greenway vegetation shall be made. Any proposed preservation or alteration outside of the Monon Greenway shall be reviewed by the Director of Community Services and Plan Commission, and shall be in accordance with *Section 3.46(D): General Landscaping Standards*. When deemed appropriate, and upon the approval of the Director of Community Services, mitigation may occur within the Monon Greenway.

D. General Landscaping Standards: The requirements of this section shall apply to projects which require Plan Commission approval, including Development Plan, ADLS and Primary Plat review.
   1. Sites with existing trees or stands of trees shall protect and incorporate them into the overall site design. The landscape plan shall preserve not less than seventy-five percent (75%) of all trees that are six inch (6") DBH or larger and located within the required yard/setback areas.
   2. A five (5) foot wide planting area shall be provided along all sides of parking areas. The minimum planting shall include two (2) shade trees and thirty (30) shrubs per 100 linear feet.
   3. Parking areas shall be located at the rear or side of buildings, and screened from the Monon Greenway by low walls, low fences, or hedges, or a combination thereof.
   4. There shall be planted, at minimum, one (1) shade tree and five (5) shrubs per every ten (10) parking spaces.
   5. The design of fencing, sound walls, trash enclosures and similar site elements shall replicate the architecture of the Principal building(s) in construction material and detailing. No openings or access gates for trash enclosures shall face the Monon Greenway.

E. Protection of Existing Trees and Vegetation:
   1. Sites within the Monon Greenway Overlay District with existing trees or stands of trees shall protect and incorporate them into the overall site design. The Landscape Plan shall preserve not less than fifty percent (50%) of all trees that are:
      a. Six-inches (6") DBH or larger, and
      b. Located within the Bufferyard or Greenbelt.
   2. Protection of Existing Trees: Sites with existing trees or stands of trees shall make reasonable efforts to protect and incorporate them into the overall site design. Existing vegetation proposed to be removed and tree preservation areas shall be graphically illustrated on a separate plan, to be called the Tree Preservation Plan. (See City of Carmel's Tree Preservation Detail)
   3. Tree Preservation Plans shall be prepared by an International Society of Arboriculture Certified Arborist or Board Certified Master Arborist, American Society of Consulting Arborists Registered Consulting Arborist, state licensed Landscape Architect or similar professional.
   4. When tree preservation is not possible due to other site constraints, the Director of Community Services may require a reforestation or afforestation plan.

3.47 MG-OL Lighting Standards

A. Applicability: The requirements of this section shall apply to projects which require Plan Commission approval, including Development Plan, ADLS and Primary Plat review.

B. Light Trespass: Exterior lighting of the building(s) or site shall be designed so that light is not directed off the site and the light source is shielded from direct offsite viewing.

C. Integration: Exterior lighting shall be architecturally integrated with the building style, material and color. Rooftop lighting shall be prohibited.

D. Direction: All exterior architectural, display, decorative and sign lighting shall be generated from concealed, low level fixtures.

E. Maximum Light Standard Height: The maximum height of light standards in parking areas shall not exceed the building height, or twenty-five (25) feet, whichever is less. When light standards abut or fall within ninety (90) feet of single family residential properties, their height shall not exceed fifteen (15) feet.

3.48 MG-OL Lot Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.49 MG-OL Outdoor Display Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.50 MG-OL Parking Standards

A. Applicability: The requirements of this section shall apply to projects which require Plan Commission approval, including Development Plan, ADLS and Primary Plat review.

B. Automobile Parking: Parking shall be provided per *Section 5.28(B): Additional Parking and Loading Regulations*, unless otherwise stated for parcels in the Old Town Overlay District.

C. Bicycle Parking: Bicycle parking shall be provided in accordance with *Section 5.29: Bicycle Parking Standards*; however, the required number of bicycle parking spaces in the Monon Greenway Overlay District shall be double. The number of spaces may include the long-term bicycle parking required in *Section 5.29(C): Long-term Bicycle Parking*. Upon approval by the Alternative Transportation Coordinator, bicycle parking may be located in the Monon Greenway Easement (Urban Sub-Area only).

D. Parking Setback: Parking areas shall be set back not less than twenty (20) feet behind the Front Line of Building, and shall include landscaping as required in *Section 3.55(B): Building Requirements*. Open spaces created by this setback shall become pocket parks, landscaped gathering spaces or space for other greenway-related amenities.

E. Parking Structures: Parking structures are permitted adjacent to the Monon Greenway; provided that all levels of the facade facing the Monon Greenway are a non-parking use, or a below-grade parking structure acts as a building foundation completely screened from the view of the Monon Greenway. Uses may be residential or non-residential in nature.

3.51 MG-OL Setback Standards

A. Urban Sub-Area.

1. *Minimum Greenway Setback*:
   a. Minimum: Forty-five (45) feet, measured from the centerline of the Monon Greenway.
   b. Maximum: There is no maximum setback; however, the area adjacent to the Monon Greenway may not be used solely for parking. In addition, this area shall reflect an awareness of the Monon Greenway and shall not adversely impact the character of the Monon Greenway.
2. *Front Setbacks not abutting the Monon Greenway*: Requirements per base zoning district or other applicable Overlay District.
3. *Side and Rear Setbacks*: Fifteen (15) feet.

B. Natural Sub-Area:
   1. *Minimum Greenway Setback*: Setbacks shall be measured from the centerline of the Monon Greenway.
      a. Existing structures on Lots recorded prior to January 1, 2012, may continue to follow the requirements of the base zoning district or other Overlay District, when applicable.
      b. New Detached Single-Family Dwellings: Requirements per base zoning district or other applicable Overlay District.
      c. Other New Principal Buildings: Eighty-eight (88) feet.
      d. Accessory Buildings: See *Section 5.02: Residential Accessory Building and Use Standards*.
   2. *Setbacks not abutting the Monon Greenway*: Requirements per base zoning district or applicable Overlay District.

3.52 MG-OL Sign Standards

A. All signs shall be in accordance with *Section 5.39: Sign Standards* and/or other applicable Overlay District Requirements. In addition, the following standards shall apply to signs facing the Monon Greenway:
   1. Wall Signs are allowed in the Urban Sub-Area provided that they fit within the horizontal and vertical elements of the building and do not obscure details of the building. No sign shall be allowed to extend above the cornice line of a building. Wall Signs shall comply with *Section 5.39: Sign Standards* for size and shall be in accordance with an approved ADLS.
   2. Projecting Signs no larger than six (6) square feet are allowed for new or existing buildings in the Urban Sub-Area which comply with applicable setback, orientation and height requirements.

3.53 MG-OL Site Design Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.54 MG-OL Structure Standards

A. Building Orientation and Footprint:
   1. *Urban Sub-Area*:
      a. Orientation: Every parcel with frontage on the Monon Greenway shall have at least one building elevation that fronts on the Monon Greenway.
      b. Maximum Building Footprint: 15,000 square feet.
      c. Maximum Facade Length: 150 feet.
   2. *Natural Sub-Area*:
      a. Maximum Building Footprint: 15,000 square feet.
      b. Maximum Facade Length: No facade greater than eighty (80) feet in length shall be parallel with the Monon Greenway. Longer facades shall be oriented at an angle greater than or equal to sixty degrees (60°) from the property line abutting the Monon Greenway.

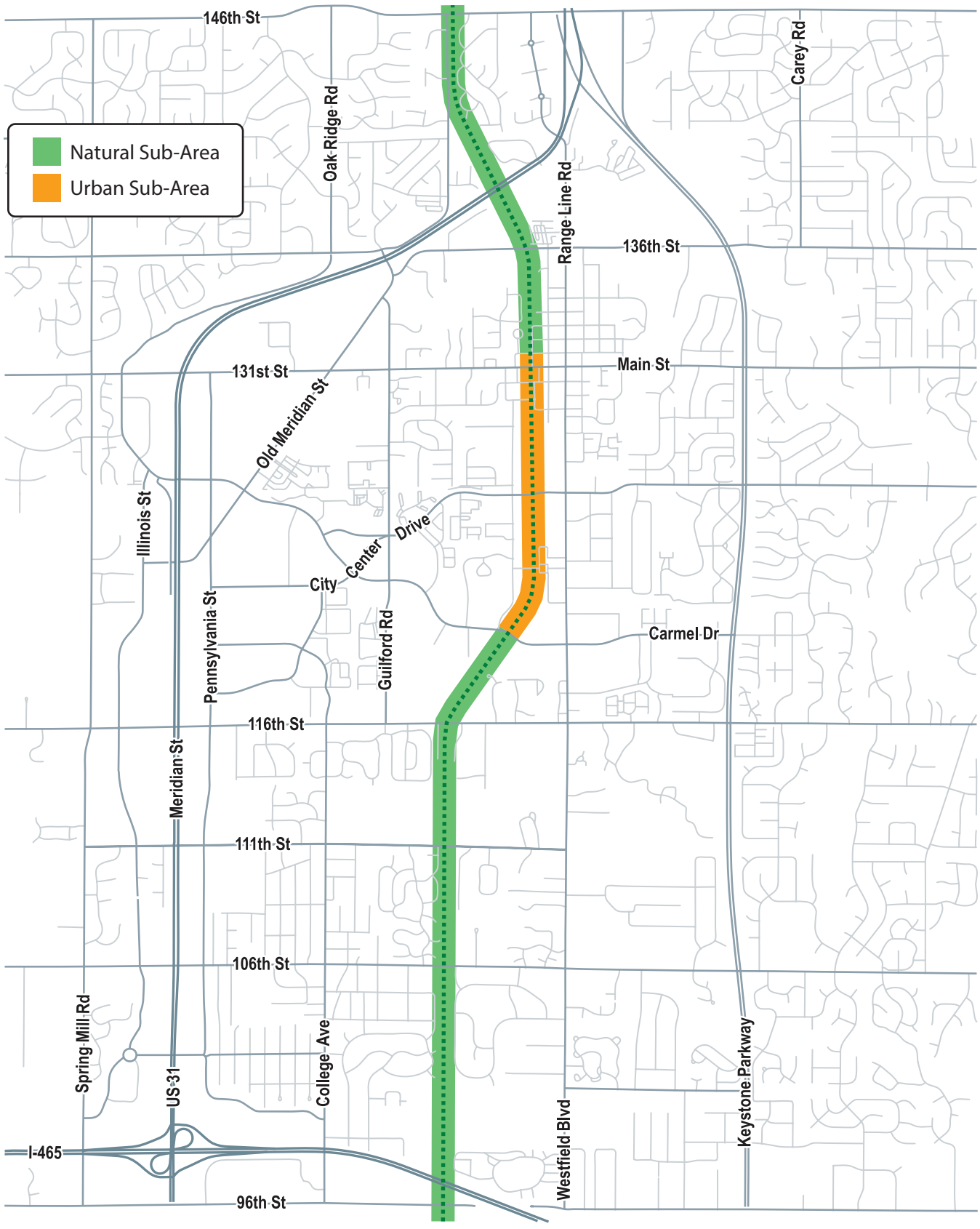
3.55 MG-OL Other Standards

A. Monon Greenway Access Points
   1. New Principal Buildings: Monon Greenway Access Points, for new residential or any commercial construction, shall be designed and built in accordance with Carmel-Clay Board of Parks and Recreation standards and as approved by the applicable process. All access points shall be constructed of durable materials and shall be designed as to not impede drainage ways. Where determined appropriate, a non-access agreement may be required to be recorded.
   2. Existing Buildings: Monon Greenway Access Points from existing buildings shall receive the approval of the Board of Public Works and Safety. All access points shall be designed as to not impede drainage ways.

B. Building Requirements:
   1. New principal buildings with a gross floor area containing more than 15,000 non-residential square feet shall contain a shower, changing and locker facility accessible for employee use.
   2. New principal buildings with a gross floor area containing more than 15,000 square feet shall provide covered, long term bicycle parking at a rate of one (1) space per 5,000 square feet. Long term bicycle parking may include an indoor storage area and/or exterior bicycle lockers, as approved as part of an ADLS plan.

C. Boundary Markers: Upon application for Plan Commission approval, a staked survey shall be completed to determine the Monon Greenway property line. Prior to commencing and throughout the duration of construction, boundary markers shall be placed at the edge of the Monon Greenway Right-of Way. Monuments shall be at least twenty-four inches (24") in height and placed at the property corners abutting the Monon Greenway. In addition, a temporary construction fence shall be placed along the Monon Greenway boundary prior to site work commencing and throughout the duration of construction.

D. Monon Greenway Documents: Upon application for Plan Commission approval applicant shall provide a copy of the deed by which the title and any associated easements were conveyed.



Monon Greenway Overlay District - Urban and Natural Sub-Areas **Figure B**

Old Town Overlay (OT-OL) District

3.56 OT-OL District Intent, Effect on Uses, Process and Applicability

District Intent

It is the purpose of the Old Town Overlay District to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties in the designated Old Town Overlay District. The Plan Commission and Common Council, in establishing the Old Town Overlay District, are relying on *IC 36-7-4-600* et seq. and *IC 36-7-4-1400* et seq.

The Old Town Overlay District establishes regulations in addition to the base zoning district. In the case of conflicts between this Old Town Overlay District and the base zoning district, the provisions of this overlay will prevail.

The Old Town Overlay District is an important historical commercial and residential area to the City of Carmel. In order to protect this important area, the Old Town Overlay District has been developed to provide for consistent and coordinated treatment of the properties in Old Town by establishing basic standards for structures, landscaping and other improvements.

Further, the Old Town Overlay District Seeks to:

- Foster rehabilitation and development in Old Town
- Increase property values in Old Town
- Protect real estate investment in Old Town
- Retain Old Town neighborhood vitality
- Spur commercial activity in Old Town
- Attract new businesses to Old Town

Within the Old Town Overlay District there are different parts and characteristics, therefore, the overlay district is divided into three Sub-Areas: a Character Sub-Area, a Historic Range Line Road Sub-Area, and Main Street Sub-Area. Separate guidelines apply to each Sub-Area.

Effect on Uses

Permitted Uses

- retail uses shall be permitted in the Historic Range Line Road Sub-Area,
- accessory dwellings
- otherwise, the permitted uses shall be per the base zoning district, except as may be prohibited below.

Special Uses

- Special uses shall be per the base zoning district, except as may be prohibited below.

Prohibited Uses

- commercial greenhouse
- commercial recreational facility (outdoor)
- commercial sewage or garbage disposal plant
- feed store
- grain elevator
- heavy industrial
- heavy manufacturing
- lumber/building materials sales (enclosed)
- manufactured housing sales
- mobile home park
- penal or correctional institution
- plant nursery
- power generating plant
- private airplane landing/service facility
- raising/breeding of non-farm or exotic animals
- sanitary landfill, junk yard, salvage yard
- sexually oriented business
- storage and/or warehousing, outdoor

Prohibited Uses in the Main Street Sub-Area

- Only those uses allowed in a B1 District shall be allowed on the ground floor in areas that are designated as an I1 District;
- No drive-thru or drive-up facilities shall be allowed for any use, including automotive services, banking or food sales.
- Multiple-family residential uses shall be specifically allowed and encouraged on the upper floors of all buildings.

Process and Applicability

Application Procedure

- Development Plan: As per the base zoning district, except residential districts and uses
- Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS): As per the base zoning district, except residential districts and uses
- Site Plan and Design Review (SDR): For all Residential Districts and Uses

Property Applicability

If the subject property is located partially inside and outside of the overlay district (or sub-area), then the entire property shall be considered inside the overlay district (or sub-area); thus subject to the applicable regulations and processes.

Development Standards Applicability

Any development standard in *Article 2: Zoning Districts* or *Article 5: Development Standards* applicable to the subject property (base zoning district) shall apply unless this overlay district specifies a different standard.

3.57 OT-OL District Boundaries

The boundaries of the Old Town Overlay District are hereby established as illustrated on *Figure C: Old Town Overlay District and Sub-Areas*.

3.58 OT-OL Exemptions

A. There are no special exemptions related to this overlay district.

3.59 OT-OL Interpretation

A. There are no special interpretations related to this overlay district.

3.60 OT-OL Accessory Building and Use Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.61 OT-OL Architectural Standards

A. Buildings Covered by Regulations:

1. Applicability of Design Regulations: Any alteration, addition or new construction within the Old Town Overlay District that requires a building permit shall be reviewed for conformance with these regulations. Wherever there exists a C2 Mixed Use District within the Old Town Overlay District, the development standards and procedures of the C2 Mixed Use District shall govern.

B. Character Buildings and Non-character Buildings:

1. *Reconstruction*: Redevelopment or reconstruction of a property where the existing building has been demolished will be considered new construction, regardless of the classification of buildings previously existing on that site, except as provided in *Section 3.61(B)(2): Demolition*.
2. *Demolition*: No Character Building, or any part of it, may be demolished in the Old Town Overlay District without the consent of the Director of Community Services. Before receiving any permits or undertaking any work that constitutes demolition, the applicant shall comply with *Article 9: Processes*.
3. The Director of Community Services shall only consider the following when determining whether a building or any part of it may be demolished:
   a. Structural conditions pose an imminent safety hazard.
   b. An advanced state of dilapidation or fire damage would make it unfeasible to repair the building for any reasonable economic use.
   c. Significance: The Director of Community Services shall consider the architectural and historical significance of the structure individually, in relation to the street, and as a part of the district as a whole. These same considerations will be given to parts of the building. The Director of Community Services will also consider how the loss of a building, or a portion thereof, will affect the character of the Old Town Overlay District, the neighboring buildings, and, in the case of partial demolition, the building itself. Buildings that are noted as non-character buildings shall be researched to confirm that there is no obscured architectural or historical significance.

      In making its determination of significance, the Director of Community Services shall consider the following:
      i. Architectural and historic information and significance.
      ii. Information contained in the district's National Register nomination (if one exists).
      iii. The Hamilton County Interim Report, as amended, published March 1992 by the Historic Landmarks Foundation of Indiana.
      iv. Information contained in any other professionally conducted historic surveys pertaining to the Old Town Overlay District.
      v. The opinion of Planning Administrator.
      vi. Evidence presented by the applicant.
      vii. Evidence presented by recognized experts in architectural history.

d. Replacement: Demolition of a structure may be justified when, in the opinion of the Director of Community Services, the proposed new development with which it will be replaced is of greater significance to the enhancement of the Old Town Overlay District than retention of the existing structure. This will only be the case when the structure to be demolished is not of material significance, the loss of the structure will have minimal effect on the historic character of the district, and the new development will be compatible, appropriate and beneficial to the Old Town Overlay District.

To afford the Director of Community Services the ability to consider demolition on the basis of replacement development, the applicant shall submit the following:

i. Information required by *Article 9: Processes*;
ii. A scaled streetscape drawing showing the new development in its context, including at least two (2) buildings on either side; and
iii. Other pertinent documents deemed relevant by the Director of Community Services.

4. For the purpose of the Old Town Overlay District, demolition shall be defined as the razing, wrecking, or removal by any means of the entire or partial exterior of a structure. The following examples are meant to help define demolition and are not all-inclusive:
   a. The razing, wrecking, or removal of a total structure.
   b. The razing, wrecking, or removal of a part a structure, resulting in a reduction in its mass, height or volume.
   c. The razing, wrecking, or removal of an enclosed or open addition.
5. Some work that may otherwise be considered demolition may be considered rehabilitation, if done in conjunction with Site Plan and Design Review. Examples of rehabilitation include:
   a. The removal or destruction of exterior siding and face material, exterior surface trim and portions or exterior walls.
   b. The removal or destruction of those elements which provide enclosure at openings in any exterior wall (e.g., window units, doors, panels).
   c. The removal or destruction of architectural, decorative or structural features and elements which are attached to the exterior of a structure (e.g., parapets, cornices, brackets, chimneys).
6. Examples of work not included in demolition:
   a. Any work on the interior of a structure.
   b. The removal of exterior utility and mechanical equipment.
   c. The removal, when not structurally integrated with the main structure, of awnings, gutters, downspouts, light fixtures, open fire escapes, and other attachments.
   d. The removal of signs.
   e. The removal of paint.
   f. The removal of site improvement features such as fencing, sidewalks, streets, driveways, curbs, alleys, landscaping and asphalt.
   g. The replacement of clear glass with no historic markings.

   NOTE: *Section 3.61(B)(6)(b) through Section 3.61(B)(6)(f)* may be considered rehabilitation and require a Site Plan and Design Review, per *Article 9: Processes*.
7. However, where a building has been demolished due to fire or other accident or disaster that is customarily covered by insurance, the owner may reconstruct the property in accordance with the regulations in the applicable sub-area in *Section 3.62: Historic Range Line Road Sub-Area*, *Section 3.63: Main Street Sub-Area*, Section *3.68: Character Sub-Area*, or reconstruct the structure substantially like the structure that existed prior to the accident, after he/she receives Site Plan and Design Review.

C. Features of Character Buildings: Buildings shall be considered Character Buildings, regardless of age, if they were originally built with all of the following characteristics, or if they have been altered to conform with these characteristics:

1. The following are typical of Character Buildings in the Character Sub-Area and the Historic Range Line Road Sub-Area:
   a. Small lots and small size houses, compared to Carmel's later subdivisions.
   b. Narrow house fronts compared to length.
   c. Hip or gabled roofs.
   d. Wood clapboard materials and wood or brick details.
   e. Narrow, rectangular wood windows.
   f. Detached garages in the rear of the property.
   g. Consistent Setbacks from the street and narrow Side Yards.
   h. Front porches (optional).
2. The following are typical elements of buildings in the Main Street Sub-Area:
   a. Retail uses on the ground floor.
   b. Transparent storefront glass for most of the length of the frontage.
   c. Little or no Setback from the sidewalk or right-of-way line.
   d. Orientation and front door opens toward Main Street.
   e. Parking in the rear or sides of building, not in the front.
   f. Pedestrian scale details and variety in the signs, awnings, and storefronts.
   g. Buildings at least two (2) stories tall.
   h. Walls faced in brick or wood, not concrete block or metal.

3.62 OT-OL Historic Range Line Road Sub-Area

The Historic Range Line Road Sub-Area encompasses the houses and businesses north of Main Street along Range Line Road. These buildings are generally larger than the others in the Old Town area and are more architecturally distinctive. In addition, their high visibility contributes greatly to the sense of Old Town as a historic area.

A. Alterations and Additions to Existing Buildings in the Historic Range Line Road Sub-Area: The following regulations shall be applicable to exterior alterations and additions to existing buildings in the Historic Range Line Road Sub-Area, regardless of whether the building is designated a Character or Non-character Building.

1. *Lot Dimensions and Coverage*:
   a. Existing lot dimensions as originally platted shall be acceptable.
   b. Minimum Lot Width.
      i. Single-Family Residence: Fifty (50) feet.
      ii. All Other Uses: Sixty (60) feet.
   c. Maximum Lot Coverage.
      i. Single-family Uses: Forty-five percent (45%) of the area of the lot
      ii. All other Uses: Seventy percent (70%) of the area of the lot.
   d. No lot shall be created by Subdivision or by joining which results in a width greater than ninety (90) feet.
2. *Setbacks*:
   a. Additions, except for open-air porches, shall not be added to the front of the building except where the building is set back more than twenty (20) feet from the setback line of its nearest two (2) neighbors (See Figure E).
   b. A Corner Lot for a residential use is presumed to have a front yard setback on both streets that it faces. For a non-residential use, the front yard shall be Range Line Road (if the property is located on Range Line Road) or the street with the greatest traffic.
   c. Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
3. *Materials*: Additions and alterations to the exterior shall use materials consistent with those found on the building when it was originally built.
4. *Roof*: Alterations that reduce the roof pitch of an existing building by more than five degrees (5°) shall not be allowed. Additions shall have a shed, gable, or hip roof. Porch additions may have a flat roof.
5. *Garages*:
   a. All new garages shall be either:
      i. Detached Accessory Buildings that are sited at least five (5) feet behind the Front Line of the Principal Building, or
      ii. Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the Front Line of the Principal Building. New attached garages on Corner Lots shall be oriented to the side street, rather than to Range Line Road.
   b. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots.
   c. New detached or attached garages and other Accessory Buildings shall be exterior materials similar to the Principal Building.
   d. Covered walkways attaching the garage to the Principal Building shall be permitted.
6. *Lighting and Fencing*: See also *Section 5.03: AB-02 Non-Residential Accessory Building and Use Standards*.
   a. Exterior lighting shall be restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
   b. Fences greater than forty-two inches (42") tall shall not be allowed in the Front Yard of the property.
   c. Chain link material shall be prohibited forward of the Front Line of the Principal Building.
   d. Commercial dumpsters and trash receptacles shall be screened from view at all times.
7. *Pedestrian Connectivity*:
   a. A paved walkway from the porch or front door to the front sidewalk is required.
8. *Signs*: Signage, where allowed, shall abide by *Section 5.39: Sign Standards*.

9. *Parking and Driveways*:
    a. Parking shall not be allowed in the Front Yard of any property, except on a paved driveway leading to the garage, and shall not be allowed on any unpaved portion of the property.
    b. Driveways leading to the garage may not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
        i. Up to eighteen (18) feet wide if oriented toward a Front Yard, or
        ii. The width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
    c. Parking spaces required to be provided per the base zoning district may be reduced by up to fifty percent (50%) by the Plan Commission in order to accommodate difficult site conditions such as limited access, small lots, and/or existing mature trees.
    d. New curb cuts on Range Line Road shall not be permitted unless there is no alternative access from a side street.

B. Alterations and Additions of Character Buildings in the Historic Range Line Road Sub-Area: Alterations and additions to existing Character Buildings in the Historic Range Line Road Sub-Area shall be guided by the following:
1. *Building Use*: Notwithstanding uses otherwise allowed by the base zoning district, uses that require Substantial Alteration or additions to the exterior of a Character Building in order to accommodate the functional requirements shall not be allowed.
2. *Materials*:
    a. Details such as porch railings, trim boards, fascia boards, and cornices shall not be removed from the building.
    b. Original materials of the building will be repaired rather than replaced, when possible.
    c. When original materials, windows, doors, siding, railings, and other details cannot be repaired, they may only be replaced with architecturally correct materials that simulate the look, details and dimensions of the original. Substitute materials (e.g. vinyl, aluminum, concrete plank) shall meet these standards in order to be acceptable.
3. *Alterations*:
    a. Alterations to the interior of a historic building shall be allowed if the exterior of the building is not changed.
    b. No alterations shall be allowed that permanently change the massing, character, window placement or details of the exterior of the original building.
    c. Previous additions or alterations to the building that detract from or conceal the character of the building may be removed and the building restored to a previous condition. In this process, no attempt shall be made to add "historic" features (e.g., bay windows or gingerbread trim) not actually a part of the original building.
4. *Additions*:
    a. Additions shall only be allowed in the rear of the building.
    b. Additions shall not be taller or wider than the existing building.
    c. Additions shall be designed to complement, but not mimic, the historic architecture.
    d. Additions shall be built in such a way that they can be removed in the future without damage to the original building.

C. New Buildings and Their Alterations and Additions in the Historic Range Line Road Sub-Area: The following regulations apply to all new buildings built within the boundaries of the Historic Range Line Road Sub-Area.

1. *Building Mass*:
   a. Buildings shall be oriented parallel and perpendicular to the street.
   b. Buildings shall generally be longer than they are wide, with the narrow dimension facing the street. Building widths shall not exceed forty-five (45) feet, except where the lot is greater than eighty (80) feet in width, in which case the building may be up to fifty-five (55) feet wide.
2. *Setbacks*:
   a. New buildings shall follow the dominant or average Front Yard Setback dimension of existing buildings on the same block and on the same side of the street, with a variation of up to three (3) feet allowed (See *Figure D*).
   b. Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
3. *Lot Dimensions and Coverage*:
   a. Minimum Lot Width:
      i. Single-family Dwelling: Fifty (50) feet.
      ii. All other Uses: Sixty (60) feet.
   b. Maximum Lot Coverage:
      i. Single-family Uses: Forty-five percent (45%) of the area of the lot
      ii. All other Uses: Seventy percent (70%) of the area of the lot.
   c. No lot may be created by Subdivision or by joining which results in a width of greater than ninety (90) feet.
4. *Materials*:
   a. All sides of the Principal Building and Accessory Buildings shall be clad in wood, brick, stone, or high-quality lap, shake or shingle style cement board. The same material shall be used on all sides of the building.
   b. New detached garages and other Accessory Buildings should use exterior materials similar to the Principal Building.
   c. Windows and trim shall be framed in wood or vinyl-clad wood.
   d. Visible aluminum storm windows or doors shall not be allowed.
   e. Chimneys shall be brick.
   f. Exterior guardrails, handrails and other stair details shall be wood or wrought iron.
   g. Roofs shall be asphalt, wood or slate shingles.
   h. Foundations shall be split-face block, stone veneer or poured-in-place concrete.
5. *Windows and Doors*:
   a. Vertical, rectangular double-hung or casement windows shall be required. These may be used in multiple sets to create larger expanses of window area.
   b. Plate-glass picture windows, strip windows and arched windows shall not be allowed on the front facade.
   c. Special windows shall not be allowed (ovals, hexagon, etc.) as accents.
6. *Roof*:
   a. The roof of the Principal Building and Accessory Buildings shall be gabled, multi-gabled, or hipped, with a minimum pitch of eight to twelve (8:12).
   b. A roof over a porch or bay window shall be flat or pitched.
7. *Porches*:
   a. Covered porches facing the street on the first or upper floor of the structure are strongly encouraged but not required.
   b. Uncovered decks shall not be allowed in the front yard.
8. *Building Height*:
   a. Minimum: Thirteen (13) feet to the midpoint between the fascia and the ridge.
   b. Maximum: Thirty (30) feet to the midpoint between the fascia and the ridge, except as provided in *Section 3.62(C)(8)(c)*.
   c. Buildings shall not exceed the height of the tallest dimension of the nearest two (2) character buildings by more than seven (7) feet. If there are no character buildings in the same block, or across the street, then *Section 3.62(C)(8)(b)* shall apply.

9. *Garages*:
    a. All new garages shall be either:
        i. Detached buildings that are sited at least five (5) feet behind the Front Line of the Principal Building, or
        ii. Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the Front Line of the Principal Building. New attached garages on Corner Lots shall be oriented to the side street, rather than to Range Line Road.
    b. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots.
    c. New detached or attached garages and other Accessory Buildings shall use exterior materials similar to the Principal Building.
    d. Covered walkways attaching the garage to the Principal Building shall be permitted.
10. *Lighting and Fencing*: See also *Section 5.03: Non-Residential Accessory Building and Use Standards*.
    a. Exterior lighting is restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
    b. Fences greater than forty-two (42) inches tall shall not be allowed in the Front Yard of the property.
    c. Chain link material shall be prohibited forward of the Front Line of the Principal Building.
    d. Commercial dumpsters and trash receptacles shall be screened from view at all times.
11. *Pedestrian Connectivity*:
    a. A paved walkway from the porch or front door to the front sidewalk shall be required.
12. *Signs*: Signage, where allowed, shall abide by *Section 5.39: Sign Standards*.
13. *Parking and Driveways*:
    a. Parking shall not be allowed in the Front Yard of any property, except on a paved driveway leading to the garage, and shall not be allowed on any unpaved portion of the property.
    b. Driveways leading to the garage shall not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
        i. Up to eighteen (18) feet wide if oriented toward a Front Yard, or
        ii. The width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
    c. Parking spaces required to be provided per the base zoning district may be reduced by up to fifty percent (50%) by the Plan Commission in order to accommodate difficult site conditions such as limited access, small lots, and/or existing mature trees.
    d. New curb cuts on Range Line Road shall not be permitted unless there is no alternative access from a side street.

3.63 OT-OL Main Street Sub-Area

Main Street west of Range Line Road is a relatively intact example of street front retail. The emphasis is on encouraging new construction and renovations that conform to the desired character and prohibiting changes that do not conform to the existing character.

This Sub-Area will be a focal point of pedestrian commercial activity in the Old Town Overlay District. All new construction, and alterations and additions to new buildings, will follow these regulations:

A. Land Use: The base zoning in this district will prevail regarding permitted land uses, with the following exceptions:
   1. Only those uses allowed in a B1 District shall be allowed on the ground floor in areas that are designated as an I1 District;
   2. Drive-thru or drive-up facilities shall not be allowed for any use, including automotive, banking or food sales.
   3. Multiple-family residential uses shall be specifically allowed and encouraged on the upper floors of all buildings.

B. Building Mass:
   1. New buildings and renovations shall follow the general massing of a "Main Street" commercial block (i.e., a rectangular building with a flat or slightly sloped roof, oriented perpendicular to the street).
   2. Building height shall be limited to three (3) stories.
   3. The first floor and all other floors shall have a coordinated composition, which will usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floor.

C. Materials:
   1. The first floor and upper floors may be composed of different materials. The facade of the upper floors on any building that faces a public street shall be constructed of wood siding, brick, stucco, or other masonry units, and trimmed in stone, contrasting brick, wood, or pre-cast concrete.
   2. The first floor of a new or renovated building shall be composed of storefronts, which may be inserted into a masonry, wood, stone or concrete panel frame which is coordinated with the upper floor. Storefronts shall be a lightweight material such as aluminum, glass, wood, tile, and panelized composites.
   3. The materials in the rear of the building shall be coordinated with the front facade, although they may be different.
   4. On the front facade, at least sixty percent (60%) of the total area of the first floor (up to the line of the second floor) shall be transparent vision glass.
   5. Front and side facades of buildings located on corner lots shall be of the same materials and similarly detailed.
   6. Exterior walks, steps, ramps and paving shall be masonry or stone pavers, or poured or pre-cast concrete, except that concrete pavers shall not be allowed.

D. Windows and Doors:
   1. Each floor shall have windows.

E. Roof: Roofs shall have a pitch of less than three to twelve (3:12) and shall not be a substantially visible part of the building.

F. Alterations and Additions: Existing buildings may be substantially modified to conform to these regulations, except for designated historic structures.

G. Details:
   1. Cornices and other details of existing buildings shall not be removed.
   2. The facade shall have a flat front, with relief provided by minor bays, windows and window trim, storefronts, recessed doors, and features such as special brick coursing, pilasters and lintels.
   3. All new buildings shall have an articulated cornice at the top of the facade wall.

H. Setbacks:
   1. Front Setback. The buildings shall sit on the front property line except for minor recesses for entrances and outdoor seating/dining.
   2. Side setback. There are no minimum side setbacks; however, mid-block pedestrian access to rear parking shall be required and be a minimum of six (6) feet wide.

I. Entrances:
   1. A separate entrance facing a public street shall be provided to the upper floors of a building if the use differs from the one on the ground floor.
   2. The principal entrance to all retail areas shall face the public street.
   3. Additional entrances may face the side of the building.
   4. No rear entrances are allowed except for residential or office uses, emergency exits, employees, loading and trash removal.

J. Storefronts: Storefronts shall be internally illuminated with spots or other incandescent lighting, so as to display prominently and attractively the business or its products; however, digital moving graphics shall not be part of the display. Exterior lighting may be affixed to the building.

K. Permanent Signs, Awnings and Murals:
   1. Signs may be painted on the sides of buildings (See *Section 3.63(K)(4)*). All such signs shall be included in the calculations for maximum sign area.
   2. Retractable or fixed fabric awnings are allowed, but these shall fit within the storefront glass area and shall not obscure details of the building. Awnings shall only be supported with building-mounted hardware.
   3. Individual tenants should strive for a unique graphic image, rather than be required to conform to a single graphic style for the whole building.
   4. Graphics painted on the sides of buildings that are essentially commercial in character or describe activities in the adjacent building will be considered "signs". Graphics painted on the sides of buildings are otherwise allowed but shall be reviewed for conformance with this regulation.

L. Parking and Loading Requirements:
   1. Parking lots shall be located in the rear of the building only.
   2. Parking shall be provided at the ratio of one (1) space for every 1,200 square feet of gross area in the building. Where the total lot area is less than 3,000 square feet, the owner shall be exempt from parking requirements.
   3. On-street parking shall not be used to fulfill parking requirements; however, a reasonable share of a public lot may be assumed to fulfill these requirements.
   4. Parking shall provided on-site or in a convenient remote lot not more than 400 feet from the property.
   5. Parking requirements may be reduced if businesses with substantially different peak hour requirements agree to share parking. A petition shall be filed with the application indicating the terms of agreement of parties to a shared parking arrangement.
   6. New curb cuts shall not be permitted on Main Street, and no parking lots or loading areas shall front on Main Street.
   7. Screened loading and trash areas shall be provided for all businesses at the rear of the building. Doors to trash area enclosures shall be kept closed at all times except while employees are emptying trash or dumpsters are being removed.

3.64 OT-OL Character Sub-Area

Character Sub-Areas consist of the bulk of the residential areas in the Old Town Overlay District, both east and west of Range Line Road, and both residential and commercial properties facing Range Line Road in the north end of the District. There are many different styles of architecture in this area; however, the consistency and character of the neighborhood is worth protecting. The intent of these regulations is to preserve the character of the neighborhood by preserving certain buildings and siting characteristics.

A. Alterations and Additions to Existing Buildings in the Character Sub-Area: The following regulations shall be applicable to all exterior renovations and additions to existing buildings in the Character Sub-Area, regardless of whether the building is designated a Character Building or Non-character Building.

1. *Lot Dimensions and Coverages*:
   a. Existing lot dimensions as originally platted shall be acceptable.
   b. Minimum Lot Width.
      i. Single-family Residential: Fifty (50) feet.
      ii. All Other Uses: Sixty (60) feet.
   c. Maximum Lot Coverage.
      i. Single-family Residential: Forty-five percent (45%) of the area of the Lot.
      ii. All Other Uses: Seventy percent (70%) of the area of the Lot.
   d. No lot shall be created by Subdivision or by joining resulting in a width greater than ninety (90) feet.
2. *Setbacks*:
   a. Additions, except for open-air porches, shall not be added to the front of the building except where the building is set back more than twenty (20) feet from the Setback line of its nearest two (2) neighbors (See *Figure E, pg 3-36*).
   b. A Corner Lot for a residential use is presumed to have a Front Yard Setback on both streets that it faces. For a non-residential use, the Front Yard shall be Range Line Road (if the property is located on Range Line Road) or the street with the greatest traffic.
   c. Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
3. *Materials*:
   a. Additions and alterations to the exterior shall be clad in wood, brick or lap, shake or shingle style cement board.
   b. Materials of additions and alterations shall be consistent with the materials in the Principal Building.
4. *Roof*: Alterations that reduce the roof pitch of an existing building more than five degrees (5°) shall not be allowed. Additions shall have a shed, gable, or hip roof. Porch additions may have a flat roof.
5. *Garages*:
   a. All new garages shall be either:
      i. Detached buildings that are sited at least five (5) feet behind the Principal Building, or
      ii. Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the primary front line of the Principal Building. New attached garages on Corner Lots should be oriented to the side street, rather than to Range Line Road.
   b. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots
   c. New detached or attached garages and other Accessory Buildings shall use exterior materials similar to the Principal Building.
   d. Covered walkways attaching the garage to the Principal Building shall be allowed.
6. *Lighting and Fencing*: See also *Section 5.03: Non-Residential Accessory Building and Use Standards*.
   a. Exterior lighting shall be restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
   b. Fences greater than forty-two (42) inches tall shall not be allowed forward of the Front Line of the Principal Building.
   c. Vinyl covered chain-link material shall be allowed in the Front Yard except on those properties which front on Range Line Road. For properties fronting on Range Line Road, chain-link material shall be prohibited forward of the Front Line of the Principal Building.
   d. Dumpsters and trash receptacle shall be screened from view.

7. *Pedestrian Connectivity*:
   a. A paved walkway from the porch or front door to the front sidewalk is required.
8. *Signs*: Signage, where allowed, shall abide by *Section 5.39: Sign Standards*.
9. *Parking and Driveways*:
   a. Parking shall not be allowed in the Front Yard of any property, except on a paved driveway leading to the garage, and shall not be allowed on any unpaved portion of the property.
   b. Driveways leading to the garage shall not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
      i. Up to eighteen (18) feet wide if oriented toward a Front Yard, or
      ii. The width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
   c. Parking spaces required to be provided under the Zoning Ordinance may be reduced by up to fifty percent (50%) by the Plan Commission in order to accommodate difficult site conditions such as limited access, small lots and/or existing mature trees.
   d. New curb cuts on Range Line Road will not be permitted unless there is no alternative access from a side street.

B. Alterations and Additions to Character Buildings in the Character Sub-Area: Alterations or additions to existing, Character Buildings in the Character Sub-Area shall be guided by the following regulations. Nothing in these regulations shall require a change to a part of the building that is not otherwise affected by the proposed alteration or addition.
1. *Materials*:
   a. All sides of the Principal and Accessory Buildings shall be clad in wood, brick, or lap, shake or shingle style cement board.
   b. Windows and trim shall be framed in wood or vinyl-clad wood.
   c. Clear finish or brush finish aluminum storm windows or doors shall not be allowed.
   d. Chimneys shall be brick.
   e. Exterior guardrails, handrails and other stair details shall be wood or wrought iron.
   f. Roofs shall be asphalt, wood or slate shingles.
   g. Foundations shall be split-face block, stone veneer or poured-in-place concrete.
2. Where previous alterations have introduced inconsistent materials (simulated stone, brick, metal, etc.) to a wood-clapboard house, a new addition or alteration that affects this part of the structure shall require removal of the inconsistent material.
3. *Windows, Doors*:
   a. Vertical, rectangular double-hung or casement windows shall be required. These may be used in multiple sets to create larger expanses of window area.
   b. Plate-glass picture windows, strip windows and arched windows shall not be allowed on the front facade.
   c. Special windows may be used (ovals, hexagon, etc.) as accents.
   d. Existing windows may be moved or replaced with windows that are similar to the original building windows.
   e. If a window is covered over or removed, the material on the exterior shall match the pre-existing siding.
4. *Roof*: Roofs shall be gabled, multi-gabled, or hipped, with a minimum pitch of eight to twelve (8:12). Porch roofs may be flat or pitched.
5. *Porches*:
   a. Removal of existing porches is prohibited, unless the porch is being upgraded or replaced in a manner consistent with these regulations.
   b. Existing porches shall only be enclosed with transparent glass windows.
   c. Uncovered decks are not allowed if forward of the Front Line of the Principal Building.
6. *Building Height*: Additions to the existing building shall not exceed the height of the tallest dimension of the nearest Character Buildings by more than seven (7) feet. If there are no Character buildings in the same block, or across the street, then the maximum height shall be thirty (30) feet to the midpoint of the fascia and ridge.

C. New Buildings and Their Alterations and Additions in the Character Sub-Area: The following regulations apply to all new buildings built within the boundaries of the Character Sub-Area.

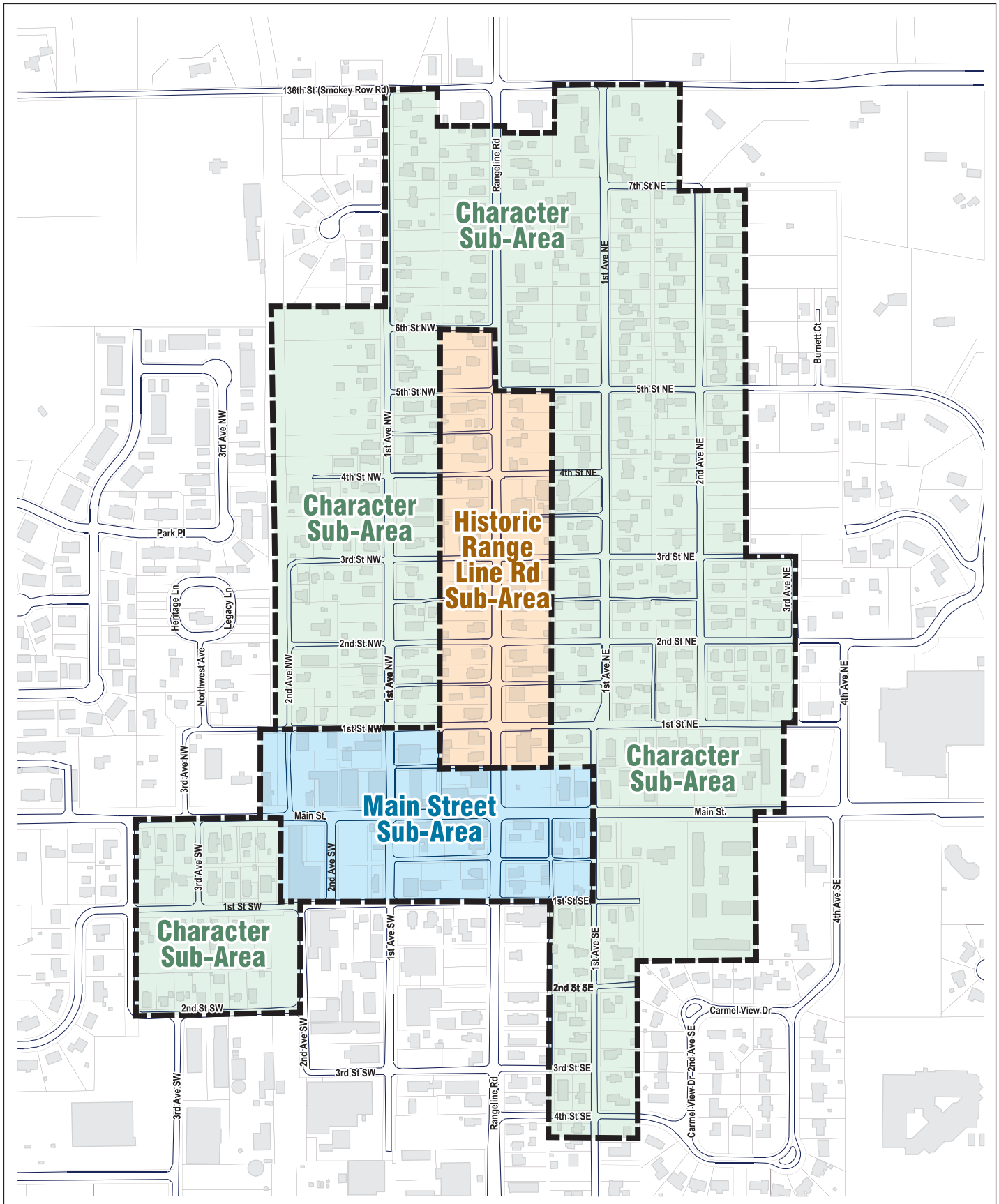
1. *Building Mass*:
   a. Buildings shall be oriented parallel and perpendicular to the street.
   b. Buildings shall generally be longer than they are wide, with the narrow dimension facing the street. Building widths shall not exceed forty-five (45) feet, except where the lot is greater than eighty (80) feet in width, in which case the building may be up to fifty-five (55) feet wide.
2. *Setbacks*:
   a. New buildings shall follow the dominant or average front yard Setback dimension of existing buildings on the same block and on the same side of the street, with a variation of up to three (3) feet allowed (See *Figure D, pg 3-36*).
   b. Additions, except for open-air porches, shall not be added to the front of the building except where the building is set back more than twenty (20) feet from the Setback line of its nearest two neighbors (See *Figure E, pg 3-36*).
   c. A Corner Lot for a residential use is presumed to have a Front Yard Setback on both streets that it faces. For a non-residential use, the Front Yard shall be Range Line Road (if the property is located on Range Line Road) or the street with the greatest traffic.
   d. Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
3. *Lot Dimensions and Coverage*:
   a. Existing lot dimensions as originally platted shall be acceptable.
   b. Minimum lot width:
      i. Single-family Residential: Fifty (50) feet.
      ii. All Other Uses: Sixty (60) feet.
   c. Maximum Lot Coverage:
      i. Single-family Residential: Forty-five percent (45%) of the area of the Lot.
      ii. All Other Uses: Seventy percent (70%) of the area of the Lot.
   d. No lot may be created by Subdivision or by joining which results in a width greater than ninety (90) feet.
4. *Garages*:
   a. All new garages shall be either:
      i. Detached buildings that are sited at least five (5) feet behind the Principal Building, or
      ii. Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the primary front line of the Principal Building. New attached garages on Corner Lots shall be oriented to the side street, rather than to Range Line Road.
   b. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots.
   c. New detached or attached garages and other Accessory Buildings shall use exterior materials similar to the Principal Building.
   d. Covered walkways attaching the garage to the Principal Building shall be allowed.
5. *Lighting and Fencing*: See also *Section 5.19: Commercial Landscaping Standards*.
   a. A paved walkway from the porch or front door to the front sidewalk shall be required.
   b. Exterior lighting shall be restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
   c. Fences greater than forty-two (42) inches tall shall not be allowed forward of the Front Line of the Principal Building.
   d. Vinyl covered chain-link material shall be allowed in the Front Yard except on those properties which front on Range Line Road. For properties fronting on Range Line Road, chain-link material shall be prohibited forward of the Front Line of the Principal Building.
   e. Commercial dumpsters and trash receptacle shall be screened from view at all times.

6. *Parking and Driveways*:
   a. Parking shall not be allowed in the Front Yard of any property, except on a paved driveway leading to the garage, and shall not be allowed on any unpaved portion of the property.
   b. Driveways leading to the garage shall not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
      i. Up to eighteen (18) feet wide if oriented toward a Front Yard, or
      ii. The width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
   c. Parking spaces required to be provided under the Zoning Ordinance may be reduced by up to fifty percent (50%) by the Plan Commission in order to accommodate difficult site conditions such as limited access, small lots and/or existing mature trees.
   d. New curb cuts on Range Line Road shall not be permitted unless there is no alternative access from a side street.
7. *Materials*:
   a. All sides of the Principal and Accessory Buildings shall be clad in wood, brick, stone or lap, shake, or shingle style cement board. The same material shall be used on all sides of the building.
   b. New garages and other Accessory Buildings shall use exterior materials similar to the Principal Building.
   c. Windows and trim shall be framed in wood or vinyl-clad wood.
   d. Visible aluminum storm windows or doors shall not be allowed.
   e. Chimneys shall be brick.
   f. Exterior guardrails, handrails and other stair details shall be wood or wrought iron.
   g. Roofs shall be asphalt, wood or slate shingles.
   h. Foundations shall be split-face block, stone veneer or poured-in-place concrete.
8. *Windows, Doors*:
   a. Vertical, rectangular double-hung or casement windows shall be required. These may be used in multiple sets to create larger expanses of window area.
   b. Plate-glass picture windows, strip windows and arched windows shall not be allowed on the front facade.
   c. Special windows may be used (ovals, hexagon, etc.) as accents.
9. *Roof*:
   a. The roof of the Principal Building and Accessory Buildings shall be gabled, multi-gabled, or hipped, with a minimum eight to twelve (8:12) pitch.
   b. A roof over a porch or bay window may be flat or pitched.
10. *Porches*:
    a. Covered porches facing the street on the first or upper floor of the structure are strongly encouraged but not required.
    b. Uncovered decks shall not be allowed in the front yard.
11. *Building Height*:
    a. Minimum: Thirteen (13) feet to the midpoint of the fascia and the ridge.
    b. Maximum: Thirty (30) feet to the midpoint of the fascia and the ridge, except as provided in *Section 3.64(C)(11)(c)*.
    c. Buildings shall not exceed the height of the tallest dimension of the nearest two (2) Character Buildings by more than seven (7) feet. If there are no Character Buildings in the same block, or across the street, then *Section 3.64(C)(11)(b)* shall apply.

3.65 OT-OL Landscaping Standards

A. This Overlay District is exempt from any landscaping requirements within *Section 5.19: Commercial Landscaping Standards*, and requires only landscaping which is stated herein.

1. *Historic Range Line Road Sub-Area*:
    a. Lots shall be landscaped and maintained with trees, shrubs, ground cover, flowers and grass for the following headings:
        i. Renovations and Additions to All Existing Buildings.
        ii. New Construction.
2. *Main Street Sub-Area*: No requirements.
3. *Character Sub-Area*:
    a. Lots shall be landscaped and maintained with trees, shrubs, ground cover, flowers and grass for the following headings:
        i. Renovations and Additions to All Existing Buildings.
        ii. New Construction.



Old Town Overlay District and Sub-Areas **Figure C**

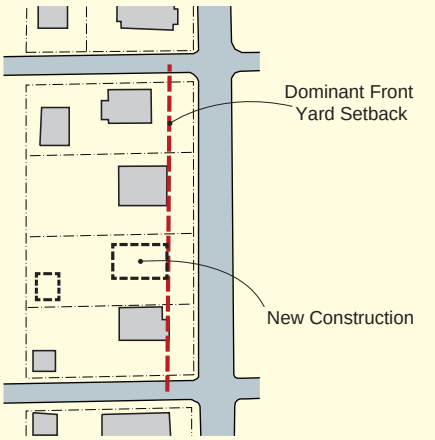


Figure D

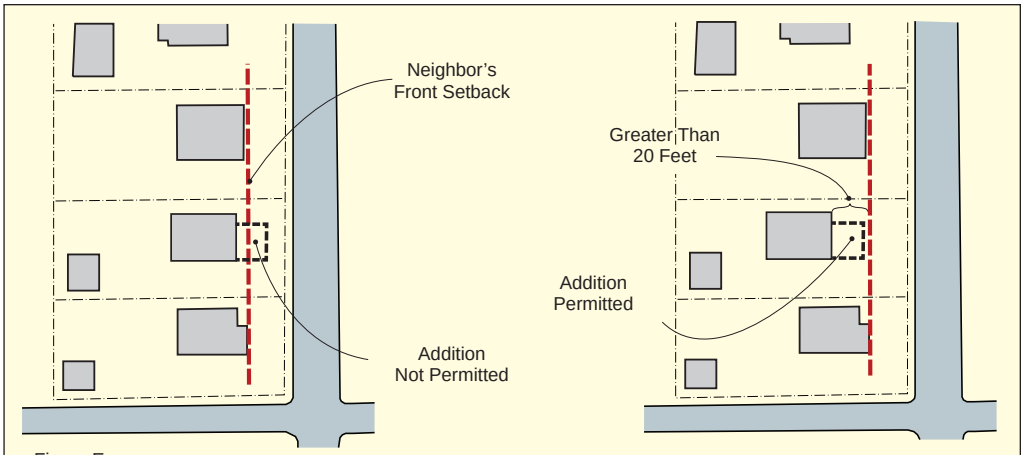
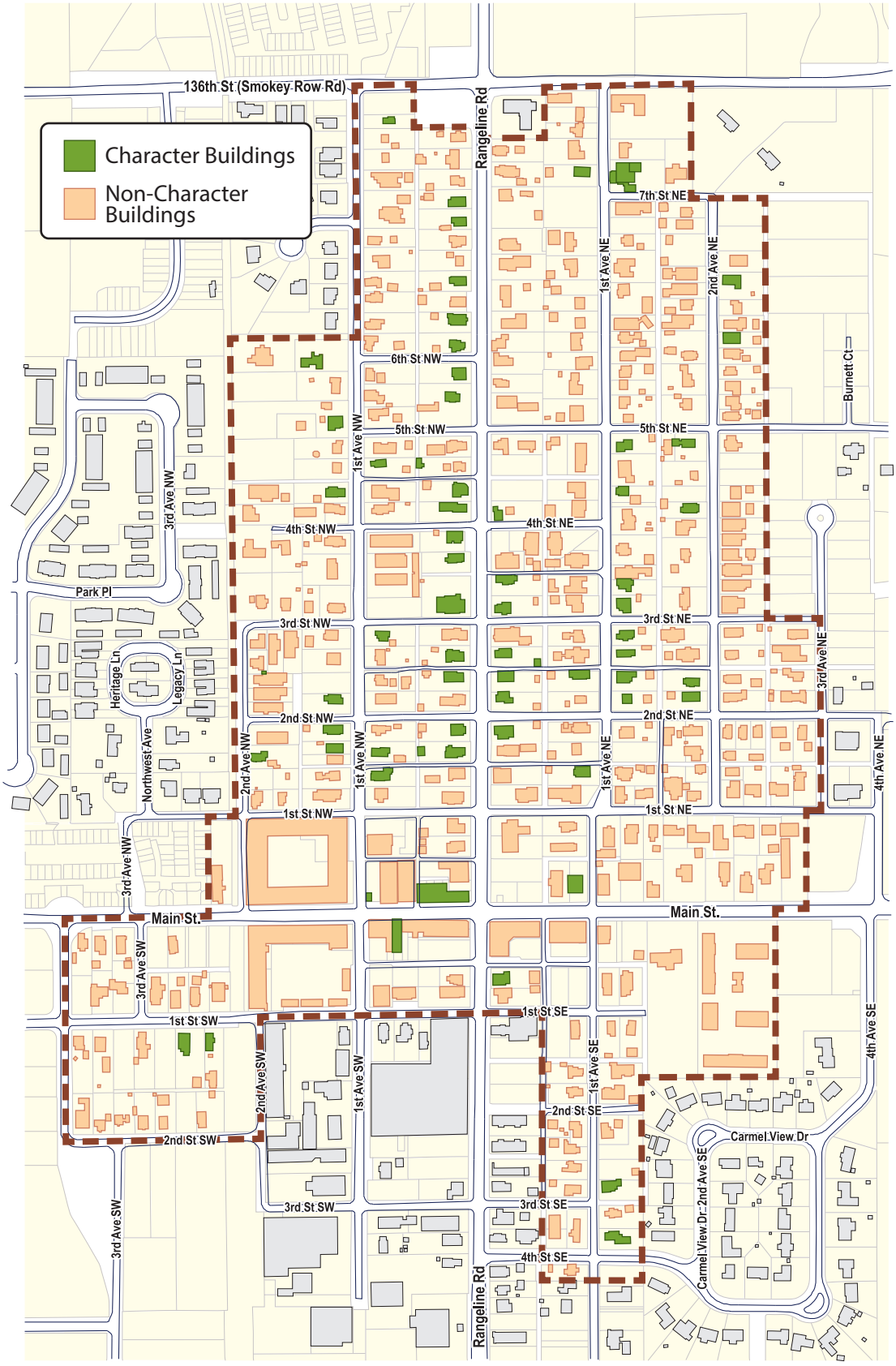


Figure E



Old Town Character Buildings **Figure F**

Range Line Road Overlay (RL-OL) District

3.66 RL-OL District Intent, Effect on Uses, Process and Applicability

District Intent

The purpose of the Range Line Road Overlay District is to protect and enhance the health, safety and welfare of the citizens and property owners of Carmel by allowing for the establishment of an uptown business district that will support a range of activities and opportunities to all segments of the community; with mixed-uses in multi-story buildings; is pedestrian oriented and supportive of multiple modes of transportation; with buildings and a streetscape which are attractive and safely designed in order to enhance the livability of the City.

It is the City's intent to achieve the purpose of the Range Line Road Overlay District by:

- Providing a consistent urban design treatment for private and public properties in central Carmel;
- Providing additional opportunities for investment and reinvestment in real estate by encouraging higher intensity of development;
- Minimize community infrastructure costs through the more efficient use of land;
- Providing controls for architecture and landscape design to establish continuity of design between projects and to improve the physical relationship between new buildings and overall community.

The Range Line Road Overlay District is superimposed over base zoning districts and its regulations shall supersede those of the base zoning districts over which it is superimposed. In establishing the Range Line Road Overlay District, the Plan Commission and Common Council relies on *IC 36-7-4-1400* et seq.

Effect on Uses

Permitted Uses

- Permitted uses shall be per the base zoning district, except as may be prohibited below
- In addition to those uses which are permitted in the base zoning district(s), residential uses shall be permitted

Special Uses

- Special uses shall be per the base zoning district, except as may be prohibited below
- In addition, any use existing on or before January 18, 2005 which is not a Permitted Use, but which otherwise does conform to the applicable Use provisions of the base zoning district(s), shall be deemed to be and shall be a Special Use. Such Uses shall not be considered legal nonconforming uses nor require Special Use approval for continuance but shall require Special Use approval for any alteration, enlargement or extension.

Prohibited Uses

- automobile/boat sales
- borrow pit/top soil removal and storage
- drive-thru facilities when adjacent to R1, R2 or R3 Districts; or adjacent to single-family or two-family residential dwellings.
- heavy industrial
- heavy manufacturing
- light industrial
- light manufacturing
- manufactured housing sales
- mineral/sand/gravel extraction operations
- printing/publishing establishment
- recreational vehicle/mobile home sales
- sanitary landfill, junk yard, salvage yard
- sexually oriented business
- storage and/or warehousing, indoor
- storage and/or warehousing, outdoor
- storage/distribution facility
- storage or sale of petroleum products
- wholesaling facility

Process and Applicability

Application Procedure

- Development Plan: Required
- Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS): Required

Property Applicability

If the subject property is located partially inside and outside of the overlay district, then the entire property shall be subject to the overlay district regulations and its applicable processes.

Development Standards Applicability

Any development standard in *Article 2: Zoning Districts* or *Article 5: Development Standards* applicable to the subject property (base zoning district) shall apply unless this overlay district specifies a different standard.

3.67 RL-OL District Boundaries

The boundaries of the Range Line Road Overlay District are hereby established as approved on the Official Zoning Map.

3.68 RL-OL Exemptions

A. C1 District and C2 District Exemption: Parcels in the C1 District and C2 District shall be exempt from the requirements of the Range Line Road Overlay District.

B. Exemption for Additions: Additions to a principal building that result in fifty percent (50%) or less floor area shall be exempt from Development Plan approval. However, multiple additions to a principal building shall be considered cumulative from January 19, 2005. Upon exceeding fifty percent (50%) additional floor area from multiple additions to a principal building, all additions to a principal building shall require a Development Plan approval.

3.69 RL-OL Conflicting Regulations

Wherever there exists a conflict between the regulations of the Range Line Road Overlay District and the Keystone Parkway Overlay District, the Range Line Road Overlay District shall govern.

3.70 RL-OL Interpretation

A. There are no special interpretations related to this overlay district.

3.71 RL-OL Accessory Building and Use Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.72 RL-OL Architectural Standards

A. Architectural Design Standards: Buildings shall include the following characteristics:

1. Ground and upper floors with transparent glass; ground floor elevations shall incorporate the transparent glass as a significant component.
2. A distinct cornice line at the top of flat roofed buildings and intermediate horizontal elements, such as a trim at the top of the ground floor shall be optional.
3. The facade shall be provided relief by windows and surrounds, storefronts, doors, and features such as special brick coursing, pilasters and lintels.
4. The first floor and all other floors shall have a coordinated composition, which will usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floor.
5. When applicable, retail storefronts shall be oriented along the public street front of the first floor of the building, except for pedestrian entrances to parking areas or entrance lobbies for upper floors.
6. Every face of the building with frontage on a public street shall have openings for windows which are clear glass that allow the interior space to be Seen from the street.
7. Large expanses of glass are allowed, but the building shall not be constructed entirely of a metal and glass curtain wall.
8. Fixed or retractable awnings shall be permitted if they complement a building's architectural style, material, colors, and details; do not conceal architectural features (such as cornices, columns, pilasters, or decorative details); do not impair facade composition; and are designed as an integral part of the facade.
9. Rooftop mechanical and telecommunication equipment shall be fully screened on all sides using parapets, penthouse screens or other similar method and which are integrated into the overall building design and approved by the Plan Commission.

B. Construction Material Standards:
   1. Principal Buildings shall be faced on front and sides with brick, stone or similarly detailed precast concrete and trimmed in metal, stone, precast concrete, wood, fiber cement, or EIFS.
   2. Rear building facade materials may vary, however, its material colors and composition shall be coordinated with the front and side facades.
   3. Use of EIFS and fiber cement products shall be limited to upper floor trim or upper floor accent material only.

C. Building Orientation:
   1. Every parcel with frontage on Carmel Drive and/or Range Line Road shall have a building that fronts on those streets.
   2. Every parcel with frontage on Carmel Drive and/or Range Line Road shall have a building that occupies a minimum of seventy percent (70%) of that frontage. Exceptions include:
      a. Principal Buildings on lots with 120 feet or less frontage, provided they occupy the maximum amount of frontage, except for required driveways, sidewalks and landscape areas.
      b. Frontages along public streets other than Carmel Drive or Range Line Road shall have no minimum frontage requirement.
   3. Additional buildings may be built in the rear of the property.
   4. All Principal Buildings shall face a public street, with a primary entrance from a public street.
   5. The primary entrance shall be readily apparent as a prominent architectural feature and visible from the street.

D. Building Footprint:
   1. *Minimum*: 0.5 Floor Area Ratio (FAR)
   2. *Maximum*: 40,000 square foot footprint.

E. Building Entrance: Principal Buildings shall provide a separate, architecturally significant entrance to upper floor uses, when those uses are separate and distinct from that of first floor.

3.73 RL-OL Fence and Wall Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.74 RL-OL Height Standards

(See Figure G: Range Line Road Overlay - Building Height Standards)

A. Floors: Principal Buildings shall have at least two (2) floors of leasable, occupiable space.

B. Minimum Upper Floors: The second and higher floors shall be at least fifty percent (50%) the size of the Principal Building's footprint and shall be oriented to the front of the Principal Building such that the second floor facade aligns with the first floor.
   1. *Exceptions to first floor/upper facade alignment are allowed for upper floor patio spaces requiring offset from the first floor facade.*

C. Minimum Height: Twenty-six (26) feet.

D. Maximum Height: Fifty-five (55) feet, or five (5) stories, whichever is greater.
   1. Maximum Height shall be reduced to three (3) stories, or thirty-eight (38) feet for a principal building located adjacent to and abutting the R1 District, R2 District or R3 District, or a single-family or two-family dwelling.

3.75 RL-OL Landscaping Standards

A. Protection of Existing Trees and Vegetation:
   1. Sites within the Range Line Road Overlay District with existing trees or stands of trees shall protect and incorporate them into the overall site design. The Landscape Plan shall preserve not less than fifty percent (50%) of all trees that are:
      a. Six-inches (6") DBH or larger, and
      b. Located within the Bufferyard or Greenbelt.
   2. Protection of Existing Trees: Sites with existing trees or stands of trees shall make reasonable efforts to protect and incorporate them into the overall site design. Existing vegetation proposed to be removed and tree preservation areas shall be graphically illustrated on a separate plan, to be called the Tree Preservation Plan. (See City of Carmel's Tree Preservation Detail)
   3. Tree Preservation Plans shall be prepared by an International Society of Arboriculture Certified Arborist or Board Certified Master Arborist, American Society of Consulting Arborists Registered Consulting Arborist, state licensed Landscape Architect or similar professional.
   4. When tree preservation is not possible due to other site constraints, the Director of Community Services may require a reforestation or afforestation plan.

3.76 RL-OL Lighting Standards

A. Street lighting shall be provided as part of all projects to be placed approximately 100 feet apart. The design shall be per the adopted City style.
B. Exterior lighting of the building or site shall be designed so that light is not directed off the site and the light source is shielded from direct offsite viewing. For any use abutting single-family residential uses, illumination levels shall not exceed 0.5 foot-candles at the property line.
C. Exterior lighting shall be architecturally integrated with the building style, material and color. Rooftop lighting shall be prohibited.
D. All exterior architectural, display, decorative and sign lighting shall be generated from concealed, low level fixtures.
E. The maximum height of light standards in parking areas shall not exceed twenty-five (25) feet. When light standards abut or fall within ninety (90) feet of single family residential, their height shall not exceed fifteen (15) feet.

3.77 RL-OL Lot Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.78 RL-OL Outdoor Display Standards

A. Product, Material and Refuse Storage:
   1. Material or product storage shall occur within the Principal building or an Accessory building.
   2. Any Accessory Building for storage shall:
      a. Be architecturally compatible with the Principal building and integrated into the overall site layout.
      b. Be approved by the Plan Commission.
   3. Any Accessory Building for storage or disposal of refuse shall:
      a. Accommodate waste and recyclable materials, and, if applicable, grease or other cooking refuse.
      b. Be fully enclosed except for doors or gates which are kept closed unless loading or unloading.
      c. Be architecturally compatible with the Principal building and integrated into the overall site layout.
      d. Be approved by the Plan Commission.

3.79 RL-OL Parking Standards

A. Cross Reference: See also *Section 5.28: General Parking Standards* and *Section 5.29: Bicycle Parking Standards*.

B. The amount of parking spaces required shall be determined by *Section 5.30: Amount of Parking Spaces Standards*; however, square footage on the second and higher floors will not be included in the automobile parking calculation.

C. Parking areas shall be setback not less than six (6) feet behind the Front Line of Building.

D. Parking areas shall be located at the rear or side of buildings, and screened consistent with the standards of Bufferyard Type 'A', as described in *Section 5.21: Bufferyard Standards*.

E. Adjacent/adjoining parking lots shall be interconnected either by alley or internal driveway, and coordinated to accommodate pedestrian access.

F. Paths within parking lots of more than three (3) rows shall be designated to accommodate pedestrians safely from parking areas to sidewalks, walkways and/or building(s). Such paths may consist of striping.

3.80 RL-OL Setback Standards

A. Build-to Line:

1. *Minimum*: Zero (0) feet, subject to recorded utility easement(s).
2. *Maximum*: Ten (10) feet, subject to recorded utility easement(s) and to *Section 3.80(A)(3)*.
3. Up to seventy-percent (70%) of the front facade may be recessed for entrances and outdoor seating; however, no entrance shall be recessed more than ten (10) feet, and no outdoor seating area shall be recessed more than twenty (20) feet, subject to Plan Commission approval.

B. Side and Rear Setbacks: There are no minimum side or rear setbacks; however, no Accessory Building or other permanent improvement shall encroach into required landscape planting or Bufferyard areas.

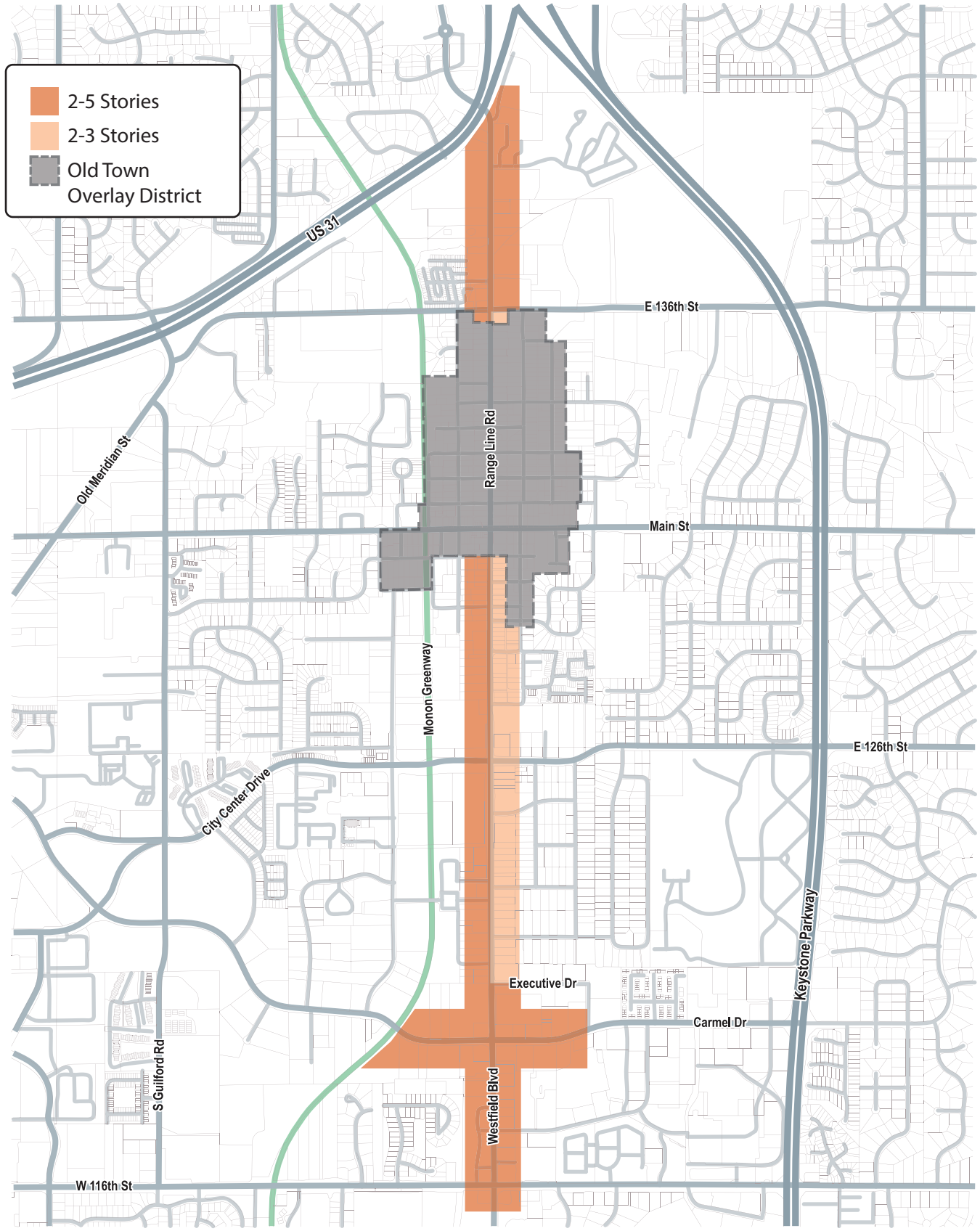
3.81 RL-OL Sign Standards

A. Signage, where allowed, shall abide by *Section 5.39: Sign Standards*.

3.82 RL-OL Site Design Standards

A. Pedestrian Circulation:

1. Sidewalks along Carmel Drive and Range Line Road shall be a minimum of twelve (12) feet in width. Sidewalks along all other public streets shall be a minimum of eight (8) feet in width.
2. When parking is located behind the Principal Building, walkways shall be provided to allow safe access between rear parking areas and Principal Building entrances. The minimum width for such walkways shall be six (6) feet.
3. Neither sidewalks nor walkways shall be used by automotive traffic.
4. Pedestrian access shall be coordinated with and provided to adjoining properties.



Range Line Overlay District - Building Height Standards **Figure G**

US 421 - Michigan Road Overlay (421-OL) District

3.83 421-OL District Intent, Effect on Uses, Process and Applicability

District Intent

It is the purpose of the US 421 - Michigan Road Corridor Overlay District to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering US 421 - Michigan Road. The Plan Commission and Common Council, in establishing this zone, are relying on *IC 36-7-4-600* et seq. and *IC 36-7-4-1400* et seq.

It is recognized that US 421 is an important corridor to the City of Carmel. Therefore, it is the further purpose of the US 421 - Michigan Road Overlay District to promote coordinated, quality development per the Land Use recommendations set forth in the Comprehensive Plan; to establish basic standards for structures, landscaping, and other improvements on the properties within the US 421 - Michigan Road Overlay District which promote high quality, innovative site design and at the same time encourage efficient land usage; to establish development standards which will encourage capital investments for the development of those properties along and abutting US 421; and to promote the steady flow of traffic.

The US 421 - Michigan Road Corridor Overlay District further Seeks to foster development that will provide this district with a special sense of place that will increase property values, protect real estate investment, spur commercial activity, and attract new businesses. More specifically, the creation of this special sense of place shall be encouraged by means of a coordinated set of design principles for buildings, site planning, landscape and signage. These principles are intended to guide individual development activities so that they will work together visually in support of the common architectural theme described herein.

Effect on Uses

Permitted Uses

- Permitted uses shall be per the base zoning district, except as may be prohibited below
- Retail uses; however, it shall not comprise more than seventy-five percent (75%) of a project's gross floor area on parcels in the B3 District located north of 106th Street
- Residential uses are permitted; however, it shall not comprise more than fifty percent (50%) of a project's gross floor area on parcels where residential is not permitted in the base zoning district

Special Uses

- Special uses shall be per the base zoning district, except as may be prohibited below.

Prohibited Uses

- boarding or lodging house
- carnival, fair, or circus
- commercial recreational facility (indoor)
- commercial recreational facility (outdoor)
- commercial sewage or garbage disposal plant
- display, outdoor
- feed store
- grain elevator
- heavy manufacturing
- manufactured housing sales
- mineral/sand/gravel extraction operations
- mobile home park
- model home
- outdoor theater
- penal or correctional institution
- power generating plant
- private airplane landing/service facility
- raising/breeding of non-farm or exotic animals
- recreational vehicle/mobile home sales
- roadside sales stand
- sales, outdoor
- sales, seasonal outdoor
- sanitary landfill, junk yard, salvage yard
- sexually oriented business
- single family dwelling
- storage and/or warehousing, outdoor
- storage or sale of petroleum products
- tattoo studio
- truck stop
- two-family dwelling

Process and Applicability

Application Procedure

- Development Plan: Required
- Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS): Required

Property Applicability

If the subject property is located partially inside and outside of the overlay district, then the entire property shall be subject to the overlay district regulations and its applicable processes.

Development Standards Applicability

Any development standard in *Article 2: Zoning Districts* or *Article 5: Development Standards* applicable to the subject property (base zoning district) shall apply unless this overlay district specifies a different standard.

3.84 421-OL District Boundaries

The boundaries of the US 421 - Michigan Road Corridor Overlay District are hereby established as illustrated on the Official Zoning Map.

3.85 421-OL Exemptions

A. There are no special exemptions related to this overlay district.

3.86 421-OL Interpretation

A. There are no special interpretations related to this overlay district.

3.87 421-OL Accessory Building and Use Standards

A. General Accessory Building and Use Standards: All Accessory Buildings and Uses which are permitted in the base zoning district(s) shall be permitted

B. Architectural Compatibility Standards: Any detached Accessory Building shall be architecturally compatible with the Principal Building(s) with which it is associated.

3.88 421-OL Architectural Standards

A. Design Theme: Buildings shall be designed with an overall Corridor Architectural Theme consistent with or complementary to the Federal, Georgian, Italianate, or Greek Revival Periods. New buildings are not required to be imitative, but shall incorporate the salient features of these architectural styles. Pre-existing buildings on adjoining tracts shall not be a factor in the design of new buildings unless they are consistent with the architectural objectives of the US 421 - Michigan Road Corridor Overlay District.

B. Building Proportion: Buildings within the US 421 - Michigan Road Corridor Overlay District should generally avoid long, monotonous, uninterrupted walls or roof planes. The design and placement of building facades, doors, windows, and architectural design details shall be through use of Regulating Lines.

C. Building Height: The height of new principal buildings shall be at least one and one-half (1½) stories, or be designed to appear so from the front and sides. Retail and office buildings are encouraged to be two (2) stories in height, with office or residential uses on the second floor. The minimum height for all buildings shall be twenty (20) feet, either at the roofline or at the top of the parapet wall. The maximum height shall be thirty feet (30'); however, an additional eight (8) feet shall be permitted to accommodate mechanical equipment, mechanical enclosures and screening, or other inner roof structures.

   Building heights for proposed buildings that are adjacent to residential uses shall be no more than one and one-half (1½) stories or twenty (20) feet on the facade(s) nearest the residential use, but may increase in height by one additional story for a facade step back with a depth of twenty-five (25) feet, or first structural bay, whichever is larger.

D. Building Facades: Facades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or articulated cornice, in each instance appropriate to the building style. Buildings with continuous facades that are ninety (90) feet or greater in width, shall be designed with offsets (projecting or recessed) not less than eight (8) feet deep, and at intervals of not greater than sixty (60) feet.

   Facades constructed of more than one material shall only change materials along a horizontal line, or along a vertical line of an architectural element (not a diagonal line). The material that appears to be heavier shall always be placed beneath the lighter material. All facades of buildings shall be of the same materials and similarly detailed.

   Design elements of the elevations shall be organized such that openings line up horizontally and vertically with other openings. Openings in a facade shall be arranged in a balanced, relatively uniform fashion. Openings of varying sizes are often centered vertically along the center line of the openings above or below.

E. Roofs:

   1. *General*: Roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 4:12 to 14:12.
   2. *Shed Roofs*: Shed roofs are permitted only when the ridge is attached to an exterior wall of a building, and shall conform to pitch between 14:12 and 4:12.
   3. *Flat Roofs*: Flat roofs are permitted when consistent with the historic style of architecture, if edged by a railing or parapet, and if rooftop mechanical equipment is either camouflaged on all sides or visually integrated into the overall design of the building.
   4. *Rooftop Mechanical Equipment*: In no case shall rooftop mechanical equipment be visible from adjoining streets, residential districts or uses.
   5. *Roof Design*: Modulation of the roof and/or roof line will be required in order to eliminate box-shaped

buildings. Parapets shall be fully integrated into the architectural design of the building and provide seamless design transitions, including exterior materials, between the main building mass, mechanical equipment, mechanical enclosures and screening, and other roof structures. Should they be used, partial parapets shall have a return that extends inward to at least the first structural bay, or twenty-five (25) feet, whichever is greater.

6. *Roofing Material*: Pitched roofs shall be clad in wood shingles, slate, composition asphalt shingle or standing-seam metal panels. Asphalt shingles shall be colored to resemble gray slate; standing-seam panels may be either gray, black, dark blue, dark green or barn red.
7. *Dormers, Belvederes, Cupolas and Pergolas*: Dormers shall be designed with the correct details, proportion and style consistent with the overall building composition, and roofed with symmetrical gable, hip or barrel roofs. Belvederes, cupolas, and pergolas are permitted if appropriate to the style, well proportioned, and fully detailed.
8. *Roof Vents and Other Roof Penetrations*: All vents, attic ventilators, turbines, flues and others roof penetrations shall be painted to match the color of the roof or flat black, except those made of metal which may be left natural. Gutters and downspouts shall be appropriate to or visually integrated with the architectural style of the structure.

F. Entrances: Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall faithfully reflect the chosen style of the building.

Building facades for industrial and warehouse uses shall be designed with a main entrance and at least two (2) window openings associated with this doorway.

G. Windows: All window design shall be compatible with the style, materials, color, details and proportion of the building. The number of panes, the way it opens, the trim around it and whether it is embellished with shutters shall be consistent with the architectural style of the structure.

H. Awnings: Fixed or retractable awnings are permitted if they complement a building's architectural style, material, colors, and details; do not conceal architectural features (such as cornices, columns, pilasters, or decorative details); do not impair facade composition; and are designed as an integral part of the facade. Metal or aluminum awnings are prohibited.

I. Storefronts: Storefronts shall be integrally designed with overall facade character. Ground floor retail, service and restaurant uses should generally have large pane display windows, however, they shall not exceed seventy-five percent (75%) of the total ground level (first floor) facade area. Buildings with multiple storefronts shall be of unified design, through the use of common materials, architectural details, signage and lighting consistent with the overall building style.

J. Drive-thru windows: Drive-thru windows shall be designed as a related, integrated architectural element and part of the overall design composition of the building.

K. Suitability of Building Materials: Unless otherwise approved by the Plan Commission, building materials shall be consistent with and/or complementary to those which replicate Federal, Georgian, Italianate and Greek Revival Periods of American architecture, as follows:
   1. Exposed foundation shall be constructed of one or more of the following:
      a. Red brick;
      b. Stone (limestone, granite, fieldstone, etc.);
      c. Split-face block or architectural pre-cast concrete, if surface looks like brick or stone.
   2. Facade walls shall be constructed of any combination of red brick or stone. The following materials may also be applied as trim details, but shall not exceed ten percent (10%) of the overall non-window facade area:
      a. Red brick or stone of a contrasting color;
      b. Smooth cut cedar shingles;
      c. Wood clapboard siding;
      d. Wood beaded siding;
      e. Stucco with smooth finish, or EIFS.
   3. Warehouse facilities, including self-storage and mini-warehouse uses, shall have a high-quality facade treatment on all sides consistent with the following:
      a. Red brick facades trimmed with split-faced aggregate block (of a color and texture resembling Indiana limestone), provided that it also includes accents (such as windowsills, lintels above windows and doorways, building corners, parapet coping, etc.).
      b. Split-face aggregate block (of a color and texture resembling Indiana limestone) provided that it also incorporates red brick accents.
      c. Precast concrete wall panels of a color and texture resembling either red brick or Indiana limestone, provided the building design also incorporates architecturally appropriate details of contrasting color and material, as noted previously in *Section 3.88(K)(1) and Section 3.88(K)(2)*.
      d. Stone or synthetic stone, provided the building design also incorporates architecturally appropriate details of contrasting color and material, as noted previously in *Section 3.88(K)(1)* and *Section 3.88(K)(2)*.

L. Design in relation to topography of the site;

M. Design of proposed landscaping in relation to structures; and

N. Overall aesthetics of the proposed building, including color.

3.89 421-OL Fence and Wall Standards

A. Perimeter Fences: Perimeter Fences shall be permitted for privacy, buffering and screening purposes and shall be identified on the Development Plan. When used, perimeter fences shall be constructed of wood and masonry materials, be solid as viewed from any angle and shall be at least eight (8) feet in height. Primarily cedar fences are permitted; however, twenty-four (24) inch wide red brick or stone columns shall be incorporated into the fence design at least every twenty-six (26) feet. Alternatively, metal fencing with landscaping is permitted such that 100% landscaping screen is achieved within three (3) years. All fences shall be properly maintained and repaired, as necessary.

3.90 421-OL Height Standards

A. Building Height:
   1. *Minimum*: See *Section 3.88(C): Building Height.*
   2. *Maximum*: As specified for the base zoning district.

3.91 421-OL Landscaping Standards

A. Greenbelt:
   1. *Greenbelt Width*: A landscaped Greenbelt area shall extend along the Right-of-Way of U.S. Highway 421 with a minimum width of thirty (30) feet.
   2. *Greenbelt Planting*: A minimum base-planting unit for each 100 linear foot increment of the Greenbelt has been designated, as follows:
      a. Three (3) shade trees
      b. One (1) ornamental tree

B. Parking Lot Perimeter Planting:
   1. *Parking Lots along U.S. 421*: Where parking areas are located in the Front Yard directly adjacent to U.S. 421, parking lot plantings shall be provided along the front and sides of those areas, within the greenbelt area.
   2. *Minimum Planting*: The required minimum base-planting unit for this area shall include: three (3) shade trees, one (1) ornamental tree, and thirty (30) shrubs per 100 linear feet.

3.92 421-OL Lighting Standards

A. Lighting Plan: A Lighting Plan for the proposed development shall be filed as part of the ADLS application.

B. Design:
   1. *Lighting Standard*: All lighting standards, including those on buildings, security lights and architectural lights within the development area shall be of uniform design and materials.
   2. *Standard Height*: Parking lot and streetlights shall also be of uniform height not to exceed twenty-four (24) feet.
   3. *Minimum Pole Diameter*: Poles for such lights shall have a minimum diameter of six (6) inches for poles up to twelve (12) feet in height and a minimum of eight (8) inches diameter for poles between twelve (12) and twenty-four (24) feet in height.
   4. *Proportions*: Luminaries for such lights shall be in proportion to the pole diameter and height.
   5. *Gas Station Canopies and Lights Adjacent to Residential*: All lights within gas station canopies and adjacent to residential areas shall be of a "down lighting" type with the light element completely shielded on all sides and top.
   6. *Decorative Lighting*: The Plan Commission may approve decorative lighting should it be more appropriate to the overall site design.

C. Intensity: Lighting shall not cause illumination beyond any residential lot line or road right-of-way line in excess of 0.1 foot-candle of light. Lighting shall not cause illumination beyond any non-residential tract or parcel line or road right-of-way line in excess of 0.3 foot-candle of light.

3.93 421-OL Lot Standards

A. Minimum Tract Size:
   1. The minimum area covered by a Development Plan within the US 421 - Michigan Road Corridor Overlay District shall be 130,680 square feet (3 acres). For tracts located only partially within the US 421 - Michigan Road Corridor Overlay District, a Development Plan shall be submitted to the Plan Commission for the entire tract to be developed.
   2. If a parcel of land or subdivision lot was recorded prior to September 7, 1988 (the "Effective Date"), and said parcel or lot does not contain the minimum area required by this Paragraph, said parcel or lot ("Undersized Lot") may be used for any use permitted in the US 421 - Michigan Road Corridor Overlay District provided that:
      a. At the time of recordation of the Undersized Lot or on the Effective Date, the Undersized Lot met the requirements for minimum lot size then in effect for a lot in the base zoning district(s);
      b. The owner of the Undersized Lot shall include, up to the minimum tract size, any adjoining vacant land (not separated by a street or public way) owned, or owned by an affiliate, on or before the Effective Date or at the time of application which, if combined with the Undersized Lot, would create a tract which conforms, or more closely conforms, to the minimum tract size requirements of this Paragraph; and
      c. All other development requirements applicable to the Overlay District can be met.
   3. This Paragraph does not preclude the sale or other transfer of any parcel of land within a tract after the approval of a Development Plan for the entire tract. However, the development of the parcel shall still conform to the Development Plan for the entire tract as approved or amended by the Plan Commission, and all other applicable requirements contained in the Unified Development Ordinance.

3.94 421-OL Outdoor Display Standards

A. Outdoor sales and outdoor displays are prohibited uses in the US 421 - Michigan Road Overlay District.

3.95 421-OL Parking Standards

A. Spaces Required: See *Section 5.28: General Parking Standards*.

B. Space Dimensions: 9'0" x 20'0" or 10'0" x 18'0", plus 2'0" for bumper overhang where appropriate.

C. Parking lots shall be designed to provide coordinated access to parking areas on adjoining tracts or parcels within the US 421 - Michigan Road Corridor Overlay District, preferably via a frontage road network. Sites utilizing front-loaded parking areas shall provide for continuous access across the rear of the site to adjoining tracts or parcels. As part of the ADLS submittal, the petitioner shall provide a Site Circulation Plan that illustrates to the Plan Commission how coordinated access will occur relative to the overall US 421 - Michigan Road Corridor.

D. All parking lots and drives shall be paved with asphalt or concrete. Brick pavers or other decorative pavements may be used as accents in parking lot design. Poured-in-place concrete curbs shall be used.

E. Parking within front yard setbacks shall be discouraged and limited to a maximum of two (2) rows of parking, subject to maximum building setback standards and *Section 5.19: Commercial Landscaping Standards*.

F. Stacking for drive-thru lanes shall be confined to the rear of the tract or parcel with outlet from such lines also being to the rear of the building. Lines for drive-thru facilities shall not be permitted along the front and sides of structures within the Overlay District, nor permitted to spill onto adjoining properties. The minimum number of vehicles required for drive-thru lanes shall be as follows:

Use Type	Min. Number of Spaces	Measured From
Bank teller lane	5	Teller or Window
Automated Teller Machine	3	Teller
Restaurant Drive-thru	10	Pick-up Window
Car Wash	5	Entrance
Gas Pump island	3	End of pump island
Other		To be determined by the Director of Community Services

3.96 421-OL Setback Standards

A. Front Yard for Parcels with Frontage on US 421 - Michigan Road Right-of-Way:

1. *Minimum*: Thirty (30) feet, measured from the US 421 - Michigan Road right-of-way. This measurement shall include the mandatory thirty-foot (30') Greenbelt.
2. *Maximum*: 120 feet, measured from the US 421 - Michigan Road right-of-way. This measurement shall include the mandatory thirty-foot (30') Greenbelt.

B. Minimum Side and Rear Yards:

1. *Next to Existing Residence(s) or Undeveloped Residential District*: Fifty (50) feet or two (2) times building height, whichever is greater.
2. *Next to Business District or Development*: Fifteen (15) feet.
3. *Next to Industrial District or Development*: Twenty (20) feet.

3.97 421-OL Sign Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.98 421-OL Site Design Standards

A. Access to Individual Tracts: The purpose of this subsection is to make the closing of all curb cuts along US 421 - Michigan Road possible by establishing a common access road to the rear parking lots of all tracts within the Overlay District. Frontage roads and common entrances shared by several businesses and developments shall be encouraged and may be required at the discretion of the Plan Commission. In those cases where tracts can be accessed via connection to an arterial street, local street, or adjoining parking lot, curb cuts shall not be established on US 421 - Michigan Road. The Plan Commission shall encourage maximum distances between curb cuts to US 421 - Michigan Road in cooperation with the Indiana Department of Transportation. Bicycle and pedestrian circulation to and through the site shall be coordinated with vehicular access, Greenbelt design, and parking.

3.99 421-OL Structure Standards

A. Minimum Gross Floor Area: Each lot or parcel shall contain at least one principal building with a minimum of 2,500 square feet of gross floor area, excluding the floor area of any basement or any accessory buildings. Accessory buildings need not meet the minimum floor area requirement.

B. Maximum Gross Floor Area: All free-standing commercial buildings located north of 106th Street shall have a maximum of 85,000 square feet of gross floor area, excluding the floor area of any basement or any accessory buildings.

3.100 421-OL Other Standards

A. Outside Storage: Outside storage areas shall be allowed as shown on the Development Plan and shall be architecturally compatible with the principal building(s) with which they are associated. Storage areas shall be completely screened from view and subject to Plan Commission approval. Trash collection areas shall be enclosed and screened.

B. Loading Berths: Loading berths and trash collection areas shall be permitted per the needs of the business establishments and shall be identified on the Development Plan. Loading berths and overhead doors shall face to the rear of all buildings. Should a loading berth be located adjacent to or visible from a public right-of-way, or established on the side of a building through any circumstance, it shall be screened per Plan Commission approval.

C. Emergency Access: All emergency access areas and facilities shall be shown on the Site Plan and reviewed by the Carmel Fire Chief.

West 116th Street Overlay (116-OL) District

3.101 116-OL District Intent, Effect on Uses, Process and Applicability

District Intent

The purpose of the West 116th Street Overlay District is to protect the estate character of the area. the West 116th Street Overlay District is superimposed over base zoning districts and its regulations shall supersede those of the base zoning districts over which it is superimposed. The Plan Commission and Common Council, in establishing this overlay district, are relying on *IC 36-7-4-100* et seq.

Effect on Uses

Permitted Uses
- Permitted uses shall be per the base zoning district, except as may be prohibited below.

Special Uses
- Special uses shall be per the base zoning district, except as may be prohibited below.

Prohibited Uses
- No uses are prohibited from the permitted uses or special uses permitted per the base zoning district

Process and Applicability

Application Procedure
- Development Plan: Not required
- Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS): Not required

Property Applicability

Portions of parcels extending beyond a depth of greater than or equal to 990 feet from the center line of 116th Street are exempt from the requirements of the West 116th Street Overlay District.

Development Standards Applicability

Any development standard in *Article 2: Zoning Districts* or *Article 5: Development Standards* applicable to the subject property (base zoning district) shall apply unless this overlay district specifies a different standard.

West 116th Street Overlay (116-OL) District

3.102 116-OL District Boundaries

The boundaries of the West 116th Street Overlay District are hereby established as illustrated on the Official Zoning Map.

3.103 116-OL Exemptions

A. Parcels in the P1 District shall be exempt from the requirements of the West 116th Street Overlay District.

B. Parcels in subdivisions platted on or before April 18, 2005 shall be exempt from the requirements of the West 116th Street Overlay District.

3.104 116-OL Interpretation

A. There are no special interpretations related to this overlay district.

3.105 116-OL Accessory Building and Use Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.106 116-OL Architectural Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.107 116-OL Fence and Wall Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.108 116-OL Height Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.109 116-OL Landscaping Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.110 116-OL Lighting Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.111 116-OL Lot Standards

A. Minimum Front Yard: 100 feet.

B. Minimum Lot Area: No new lot may be created with an area less than three (3) acres.

C. Parcels in the West 116th Street Overlay District shall not qualify for any density bonus which may be permitted through the subdivision control regulations.

3.112 116-OL Outdoor Display Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.113 116-OL Parking Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.114 116-OL Setback Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.115 116-OL Sign Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.116 116-OL Site Design Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.117 116-OL Structure Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

3.118 116-OL Other Standards

A. See the applicable base zoning district's regulations. No overlay-specific standards apply.

Article

4

Planned Unit Development District

City of Carmel
Unified Development
Ordinance

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Planned Unit Development (PUD) District

4.01 PUD District Intent, Regulations, and Prerequisites

District Intent

A Planned Unit Development is a means for a development to be approved which allow the applicant to propose a project that is unique, thus needs its own regulatory ordinance, which then functions like a Zoning Ordinance for the subject property. The City of Carmel would consider applications for a Planned Unit Development, but has full discretion to approve, deny or negotiate the language in the regulatory ordinance.

Regulations

Effect on Permitted Uses
- (as per an approved PUD regulating ordinance)

Effect on Development Standards
- (as per an approved PUD regulating ordinance)

Applicability of Design Standards
- (as per an approved PUD regulating ordinance)

Applicability of Engineering Standards
- (as per an approved PUD regulating ordinance)

Prerequisites

Required Ownership
- to apply for a PUD District, the entire property shall be under single ownership, or all property owners shall be signators to the application

Applicable Zoning Districts
- all zoning districts are permitted the opportunity to Seek out a PUD District

4.02 PUD Overview

A. General Process: The basic steps are:
   1. Applicant Proposes a Planned Unit Development District Ordinance
   2. The Plan Commission hold a public hearing and assigns the application to a committee to review the proposal and meet with the applicant and stakeholders. Upon completion, the committee makes a recommendation to the full Plan Commission.
   3. The Plan Commission then votes to forward a favorable, unfavorable or no opinion to the Common Council
   4. The Common Council hears the application as it does a rezoning, typically assigning the application to a committee for review and recommendation.
   5. After a recommendation is made by committee, the Common Council then votes to adopt or deny the proposed Planned Unit Development.
   6. At the Plan Commission and/or Common Council, conditions and commitments can be offered by the applicant or requested by Plan Commission or Common Council, or their committee representatives.
   7. If approved, the ordinance is adopted and the City's Official Zoning Map is modified to indicate the property was rezoned to a Planned Unit Development with a regulatory ordinance.
   8. All non single-family projects built as part of a Planned Unit Development are required to submit and be approved as a Development Plan.

B. Cross Reference:
   1. *Process*: See *Section 9.05: Planned Unit Development* for the process applicable to Planned Unit Developments.
   2. *Enforcement*: All Planned Unit Developments are subject to the enforcement provision in *Article 10: Enforcement*.
   3. *Decision Criteria*: For a Planned Unit Development to be approved, a proposal shall meet or exceed the decision criteria in *Section 9.05(A)(3): Decision Criteria*.

Article

5

Development Standards

City of Carmel
Unified Development
Ordinance

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5.01 How to Use this Article

Article 5: Development Standards contains development standards that are arranged by category. There are two (2) ways to determine which development standards apply to a specific zoning district. They are:

A. Blue Boxes: Refer to the two-page layouts in *Article 2: Zoning Districts* for a specific zoning district. In the "Additional Development Standards that Apply" box for that specific zoning district are listed four-digit codes that determine which development standards apply. Only the development standards referenced by the four-digit codes listed in the "Additional Development Standards that Apply" section apply to that zoning district.

B. District Icons: Refer to the icons used at the top of each development standard section in *Article 5: Development Standards*. Each development standard section begins with a four-digit code and introductory sentence followed by one (1) or more icons with zoning district abbreviations (e.g. R1 for the Single-family Residential zoning district). These zoning district icons note that the development standard written in that section applies to that zoning district.

5.02 AB-01: Residential Accessory Building and Use Standards

This Accessory Building and Use Standards (AB) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5

A. Accessory Buildings and Uses Generally: Accessory Buildings and Uses customarily and purely incidental to those uses allowed in a given zoning district are permitted provided that:
   1. An Improvement Location permit shall be required per the standards found in *Carmel City Code; Chapter 7: Building Code; Article 3: Specific Regulations*.
   2. Accessory Buildings and Uses shall not alter or change the character of the premises;
   3. Accessory Buildings and Uses shall be on the same lot as the Principal Building to which they are accessory;
   4. Accessory Buildings shall not be attached to the Principal Building, with the exception of an allowable uniform and continuous roof supported by customary supports or joists, and no other connection or attachment between the structures exists;
   5. Where an Accessory Building is entered from an alley, it shall be set back a minimum of five (5) feet from the alley easement or right-of-way line.
   6. *Timing*:
      a. No Accessory Building shall be constructed upon a lot until the construction of the Principal Building has actually commenced; and
      b. No Accessory Building shall be used unless the Principal Building on the Lot is also being occupied for the intended purposes.
      c. However, nothing shall prevent the use of a Temporary Construction Facility for the storage of tools, material and equipment by a contractor during building construction;

B. Setback, Area and Lighting Requirements:
   1. *Minimum Lot Standards*:
      a. Minimum Front Yard Setback:
         i. Except as otherwise provided for Corner and Through Lots, when detached from the Principal Building, Accessory Buildings shall be set back a minimum of the greater of the following:
            [1] twenty-five (25) feet behind the Front Line of Principal Building;
            [2] twenty-five (25) feet behind the Principal Building Setback Line.
         ii. On Corner Lots no residential Accessory Building shall be erected:
            [1] forward of any Principal Building, or
            [2] in any required Minimum Front Yard.
         iii. On Through Lots no Accessory Building shall be erected:
            [1] forward of any Principal Building, or
            [2] in the required Minimum Front Yard located to the rear of the Principal Building.
      b. Minimum Side and Rear Yard Setback:
         i. When more than ten (10) feet away from a Principal Building, Accessory Buildings and Uses shall be set back a minimum of the greater of the following:
            [1] Five (5) feet, or
            [2] Easement plus three (3) feet, but not within any Easement, or required landscaped or greenbelt area.
            [3] No fill from any excavation shall be placed within the Easement.
         ii. When ten (10) feet or closer to a Principal Building, Accessory Buildings shall be considered as part of the Principal Building and shall be provided with the Side and Rear Yards required for the Principal Building.
   2. *Maximum Lot Coverage*: Per applicable zoning district or applicable Overlay District.
   3. *Maximum Ground Floor Area*:
      a. The combined square footage of the Ground Floor Area of a Private Garage and/or Accessory Building shall not exceed seventy-five percent (75%) of the Ground Floor Area of the Principal Building.
      b. A detached garage, which is the only Accessory Building on the lot, may equal the maximum dimensions of twenty-four (24) by thirty (30) feet provided that the Ground Floor Area of the garage is less than or equal to the Ground Floor Area of the Principal Building.
      c. Lots over three (3) acres and Multiple-family Residential shall be exempt from the requirements of this *Section 5.02(B)(3): Maximum Ground Floor Area*.
   4. *Lighting*: No lighting shall cause Illumination at or beyond any Lot Line in excess of 0.1 Foot-candle of light.

C. Accessory Uses:

1. *Exceptions*: Accessory Uses such as public utility installations, private walks, driveways, retaining walls, mail boxes, nameplates, lamp posts, birdbaths and structures of a like nature are permitted in any required Front, Side or Rear Yard.
2. *Multiple-family Districts*:
   a. Trash Receptacles: Trash and recycling receptacles shall be enclosed on all four (4) sides, including a self-closing gate, and be screened with landscaping to a minimum height of dumpster and/or compactor plus two (2) feet.
3. *Private Radio and Television Reception and Transmitting Towers and Antennas*:
   a. Permitted subject to applicable local, state and federal regulations.
   b. No structure shall be located or permitted within ten (10) feet of a power transmission line.
4. *Guest House*: One (1) Guest House with cooking facilities may be permitted as an Accessory Building on Lots containing not less than one (1) acre.
5. *Servants Quarters*: Quarters for bona fide servants employed by the occupants of the Dwelling are permitted.
6. *Tennis and Pickleball Courts*:
   a. Shall be located only within a Side or Rear Yard.
7. *Private Swimming Pool or Hot Tub*:
   a. Minimum Side and Rear Yard Setbacks: A swimming pool, hot tub, or its deck or equipment shall be set back a minimum of the greater of the following:
      i. Ten (10) feet from the Side Lot Line and Rear Lot Line, or
      ii. Be three (3) feet from any Easement.
   b. Fill From Pool Placement: No fill from pool or hot tub excavation shall be placed within three (3) feet of any Easement.
   c. Safety: For purposes for safety, the following shall apply:
      i. Walls or Fencing: Walls or fencing deemed by the enforcing authority to be impenetrable, that is not less than four (4) feet high completely surrounding the swimming pool and the deck area with exception of self-closing and latching gates and doors, both capable of being locked;
      ii. Other Means: Other means not less than four (4) feet high and deemed by the enforcing authority to be impenetrable at the time of construction and completely surrounding the pool and deck area when the pool is not used; and
      iii. Combination: A combination of *Section 5.02(C)(7)(c)(i)* and *Section 5.02(C)(7)(c)(ii)* that completely surrounds the pool and deck with the exception of self-closing and latching gates and doors which are capable of being locked; or
      iv. Pool Cover: A safety pool cover may be used provided that:
         [1] There is a continuous connection between the cover and the deck, so as to prohibit access to the pool when the cover is completely drawn over the pool;
         [2] It is mechanically operated by key or key and switch such that the cover cannot be drawn open or retracted without the use of a key;
         [3] It is capable of supporting a 400 pound imposed load upon a completely drawn cover;
         [4] It is installed with a track, rollers, rails or guides;
         [5] It bears an identification tag indicating the name of the manufacturer, name of the installer, installation date, and applicable safety standards, if any.
         [6] Or that it is in compliance with the Indiana swimming pool code, *675 IAC 14-4.3-296*, as amended.
8. *Raising of Chickens*: Up to six (6) hens shall be permitted provided they are confined by a chicken tractor, chicken coop or similar Accessory Building subject to the setbacks prescribed in *Section 5.02(B)(1): Minimum Lot Standards*. Properties with more than six (6) hens, or with any rooster, shall be considered a Farm.
9. *Beekeeping*: The intent of this *Section 5.02(C)(9): Beekeeping* is to regulate beekeeping in accordance with state law. However, where beekeeping constitutes an agricultural nonconforming use under *IC 36-7-4-616*, that use may be continued so long as it is maintained and operated in compliance with all (I) state environmental and state health laws and rules, including *IC 14-24-8* pertaining to the annual registration of bees, and (II) any requirements to which conforming agricultural use land is subject under the Zoning Ordinance of Hamilton County, Indiana, as in effect as of July 1, 2020. Beekeeping for purposes of personal use and not for agricultural use shall be permitted on property in the City that the person owns, rents, or leases, subject to the following regulations:
   a. The maximum number of hives permitted per lot area shall be as follows:

i. One (1) hive for a lot up to 4,350 square feet.
ii. Two (2) hives for lots greater than 4,350 up to 10,500 square feet.
iii. Four (4) hives for lots greater than 10,500 up to 21,000 square feet.
iv. Six (6) hives for lots greater than 21,000 up to 43,560 square feet.
v. Eight (8) hives for lots greater than 43,560 square feet.

b. Bee colonies shall be kept in movable-frame hives that do not exceed twelve (12) cubic feet. Hives shall be spaced at least three (3) feet apart when more than one (1) hive is present.
c. Bee hives may only be located on the ground or on the roof of a building with a permanent foundation. When located on the ground, hives shall not exceed five (5) feet in height. When located on a roof, hives shall be placed a minimum of ten (10) feet from the ground.
d. Minimum Setbacks:
   i. Front: No hives may be located forward of the Front Line of the Principal Building, or within 300 feet of a front lot line, whichever is less.
   ii. Side: Hives located on the ground shall be located a minimum of fifteen (15) feet from a side lot line. The setback of hives placed on a roof shall follow the setbacks for the structure on which the hives are located.
   iii. Rear: Hives located on the ground shall be located a minimum of twenty (20) feet from a rear lot line. The setback of hives placed on a roof shall follow the setbacks for the structure on which the hives are located.
e. Beekeepers shall maintain an adequate supply of fresh water located near each hive.
f. Whenever a colony exhibits overly defensive or aggressive behavior, such as stinging or attacking without provocation, the beekeeper shall split the hive to keep it from swarming or take other immediate mitigating actions.
g. At least one (1) swarm trap shall be provided where bees are kept.
h. If hives are visible from homes on adjacent lots, a six (6) foot tall barrier (such as a fence or landscaping hedge) shall be installed. Fences shall comply with *Section 5.09: Fence and Wall Standards*.
i. A sign indicating the existence of live bees shall be conspicuously placed on all lots upon which hives are present. The sign shall measure no larger than three (3) square feet in size.

5.03 AB-02: Non-Residential Accessory Building and Use Standards

This Accessory Building and Use Standards (AB) section applies to the following zoning districts:

P1 B1 B2 B3 B5 B6 B7 B8 I1 M3

A. Accessory Buildings and Uses Generally: Accessory Buildings and Uses customarily and purely incidental to the uses allowed in a given district are permitted provided that:
   1. An Improvement Location permit shall be required per the standards found in *Carmel City Code; Chapter 7: Building Code; Article 3: Specific Regulations*.
   2. Accessory Buildings and Uses do not alter or change the character of the premises;
   3. Accessory Buildings and Uses are on the same lot as the Principal Building to which they are accessory;
   4. Accessory Buildings and Uses shall not constitute more than one-third (⅓) of the Gross Floor Area (GFA) of all buildings combined.
   5. *Timing*:
      a. No Accessory Building shall be constructed upon a lot until the construction of the Principal Building has actually commenced; and,
      b. No Accessory Building shall be used unless the Principal Building on the Lot is also being occupied for the intended purposes.
      c. However, nothing shall prevent the use of a Temporary Construction Facility for the storage of tools, material and equipment by a contractor during building construction;

B. Setback, Area and Lighting Requirements:
   1. *Minimum Lot Standards*:
      a. Minimum Front Yard Setback:
         i. When detached from the Principal Building, Accessory Buildings shall be set back a minimum of the greater of the following:
            [1] Twenty-five (25) feet behind the Front Line of Building;
            [2] Twenty-five (25) feet behind the Building Setback Line.
      b. Minimum Side and Rear Yards:
         i. When more than ten (10) feet from a Principal Building, Accessory Buildings shall be set back a minimum of the greater of the following:
            [1] Five (5) feet, or
            [2] Easement plus three (3) feet, but not within any Easement or required landscaped or greenbelt area.
         ii. When closer than ten (10) feet to a Principal Building, Accessory Buildings shall be considered as part of the Principal Building and shall be provided with the Side and Rear Yards required for the Principal Building.
   2. *Maximum Lot Coverage*:
      a. The combined square footage of the Principal Buildings, Garages and Accessory Buildings shall not exceed the Maximum Lot Coverage allowed in the given district.
      b. Accessory Buildings and Uses located in a Side or Rear Yard shall not occupy more than thirty percent (30%) of the Side or Rear Yard.
   3. *Maximum Gross Floor Area*: Reserved.
   4. *Lighting*: Lighting shall not cause Illumination beyond any residential Lot Line or road right-of-way line in excess of 0.1 Foot-candle of light. Lighting shall not cause Illumination beyond any non-residential Lot Line or road right-of-way line in excess of 0.3 Foot-candle of light.

C. Accessory Uses:
   1. *Exceptions*: Accessory Uses are permitted in the required Front Yard in all Business, Industrial, and Manufacturing districts.
   2. *Business, Industrial, and Manufacturing Districts*:
      a. Private trash receptacles, recycling containers, and grease trap containers. Private trash receptacles, recycling containers, and grease trap containers shall be enclosed on all four (4) sides and be screened with landscaping to a minimum height of dumpster and/or compactor plus two (2) feet.

5.04 AR-01: General Residential Architectural Standards

These Architectural Standards (AR) apply to the following districts:

S1 S2 R1 R2 R3 R4 R5

A. Principal Dwelling Structure - Minimum Width: All single-family or duplex dwelling units shall be required to be constructed with a width of no less than twenty-three (23) feet.

5.05 AR-02: Urban Residential Architectural Standards

These Architectural Standards (AR) apply to the following district:

UR

A. Public Frontage:
   1. *Require Street Trees*: Street trees shall be required along all street frontage, in the right-of-way, at a rate of one (1) tree for every sixty (60) feet of frontage. Trees shall be planted in tree beds within the sidewalk which shall be at least sixty-four (64) square feet in area, and be spaced no closer than twenty-five (25) feet from one another. All required trees shall be from Appendix D: Recommended Tree List. The required street trees may be fully or partially waived, or be allowed to be planted within thirty (30) feet of the right-of-way by the Planning Administrator if the trees cannot be located properly; due to utility conflicts, to maintain ADA compliance, or similar constraints. However, under no circumstance shall the required street trees be reduced by the Planning Administrator by more than twenty-five percent (25%).

B. Side Setback: The following three (3) side setback and side facade options are permitted for principal buildings.
   1. *Option 1, Common Wall*: Any side facade built on the side property line (no setback), intended to be a common wall to a future or existing neighboring principal building shall be exempt from *Section 5.05(C): Facades*, thus being permitted to be a "blank" wall. However, if a neighboring principal building with a common wall does not exist, there shall be a cooperative legal agreement with the neighboring property owner indicating that within three (3) years a principal building will be built on the neighboring property adjoining to the subject common wall. One (1) year extensions may be granted by the Planning Administrator if approval for the neighboring building are forthcoming. Only portions of the side facade that will be "common" to the neighboring lot's principal building shall be exempt from *Section 5.05(C): Facades*. Portions of that side facade that are not intended to share a common wall shall meet the facade standards in *Section 5.05(C): Facades*. Additionally, a letter of agreement between the subject property owner and the City of Carmel shall be drafted and signed indicating that the "blank wall" on the principal building on the subject lot shall be made to be in full compliance with *Section 5.05(B)(2): Zero Lot Line Facade* if two (2) principal buildings fail to be adjoined by common walls.
   2. *Option 2, Zero Lot Line Facade*: A side facade may be constructed on the side property line (no setback) if an agreement is in place between the subject property owner and neighboring property owner, acknowledging that the neighboring property owner supports the zero lot line setback, understands its impact on the neighboring property, and grants the subject lot's owner the right to access to maintain the side facade from the neighboring property in perpetuity. The side facade shall be in full compliance with *Section 5.05(C): Facades*.
   3. *Option 3, Setback from Property Line*: A side facade may be constructed any distance between the minimum and maximum side setback. Under no circumstances shall a side facade be between zero (0) feet and four (4) feet from the side property line due to lack of air circulation and natural daylight. The side facade shall be in full compliance with *Section 5.05(C): Facades*.

C. Facades:
   1. *Primary Facades*: Any facade fronting on a public street shall be a Primary Facade, meaning be architecturally significant and detailed with ornamentation or other character-building materials.
   2. *Ground Floor Facades*: Ground floors used for retail or commercial uses, or that are adjacent to a street, shall be designed to look like neighborhood-serving storefronts, complementary of the predominant residential use, and have at least sixty percent (60%) of the storefront be clear glazing. Further, any ground floor facade design shall not be used for more than fifty (50) feet before changing design such that no dominant design spans more than fifty (50) feet. Articulation of design may include arcades, awnings, change in wall plane (projection or recess), or change in color, material or texture.
   3. *Upper Floor Facades*: Upper floor facades shall include at least two (2) windows per on each exterior wall for each residential unit.
   4. *Corner Architectural Feature*: A corner building shall have a prominent architectural feature on or near the corner of the building closest to the intersection with a public pedestrian entrance, if two (2) arterial and/or boulevard streets make up that intersection.
   5. *Parking Garage*: Any parking garage associated with an UR District development shall be located in an inconspicuous location on the site and screened with shade trees, or shall be skinned with an architecturally-designed building facade complementary to adjacent buildings.
   6. *Building Materials*: High quality, durable, architectural building materials shall be used for all aspects of a building's facade. EFIS shall not be permitted within eight (8) feet of ground level.

D. Massing:
   1. *Narrow Width Lots*: Lots that are 100 feet wide or less shall have a single principal building covering at least seventy-five percent (75%) of the lot's width.
   2. *Moderate Width Lots*: Lots that are greater than 100 feet but less than 200 feet wide shall have one (1) or two (2) principal buildings, cumulatively covering at least seventy-five percent (75%) of the lot's width. If two (2) principal buildings are constructed, they may be joined by a single-story, enclosed or un-enclosed structure, setback from the principal building's front facade, and designed to be complementary to the principal building's facades.
   3. *Wide Width Lots*: Lots that are 200 feet wide or greater shall have at least two (2) principal buildings, cumulatively covering at least seventy percent (70%) of the lot's width. Two (2) or more principal buildings may be joined by a single-story, enclosed or un-enclosed structure, setback from the principal building's front facade.

E. Stepback: Buildings greater than three (3) stories shall be stepped back resulting no more than three (3) stories of facade being on the same vertical plane. Generally, the fourth (4th) and higher stories shall be stepped back; however, the required stepback may occur at the second (2nd) or third (3rd) floor. Required stepbacks shall be a minimum of twelve (12) feet.

5.06 AR-03: Urban Core Architectural Standards

These Architectural Standards (AR) apply to the following districts:

UC

A. Public Frontage:
   1. *Require Street Trees*: Street trees shall be required along all street frontage, in or out of the right-of-way, at a rate of one (1) tree for every sixty (60) feet of frontage. Trees shall be planted in tree beds within the sidewalk and be at least sixty-four (64) square feet in area, and be spaced no closer than twenty-five (25) feet from one another. All required trees shall be from the approved species list for street trees. The required street trees may be fully or partially waived, or be allowed to be planted within twenty (20) feet of the right-of-way by the Planning Administrator if the trees cannot be located properly: due to utility conflicts, to maintain ADA compliance, or similar constraints. Under no circumstance shall the required street trees be reduced by the Planning Administrator by more than twenty-five percent (25%).

B. Side Setback: The following three (3) side setback and side facade options are permitted for principal buildings.
   1. *Option 1, Common Wall*: Any side facade built on the side property line (no setback), intended to be a common wall to a future or existing neighboring principal building shall be exempt from *Section 5.06(C): Facades*, thus being permitted to be a "blank" wall. However, if a neighboring principal building with a common wall does not exist, there shall be a cooperative legal agreement with the neighboring property owner indicating that within three (3) years a principal building will be built on the neighboring property adjoining to the subject common wall. One (1) year extensions may be granted by the Planning Administrator if approval for the neighboring building are forthcoming. Only portions of the side facade that will be "common" to the neighboring lot's principal building shall be exempt from *Section 5.06(C): Facades*. Portions of that side facade that are not intended to share a common wall shall meet the facade standards in *Section 5.06(C): Facades*. Additionally, a letter of agreement between the subject property owner and the City of Carmel shall be drafted and signed indicating that the "blank wall" on the principal building on the subject lot shall be made to be in full compliance with *Section 5.06(B)(2): Zero Lot Line Facade* if two (2) principal buildings fail to be adjoined by common walls.
   2. *Option 2, Zero Lot Line Facade*: A side facade may be constructed on the side property line (no setback) if an agreement is in place between the subject property owner and neighboring property owner, acknowledging that the neighboring property owner supports the zero lot line setback, understands its impact on the neighboring property, and grants the subject lot's owner the right to access to maintain the side facade from the neighboring property in perpetuity. The side facade shall be in full compliance with *Section 5.06(C): Facades*.
   3. *Option 3, Setback from Property Line*: A side facade may be constructed any distance between the minimum and maximum side setback. Under no circumstances shall a side facade be between zero (0) feet and four (4) feet from the side property line due to lack of air circulation and natural daylight. The side facade shall be in full compliance with *Section 5.06(C): Facades*.

C. Facades:
   1. *Primary Facades*: All facades shall be a Primary Facade, meaning they shall be architecturally significant and detailed with ornamentation or other character-building materials. However, any facade built on a property line, intended to be a common wall between two (2) buildings shall be exempt; and a commitment for the future adjacent building shall be provided; with a build-by date, not to exceed three (3) years from commitment.
   2. *Ground Floor Facades*: Ground floors facing any street shall be designed to look like storefronts with at least sixty-percent (60%) clear glazing. Further, any ground floor facade design shall not be used for more than fifty (50) feet before changing design such that no dominant design spans more than fifty (50) feet. Articulation of design may include arcades, awnings, change in wall plane (projection or recess), or change in color, material or texture.
   3. *Upper Floor Facades*: Upper floor facades shall include at least two (2) windows on each exterior wall for each residential unit, if applicable.
   4. *Corner Architectural Feature*: A corner building shall have a prominent architectural feature on or near the corner of the building closest to the intersection, with a public pedestrian entrance, if two (2) arterial and/or boulevard streets make up that intersection.
   5. *Parking Garage*: Any parking garage associated with an UC District development shall be skinned with an architecturally-designed building facade complementary to adjacent buildings.
   6. *Building Materials*: High quality, durable, architectural building materials shall be used for all aspects of a building's facade. EFIS shall not be permitted within eight (8) feet of ground level.

D. Massing:
   1. *Narrow Width Lots*: Lots that are eighty (80) feet wide or less shall have a single principal building covering at least ninety percent (90%) of the lot's width.
   2. *Moderate Width Lots*: Lots that are greater than eighty (80) feet but less than 150 feet wide shall have one (1) or two (2) principal buildings, cumulatively covering at least ninety percent (90%) of the lot's width. If two (2) principal buildings are constructed, they may be joined by a single- or two-story, enclosed or un-enclosed structure, setback from the principal building's front facade, and designed to be complementary to the principal building's facades.
   3. *Wide Width Lots*: Lots that are 150 feet wide or greater shall have at least two (2) principal buildings, cumulatively covering at least eighty-five percent (85%) of the lot's width. Two (2) or more principal buildings may be joined by a single- to three-story, enclosed or un-enclosed structure, setback from the principal building's front facade, and designed to be complementary to the principal building's facades.

E. Stepback: Buildings greater than three (3) stories shall be stepped back resulting no more than three (3) stories of facade being on the same vertical plane. Generally, the fourth (4th) and higher stories shall be stepped back; however, the required stepback may occur at the third (3rd) floor if the developer prefers. Required stepbacks shall be a minimum of twelve (12) feet.

5.07 AR-04: Meridian Corridor Architectural Standards

These Architectural Standards (AR) apply to the following district:

MC

A. Public Frontage:
   1. *Require Street Trees*: Street trees shall be required along all street frontage, in or out of the right-of-way, at a rate of one (1) tree for every sixty (60) feet of frontage. Trees shall be planted in tree beds within the sidewalk and be at least sixty-four (64) square feet in area, and be spaced no closer than thirty (30) feet from one another. All required trees shall be from the approved species list for street trees. The required street trees may be fully or partially waived, or be allowed to be planted within thirty (30) feet of the right-of-way by the Planning Administrator if the trees cannot be located properly: due to utility conflicts, to maintain ADA compliance, or similar constraints. Under no circumstance shall the required street trees be reduced by the Planning Administrator by more than twenty-five percent (25%).

B. Side Setback: The following three (3) side setback and side facade options are permitted for principal buildings.
   1. *Option 1, Common Wall*: Any side facade built on the side property line (no setback), intended to be a common wall to a future or existing neighboring principal building shall be exempt from *Section 5.07(C): Facades*, thus being permitted to be a "blank" wall. However, if a neighboring principal building with a common wall does not exist, there shall be a cooperative legal agreement with the neighboring property owner indicating that within three (3) years a principal building will be built on the neighboring property adjoining the common wall. One (1) year extensions may be granted by the Planning Administrator if approval for the neighboring building are forthcoming. Only portions of the side facade that will be "common" to the neighboring lot's principal building shall be exempt from *Section 5.07(C): Facades*. Portions of that side facade that are not intended to share a common wall shall meet the facade standards in *Section 5.07(C): Facades*. Additionally, a letter of agreement between the subject property owner and the City of Carmel shall be drafted and signed indicating that the "blank wall" on the principal building on the subject lot shall be made to be in full compliance with *Section 5.07(B)(2): Zero Lot Line Facade* if two (2) principal buildings fail to be adjoined by common walls.
   2. *Option 2, Zero Lot Line Facade*: A side facade may be constructed on the side property line (no setback) if an agreement is in place between the subject property owner and neighboring property owner, acknowledging that the neighboring property owner supports the zero lot line setback, understands its impact on the neighboring property, and grants the subject lot's owner the right to access to maintain the side facade from the neighboring property in perpetuity. The side facade shall be in full compliance with *Section 5.07(C): Facades*.
   3. *Option 3, Setback from Property Line*: A side facade may be constructed any distance between the minimum and maximum side setback. Under no circumstances shall a side facade be between zero (0) feet and fifteen (15) feet from the side property line due to lack of air circulation and natural daylight. The side facade shall be in full compliance with *Section 5.07(C): Facades*.

C. Facades:
   1. *Primary Facades*: All facades shall be a Primary Facade, meaning be architecturally significant and detailed with ornamentation or other character-building materials. However, any facade built on a property line, intended to be a common wall between two (2) buildings shall be exempt; and a commitment for the future adjacent building shall be provided; with a build-by date, not to exceed three (3) years from commitment.
   2. *Ground Floor Facades*: Ground floors used for retail or commercial uses along a public street shall be designed to look like storefronts with at least sixty-percent (60%) clear glazing. Ground floor facades that are not facing a public street are not required to have distinguished store fronts.
   3. *Upper Floor Facades*: Upper floor facades shall be designed to reflect the character of an office building, regardless of the use. Any building with exceptionally high ceilings (e.g. indoor recreation facility) shall have exterior finished to resemble a proportionate multiple-story office building.
   4. *Corner Architectural Feature*: A corner building shall have a prominent architectural feature on or near the corner of the building closest to the intersection, with a public pedestrian entrance, if two (2) arterial and/or boulevard streets make up that intersection.
   5. *Parking Garage*: Any parking garage associated with an MC District development shall be located in an inconspicuous location on the site and buffered with shade trees, or shall be skinned with an architecturally-designed building facade complementary to adjacent buildings.
   6. *Building Materials*: High quality, durable, architectural building materials shall be used for all aspects of a building's facade. EFIS shall not be permitted within eight (8) feet of ground level.

D. Massing:
   1. *Narrow Width Lots*: Lots that are 100 feet wide or less shall have a single principal building covering at least eighty percent (80%) of the lot's width.
   2. *Moderate Width Lots*: Lots that are greater than 100 feet but less than 300 feet wide shall have one (1) or two (2) principal buildings, cumulatively covering at least seventy-five percent (75%) of the lot's width. If two (2) principal buildings are constructed, they may be joined by a single- or two-story, enclosed or un-enclosed structure, setback from the principal building's front facade, and designed to be complementary to the principal building's facades.
   3. *Wide Width Lots*: Lots that are 300 feet wide or greater shall have at least two (2) principal buildings, cumulatively covering at least seventy-five percent (75%) of the lot's width. Two (2) or more principal buildings may be joined by a single- to two-story, enclosed or un-enclosed structure, setback from the principal building's front facade, and designed to be complementary to the principal building's facades.

E. Stepback:
   1. *Along Arterial or Boulevard Streets or US 31*: Any facade greater than five (5) stories shall be stepped back at or below the sixth story (i.e. the 6th story and higher shall be stepped back).
   2. *Along Collector or Local Streets*: Any facade greater than three (3) stories shall be stepped back at or below the fourth story (i.e. the 4th story and higher shall be stepped back).
   3. *Along Local Streets*: Any facade greater than two (2) stories shall be stepped back at or below the third story (i.e. the 3rd story and higher shall be stepped back).
   4. *Distance of Stepback*: Any required stepback shall be a minimum of twelve (12) feet.

5.08 DI-01: Density and Intensity Standards

These Density and Intensity Standards (DI) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

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 Lot Coverage*: The Maximum Lot Coverage shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
2. *Minimum Ground Floor Area*: The Minimum Ground Floor Area shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
3. *Maximum Density*: The Maximum Density shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
4. *Minimum Living Area per Dwelling*: The Minimum Living Area per Dwelling shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
5. *Maximum Principal Buildings per Lot*: The Maximum Principal Buildings per Lot shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
6. *Minimum Principal Buildings per Lot*: The Minimum Principal Buildings per Lot shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*. In some cases, a principal building is required to be able to locate an accessory structure on a parcel. See *Section 5.02 Residential Accessory Building and Use Standards* for most residential districts and *Section 5.03: Non-Residential Accessory Building and Use Standards* for most commercial district for applicable accessory building standards.

5.09 FW-01: Fence and Wall Standards

These Fence and Wall Standards (FW) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Permit Required: An Improvement Location Permit shall be obtained prior to installation of any new fence, except when the fence or wall will be used for exempted uses on lots or tracts larger than three (3) acres.

B. Fences in Front Yards. The following shall apply to all residentially zoned lots or tracts, except those larger than three (3) acres:

1. *Maximum Height*: Fences located within any required Front Yard shall not exceed forty-two (42) inches in height, except as otherwise noted in *Sections 5.09(B)(4-6)* for fences on corner lots or along certain street classifications.
2. *Fence Type*: Fences located in Front Yards are not intended for privacy. At least twenty five percent (25%) of its area shall be open to allow visibility through the fence. Such open spaces shall be reasonably dispersed throughout the entire area of the fence, except where solid stone or brick walls are permitted. Examples include wrought iron or picket fences.
3. *Front Setback*: Fences and walls may be constructed on the Front Lot Line but shall be set back at least one foot from any sidewalk or multi-use path.
4. *Corner Lots*: The requirements of this section shall apply to yards along both streets, except for replacement fences along local streets. An existing privacy fence which exceeds forty-two (42) inches in height may be replaced as follows:
   a. At its existing height, up to six (6) feet, whichever is less; and
   b. Is located along only one of the local streets at the side or rear of the principal building.
5. *Collector, Arterial, or Boulevard Streets*: In the case of through lots, where the property line behind a residence abuts a Collector, Arterial, or Boulevard street, a fence may exceed forty-two (42) inches in height, up to six (6) feet in height, and shall be exempt from the twenty-five percent (25%) visibility requirement in *Section 5.09(B)(2): Fence Type* if set back at least six (6) feet from the property line, and is accompanied by plantings equivalent to a Bufferyard A.
6. *Keystone Parkway*: Fences along Keystone Parkway may be up to eight (8) feet in height and shall be exempt from the twenty-five percent (25%) visibility requirement in *Section 5.09(B)(2): Fence Type*. The Director may approve up to an additional twenty-four (24) inches in height in cases where the ground adjacent to the fence is lower than the street.
7. *Subdivision Fences and Walls*: No primarily wooden fences, or walls, shall be constructed within any required front yard adjacent to any Collector, Arterial, or Boulevard street (See also *Section 7.11: Residential Entryway Feature*, *Section 7.12: Non-Residential Entryway Feature Standards*, and *Section 7.23: Perimeter Landscaping Standards*).

C. Fences in Side and/or Rear Yards: Residential fences located within any required side or rear yard shall not exceed six (6) feet in height, as measured from the topmost point thereof to the ground adjacent to the fence.

D. Fences in other locations:

1. Residential fences not located within any required yard but within the buildable area shall not exceed nine (9) feet in height.
2. No fence shall be constructed within the twenty-foot (20') mandatory planting strip associated with frontage places and hammerheads.

E. Height Measurement: Fences shall be measured from its topmost point to the ground adjacent to the fence. The height of any fence placed upon an erected earth berm or masonry wall shall be measured from the ground adjacent to said earth berm or wall.

F. Athletic Facilities: Open wire mesh fences surrounding tennis courts or similar athletic facilities may be erected up to a height of sixteen (16) feet, if such fences shall only enclose a regulation court or field area. Wire mesh fences shall be black unless otherwise approved by the Director of Community Services.

G. Institutions, Parks, Schools: Except as provided in *Section 5.09(B): Fences in Front Yards*, fences enclosing an institution, a public park and schools may consist of a black open mesh fence not to exceed a height of ten (10) feet unless otherwise approved by the Director of Community Services.

H. Commercial and Industrial: Fences enclosing commercial and industrial uses shall not exceed six (6) feet in height in a required front yard and shall not exceed ten (10) feet in a required side or rear yard. Unless otherwise approved by the Plan Commission as part of an ADLS, fences in a required front yard shall have at least seventy five percent (75%) of its area open to allow visibility through the fence.

I. Vision Clearance: No fence, wall or other obstruction to vision shall exist in the area designated as the vision clearance area of corner lots.

J. Swimming Pools. In districts where a private swimming pool is permitted as an Accessory Use, the fencing for such pool shall comply with both this *Section 5.09: Fence and Wall Standards* and *Section 5.02(C)(7): Private Swimming Pool or Hot Tub*.

K. Maintenance: It shall be the responsibility of the owners to ensure proper maintenance of fences in accordance with the standards set by this sub-section. This includes the repair, removal and timely replacement of missing, damaged or dilapidated materials.

5.10 FP-01: Floodplain Standards

These Floodplain Standards (FP) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Cross Reference:

1. *Flood Damage Prevention Areas*: See *Carmel City Code, Chapter 10, Article 5: Carmel Flood Damage Prevention Ordinance.*
2. *Storm Water*: See the *Carmel Stormwater Management Ordinance; Chapter 6 and Article 7* in the City's Municipal Code, and *Stormwater Technical Standards Manual.*

5.11 FA-01: Urban Residential Floor Area Standards

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

A. Total Floor Area: The total floor area for a project shall be determined by the below criteria.
   1. *Parking*: No project shall have more dwelling units or square feet of usable space above what is permitted by the total number of parking spaces dedicated to the development. For example, if the developer can only construct or otherwise secure ninety (90) dedicated parking spaces (e.g. on- or off-site, shared parking when permitted) for a residential project, then the total number of dwelling units would be capped at sixty (60).
   2. *Storm Water*: No project shall exceed the maximum post-development discharge of storm water, even if the project is allowed a higher maximum lot coverage. Regional detention, green roofs, and rain gardens may be used for storm water management, if available and approved to allow greater lot coverage.
   3. *Height*: Even though a project may meet the criteria for a five (5) story building, if other regulations limit its total square feet, then the building shall be in compliance with all standards.

5.12 FA-02: Urban District Floor Area Standards

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

A. Total Floor Area: The total floor area for a project shall be determined by the below criteria.
   1. *Parking*: No project shall have more square feet of usable space above what is permitted by the total number of parking spaces dedicated to the development. For example, if the developer can only construct or otherwise secure 100 dedicated parking spaces (e.g. on- or off-site, shared parking when permitted) for an office project, then the total square feet shall not exceed 35,000 square feet (1 parking spaces per 350 square feet of office space).
   2. *Storm Water*: No project shall exceed the maximum post-development discharge of storm water, even if the project is allowed a higher maximum lot coverage. Regional detention, green roofs, and rain gardens may be used for storm water management, if available and approved to allow greater lot coverage.
   3. *Height*: Even though a project may meet the criteria for a six (6) story building, if other regulations limit its total square feet, then the building shall be in compliance with all standards.

5.13 GD-01: Grading and Drainage Standards

The Grading and Drainage Standards (GD) section applies to the following zoning districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Cross Reference: See the *Carmel Stormwater Management Ordinance; Chapter 6 and Article 7* in the City's Municipal Code, and *Stormwater Technical Standards Manual*.

B. Grading, filling, excavating or any change in the grade of any property is permitted, but shall not be detrimental to surrounding properties in appearance or in the diversion of storm water.

C. Any obstruction of the natural flow of drainage in the planning jurisdiction is prohibited.

5.14 HT-01: General Height Standards

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

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Applicability: The maximum height, minimum height, maximum floor and minimum floor standards shall be as indicated on the two-page layout for the subject zoning district in *Article 2: Zoning Districts*.

B. Exceptions: Upon approval by the appropriate authority, chimneys, spires associated with churches, temples or other places of worship, non-mechanical and non-inhabitable architectural features, monuments, flagpoles, water towers, stage towers or scenery lofts may be erected to minimum height appropriate unless prohibited by other laws.

C. Mechanical Equipment: Upon approval by the appropriate authority, essential mechanical or utilitarian roof-top appurtenances shall be screened, and such items and their screening may be erected to a minimum height appropriate unless prohibited by other laws or ordinances. Such appurtenances shall include, but not limited to: cooling towers, elevator bulkheads, conveyors, heating, ventilation, and air conditioning equipment (HVAC), and rooftop stairway access structures.

D. Wireless Support Structures: Upon approval by the appropriate authority, a Wireless Support Structure may include an increase in height to not more than 150 feet.

5.15 HT-02: Urban Residential Height Standards

These Height Standards (HT) apply to the following district:

UR

A. Transitional Limitation: Any UR District project adjacent to any non-urban single-family residential zoning district shall be limited to a two-story building for any portion of the subject building within fifty (50) feet of the shared property line.

B. Additional Stories: Additional stories shall be permitted if any of the below criteria exists or is committed to by the developer. However, the absolute maximum number of stories shall be seven (7) when adjacent to the P1, UR, B2, B6, C1, C2, UC, or MC Districts.

1. *Major Intersection*: One (1) extra story shall be permitted if the subject building is partially or fully within 800 feet of a major intersection, measured from the closest point of the subject building and the center point of the intersection.
2. *Transit Hub*: One (1) extra story shall be permitted if the subject building is partially or fully within 800 feet of a transit hub, measured from the closest point between the transit shelter and subject building.
3. *Green Roof*: Two (2) extra stories shall be permitted if the subject building has a green roof installed over at least sixty percent (60%) of its footprint.

C. Step-backs: Any story above four (4) stories shall be setback from the facade of the lower floors by a minimum of ten (10) feet when the adjacent street right-of-way is less than ninety (90) feet.

5.16 HT-03: Urban Core Height Standards

These Height Standards (HT) apply to the following districts:

A. Transitional Limitation: Any UC District project adjacent to any non-urban single-family residential zoning district shall be limited to a two-story building for any portion of the subject building within forty (40) feet of the shared property line.

B. Additional Stories: Additional stories shall be permitted if any of the below criteria exists or is committed to by the developer. However, the absolute maximum number of stories shall be eight (8).

1. *Major Intersection*: Two (2) extra stories shall be permitted if the subject building is partially or fully within 800 feet of a major intersection, measured from the closest point of the subject building and the center point of the intersection.
2. *Transit Hub*: Two (2) extra stories shall be permitted if the subject building is partially or fully within 800 feet of a transit hub, measured from the closest point between the transit shelter and subject building.
3. *Green Roof*: Two (2) extra stories shall be permitted if the subject building has a green roof installed over at least sixty percent (60%) of its footprint.

C. Step-backs: Any story above four (4) stories shall be setback from the facade of the lower floors by a minimum of ten (10) feet when the street right-of-way is less than ninety (90) feet.

D. Height Limitations when Adjacent to Lower Intensity: Under no circumstances shall a building, or portions thereof, exceed four (4) stories within fifty (50) feet of any property line that abuts any district other than P1, UR, B2, B6, C1, C2, UC and MC.

5.17 HT-04: Meridian Corridor Height Standards

These Height Standards (HT) apply to the following district:

A. Transitional Limitation: Any MC District project adjacent to any non-urban single-family residential zoning district, or established use, shall be limited to a two-story building for all portions of the subject building within 100 feet of the shared property line.

B. Additional Stories: Additional stories shall be permitted if any of the below criteria exists or is committed to by the developer. However, the absolute maximum number of stories shall be eleven (11) when not within 100 feet of a single-family residential area.

1. *Major Intersection*: One (1) extra story shall be permitted if the subject building is partially or fully within 800 feet of a major intersection, measured from the closest point of the subject building and the center point of the intersection.
2. *Transit Hub*: One (1) extra story shall be permitted if the subject building is partially or fully within 800 feet of a transit hub, measured from the closest point between the transit shelter and subject building.
3. *Green Roof*: Two (2) extra stories shall be permitted if the subject building has a green roof installed over at least sixty percent (60%) of its footprint.

5.18 HO-01: Home Occupation Standards

These Home Occupation Standards (HB) apply to the following zoning districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B3 B5 B6 B7 C1 C2 UC MC M3

A. General:
   1. *Floor Area*: Home Occupations shall utilize no more than fifteen percent (15%) of the gross floor area of the dwelling.
   2. *Character*:
      a. The Home Occupation shall not change the character of the Dwelling, Lot, or parcel;
      b. The Dwelling shall not bear any indication from the exterior that it is being utilized in whole or in part for any purpose other than a Dwelling;
      c. The Home Occupation shall not be permitted outside storage or display of materials in connection with the Home Occupation;
      d. The Home Occupation shall be permitted signage per *Section 5.39: Sign Standards*.
   3. *Nuisance*: The Home Occupation shall be conducted wholly within the Dwelling, such that there is no outside noise, vibration, odor, smoke, dust, glare or electrical disturbance.
   4. *Employees*: The Home Occupation shall employ no more than one (1) individual outside of the immediate family.
   5. *Deliveries*: The delivery of any materials for the Home Occupation shall not exceed two (2) trips per day by any vehicle not owned by a family member.
   6. *Equipment*: The Home Occupation shall utilize only mechanical equipment that is customarily used for domestic purposes and is of a size and type that is similar to domestic mechanical equipment or is customarily found in a business office.

B. Excluded Uses:
   1. Antique or gift shop;
   2. Serving of food or beverages;
   3. Animal hospital or commercial kennel;
   4. Automobile repair;
   5. Major appliance repair or services; and
   6. Any processing or manufacturing that produces noxious materials or products.

5.19 LS-01: Commercial Landscaping Standards

These Landscaping Standards (LS) apply to the following zoning districts:

B1 B2 B3 B5 B6 B7 B8 MC I1 M3

A. Purpose and Intent: The purpose of *Section 5.19: Commercial Landscaping Standards* is to protect and enhance the community's environmental, economic and aesthetic quality, thereby contributing to the overall objective of promoting the public's health, safety and general welfare. This section is intended to enhance, preserve and develop Carmel's environment by:
   1. Promoting compatibility between land uses through reducing the visual, sound and lighting impacts of commercial and residential developments;
   2. Managing development impacts by planting trees and landscaping in order to increase the real estate values of properties; and
   3. Creating innovative and environmentally-friendly landscape designs that enhance and define the public and private spaces.
   4. Provide landscaping standards for any development, regardless of district, deemed by the Board of Zoning Appeals to be appropriate.

B. Cross Reference:
   1. *Subdivision's Perimeter Landscaping*: Perimeter landscaping required per the subdivision control regulations in *Section 7.23: Perimeter Landscaping Standards* shall not be regulated by *Section 5.19: Commercial Landscaping Standards*. However, perimeter landscaping is subject to Plan Commission review and approval as part of a plat as indicated in *Section 7.23: Perimeter Landscaping Standards*.
   2. *Manufactured Home Development*: See *Section 5.24: Manufactured Home Standards*.
   3. *Satellite Receiving Antennas*: See *Section 5.40: Satellite Receiving Antennas Standards*.
   4. *Overlay Districts*: Wherever conflict exists between the landscaping required by *Section 5.19: Commercial Landscaping Standards* and an overlay district's regulations in *Article 3: Overlay Districts*, the overlay district's regulations shall govern.
   5. *Board of Zoning Appeals*: The Board of Zoning Appeals may apply these standards to Special Use or Use Variance requests. See *Section 9.09: Special Use* or *Section 9.15: Variance*.

C. Landscape Plan:
   1. A Landscape Plan shall be submitted to the Plan Commission per Development Plan and Architectural Design, Exterior Lighting, Landscaping and Signage process (See *Section 9.03: Development Plan and ADLS*) and the Board of Zoning Appeals per Special Use process (See *Section 9.09: Special Use*) .
   2. The Landscape Plan shall provide, but is not be limited to, Bufferyards, Greenbelts, street trees, foundation plantings, parking lot plantings, and other exterior improvements such as courtyards, plazas, and tree preservation areas.
   3. The Landscape Plan shall be submitted electronically (portable document format (PDF) or equivalent) and also on paper sheets not smaller than eleven (11) by seventeen (17) inches, and not larger than twenty-four (24) by thirty-six (36) inches.
   4. The Landscape Plan shall exhibit a design that is integral and coordinated with other corresponding improvements for the site and which clearly demonstrates the function, location, size and scale of plants in relation to buildings and other site improvements, and to minimize conflicts with commercial signage. (See *City of Carmel's Sign Ordinance Visual Guide* – Available from the Department of Community Services)
   5. The Landscape Plan shall be drawn to scale, including dimensions and distances, and drawn to correspond with all existing and planned buildings and other physical improvements, including overhead and underground utilities.
   6. The Landscape Plan shall identify locations of all current and proposed utilities and service areas, including: ground level mechanical equipment, HVAC compressors, telecommunication equipment, electrical transformers, utility meters, public approaches and any adjoining residential zones.
   7. The Landscape Plan shall include graphic planting details for trees, shrubbery, and ground cover/ornamental grass. (See *City of Carmel's Graphic Planting Details* – Available from the Department of Community Services)
   8. The Landscape Plan shall include a schedule of plants: including a symbol key, botanical name, common name and shall delineate the size, container type, description and quantity of all plant material.
   9. The Landscape Plan shall identify locations of new plant material with keyed symbols.
   10. The Landscape Plan shall identify existing vegetation to remain by botanical name and size.

D. General Provisions:
   1. The dimensions and design of any planting area shall be sufficient to contain the landscaping material planted therein and to provide for proper growth. The planting areas shall contain topsoil which is free of non-soil material, brick and other building and construction material. The following minimum interior dimensions for all planting areas shall be used:
      a. Shade and Evergreen Trees: Fifteen (15) feet long by eight (8) feet wide by three (3) feet in depth
      b. Ornamental Trees: Ten (10) feet long by five (5) feet wide by three (3) feet in depth
      c. Shrubs (only): Five (5) feet long by five (5) feet wide by three (3) feet in depth
   2. When trees are isolated from other lawn and green areas by sidewalks, drives or other impervious surfaces, the Plan Commission or Director of Community Services may require Soil Volume Replacement Technologies be applied to sustain the life of the plant material.
   3. When trees are planted within hardscaped areas, they shall be planted in tree wells with approved drainage systems and Soil Volume Replacement Technologies. When a tree grate is used it shall be capable of expansion and be expanded to accommodate tree growth. The dimensions of the tree well and grate shall be at least six (6) feet by six (6) feet by three (3) feet in depth.
   4. A vegetative cover shall be used for all landscaped areas except for mulched plantings beds containing trees and/or shrubbery and inert stabilization in areas subject to severe runoff or erosion.
   5. *Screening General Areas*: All air conditioning units, utility boxes, pad mounted transformers, HVAC systems, exhaust pipes or stacks, and satellite dishes shall be integrated into the overall building design or screened from the Street Right-of-Way and adjoining residential zones by using walls, fencing, mounding, parapets, penthouse screens, landscaping, camouflage or other approved methods. Access to these areas for maintenance purposes shall be designed into the plan.
   6. *Screening of Outdoor Storage, Refuse and Loading Areas*: All outdoor storage, trash and refuse containers and loading areas shall be screened from all Streets and adjacent residential properties. An opaque screen at least six (6) feet in height comprised of plants, trees, walls or other opaque materials shall be provided.
   7. No plant material or berm shall obstruct the sight distance of motorists entering or leaving the site.
   8. *Irrigation System*: Any irrigation system shall be selected and installed with the following requirements:
      a. Design and Installation: All new irrigation systems shall be designed by a Certified Irrigation Contractor (CIC), Certified Irrigation Designer (CID), Certified Landscape Irrigation Manager (CLIM), Certified Landscape Irrigation Auditor (CLIA) or a Licensed Landscape Architect (PLA). All installations shall be consistent with specifications established in *City of Carmel Ordinance A-69* and *City Code § 9-52*.
      b. System Controllers and Components: All system controllers for newly installed Irrigation systems shall be an EPA WaterSense labeled controller. As additional components of irrigation systems are reviewed and labeled by the EPA WaterSense program, those components shall be used in new irrigation installations. This includes but is not limited to: sprinkler heads of all types including sprays and rotors; micro-drip systems; automatic shutoff devices; and any other irrigation component as it is added to the WaterSense labeled list.
      c. Maintenance: It shall be the responsibility of the owners and their agents to insure proper maintenance of the irrigation system. This should consist of proper directional spray of water so not to water sidewalks, streets or drives. All broken heads should be promptly replaced and the system checked periodically for leaks. Sprinkler head heights should be adjusted or relocated to adapt to plant growth or changes in landscape design.

E. Plant Material: Plant material shall be selected and installed to comply with the following requirements:
   1. Landscape materials selected shall be appropriate to local growing and climate conditions and follow the guidelines set by the *American Standard for Nursery Stock, ANSI Z60.1 (current edition) American Association of Nurserymen, Inc.*
   2. *Recommended and Undesirable Trees*: (See *Appendix D: Recommended Tree List*)
   3. Tr ees and shrubs shall be carefully selected and properly planted and maintained whereas they will not:
      a. Impair pedestrian access to sidewalks and structures;
      b. Cause damage to nearby buildings or adjoining public improvements;
      c. Interfere with above-ground and underground utilities, including access to above-ground and underground utilities;
      d. Conflict with vehicles when parked; and
      e. Restrict or impair sight distance of motorists and bicyclists entering or leaving the site.

4. *Ground Cover Shall be of Live Plant Material*: Bark, stone, gravel, and similar materials may be used in combination with a vegetative cover.
5. *Condition*: All plants shall be of specimen quality, superior form, healthy, vigorous, well branched, densely foliated when in leaf, free of disease and insects eggs or larvae and shall have well-developed root systems. Plants shall be free from damage or conditions that would prevent normal growth.
6. *Diversity*: Tree genus and species selections for a site shall coincide with the following chart. To achieve certain design effects, a greater number of the same tree genus and/or species may be approved by the Director of Community Services. The following chart represents tree genus and species variation for any given site. An appropriate and diverse mix of plant sizes and materials shall be provided for all other plant material.

Number of New Trees	Maximum Percentage of Any One Genus	Maximum Percentage of Any One Species
1-19	50%	50%
20-39	33%	25%
40-59	25%	15%
60 or more	15%	15%

7. *Size of Plant Material*: All plant material shall be installed in accordance to the following size specifications below. All planting material shall be in accordance with the most current publication of the American Standard for Nursery Stock as produced by the American National Standards Institute, Inc.
   a. Street Trees and Shade Trees: All street trees and shade trees at the time of planting shall have a minimum caliper of two and one-half (2.5) inches when measured from six (6) inches above ground level.
   b. Ornamental Trees: All ornamental trees at the time of planting shall have a minimum caliper of one and one-half (1.5) inches when measured from six (6) inches above ground level.
   c. Evergreen Trees: All evergreen trees at the time of planting shall have a minimum height of six (6) feet.
   d. Shrubbery: All deciduous and evergreen shrubs at the time of planting shall have a minimum height of eighteen (18) inches.
   e. Ground Cover/Ornamental Grass: All ground cover/ornamental grass at the time of planting shall have a minimum size of one (1) gallon, unless otherwise noted on the Landscape Plan.

F. Landscape Requirements:
1. *Bufferyard*:
   a. The Bufferyard requirements shall apply to all Special Uses, properties containing multifamily uses, and properties within all Business, Manufacturing and Industrial districts, unless greenbelt standards are specified within an individual zoning district.
   b. Bufferyards shall be located along the front, side and rear lot lines of subject parcel(s) and shall extend the entire length of the front, side and rear lot lines.
   c. Bufferyards shall not be located within any portion of a street right-of-way, private street right-of-way, or county regulated drain easement.
   d. Existing vegetation may be applied toward a Bufferyard when:
      i. The vegetation located upon the subject parcel is of a quality and state of health to achieve buffering;
      ii. The vegetation proposed is to be preserved using accepted best management practices for tree protection during construction. A tree protection detail is required on the Landscape Plan and associated construction documents; (See *City of Carmel's Tree Protection Detail* – Available from the Department of Community Services) and
      iii. Tree preservation area guidelines are submitted with the Landscape Plan to manage and protect these areas. (See *City of Carmel's Tree Preservation Guidelines* – Available from the Department of Community Services)

e. To Determine the Applicable Bufferyard Requirements:
   i. Use the Bufferyard table to identify the land use category of the proposed project use.
   ii. Use the Bufferyard table to identify the land use(s) of the adjoining properties or Street classification adjoining the proposed use by referring to the Transportation Plan.
   iii. Determine the Bufferyard(s) required on each boundary (or segment thereof) of the subject parcel by referring to the Table for Bufferyard.

Bufferyard Table		Proposed Use					
		Single-Family; Duplex	Multiple-Family	Park; Recreation	Institutional	Office; Retail	Warehouse; Industrial
Adjacent Existing Use	Single-Family; Duplex	A	C	B	D	D	D
	Multiple-Family	C	A	A	C	B	C
	Park; Recreation	B	A	A	B	B	B
	Institutional	C	C	B	A	A	B
	Office; Retail	C	B	B	A	A	B
	Warehouse; Industrial	C	C	B	B	B	A
	Collector Street; Boulevard Street	C	B	B	A	A	A
	Arterial Street; Keystone Parkway Interstate; or US State Highway	C	C	C	C*/**	C*/**	C

* Type 'A' Bufferyard shall apply along a Front Yard where buildings are placed with their front door located within eighty-five (85) feet of a Street Right-Of-Way.

** A Bufferyard shall not be required along a Front Yard where buildings are placed with their front door located within twenty (20) feet of a Street Right-Of-Way.

Bufferyard	Minimum Yard Width		Shade or Evergreen Trees	Ornamental Trees	Shrubs*
	Front and Side	Rear			
A	5 feet	10 feet	4	0	10
B	10 feet	20 feet	5	1	10
C	15 feet	25 feet	6	1	15
D	30 feet	30 feet	8**	2	20

* Evergreen trees may substitute in lieu of shrubbery on a 1:3 basis (one evergreen equals three shrubs).

** At least 3 of the required trees shall be evergreen trees.

Bufferyard Design Standards in the table above are stated in terms of minimum width and number of plants required per 100 linear foot increment.

2. *Street Trees*:
   a. Street trees shall be required with all new or re-developed Street Rights-of-way except in places where utility conflicts occur.
   b. Street trees shall be planted, replaced, and maintained within the Street Right-of-Way per the Street Tree Regulations passed by the Common Council pursuant to *Ordinance D-1091* (See *Carmel City Code §2-22)*.
   c. Maximum spacing between street trees shall be fifty (50) feet and a minimum of twenty-five (25) feet.
   d. When a median is established on or adjacent to a street, the following regulations shall apply:
      i. The median shall exist along the center of the thoroughfare and act as a divider between opposing lanes of traffic.
      ii. The minimum base-planting unit for this area shall include: Three (3) shade trees and ten (10) shrubs per 100 linear feet. (See also General Provisions, *Section 5.19(D): General Provisions*, for minimum planting area dimension requirements.)

3. *Foundation Planting*:
   a. Foundation plantings shall be provided for all new commercial buildings except new industrial buildings.
   b. Foundation plantings shall occur within planting beds at least five (5) feet in width, with exceptions for appropriate approach driveways, courtyards, plazas, and pedestrian access to building entrances.
   c. The primary landscaping materials used shall be shrubs, ornamental grasses and ground cover. Plantings shall cover seventy-five percent (75%) of the planting area.
   d. Spacing between shrubbery shall not exceed five (5) foot intervals; except where occupied by an impervious surface.
4. *Parking Lot Planting*:
   a. When an existing parking lot is expanded or improved which increases either the total area of impervious surface or the number of parking spaces by thirty-five percent (35%) or more, the expansion shall be required to comply with this *Section 5.19(F)(4): Parking Lot Planting*.
   b. A minimum of one (1) shade tree and five (5) shrubs shall be planted for every ten (10) parking spaces provided. (See also *Section 5.19(D): General Provisions*, for minimum planting area dimension requirements.)
   c. Parking lot plantings shall be located within parking lots and contained by landscaped islands, medians, traffic delineators, at the end of parking bays, and located within five (5) feet of the perimeter of the parking lot in a manner such that no parking space is located more than sixty-six (66) feet from a shade tree.
   d. Fifty percent (50%) of the required parking lot plantings shall be located within five (5) feet of the perimeter of the parking lot, except when this area is landscaped by perimeter bufferyard requirements per *Section 5.19(F): Landscape Requirements*.

G. Innovative Landscape Design Applications: At least two (2) innovative and environmentally-friendly applications are required and shall be described and shown on the landscape plan. When within Carmel City limits, examples in *Section 5.19(G)(1)(a)* through *Section 5.19(G)(1)(d)* may also count toward stormwater quality BMPs, as defined in *Chapter 700 of the Stormwater Technical Standards Manual* established by *Carmel City Code §6-186*.
1. *Examples of Applications*:
   a. Rain gardens consistent with water quality calculations contained in *Chapter 700 of the Stormwater Technical Standards Manual*.
   b. Bioswales consistent with water quality calculations contained in *Chapter 700 of the Stormwater Technical Standards Manual*.
   c. Pervious surfaces, such as pavers, concrete and asphalt consistent with water quality calculations contained in *Chapter 700 of the Stormwater Technical Standards Manual*.
   d. Green roof system covering at least twenty-five percent (25%) of the roof area
   e. Native trees making up a significant percentage (generally 75%) of the total tree count as determined by the Urban Forester. For purposes of this section, a native tree may be considered a tree species with some form of a cultivar or variety of an Indiana native tree. (See *Appendix D: Recommended Tree List*)
   f. Existing tree protection - Proper tree preservation of at least ten percent (10%) of the Bufferyard or twenty-five (25) inches of trunk diameter (DBH) within the property.
   g. Foundation planting areas that are asymmetrical or curvilinear provided that the required amount of space is landscaped.
   h. Parking Lot Interior Planting areas that are asymmetrical or curvilinear, provided that the required amount of space is landscaped.
   i. Soil Volume Replacement Technologies to provide connectivity of planting beds or to provide each tree with at least 200 square feet of root volume as determined by Urban Forester.
   j. Rubber sidewalks or similar technology within ten (10) feet of any tree or as determined by Urban Forester.

2. *Modification by Zoning Waiver*: The Plan Commission may modify the requirement for landscape setbacks and open space areas. The modification may only be approved when the Plan Commission finds that the project provides:
   a. For outdoor dining activities, special paving, or other examples of exceptional architectural quality in the project's design;
   b. A higher overall quality of landscape design than would normally be expected for a similar development project; and,
   c. A superior landscape maintenance plan.

H. Landscape Installation and Maintenance:
1. *Installation*: All required landscaping approved as part of a Development Plan/ADLS plan shall be installed prior to the issuance of a full Certificate of Occupancy. When it is not possible to install the required landscaping because of weather conditions, the property owner may be issued a temporary Certificate of Occupancy for a period up to six (6) months or until the installation can be completed and the final landscape inspection passed, whichever is less.
2. *Maintenance*: It shall be the responsibility of the owners and their agents to insure proper maintenance of all trees, shrubbery and other landscaping approved as part of the Development Plan/ADLS Plans in accordance with the standards set by this sub-section. This should consist of watering, fertilizing, proper mulching, clearing of debris and weeds, monitoring for pests and disease, mowing, pruning, the removal and timely replacement of dead, hazardous or dying plants, treating for disease or injury, or any other similar act(s) which promotes growth, health, beauty and the life of trees, shrubs, turf and other plants.
   a. Maintenance practices shall follow the guidelines set by the *American National Standard for Tree Care Operations, ANSI A300 (current edition). American National Standards Institute, Inc.*
   b. Injury of Trees: Unless specifically authorized in writing by the Director of Community Services, no Person shall intentionally damage, cut, carve, transplant, remove, or attach any rope, wire, nails, staples, advertising posters, or other contrivance; allow any substance which is harmful to such trees to come in contact with them; or set fire or permit any heat to burn and injure any portion of any such tree.
   c. Topping of Trees: Topping [as defined herein] shall not be considered a maintenance practice and is subject to tree removal and replacement, as determined by the Urban Forester. Topping is defined as the severe cutting back of limbs internodally to stubs within the tree's crown to such a degree as to remove the natural canopy and disfigure the tree. Trees damaged by storms or other natural events, or trees under utility wires or other obstructions where proper pruning practices are impractical, may be exempted from the Unified Development Ordinance at the determination of the Director of Community Services.
   d. Shrubbery will be allowed to grow to a natural height of at least three (3) feet without hedging or significant pruning. Minor pruning of dead, dying, crossing or individual elongated limbs for shaping will be allowed.
   e. Irrigation systems shall not be installed in the city owned Right-of-Way without approval by the Board of Public Works. The City does not assume responsibility for any damage incurred to an unpermitted irrigation system that is caused by work being performed in these areas.
3. *Changes After Approval*: No landscaping which has been approved by the Plan Commission may later be substantially altered, eliminated or sacrificed without first obtaining further Plan Commission approval pursuant to ADLS review in *Article 9: Processes* and in accordance with the Plan Commission's Rules of Procedure. However, Minor and Material Alterations in landscaping may be approved by the Director of Community Services in order to conform to specific site conditions, only when the alteration results in an improvement to the previously approved plan. A letter requesting approval of changes shall state the following:
   a. Letter shall be on company letterhead – preferably owner's
   b. Name of the project, Plan Commission or Board of Zoning Appeals docket number and building permit number
   c. Count of plant material that will be substituted and the count of plant material that will be installed
   d. Species of plant material that will be substituted and the species of plant material that will be installed
   e. Location of substitutions or an attached revised Landscape Plan
   f. Quantity of plant material shall be equal or greater
   g. Quality of plant material shall be equal or better
4. *Inspection*: The Director of Community Services shall have the authority to visit any development to inspect the landscaping and check it against the approved plan on file.

5.20 LS-02: Bufferyard Standards

These Landscaping Standards (LS) section apply to the following districts:

R4 R5

A. The Bufferyard requirements shall apply to all properties containing multiple-family uses. For all other properties, See *Section 5.19(F)(1): Bufferyard*.

B. Bufferyards shall be located along the front, side and rear lot lines of a lot/parcel and shall extend the entire length of the front, side and rear lot lines.

C. Bufferyards shall not be located within any portion of a Street Right-of-Way, Private Street Right-of-Way, or county regulated drain easement.

D. Existing vegetation may be applied toward a Bufferyard when:
   1. The vegetation located upon the subject parcel is of a quality and state of health to achieve buffering;
   2. The vegetation proposed is to be preserved using accepted best management practices for tree protection during construction. A tree protection detail is required on the Landscape Plan and associated construction documents; (See City of Carmel's Tree Protection Detail – Available from the Department of Community Services) and
   3. Tree preservation area guidelines are submitted with the Landscape Plan to manage and protect these areas. (See City of Carmel's Tree Preservation Guidelines – Available from the Department of Community Services)

E. To determine the applicable Bufferyard requirements:
   1. Use the Bufferyard table to identify the land use category of the proposed project use.
   2. Use the Bufferyard table to identify the land use(s) of the adjoining properties or Street classification adjoining the proposed use by referring to the Transportation Plan.
   3. Determine the Bufferyard(s) required on each boundary (or segment thereof) of the subject parcel by referring to the Table for Bufferyard.

Bufferyard Table

		Proposed Use		
		Single-Family; Duplex	Multiple-Family	Park; Recreation
Adjacent Existing Use	Single-Family; Duplex	A	C	B
	Multiple-Family	C	A	A
	Park; Recreation	B	A	A
	Institutional	C	C	B
	Office; Retail	C	B	B
	Warehouse; Industry	C	C	B
	Collector Street; Boulevard Street	C	B	B
	Arterial Street; Keystone Parkway Interstate; or US State Highway	C	C	C

Number of Plants Per 100 Feet

Bufferyard	Minimum Yard Width		Shade or Evergreen Trees	Ornamental Trees	Shrubs*
	Front and Side	Rear			
A	5'	10'	4	0	0
B	10'	20'	5	1	10
C	15'	25'	6	1	15

* Evergreen trees may substitute in lieu of shrubbery on a 1:3 basis (one evergreen equals three shrubs)
** Stated in terms of minimum width
*** Stated in terms of number of plants required per 100 linear foot increment

5.21 LS-03: C1 and C2 Landscaping Standards

These Landscaping Standards (LS) section apply to the following district:

C1 C2

A. Landscape Design: Landscaping shall be designed in accordance with the adopted landscaping style and species palette established by the City of Carmel Redevelopment Commission.

B. Street Trees: Shade trees shall be planted along all streets within the rights-of-ways, parallel to the street. Species, size, and installation shall be per the standards of the City of Carmel.

C. Bufferyards (C2 District Only):
   1. Bufferyards shall be required along any side and/or rear lot line abutting a side or rear lot line of detached single family residences and shall extend the entire length of the lot line.
   2. The minimum Bufferyard width shall be equal to the building height of the nearest building to each side or rear lot line, not to exceed thirty-five (35) feet.
   3. The minimum planting standard shall be Bufferyard C as set forth in the Bufferyard Table prescribed in *Section 5.19(F)(1): Bufferyards*.

D. Landscaping Installation and Maintenance:
   1. *Installation*: All required landscaping pursuant to the ADLS approval shall be installed prior to the issuance of a Certificate of Occupancy by the Department Administrator. If it is not possible to install the required landscaping because of weather conditions, the property owner shall post a bond for an amount equal to the total cost of the required landscaping prior to the issuance of the Final Certificate of Occupancy.
   2. *Maintenance*: It shall be the responsibility of the owners and their agents to insure proper maintenance of the landscaping, in accordance with the standards set forth in the Development Plan. This is to include, but is not limited to, replacing dead plantings with identical varieties or a suitable substitute, and keeping the area free of refuse and debris.

5.22 LO-01: General Lot Standards

This Lot Standards (LO) section applies to the following zoning districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. No Building shall be erected, reconstructed or structurally altered in any manner which will encroach upon, or reduce in any manner the Yards, Lot Area per Dwelling Unit, Ground Floor Area of residential Building, or Lot Coverage regulations, established and specified for the Use and the District in which such Building is located prior to having had the appropriate Development Standards Variance(s) approved by the Board of Zoning Appeals.

B. Where a lot of record has less area than herein required in the district in which it is located, and was of record on December 21, 1957, and the owner of such lot does not own any other parcel or tract adjacent thereto, said lot may nevertheless be used for a dwelling or for any non-dwelling use permitted in the district in which it is located.

C. In no circumstances, other than on a lot of record, shall the minimum lot width and lot size be less than that provided by the Unified Development Ordinance; however, the State Board of Health or the Hamilton County Board of Health may prescribe an increase in those minimums in accordance with their regulations.

D. Double frontage lots should not be platted except along arterial or boulevard streets where lots may face on an interior street and back up to such thoroughfares. In that event, a planting strip easement, at least twenty (20) feet in width, shall be provided along the back of the lot.

5.23 LO-02: Urban Lot Standards

This Lot Standards (LO) section applies to the following zoning districts:

UR C1 C2 UC MC

A. Lot Coverage: The lot standards on urban lots allow very intense use of the property. However, under no circumstances shall the high lot coverage allowances suggest that storm water detention and storm water quality requirements and standards no longer apply. Rather, it is the expectation of the City that non-traditional, or a combination of traditional and non-traditional storm water practices be utilized to meet Carmel Engineering Standards. Therefore, the City Engineer will accept proposals for meeting all storm water requirements, including vaults, rain gardens, green roofs, and off-site compensatory storage. However, the City Engineer reserves the right to limit options to those with proven performance.

5.24 MH-01: Manufactured Home Standards

These Manufactured Home Standards (MH) apply to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5

A. Applicability: Manufactured homes, as identified in this Section, shall be permitted in any area zoned for single-family or two-family dwellings; however, in any subdivision which is not specifically platted for manufactured homes, the number of manufactured homes located in said subdivision shall not exceed ten percent (10%) of the total number of platted lots.

B. General Requirements: Manufactured homes shall meet the following requirements and limitations:
   1. Manufactured homes shall be required to meet the minimum square footage requirements provided for in any area zoned for single-family and two-family homes.
   2. The homes shall meet all requirements applicable to single-family or two-family dwellings and shall be subject to all necessary improvement location, building and occupancy permits.
   3. The homes shall be larger than 950 square feet of occupied space, or meet the standards as required by the appropriate zoning district, whichever is greater.
   4. The homes shall be permanently attached to a solid foundation extending down below the frost line a minimum of thirty-two (32) inches or on basement walls. The space between the floor joists of the home and the excavated area under floor grade shall be completely enclosed with permanent perimeter foundation or basement walls, except for required openings.
   5. The homes shall be covered with an exterior material of one or more of the following types which shall extend over the top of the foundation:
      a. Horizontal aluminum or vinyl lap siding;
      b. Cedar or wood siding;
      c. Weather resistant grain pressboard;
      d. Stucco, block or stone; or
      e. Other materials approved by the Director of Community Services.
   6. The homes shall have a roof composed of a material customarily used on site built residential dwellings, such as asbestos, fiberglass, shake, asphalt or tile, which shall be installed onto a surface appropriately pitched for the materials used.

C. Placement with Permit: Manufactured homes not meeting the terms of this subsection shall be permitted only after receiving a variance approved by the Board of Zoning Appeals or be located in an approved Mobile Home Park.

D. Structural Alteration: Any structural alteration or modification of a manufactured home after it is placed on the site shall be in full compliance with the Carmel Unified Development Ordinance and approved by the Director of Community Services prior to a building permit being issued.

5.25 OD-01: Outdoor Display Standards

This Outdoor Display Standards (OD) section applies to the following zoning districts:

B1 B2 B3 B5 I1

A. Limitations: As an Accessory Use to the Primary Use on the same lot or tract of land, a person conducting an established business in a principal building shall be permitted to display goods or merchandise.

B. Standards: Outdoor displays shall conform with the following requirements:

1. Outdoor displays shall not exceed twelve (12) consecutive hours and shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*.
2. Areas designated for an Outdoor Display shall not exceed ten percent (10%) of the total floor area of the structure occupied by the primary use to which such outdoor display is accessory, or 1,000 square feet, whichever is less.
3. Outdoor Displays shall not be located within nor encroach upon:
   a. Any public right-of-way;
   b. Any minimum required setback yard, unless otherwise approved by the Plan Commission;
   c. Any drainage easement;
   d. A fire lane;
   e. A maneuvering aisle;
   f. A parking area.
4. Where located adjacent to a building and a parking lot, an unoccupied area of not less than five (5) feet in width shall be provided for pedestrian access between any Outdoor Display and vehicle overhang areas of any adjacent parking lot.
5. Signs associated with Outdoor Displays shall be prohibited.
6. *Architectural Design, Exterior Lighting, Landscaping and Signage*: To ensure the compatibility of the proposed use with adjoining areas, the Plan Commission shall review the ADLS application of any proposed Outdoor Display. The application shall include the types of merchandise and/or finished products, location, landscaping and other improvement of the display area. Once approved by the Plan Commission, the ADLS shall not be materially or substantially changed or altered without the prior approval of the Plan Commission. Plan Commission approval is required prior to the issuance of an Improvement Location Permit.

5.26 OS-01: Outdoor Storage Standards

This Outdoor Storage Standards (OS) section applies to the following zoning districts:

B1 I1

A. Outdoor Storage shall be permitted only as an Accessory Use to the Primary Use on the same lot or tract of land.
B. Outdoor Storage shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*.
C. Outdoor Storage areas shall not encroach into any minimum required setback yard or into any drainage easement.
D. All Outdoor Storage shall provide a solid, opaque wall or fence of not less than six (6) feet in height measured at the highest finished grade to screen the view from any adjacent residentially zoned property or public right-of-way.
E. A chain link fence or a variation of a chain link fence combination shall not constitute an acceptable screening device to satisfy the requirements of *Section 5.26: Outdoor Storage Standards*.
F. Materials stored behind any screening wall or fence shall be stacked no higher than one (1) foot below the top of the fence or wall. Vehicles, trailers, mobile machinery or equipment shall be permitted to exceed the height of such screening wall or fence, provided, however, that no vehicle, trailer, mobile machinery or equipment shall be used for, nor constitute, permanent storage.

5.27 OS-02: Commercial Vehicle Standards

This Outdoor Storage Standards (OS) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5 UR

A. Commercial Vehicle Storage: Commercial vehicles or trailers shall not be parked, stored, maintained or kept on any residentially used or zoned lot unless the vehicle has a maximum load capacity of three-quarters (¾) of a ton or less; and
   1. Serves as the sole vehicular transportation of a resident of the property upon which it is parked, stored, maintained or kept; or
   2. Such vehicle is within a garage or carport which complies with all the standards and regulations of the Unified Development Ordinance.
B. Exemptions: Commercial Vehicles that are in the course of making normal and reasonable service calls are exempt from the above *Section 5.27(A): Commercial Vehicle Storage*.

5.28 PK-01: General Parking Standards

These Parking Standards (PK) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 UC MC I1 M3

A. Every Principal Building hereafter erected shall provide Parking Space for Motor Vehicles as specified hereinafter for the Use to which such Principal Building is to be devoted.

B. Additional Parking and Loading Regulations:

1. The required number of parking spaces for any use permitted in a district is set forth in *Section 5.30: Amount of Parking Spaces Standards*. The following regulations establish requirements for computing spaces, the location of spaces and minimum improvements.
2. Exemption: *Section 5.30: Amount of Parking Spaces Standards* does not apply to UR, UC and MC Districts except as described in *Section 5.31: Urban Residential Parking Standards*, *Section 5.32: Urban Core Parking Standards* and *Section 5.33: Meridian Corridor Parking Standards*.

C. Computation of Number of Required Spaces: In computing the number of required off-street and/or on-street parking spaces, the following rules shall apply:

1. Floor area shall mean the gross floor area of the specific use, excluding any floor or portion thereof used for parking, as herein defined.
2. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
3. The parking space requirements for a use not specifically listed in the chart shall be the same as for a listed use of similar characteristics of parking demand generation.
4. On-street parking spaces may be substituted at a rate of two on-street spaces per three required off-street spaces provided that the total number of parking spaces is not reduced by more than ten percent (10%).
5. Whenever a building or use is reconstructed or is enlarged to the extent of twenty percent (20%) or more in gross floor area, said building or use in its entirety shall then and thereafter comply with the parking requirements set forth herein. Any enlargement or change in use of less than twenty percent (20%) of the gross floor area shall be provided with additional parking based on the requirement for the enlargement or change.

D. Location of Required Parking Spaces: All parking spaces required herein shall be located as follows:

1. Off-street parking spaces may be located on an area within 300 feet of said building and two or more owners of buildings may join together in providing the required parking spaces. Where the required parking spaces are not located on the same lot with the building or use served, the usage of the lot or tract upon which said parking spaces are provided shall be restricted by an instrument of record describing the premises for which said parking is provided and assuring the retention of such parking so long as required by *Section 5.28: General Parking Standards*.
2. Parking spaces in any Business, Industrial or Manufacturing District shall not be located closer than five (5) feet to any lot or parcel located in a residential district or used for residential purposes.
3. Parking spaces may be located on any part of a lot, unless otherwise specified herein. Parking spaces shall not be located in any required greenbelt or lawn area.
4. On-street parking spaces which are counted toward total requirement shall be located in the right-of-way immediately adjacent to the lot.

E. Parking Facilities:

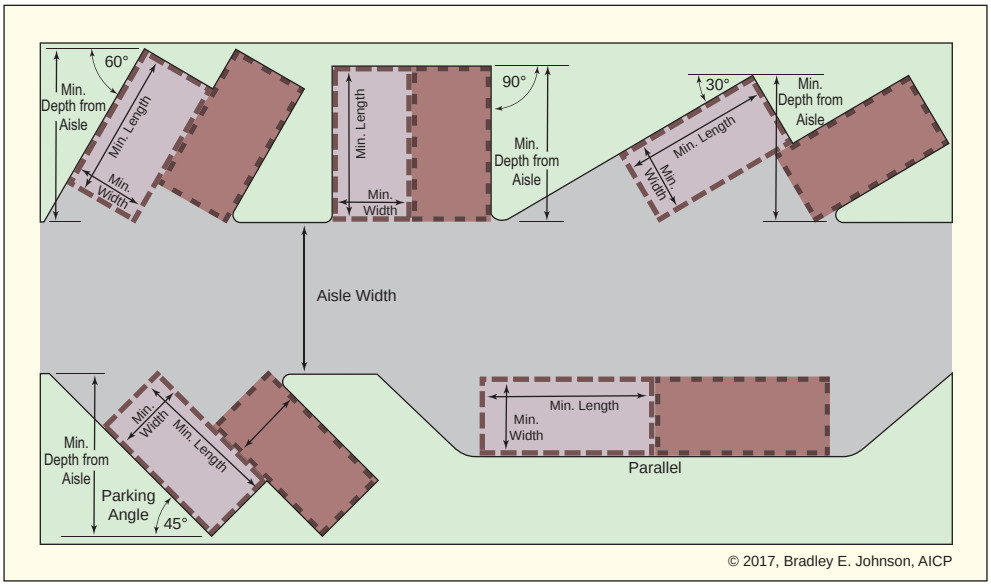
1. All parking lots shall be paved with hot mix asphalt or concrete installed in accordance with the current standards of the City of Carmel. A waiver from the requirement for hot mix asphalt or concrete surfaces shall be considered if hot mix asphalt or concrete porous pavement is proposed as an on-site stormwater quality best management practice or as a component of the detention facility. Dimensions of parking spaces for on-street parking facilities, off-street parking facilities, including parking garages or other structures, shall be in accordance with *Section 5.29(G): Parking Dimension Design*.
2. The perimeter of all parking lots, and any islands located therein, shall be curbed with Combined Curb and Gutter Type II, Combined Curb and Gutter Type III or Straight Concrete Curb meeting the current standards of the City of Carmel. A waiver from the requirement for perimeter or island curbing shall be considered if the proposed on-site storm water quality best management practices require that curbing, or portions thereof, not be installed. A stormwater collection, conveyance, detention and treatment system, designed in accordance with applicable City Standards, Policies and Ordinances, shall be installed for all parking lots. Traffic control within all parking lots shall be by means of curbed islands. Pavement markings and traffic control devices shall conform to the requirements of the Indiana Manual of Uniform Traffic Control Devices, latest revision.
3. A shelter for the use of a parking lot attendant may be maintained on the lot.
4. Parking spaces that are perpendicular to a pedestrian sidewalk or path shall have wheel stops that prevent the bumper of cars from projecting over the surface of the pedestrian facility. Alternatively, the pedestrian sidewalk or path can be a minimum of ten (10) feet wide, such that car projection would maintain a minimum of eight (8) feet of clearance for pedestrians.

F. Additional Off-Street Loading Requirements: In all cases where the off-street loading space is located in a manner that a truck has to back directly from a major street into a loading space, a maneuvering space of not less than fifty (50) feet in depth shall be provided on the lot on which the commercial, industrial or manufacturing use is located.

G. Parking Dimension Design:

Required Parking Dimensions Table

Angle	Minimum Space Width	Minimum Space Length	Minimum One Way Aisle Width	Minimum Two Way Aisle Width	Minimum Depth from Aisle
Parallel	9′	23′	12′	20′	Not Applicable
30°	9′	18′	12′	20′	15′
45°	9′	18′	15′	22′	16′
60°	9′	18′	18′	24′	17
90°	9′	18′	20′	25′	18′



5.29 PK-02: Bicycle Parking Standards

These Parking Standards (PK) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Bicycle Parking: It is the purpose of *Section 5.29: Bicycle Parking Standards* to ensure adequate and safe facilities for the storage of bicycles for all projects.

1. The bicycle parking requirements and recommendations in this Section shall apply to new Development or Improvement requiring Plan Commission or Board of Zoning Appeals approval.
2. The number of bicycle parking spaces shall be required and encouraged as follows:

Use Category	Short-term (Required)	Long-term (Encouraged, Unless Otherwise Noted: See also Section 5.29(C): Long-term Bicycle Parking)
Dwelling, Single Family or Two-Family	No requirement	No requirement
Dwelling, Attached or Multiple Family	0.1 spaces for each bedroom, minimum of 4 spaces	No requirement for units with private garages, 0.5 spaces for each bedroom for units without garages, minimum of 2 spaces
CCRC or Senior Housing	0.1 spaces for each unit, minimum of 4 spaces	No requirement for Memory Care or Skilled Nursing Units, 0.5 spaces for each assisted living and independent living unit, minimum of 2 spaces
Restaurants, Grocery Stores	1 space for each 2,000 sq ft, minimum of 4 spaces	1 space for each 12,000 sq ft of floor area, minimum of 2 spaces
General Retail	2 spaces for each 5,000 sq ft, minimum of 4 spaces	1 space for each 12,000 sq ft of floor area, minimum of 2 spaces
Office	1 space for each 10,000 sq ft, minimum of 4 spaces	2 spaces for each 10,000 sq ft, minimum of 2 spaces
Hotel	1 space per 30 guest rooms, minimum of 4 spaces	Required: 1 space per 15 guest rooms, minimum of 4 spaces
Assembly (church, theaters, stadiums, parks, etc.)	spaces for 2% of maximum capacity, minimum of 4 spaces	1.5 spaces for each 20 employees, minimum of 2 spaces
Auto sales, rental, and delivery, automotive serving, repair and cleaning	1 space for each 20,000 sq ft, minimum of 2 spaces	1 space for each 10,000 sq ft, minimum of 2 spaces
Commercial parking lots	1 per 10 auto spaces, minimum of 6 spaces	1 space per 20 automobile spaces, minimum of 2 spaces
Commercial parking garages	1 per 10 auto spaces, minimum of 6 spaces	1 space per 20 automobile spaces, minimum of 2 spaces
	In addition to public bicycle parking commercial parking garages shall also include water fountain(s), bicycle maintenance equipment such as a bike maintenance stand with bike tools, a tire pump, and other equipment. The location and design shall be reviewed and approved by the Transportation Systems Coordinator.	
School, kindergarten and elementary (1 - 5)	1 space for each 20 students of planned capacity, minimum of 4 spaces	1 per 10 employees, minimum of 2 spaces
School, grades 6 - 12	1 space for each 20 students of planned capacity, minimum of 4 spaces	1 per 10 employees and 1 space for each 20 students planned capacity, minimum of 2 spaces
Colleges and Universities	1 space for each 10 students of planned capacity, minimum of 4 spaces	1 spaces for each 10 employees plus 1 space for each 10 students of planned capacity, or 1 space per 20,000 sq ft, whichever is greater
Healthcare/hospital	1 space for each 20,000 sq ft, minimum of 4 spaces	1 space for each 20 employees or 1 space for each 70,000 sq ft, whichever is greater, minimum of 2 spaces
Day Care or Day Nursery	1 space for each 20 students of planned capacity, minimum of 4 spaces	1 for each 20 employees, minimum of 2 spaces

B. Short-term Bicycle Parking: The location and design of short-term bicycle parking spaces shall be provided as follows:
   1. The bike rack shall be an inverted U-type or an A-type structure unless otherwise approved by the Transportation Systems Coordinator. Racks to accommodate smaller bicycles may be considered for schools. (*Diagram 1: Bicycle Rack Type*)
   2. Racks requiring a user supplied locking device shall be designed to accommodate both a chain and U-type locking device and shall have the capability to support the bicycle at two locations.
   3. All bicycle parking racks shall be coated with a black Thermoplastic powder coating, unless otherwise approved by the Transportation Systems Coordinator.
   4. All racks shall be securely anchored to the ground to prevent the racks from unauthorized removal.
   5. The bicycle parking areas shall have adequate separation from motor vehicle parking areas to minimize safety risk to riders; as well as to protect parked bicycles and motor vehicles from damage. The separation can come from curbs, grade differences, landscaping, poles, physical barriers or other similar features.
   6. The bicycle parking areas shall be installed on a concrete surface that allows the bike rack to be securely fastened to the ground unless otherwise approved by the Transportation Systems Coordinator.
   7. Bicycle parking spaces shall be a minimum of two feet by six feet (2' X 6') feet per bicycle. (*Diagram 2: Bicycle Parking Location and Design - side view* and *Diagram 3: Bicycle Parking Location and Design - top view*)
   8. Bicycle racks shall be installed a minimum of twenty-four inches (24") from all walls or obstructions. (*Diagram 2: Bicycle Parking Location and Design - side view* and *Diagram 3: Bicycle Parking Location and Design - top view*)
   9. Bicycle racks mounted in a row should be placed on thirty-inch (30") centers. (*Diagram 2: Bicycle Parking Location and Design - side view* and *Diagram 3: Bicycle Parking Location and Design - top view*).
   10. Bicycle racks shall allow a minimum of five feet (5') of clearance behind a parked bicycle to allow for room to maneuver. (*Diagram 3: Bicycle Parking Location and Design - top view*)
   11. The bicycle rack shall be placed within fifty (50) feet of the entrance designated as the main entrance of the building for which the racks are required. Buildings with multiple main entrances or separate tenant entrances may disperse bicycle racks for rider convenience and functionality at multiple entrances. The bicycle parking areas should be located in a clearly safe and convenient location as to not discourage their use, and located to minimize conflicts between cyclists, vehicles and pedestrians.
   12. Bicycle parking areas shall be easily accessible from all trails, sidewalks and other alternative transportation facilities. Access to bicycle racks from these facilities shall be direct and clearly designated.
   13. Bicycle parking can be shared by two (2) venues in the case that all of the venues' entrances are within fifty (50) feet of another.
   14. Bicycle racks shall be placed so as to not impede the flow of pedestrian traffic, leaving a minimum pedestrian clear path of five (5) feet but still possess the ability to be visually monitored.
   15. Bicycle parking areas shall be placed in a location that is visible from the building entrance and with proper lighting to ensure security.

C. Long-term Bicycle Parking: The location and design of long-term bicycle parking spaces are encouraged to be provided as follows:
   1. The parking areas shall provide protection for each bicycle from theft, vandalism and weather, in lit, covered and permanently anchored locations. Long-term bicycle parking may consist of a locker, locked enclosure or locked room, and may be located within or external to a building, unless otherwise approved by the Transportation Systems Coordinator.
   2. The location of the long-term bicycle parking areas shall be reviewed and approved by the Transportation Systems Coordinator.
      a. Buildings with multiple main entrances or separate tenant entrances may disperse bicycle parking for rider convenience and functionality at multiple locations. The bicycle parking area(s) should be located in a safe and convenient location as to not discourage their use, and located to minimize conflicts between cyclists, vehicles and pedestrians.
      b. External bicycle parking areas shall be easily accessible from all trails, multi-use paths and other bicycle facilities. Access to bicycle parking from these facilities shall be direct and clearly designated.
      c. External bicycle parking areas shall be placed in a location that is visible from the building entrance and with proper lighting to ensure security.
   3. *Parking Space Reduction*: Buildings in compliance with the Long-term Bicycle Parking standards in *Section 5.29(A)(2)* and *Section 5.29(C)(2)* may reduce the number of automobile parking spaces required in *Section 5.30: Amount of Parking Spaces Standards* by up to five percent (5%).

D. Employee Facilities: Employee shower facilities and locker areas are encouraged as an end of ride facility to bolster bicycle commuting in the community.

Diagram 1: Bicycle Rack Type

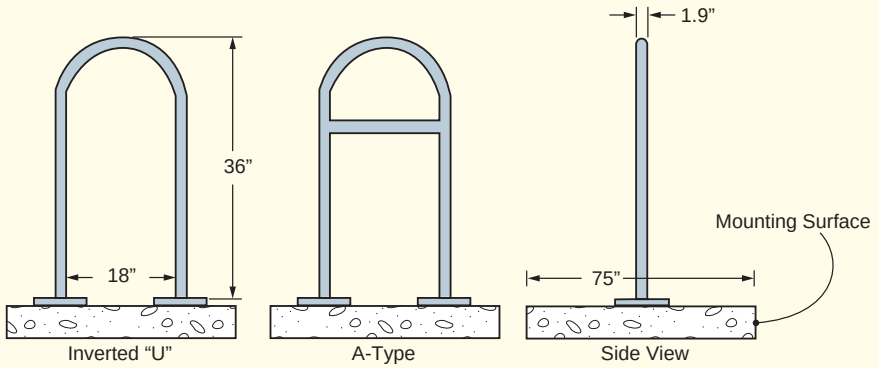


Diagram 2: Bicycle Parking Location and Design (side view)

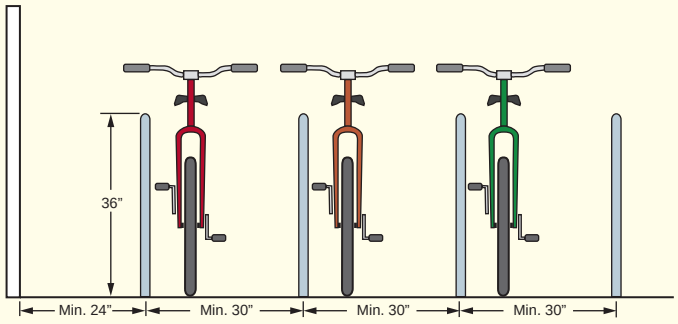
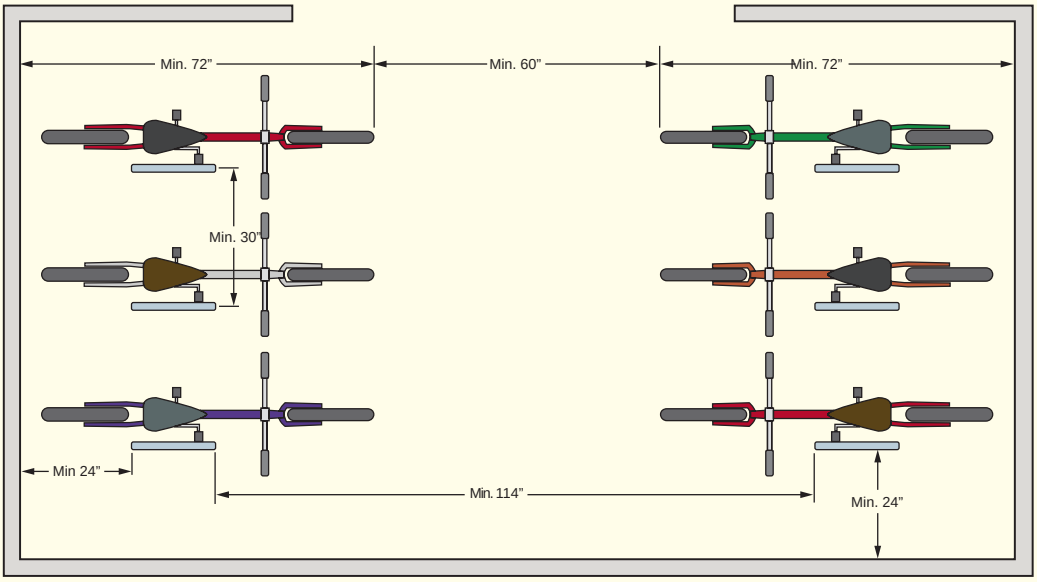


Diagram 3: Bicycle Parking Location and Design (top view).



5.30 PK-03: Amount of Parking Spaces Standards

These Parking Standards (PK) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 B1 B2 B3 B5 B6 B7 B8 I1 M3

Minimum Parking Spaces Required

Use	Parking Requirements
Art gallery	One space per 300 sq. ft. of floor area
Art and music center	One space per 300 sq. ft. of floor area
Automobile service station	One space per pump plus one space per service bay
Automobile or truck repair	Two spaces per service bay
Boarding or lodging house	One space per bed
Bowling Alley	Five spaces per lane
Bus/Transit Stop or railroad passenger train	One space per employee plus one space per seat in waiting area
Carnival, fair, or circus	Fifty spaces per acre
Catering establishment	One space per 200 sq. ft. of floor area
Church, temple or other place of worship	One space per 4 seats in the main place of assembly
Clinic or medical health center	One space per 250 sq. ft. of floor area
College or University	One space per 4 students, based on maximum capacity
Commercial greenhouse	One space per 1,000 sq. ft. of floor area
Commercial Kennel	Four spaces
Commercial parking lot	One additional space per employee
Commercial Recreational Facility, Park, or Community Center	One space per 200 sq. ft. of interior area plus one space per 5,000 sq. ft. of outdoor area
Commercial Sewage, Trash, Garbage Disposal or Recycling Plant	One space per employee
Conference/Civic Center	One space for the largest shift of employees plus 1 space per 150 sq. ft. of floor area.
Continuing Care Retirement Community (CCRC)	One space per independent living unit plus 0.5 spaces per assisted living unit plus 0.3 spaces per long term care/memory support unit plus one space per employee of the largest shift
Country Club	One space per 200 sq. ft. of floor area
Day Nursery/Day Care	One space per employee plus one space per six students
Dry cleaning	One space per 300 sq. ft. of floor area
Dwelling, Attached	Two spaces per dwelling unit (excluding private garage) plus one space per 7 dwellings
Dwelling, Multiple Family	Two spaces per dwelling unit plus one space per 7 dwellings
Dwelling, Single Family	Two spaces per dwelling unit (excluding private garage)
Dwelling, Two Family	Two spaces per dwelling unit (excluding private garage)
Equipment Sales/Repair (Indoor)	One space per 300 sq. ft. of floor area
Funeral Home/mortuary/crematory	One space per 50 sq. ft. of public floor area
General Agriculture (Farm)	none
Golf Course	Six spaces per hole
Grain elevator	One space per 300 sq. ft. of floor area plus one space per elevator
Helicopter or Airplane Landing/Service Facility	One space per employee plus adequate additional spaces related to terminal use as approved by the Board
Home occupation	One additional space per 200 sq. ft. of dwelling devoted to home occupation
Hospital	One space per bed plus one space per employee

Use	Parking Requirements
Hotel, motel	One space per room or suite
Indoor theater	One space per two seats
Industrial establishments, light or heavy	Two spaces per three employees or one space per 300 sq. ft. of floor area, which ever is greater, plus sufficient space to accommodate all trucks or other vehicles used in connection therewith
Kindergarten/Pre-School	One space per employee plus one space per six students
Lumber or building materials sales	One space per 300 sq. ft. of interior area plus one space per 500 sq. ft. of exterior area
Manufacturing Facilities	Two spaces per three employees or one space per 500 sq. ft. of floor area, whichever is greater, plus sufficient space to accommodate all trucks or other vehicles used in connection therewith
Mineral extraction, borrow pit, top soil removal and their storage	One space per employee
Mobile home park	Two spaces per mobile home
Nursing, retirement or convalescent facility	One space per bed plus one space per employee
Office, Call Center	One space per 150 sq. ft. of floor area
Office, General	One space per 250 sq. ft. of floor area
Outdoor theater	One space per three seats or maximum capacity of guests
Penal or correctional institution	One space per employee plus one space per five inmates
Plant nursery	One space per 300 sq. ft. of indoor area plus one space per acre
Post Office or postal station	One space per official vehicle plus one space per employee plus one space per 500 sq. ft. of floor area
Power Generating Plant	One space per employee
Printing/Publishing Establishment	One space per 300 sq. ft. of floor area
Private club or lodge	One space per 200 sq. ft. of floor area plus one space per two seats (seating capacity) in main place of assembly
Private Recreational Facility	One space per 200 sq. ft. of interior area plus one space per 5,000 sq. ft. of outdoor area
Private water treatment and/or storage facilities	One space per employee
Professional office	One space per 300 sq. ft. of floor area
Public Service Facility or Governmental Facilities	One space per 250 sq. ft. of floor area or (option) one space per 500 sq. ft. of floor area and one reserved space per 500 sq. ft. of floor area, plus sufficient space to accommodate all trucks or other vehicles used in connection therewith
Radio/television studio	One space per 300 sq. ft. of floor area
Radio or television transmission tower	One space per employee
Recreational Vehicle/Mobile Home/Farm Implement/ Automobile/Boat Sales	One space per 300 sq. ft. of indoor area plus one space per 2,000 sq. ft. of outdoor sales area
Research laboratory	One space per 250 sq. ft. of floor area
Residential Kennel	(no additional requirements)
Restaurant, with Walk-Up/Drive-Thru Food Sales	One space per 80 sq. ft. of floor area
Restaurant, without Drive-Thru Food Sales	One space per every 2.5 patron seats, plus one space per employee per largest shift
Retail Sales/General Service	One space per 200 sq. ft. of floor area
Riding stable	One space per stall
Sanitary Landfill, Junk Yard, Salvage Yard	One space per employee

Use	Parking Requirements
School, elementary or secondary education (accredited by the state)	One space per employee plus two spaces per classroom(elementary) or ten spaces per classroom (secondary)
School, Trade or Business	One space per 2 students, based on maximum capacity
Self-service laundry	One space per 200 sq. ft. of floor area
Shooting gallery	One space per 1000 sq. ft. of floor area
Stadium or coliseum	One space per four seats
Storage, Warehousing, or Distribution	One space per employee
Tavern or night club	One space per 100 sq. ft. of floor area
Veterinary Hospital	One space per 300 sq. ft. of floor area
Wholesale Facility	One space per 300 sq. ft. of floor area
Wholesale sales	One space per employee plus one space per 600 sq. ft. of sales floor area

5.31 PK-04: Urban Residential Parking Standards

These Parking Standards (PK) apply to the following district:

A. Qualifying Parking: The following types of parking shall count toward the minimum required parking spaces.
   1. *On-Site Underground*: Any parking spaces located in a below-ground, on-site parking garage.
   2. *Parking Court*: Any surface parking lot located behind a building or otherwise located in a discrete location. Discrete locations may included surface parking court significantly screened by vegetation.
   3. *Parking Garage*: Any parking garage located behind a building or otherwise located in a discrete location; See *Section 5.05: Urban Residential Architectural Standards* for more regulations.
   4. *On-Street*: Any on-street parking spaces located immediately adjacent to the subject lot; spaces across a street shall not count.
   5. *Off-Site*: Any off-site public or private parking garage or surface lot where a permanent allocation has been acquired, and that is located within 800 feet of the subject building footprint.

B. Disqualified Parking: Any parking space that is allocated to another development shall not count toward the minimum required parking.

C. Minimum Required Parking Spaces:
   1. *Residential Units*: One and five-tenths (1.5) parking spaces is required per dwelling unit.
   2. *Retail and Services*: One (1) parking space per 300 square feet of total square feet.
   3. *Restaurants*: One (1) parking space per two (2) patron seats.
   4. *Office*: One (1) parking space per 300 square feet
   5. *All Other Uses*: As per *Section 5.30: Amount of Parking Spaces Standards*.

D. Reduction of Minimum Required Parking Spaces:
   1. *Transit Hub*: If the development is partially or fully within 800 feet of a transit hub, the minimum required parking spaces shall be reduced by ten percent (10%).

5.32 PK-05: Urban Core Parking Standards

These Parking Standards (PK) apply to the following district:

UC

A. Qualifying Parking: The following types of parking shall count toward the minimum required parking spaces.
   1. *On-Site Underground*: Any parking spaces located in a below-ground, on-site parking garage.
   2. *Parking Court*: Any surface parking lot located behind a building or otherwise located in a discrete location. Discrete locations may included surface parking courts significantly screened by vegetation.
   3. *Parking Garage*: Any parking garage located behind a building or otherwise located in a discrete location; See *Section 5.06: Urban Core Architectural Standards* for more regulations.
   4. *On-Street*: Any on-street parking spaces located immediately adjacent to the subject lot; spaces across a street shall not count.
   5. *Off-Site*: Any off-site public or private parking garage or surface lot where a permanent allocation has been acquired, and that is located within 800 feet of the subject building footprint.

B. Disqualified Parking: Any parking space that is allocated to another development shall not count toward the minimum required parking.

C. Minimum Required Parking Spaces:
   1. *Residential Units*: One and two-tenths (1.2) parking spaces is required per dwelling unit.
   2. *Hotel*: One (1) parking space per unit, plus one (1) per employee on the largest shift.
   3. *Retail and Services*: One (1) parking space per 350 square feet of total square feet.
   4. *Restaurants*: One (1) parking space per three (3) patron seats.
   5. *Office*: One (1) parking space per 350 square feet
   6. *All Other Uses*: As per *Section 5.30: Amount of Parking Spaces Standards*.

D. Reduction of Minimum Required Parking Spaces:
   1. *Transit Hub*: If the development is partially or fully within 800 feet of a transit hub, the minimum required parking spaces shall be reduced by ten percent (10%).

5.33 PK-06: Meridian Corridor Parking Standards

These Parking Standards (PK) apply to the following district:

MC

A. Qualifying Parking: The following types of parking shall count toward the minimum required parking spaces.
   1. *On-Site Underground*: Any parking spaces located in a below-ground, on-site parking garage.
   2. *Parking Court*: Any surface parking lot located behind a building or otherwise located in a discrete location. Discrete locations may included surface parking courts significantly screened by vegetation.
   3. *Parking Garage*: Any parking garage located behind a building or otherwise located in a discrete location; See *Section 5.07:* Meridian Corridor *Architectural Standards* for more regulations.
   4. *On-Street*: Any on-street parking spaces located immediately adjacent to the subject lot; spaces across a street shall not count.
   5. *Off-Site*: Any off-site public or private parking garage or surface lot where a permanent allocation has been acquired, and that is located within 800 feet of the subject building footprint.

B. Disqualified Parking: Any parking space that is allocated to another development shall not count toward the minimum required parking.

C. Minimum Required Parking Spaces:
   1. *Residential Units*: One and four-tenths (1.4) parking spaces is required per dwelling unit.
   2. *Hotel*: One (1) parking space per unit, plus one (1) per employee on the largest shift.
   3. *Retail and Services*: One (1) parking space per 350 square feet of total square feet.
   4. *Restaurants*: One (1) parking space per two (2) patron seats.
   5. *Office*: One (1) parking space per 350 square feet
   6. *All Other Uses*: As per *Section 5.30: Amount of Parking Spaces Standards*.

D. Reduction of Minimum Required Parking Spaces:
   1. *Transit Hub*: If the development is partially or fully within 800 feet of a transit hub, the minimum required parking spaces shall be reduced by ten percent (10%).

5.34 RV-01: Recreational Vehicle Standards

These Recreational Vehicle Standards (RV) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Recreational vehicles shall not be stored any closer to a lot line than three (3) times the maximum height of the recreational vehicle, except when stored inside of a lawfully-erected structure that fully encloses the vehicle and includes a roof. Non-motorized recreational vehicles shall not be stored on a public right-of-way at any time. Motorized recreational vehicles may be stored on a public right-of-way for a period not to exceed ten (10) days per month.

B. At no time shall parked or stored vehicles be occupied or used for habitation as defined herein.

C. The owner of a recreational vehicle shall not park or store such vehicle in such a manner as to create a dangerous or unsafe condition on the property where parked or stored. Parking or storage of the recreational vehicle while not locked or chocked, whether loaded or not, shall be considered a dangerous and unsafe condition.

D. No recreational vehicle shall be connected to gas, electric, water or sanitary sewer service for purposes of habitation, except as cited herein.

E. Non-resident recreational vehicles may be parked in a front yard or driveway, not on the public right-of-way and used for habitation, including temporary connection to any appropriate utilities, for a period not to exceed ten (10) days per month.

5.35 PI-01: Premises Identification Standards

These Premises Identification Standards (PI) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Purpose: It is hereby declared to be the purpose of this article to require Premises Identification for buildings within the City of Carmel and set enforcement provisions for failure to display said identification.

B. Requirements:

1. The assigned premises identification of a building shall be displayed in such a manner so that the numerals can readily be Seen from the street. Identification shall be displayed on the building, on or near the main entrance door, or displayed on a mailbox near the street in such a manner as they identify corresponding building.
2. Any dwelling or commercial building that abuts an alley or secondary access that could be used by motor vehicles shall not only display the premises identification on the front, but shall also display its premises identification visible from the alternate access to the property.
3. When the numerals representing premises identification are removed or become illegible, such numerals shall be renewed or replaced by the owner or occupant of the building.
4. The provisions of *Section 5.35: Premises Identification Standards* requiring premises identification shall apply to all existing residential and commercial structures within Carmel.

5.36 SB-01: General Setback Standards

These Setback Standards (SB) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. General: No Building shall be erected, reconstructed or structurally altered in any manner which will encroach upon, or reduce in any manner the Yards established and specified for the Use and the District in which such Building is located.

B. Front Setback Measurements: All front setbacks shall be measured from the right-of-way.

5.37 SB-02: S1 Yard Standards

These Setback Standards (SB) apply to the following districts:

S1

A. Historic Subdivisions: The Minimum Front Yard of any Lot in a Subdivision approved prior to April 21, 2008, which utilized relaxed Front Yard standards granted for commitments to increased open space shall be as follows:

1. *Dwelling With Attached, Front-Loading Garage*: Twenty (20) feet. Garage shall be set back a minimum of twenty-five (25) feet.
2. *Dwelling With Attached, Side-Loading Garage*: Fifteen (15) feet. Garage shall be set back a minimum of twenty-five (25) feet.
3. *Dwelling With Attached, Rear-Loading; or Detached, Alley-Access Garage*: Ten (10) feet.

5.38 SB-03: Urban Setback Standards

These Setback Standards (SB) apply to the following districts:

UR C1 C2 UC

A. Exceptions to Front Setback: Urban residential and urban commercial minimum setbacks and maximum setback shall apply per the applicable two-page layout in *Article 2: Zoning Districts*, except as provided below.

1. *Allowance for Courtyards or Plaza*: A courtyard or plaza may be located adjacent to the street.
2. *Maximum Setback for Courtyards or Plazas*: The maximum setback for the portion of frontage used for a courtyard or plaza shall be sixty (60) feet or sixty percent (60%) of the lot's depth, whichever is greater.
3. *Maximum Width of a Courtyard or Plaza*: The maximum width of a courtyard or plaza shall be forty percent (40%) of the lot's width measured at the minimum front setback line.
4. *Standards for a Courtyard or Plaza*: A courtyard or plaza shall be partially used for stormwater storage and filtration, landscaping, and be available to the public. A minimum of twenty percent (20%) of the area in a courtyard or plaza shall be used for stormwater storage and/or filtration. The design shall be ADA compliant and allow for public seating. Sculpture, fountain, hardscape, ornamentation, trees, plants and flowers are encouraged, as may be appropriate to the building design, building use, and context.
5. *Limitations*: Private areas shall not be considered a courtyard or plaza.

5.39 SI-01: Sign Standards

These Sign Standards (SI) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Purpose and Intent: Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of *Section 5.39: Sign Standards* is to regulate the size, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens and encouraging economic development. *Section 5.39: Sign Standards* allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. *Section 5.39: Sign Standards* shall be interpreted in a manner consistent with the First Amendment guarantee of free speech.

B. Sign Maintenance:
   1. Every sign, including but not limited to those signs for which permits are required, shall have all parts and surfaces cleaned, painted or replaced as necessary to maintain the original appearance.
   2. A Sign Permit shall not be required for sign maintenance (i.e. the repainting, cleaning and other normal maintenance or repair), nor for change of copy for legal Changeable Copy of a sign or sign structure for which a permit has previously been issued.
   3. However, any Sign Alteration shall require sign permit approval.
   4. Landscaping around Ground Signs shall be maintained so that the sign may be visible at all times and from all visual angles.
   5. A Sign Permit will not be required for a change of copy for legal Changeable Copy or otherwise allowed under *Section 5.39: Sign Standards*.
   6. All signs shall be subject to an inspection by the Planning Administrator.

C. Exempted Signs: The following types of signs are exempted from all provisions of *Section 5.39: Sign Standards*, but shall be established and maintained in such a manner as to not cause safety hazards. Signs which are included as part of a Sign Plan may require approval by the Planning Administrator, however, do not require fees. Otherwise, no procedures, approvals, permits or fees are required for the following signs:
   1. Each property owner shall mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. The size and location of the identifying numeral and letters shall be proportional to the size of the building and the distance from the street to the building.
   2. Integral Signs (3 square feet or less).
   3. Traffic control devices on private or public property shall be erected and maintained to comply with the Manual of Uniform Traffic Control Devices.
   4. Traffic Directional Signs not exceeding three (3) square feet in sign area for any one (1) sign; and not higher than three (3) feet above ground level. Standard traffic directional signs, such as STOP and Yield signs, shall comply with the "Manual for Uniform Traffic Control Devices" which can be found at *www.mutcd.fhwa.dot.gov*.
   5. Government Signs.
   6. Flags
      a. Flag Poles shall meet the minimum yard setback requirements for a Principal Building or a minimum of ten (10) feet, whichever is more restrictive.
      b. Flag Poles mounted onto a building shall not extend above the cornice line of the building.
      c. Standalone Flag Poles shall not exceed 40 feet in height.
   7. Accessory Structures less than five (5) feet in height may display a sign no larger than three (3) square feet in area.
   8. Parking lot row/area identifiers (3 square feet or less).
   9. Umbrella signs (3 square feet or less).

D. Prohibited Signs: The following types of signs are prohibited.

1. Signs which contain obscene statements, words or pictures.
2. Signs which contain or are in imitation of an official traffic sign or signal or contain the words "stop", "slow", "caution", "danger", "warning" or similar words, or are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic or street sign or signal.
3. Off Premise signs.
4. Signs with a Visible Light Source on the exterior of a Building unless they are permitted specifically by other sections of *Section 5.39: Sign Standards*.
5. Signs of the flashing, blinking, animated, or audible type, except those giving public service information placed by the City of Carmel and/or the State of Indiana. The message can change no more than one (1) time per ten (10) seconds.
6. Signs which rotate, swing, inflate or move as a result of wind (natural or man-made), e.g. banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners or similar devices, unless they are permitted specifically by other sections of *Section 5.39: Sign Standards* (See *Section 5.39(R): Temporary Sign; Permitted Banners*).
7. Signs which are located in such a manner as to obstruct the view of the intersection of a street, highway, or trail crossing.
8. Signs which are projected on, located upon, over, or in any street or highway right-of-way, except for official highway and regulatory signs of the City of Carmel and the State of Indiana.
9. Portable signs which are not permanently affixed to anything or are movable.
10. Signs which are established on trees, utility poles and fences, unless they are permitted specifically by other sections of *Section 5.39: Sign Standards* (See *Section 5.39(R): Temporary Sign; Permitted Banners*).
11. Roof Signs.
12. Signs which are established on Accessory Structures (e.g. parking garages, gas station canopies, or sheds) unless they are specifically permitted in *Section 5.39: Sign Standards*.
13. *Vehicles Used as Signs*: It shall be prohibited to park or use a vehicle in such a way as to function as a sign, defined to include the parking of any vehicle, trailer or similar movable structure containing or supporting any signage between any Street or highway right-of-way line and any Building and the greater of two distances: forward of the Front Line of Building of the Principal Building or 150 feet from the public right-of-way, with the exception of:
    a. Vehicles actively involved in construction on or serving of the site;
    b. Vehicles delivering products to the site in designated loading areas;
    c. Vehicles parked in designated truck parking areas of a development that have been screened from or are not generally visible from the public right-of-way;
    d. Vehicles parked on sites where parking is not available 150 feet or more from the public right-of-way. In such cases, vehicles supporting signage shall be located as far as possible from the public right-of-way, subject to determination by the Director of Community Services.
    e. Passenger vehicles, pick-up trucks, and vans of a size that can fully fit within a standard parking space, containing signs painted on or permanently affixed on the doors or integral body panels that do not exceed sixteen (16) square feet in area.

Permanent Sign Standards

E. General Permanent Sign Standards:
   1. All signs require Sign Permit approval by the Planning Administrator.
   2. All Sign Permits require fees per *Section 1.29: Filing Fees*.
   3. No sign shall interfere with Vision Clearance per *Section 5.76: Vision Clearance Standards*.
   4. All permanent Ground Signs require a Landscaped Green Area at its base equal to the Sign Area. For example, ornamental grasses, shrubs and seasonal flowers.
   5. Wall Signs are allowed provided that they fit within the horizontal and vertical elements of the Building and do not obscure architectural details of the Building.
   6. No Wall Sign shall be allowed to extend above the cornice line of a Building, beyond the edges of the wall upon which it is mounted, nor above the roofline.
   7. All sign types shall be designed to relate to the architectural style of the main Building or Buildings upon the site.
   8. All signs shall be installed a minimum of five (5) feet from the street right-of-way.

F. Permanent Sign; Residential Complex:
   1. *Sign Classification*: Blade, Canopy, Entrance, Projecting, Suspended or Wall.
   2. *Number and Type*:
      a. Entrance and Suspended: One (1) sign per entrance if the Building(s) are set back greater than fifteen (15) feet from the street right-of-way.
         i. Matching Entrance Signs which border either side of one (1) entrance into a Residential Complex shall be treated as one (1) sign.
         ii. However, both Sign Faces shall be used to calculate the total Sign Area.
      b. Or one (1) Blade, Canopy, Projecting, or Wall Sign per Street Frontage.
      c. Clubhouse/leasing office in a Residential Complex: 1 sign.
      d. One (1) Wall or Projecting Sign for Vehicular Entrances to structured parking.
      e. One (1) Public Access Entrance Sign per Building Façade at the ground floor.
   3. *Maximum Sign Area*:
      a. Blade:
         i. Seventy percent (70%) of tenant's Spandrel panel height.
         ii. The depth of the sign (between the two sign faces) shall be no more than eighty-five percent (85%) of tenant's Spandrel Panel width.
         iii. No Blade Sign shall exceed seventy-five (75) square feet.
      b. Entrance: Fifty (50) square feet.
      c. Canopy:
         i. Height: Two (2) feet.
         ii. Width:
            [1] Ninety percent (90%) of tenant's canopy length if fourteen (14) feet or less.
            [2] Seventy percent (70%) of tenant's canopy length if greater than fourteen (14) feet.
         iii. No Canopy Sign shall exceed seventy (70) square feet.
      d. Clubhouse/leasing office: Twenty (20) square feet.
      e. Projecting: Twenty (20) square feet.
      f. Public Access Entrance: Twenty (20) square feet
      g. Suspended: Twelve (12) square feet.
      h. Wall:
         i. Seventy percent (70%) of tenant's Spandrel Panel height.
         ii. Eighty-five percent (85%) of tenant's Spandrel Panel width, with a ten percent (10%) leeway allowance for architectural elements that may hinder sign visibility.
         iii. Spandrel Panel on a glass building will be determined by separation details between the panes of glass and/or by floor levels. Signs on glass buildings shall not obscure vision of tenants inside the building.
         iv. No Wall Sign shall exceed 300 square feet.
   4. *Maximum Height of Ground Sign*: Per *Sign Chart A: Ground Signs*.

5. *Location*:
   a. Canopy: Shall be placed at an appropriate height over windows or doors for protection from the elements.
   b. Entrance: At Vehicular Entrance to Residential Complex; installed a minimum of five (5) feet from the street right-of-way.
      i. Signage May be installed on a residential Entryway Feature, see *Section 7.11: Residential Entryway Feature Standards*.
         [1] Required Approval: ADLS or ADLS Amendment.
      ii. However, a Residential Complex cannot have both an Entrance Sign and an Entryway Feature.
      iii. Prohibited when the building(s) for which it is to be established are set back less than fifteen (15) feet from the street right-of-way.
   c. Clubhouse/Leasing Office: At pedestrian entrance to Building.
   d. Projecting and Blade:
      i. Shall be located a minimum of two (2) feet behind the curb.
      ii. Shall measure a minimum distance of eight (8) feet from the bottom of the sign to ground level.
      iii. Shall not extend more than five (5) feet from the face of the Building.
      iv. A Projecting or Blade Sign installed on the corner of a building will be considered facing two (2) Street Frontages.
6. *Design*:
   a. Canopy: Text and/or graphics shall provide one inch (1") of clearance from the top and bottom of the canopy face, but shall not exceed length of sign installed on canopy.
   b. Entrance:
      i. Base of sign shall be constructed of Sign Masonry material to match the design of the building.
      ii. If no masonry material is used on the building, then a Sign Masonry material shall be used.
      iii. Sign Masonry base shall at least equal the width and depth of the sign.
      iv. Shall include a delineated cornice designed to relate to the architectural features of the main Building(s) upon the site.
   c. Wall: See *Section 5.39(E)(5)*, *Section 5.39(E)(6)*, and *Section 5.39(E)(7)*.
7. *Illumination*: Permitted.

G. Permanent Sign; Home Occupation and Boarding House:
1. *Sign Classification*: Wall.
2. *Number and Type*: One (1) Sign.
3. *Maximum Sign Area*: Three (3) square feet.
4. *Location*: As per definition of Wall Sign.
5. *Illumination*: Not permitted.

H. Permanent Sign; Single Tenant, Non-Residential Uses:

1. *Sign Classification*: Awning, Blade, Canopy, Ground, Porch, Projecting, Suspended, or Wall.
2. *Number and Type*:
   a. One (1) sign per Street Frontage, maximum three (3) signs.
   b. A building owner with two (2) or more Street Frontages may elect to transfer a permitted sign from one (1) Street Frontage to another.
   c. However, no more than two (2) signs may be oriented to one (1) Street Frontage as follows: One (1) Blade, Canopy, Projecting or Wall Sign and one (1) Ground or Suspended Sign.
3. *Maximum Sign Area*:
   a. Awning:
      i. The area of any Awning graphic will be subtracted from the allowable Sign Area of the sign type chosen.
      ii. If used as the primary business sign, the allowable Wall Sign Area applies.
   b. Blade:
      i. Seventy percent (70%) of tenant's Spandrel Panel height.
      ii. The depth of the sign (between the two sign faces) shall be no more than eighty-five percent (85%) of tenant's Spandrel Panel width.
      iii. No Blade Sign shall exceed seventy-five (75) square feet.
   c. Canopy:
      i. The area of any Canopy graphic will be subtracted from the allowable Sign Area of the sign type chosen.
      ii. If used as the primary business sign, the following applies:
         [1] Height: Two (2) feet
         [2] Width:
            [a] Ninety percent (90%) of tenant's canopy length if fourteen (14) feet or less.
            [b] Seventy percent (70%) of tenant's canopy length if greater than fourteen (14) feet.
   d. Ground: Per *Sign Chart A: Ground Signs*.
   e. Porch: Six (6) square feet.
   f. Projecting: Twenty (20) square feet.
   g. Suspended: Twelve (12) square feet.
   h. Wall:
      i. Seventy percent (70%) of tenant's Spandrel Panel height.
      ii. Eighty-five percent (85%) of tenant's Spandrel Panel width, with a ten percent (10%) leeway allowance for architectural elements that may hinder sign visibility.
      iii. Spandrel Panel on a glass building will be determined by separation details between the panes of glass and/or by floor levels. Signs on glass buildings shall not obscure vision of tenants inside the building.
      iv. No Wall Sign shall exceed 300 square feet.
4. *Maximum Height of Ground Sign*: Per *Sign Chart A: Ground Signs*.
5. *Location*:
   a. Awning and Canopy:
      i. Shall be placed at an appropriate height over windows or doors for protection from the elements.
      ii. Prohibited on residential structures that have been converted to commercial or offices.
   b. Ground:
      i. Minimum five (5) feet from the street right-of-way.
      ii. Prohibited when the building for which it is to be established is set back less than fifteen (15) feet from the street right-of-way.
      iii. Prohibited where residential structures have been converted to commercial or office uses.
   c. Porch and Suspended:
      i. May be utilized only where residential structures have been converted to office or commercial uses.
      ii. Minimum five (5) feet from the street right-of-way.

d. Projecting and Blade:
   i. Shall be located a minimum of two (2) feet behind the curb.
   ii. Shall measure a minimum distance of eight (8) feet from the bottom of the sign to ground level.
   iii. Shall not extend more than five (5) feet from the face of the building.
   iv. A Projecting or Blade Sign installed on the corner of a building will be considered facing two (2) Street Frontages.
   v. Prohibited on residential structures that have been converted to commercial for office uses.
e. Wall: Prohibited on residential structures that have been converted to commercial or office uses.

6. *Design*:
   a. Awning:
      i. Text and/or graphics shall provide one inch (1") of clearance from the top and bottom of the front valance of a fabric awning.
      ii. Valances shall not exceed fourteen inches (14") in height.
      iii. Text and or graphics may be placed on the top of the Awning.
   b. Canopy: Text and/or graphics shall provide one inch (1") of clearance from the top and bottom of the canopy face, but shall not exceed length of sign installed on canopy.
   c. Ground:
      i. Base of sign shall be constructed of Sign Masonry material to match the design of the building.
      ii. If no masonry material is used on the building, then a Sign Masonry material shall be used.
      iii. Sign Masonry base shall be at least equal to the width and depth of the sign.
      iv. Shall include a delineated cornice designed to relate to the architectural features of the main Buildings(s) upon the site.
   d. Wall: See *Section 5.39(E)(5)* and *Section 5.39(E)(6), and Section 5.39 (E)(7)*.
   e. All Others: No restrictions.
7. *Copy*:
   a. Any permissible Ground sign may include Changeable Copy.
   b. Any permissible Ground Sign for an Automobile Filling Station use may utilize Electronic Scrolling Numerals.
8. *Illumination*: Permitted.

I. Permanent Sign; Multi-Tenant Buildings for Mixed-Use and Non-Residential Uses:
1. *Sign Classification*: Awning, Blade, Canopy, Ground, Projecting, Secondary Projecting, or Wall.
2. *Number and Type*:
   a. Multi-Tenant Ground Floor Building
      i. Per Tenant:
         [1] One (1) Awning, Canopy, Projecting, or Wall Sign per Street Frontage, maximum two (2).
         [2] One (1) Secondary Projecting Sign per tenant Façade, maximum two (2) for pedestrian identification along a sidewalk.
         [3] One (1) Wall Sign for the rear parking lot Public Access Entrance Facade if the building is set back fifteen (15) feet or less from the street right-of-way.
      ii. Per Building:
         [1] If a Building has more than one Street Frontage, One (1) Ground Sign may be installed for the Street Frontage without Awning, Canopy, Projecting, or Wall Signs per *Section 5.39(I)(2)(a)(i)[1]* above, maximum three (3).
         [2] A building owner with two (2) or more Street Frontages may elect to transfer a permitted sign from one Street Frontage to another.
         [3] However, no more than two (2) signs shall be oriented to one (1) Street Frontage as follows: One (1) Projecting or Wall Sign and one (1) Ground Sign.
   b. Multi-Tenant, Multi-Level Office Building
      i. Per Building: Two (2) signs per Street Frontage, maximum six (6).
      ii. A building owner may transfer Street Frontages for two (2) Wall or one (1) Wall and one (1) Blade and one (1) Ground Sign to face the same Street Frontage.
      iii. Buildings with more than one (1) Public Access Entrance and served by separate parking lots are permitted one (1) Public Access Entrance Ground Sign at each of the Public Access Entrances
   c. Multi-Tenant Building Complex
      i. One (1) Ground Sign per Street Frontage, maximum three (3) in addition to Wall Signs for Multi-Tenant Ground Floor or Multi-Tenant, Multi-Level Office Buildings.
      ii. Signage may be installed on a commercial entryway feature, see *Section 7.12: Non-Residential Entryway Feature Standards*.
         [1] Required Approval: ADLS or ADLS Amendment
   d. Multi-Tenant, Multi-Level, Mixed-Use Building
      i. Per Building:
         [1] One (1) Blade or Wall Sign per Street Frontage.
         [2] One (1) Wall or Projecting sign for Vehicular Entrances to structured parking.
      ii. Per ground floor tenant:
         [1] One (1) Canopy, Wall, or Projecting Sign per Street Frontage.
         [2] One (1) Secondary Projecting Sign per Façade, maximum two (2) for pedestrian identification along a sidewalk (*See Section 5.39(I)(5)(g)(iii)*).
         [3] One (1) Wall Sign for the rear (Public Access Entrance) Facade if the building is set back fifteen (15) feet or less from the street right-of-way.
      iii. For upper level tenants:
         [1] One (1) Multi-Tenant, Multi-Level Mixed Use Wall Sign per Building Façade at the ground floor Public Access Entrance; or
         [2] One (1) Multi-Tenant, Multi-Level Mixed Use Ground Sign per Building at the rear Public Access Entrance to the building.

3. *Maximum Sign Area*:
   a. Awning:
      i. The area of any Awning graphic will be subtracted from the allowable Sign Area of the sign type chosen.
      ii. If used as the primary business sign, the allowable Wall Sign Area applies.
   b. Blade:
      i. Seventy percent (70%) of tenant's Spandrel height.
      ii. The depth of the sign (between the two sign faces) shall be no more than eighty-five percent (85%) of tenant's Spandrel Panel width.
      iii. No Blade Sign shall exceed seventy-five (75) square feet.
   c. Canopy:
      i. The area of any Canopy graphic will be subtracted from the allowable Sign Area of the sign type chosen.
      ii. If used as the primary business sign, the following applies:
         [1] Height: Two (2) feet.
         [2] Width:
            [a] Ninety percent (90%) of tenant's canopy length if fourteen (14) feet or less.
            [b] Seventy percent (70%) of tenant's canopy length if greater than fourteen (14) feet.
         [3] No Canopy Sign shall exceed seventy (70) square feet.
   d. Ground: See *Sign Chart A: Ground Signs*.
   e. Multi-Tenant, Multi-Level Mixed Use Building Wall: Six (6) square feet.
   f. Multi-Tenant, Multi-Level Mixed Use Building Ground: Twelve (12) square feet.
   g. Projecting: Twenty (20) square feet.
   h. Public Access Entrance: Twenty (20) square feet.
   i. Secondary Projecting: Five (5) square feet.
   j. Wall:
      i. Seventy percent (70%) of tenant's Spandrel Panel height.
      ii. Eighty-five percent (85%) of tenant's Spandrel Panel width, with a ten percent (10%) leeway allowance for architectural elements that may hinder sign visibility.
      iii. Spandrel Panel on a glass building will be determined by separation details between the panes of glass and/or by floor levels. Signs on glass buildings shall not obscure vision of tenants inside the building.
      iv. No Wall Sign shall exceed 300 square feet
4. *Maximum Height Of Ground Sign*: Per *Sign Chart A: Ground Signs*.
5. *Location*:
   a. Awning and Canopy:
      i. Shall be placed at an appropriate height over windows or doors for protection from elements.
      ii. Not permitted on residential structures that have been converted to office or commercial uses.
   b. Ground:
      i. Minimum of five (5) feet from street right-of-way.
      ii. Located at or near the Vehicular Entrance to the complex.
      iii. Ground Signs are not permitted where residential structures have been converted to office or commercial uses.
      iv. Prohibited when the building for which it is to be established is set back less than fifteen (15) feet from the street right-of-way.
   c. Multi-Tenant, Multi-Level Mixed Use Building Wall: At the Public Access Entrance located at the rear of a building on the Façade of the building.
   d. Multi-Tenant, Multi-Level Mixed Use Building Ground: At the Public Access Entrance located at the rear of a building in a Landscaped Green Area.
   e. Porch and Suspended: May be utilized only on residential structures that have been converted to office or commercial uses.
   f. Projecting and Blade:
      i. Shall be located a minimum of two (2) feet behind the curb.
      ii. Shall measure a minimum distance of eight (8) feet from the bottom of the sign to ground level.
      iii. Shall not extend more than five (5) feet from the face of the Building.
      iv. A Projecting or Blade Sign installed on the corner of a building will be considered facing two (2) Street Frontages.

v. Not permitted where residential structures have been converted to office or commercial uses.

g. Secondary Projecting:
   i. May be installed under an awning/canopy or perpendicular to the Building Façade near the entrance to the tenant space.
   ii. Shall measure a minimum distance of eight (8) feet from the bottom of the sign to ground level.
   iii. If Projecting Sign is selected as main sign type, a Secondary Projecting Sign shall not be used on the same Façade.
   iv. Not permitted where residential structures have been converted to office or commercial uses.

h. Wall:
   i. Within the Spandrel Panel of the Building Street Frontage occupied by the tenant.
   ii. For Multi-Tenant, Multi-Level Office buildings, Wall Signs facing the same Street Frontage shall be placed symmetrically within the Spandrel Panel (i.e. one on each end of the Façade). If a Wall Sign is placed in the middle of the Spandrel Panel, no other Wall Sign shall be placed on that same Façade.

6. *Design*:
   a. Awning:
      i. Text and/or graphics shall provide one inch (1") of clearance from the top and bottom of the front valence of a fabric awning.
      ii. Valences shall not exceed fourteen inches (14") in height.
      iii. Text and or graphics may be placed on the top of the Awning.
   b. Canopy: Text and/or graphics shall provide one inch (1") of clearance from the top and bottom of the canopy face, but shall not exceed length of sign installed on canopy.
   c. Ground:
      i. Base of sign shall be constructed of a Sign Masonry material to match the design of the building.
      ii. If no masonry material is used on the building, then a Sign Masonry material shall be used as the base for the ground sign.
      iii. Width of Sign Masonry base shall at least equal the width and depth of the sign.
      iv. Shall include a delineated cornice designed to relate to the architectural features of the main Building(s) upon the site.
   d. Wall: See *Section 5.39(E)(5)*, *Section 5.39(E)(6)* and *Section 5.39(E)(7)*.
   e. All others: No restrictions.
   f. Sign Plan: Existing or new Multi-Tenant Buildings shall have and follow a Sign Package approved through ADLS or ADLS Amendment specifying the following:
      i. Sign placement on Building and site
      ii. Wall Sign installation method to Building
      iii. Lighting method of signage
      iv. Sign size
7. *Copy*:
   a. Any permissible Ground Sign may include Changeable Copy.
   b. Any permissible Ground Sign for an Automobile Filling Station use may utilize Electronic Scrolling Numerals.
8. *Illumination*: Permitted.

J. Permanent Sign; Window Signs:
   1. *Non-Illuminated*:
      a. Maximum Sign Area: Window Signs shall not exceed thirty percent (30%) of the total Window Area on which the signs are placed or through which they are viewed.
      b. Location: As per definition of Window Sign.
      c. Required Approval: ADLS approval is required for all permanent signs that are established in a Zoning District and/or Overlay Zone requiring ADLS approval.
   2. *Illuminated*:
      a. Number: One (1) sign per tenant/property owner and may be in addition to any other permitted signs.
      b. Maximum Sign Area: Three (3) square feet.
      c. Location: As per definition of Window sign.

K. Permanent Sign; Drive-Thru Food Service for Mixed-Use and Non-Residential Uses:
   1. *Sign Classification*: Ground Sign.
   2. *Number and Type*:
      a. Two (2) per establishment with one drive-thru lane.
      b. Three (3) per establishment with two drive-thru lanes
   3. *Maximum Sign Area*:
      a. One drive-thru lane: Fifty (50) square feet total between the two (2) signs; maximum of thirty (30) square feet per sign.
      b. Two drive-thru lanes: Eighty (80) square feet total between the three (3) signs; maximum of thirty (30) square feet per sign.
   4. *Maximum Height of Ground Sign*: Six (6) feet.
   5. *Location*: In line with the drive-thru lane and shielded from street view.
   6. *Design*:
      a. May utilize Electronic Message Board.
      b. Base of sign shall be constructed of a Sign Masonry material to match the design of the building.
      c. If no masonry material is used on the building, then a Sign Masonry material shall be used.
      d. Sign Masonry base shall be at least equal to the width and depth of the sign.
   7. *Illumination*: Permitted.

L. Permanent Signs in a C1 & C2 District:
   1. *Sign Classification*: Sign classification shall follow the permanent sign standards by building or complex type per Sections 5.39(F) through (K).
   2. *Number*: The number of permanent signs shall be in accordance with the project standards established by the Carmel Redevelopment Commission.
   3. *Maximum Sign Area*: Sign areas shall follow the permanent sign standards by building or complex type per Sections 5.39(F) through (K).
   4. *Maximum Height Of Ground Sign*: Sign heights shall follow the permanent sign standards by building or complex type per *Sections 5.39(F) through (K)*.
   5. *Location*: The location of permanent signs shall be in accordance with the project standards established by the Carmel Redevelopment Commission.
   6. *Design*: Sign areas shall follow the permanent sign standards by building or complex type per *Sections 5.39(F) through (K)*.
   7. *Illumination*: Permitted.

Temporary Sign Standards

M. General Temporary Sign Standards: Temporary Signs are subject to the following standards.
   1. Shall only be located on property owner's property and shall not be placed on any utility pole, street light, similar object, or on public property; and
   2. If the property is leased, the tenant assumes this right.

N. Temporary Sign; Construction Site:
   1. *Sign Classification*: Construction Fence or Ground.
   2. *Number and Type*: One (1) sign per Street Frontage.
   3. *Maximum Sign Area*:
      a. Construction Fence Sign:
         i. Twenty percent (20%) of total mesh area.
      b. Ground:
         i. Residential Zone: Sixteen (16) square feet.
         ii. Business/Industrial/Manufacturing District: Thirty-two (32) square feet.
   4. *Maximum Height*:
      a. Construction Fence Sign: Not to exceed height of Construction Fencing
      b. Ground: Eight (8) feet.
   5. *Location*:
      a. Construction Fence Sign: Shall be installed on Construction Fencing.
      b. *Ground:*
         i. Shall be a minimum of five (5) feet from the street right-of-way.
         ii. For lots with more than one (1) Street Frontage, the distance between any two (2) signs shall not be less than fifteen (15) feet at any point.
   6. *Design*:
      a. Ground:
         i. Shall be constructed of a rigid substrate material with a durable sign face.
         ii. Sign face may be split up to sixty degrees (60°) and still be considered one (1) sign. See *Diagram 1: Sign Face Separation*.
   7. *Required Approvals*: Permit required for signs over six (6) square feet.
   8. *Illumination*: Not permitted.
   9. *Time*:
      a. Shall not be established until Improvement Location Permit (ILP) is issued.
      b. Sign shall be removed upon completion of construction or expiration of Improvement Location Permit (ILP).
   10. *Fees*: Required for signs over six (6) square feet.

O. Temporary Sign; Property for Sale/Lease:
   1. *Sign Classification*: Ground Sign.
   2. *Number and Type*: One (1) Ground sign per Property Frontage shall be allowed when the property is being offered for sale through a licensed real estate agent or the owner of the property.
   3. *Maximum Sign Area*:
      a. Residential District:
         i. Lot size less than five (5) acres: Six (6) square feet.
         ii. Lot size five (5) acres and over: Twenty (20) square feet.
      b. Business, Industrial and Manufacturing District:
         i. Non-highway: Twenty (20) square feet.
         ii. Highway: Thirty-two (32) square feet.
   4. *Maximum Height of Ground Sign*:
      a. Lot size less than five (5) acres: Five (5) feet.
      b. Lot size five (5) acres or greater: Eight (8) feet.

5. *Location*:
   a. Minimum of five (5) feet from the street right-of-way.
   b. For lots with more than one (1) Street Frontage, the distance between any two (2) signs shall not be less than fifteen (15) feet at any point.
   c. For Through Lots (fronting two parallel streets), two (2) signs shall not face the same street.
6. *Design*: Sign face may be split up to sixty degrees (60°) and still be considered one (1) sign. See *Diagram 1: Sign Face Separation*.
7. *Required Approvals*: Permit required for signs over six (6) square feet.
8. *Illumination*: Not permitted.
9. *Time*: May be installed for the duration of the sale or leasing offer and fifteen (15) days following the closing of the sale on the property.
10. *Fees*: Required for signs over six (6) square feet.

P. Temporary Sign; Signage for Temporary Uses.
1. *Sign Classification*: Wall or Ground.
2. *Number and Type*: One (1) sign.
3. *Maximum Sign Area*: Thirty-two (32) square feet
4. *Maximum Height Of Ground Sign*: Six (6) feet.
5. *Location*:
   a. Shall not interfere with Vision Clearance.
   b. Shall be a minimum of five (5) feet from the street right-of-way.
6. *Design*: No restrictions.
7. *Required Approvals*:
   a. Permit required for signs over six (6) square feet.
   b. Use shall be permitted according to the applicable zoning district in *Article 2: Zoning Districts*.
   c. Shall require an approved Temporary Use permit.
8. *Illumination*: Not permitted.
9. *Time*: Limited to duration of Temporary Use permit.
10. *Fees*: Required.

Q. Temporary Sign; Yard Signs in a Residential District:
   1. *Sign Classification*: Ground.
   2. *Number and Type*: No restrictions.
   3. *Maximum Sign Area*: Sixteen (16) square feet total for premises.
   4. *Maximum Height of Ground Sign*: Six (6) feet.
   5. *Location*: Shall be a minimum of five (5) feet from the street right-of-way.
   6. *Design*: As per definition of Ground Sign.
   7. *Required Approvals*: None.
   8. *Time*: No time limit.
   9. *Fees*: Not required.

R. Temporary Sign; Permitted Banners:
   1. *Street Banners*:
      a. Sign Classification: Banner.
      b. Number, Type and Location:
         i. One (1) Banner per Street Frontage on the property where the event is held.
         ii. Sign shall be a minimum of five (5) feet from the street right-of-way.
      c. Maximum Sign Area: Three feet by eight feet (3' x 8'); horizontal format.
      d. Design: See *Diagram 2: Street Banner*.
      e. Required Approvals: Public Event Permit required.
      f. Time:
         i. Shall be installed for a period of no more than two (2) weeks.
         ii. Shall be removed no more than twenty-four (24) hours after the event.
         iii. Recurring events may be advertised once per quarter.
      g. Fees: Not required.

2. *Interim Signage*
   a. Sign Classification: Banner.
   b. Number and Type: One (1) Banner for each approved Permanent Sign.
   c. Maximum Sign Area: Not to exceed the area of the approved Permanent Sign.
   d. Location: Shall be placed in the location(s) of the not yet erected Permanent Sign(s).
   e. Design: No restrictions.
   f. Illumination: Permitted.
   g. Required Approvals: A sign permit for Permanent signage shall be applied for before an interim sign permit can be issued.
   h. Time:
      i. An interim sign shall not be displayed for more than ninety (90) days following the issuance of the temporary Banner permit.
      ii. An extension of time, not to exceed ninety (90) days, may be granted. Such extension request shall be made in writing.

S. Temporary Signs in a C1 & C2 District:
1. *Sign Classification*: Sign classification shall be in accordance with the project standards established by building or complex type per *Section 5.39(M) through Section 5.39(R)*.
2. *Number*: The number of temporary signs shall be in accordance with the project standards established by the Carmel Redevelopment Commission.
3. *Maximum Sign Area*: Sign areas shall follow the temporary sign standards by building or complex type per Sections *Section 5.39(M) through Section 5.39(R)*.
4. *Maximum Height Of Ground Sign*: Sign heights shall follow the temporary sign standards by building or complex type per *Section 5.39(M) through Section 5.39(R)*.
5. *Location*: The location of temporary signs shall be in accordance with the project standards established by the Carmel Redevelopment Commission.
6. *Design*: Sign areas shall be in accordance with the project standards established by building or complex type per *Section 5.39(M) through Section 5.39(R)*.
7. *Required Approvals*: Sign approval shall follow the temporary sign standards by building or complex type per *Section 5.39(M) through Section 5.39(R)*.
8. *Illumination*: Sign illumination shall follow the temporary sign standards by building or complex type per *Section 5.39(M) through Section 5.39(R)*.
9. *Time*: Sign time shall follow the temporary sign standards by building or complex type per *Section 5.39(M) through Section 5.39(R)*.
10. *Fees*: Sign fee shall follow the temporary sign standards by building or complex type per *Section 5.39(M) through Section 5.39(R)*.

Sign Chart A: Ground Signs

Single- and Multiple-Tenant Buildings			
Distance of Sign from Street Right-of-Way* (minimum of 5 feet)	**Building Frontage** (Tenant Unit)	**Maximum Sign Area**	**Maximum Height of Ground Sign**
5 – 30 feet	under 50 feet	30 sq. ft.	6 feet
	51 - 100 feet	35 sq. ft.	6 feet
	101 - 150 feet	40 sq. ft.	6 feet
	151 - 300 feet	45 sq. ft.	6 feet
31 - 60 feet	under 50 feet	35 sq. ft.	6 feet
	51 -100 feet	40 sq. ft.	6 feet
	101 - 150 feet	45 sq. ft.	6 feet
	151 -300 feet	50 sq. ft.	6 feet
61 – 100 feet	under 50 feet	40 sq. ft.	6 feet
	51 - 100 feet	45 sq. ft.	6 feet
	101 - 150 feet	50 sq. ft.	7 feet
	151 - 300 feet	55 sq. ft.	8 feet
101 + feet	Any	75 sq. ft.	8 feet
*Street Right-of-Way, as designated in the Thoroughfare Plan.			

Diagram 1: Sign Face Separation

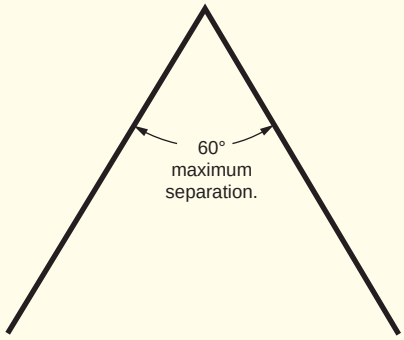


Diagram 2: Street Banner.

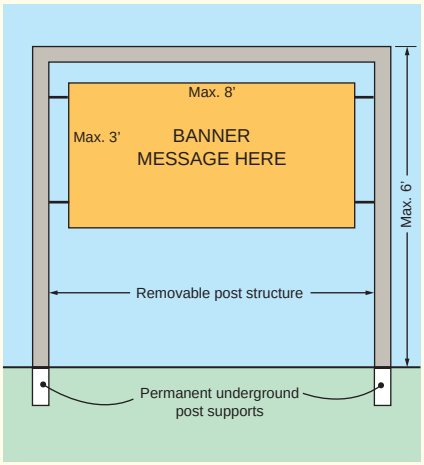


Diagram 2: For reoccurring events, a semi-permanent structure may be created and installed to display a banner message at the event site. Underground support post holes may be installed. A removable post structure may be installed with a banner when a Street Banner application has been approved. The sign and structure shall be removed no more than 24 hours after the event concludes.

5.40 TC-01: Satellite Receiving Antennas Standards

These Telecommunication Facility Standards (TC) apply to the following zoning districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Satellite Receiving Antennas:

1. Satellite receiving antennas shall be permitted within all zoning districts of the City of Carmel subject to all applicable Federal, State, local and manufactures codes and guidelines with the following regulations as well as any and all review and approval procedures within the City of Carmel Unified Development Ordinance.
2. All ground-mounted satellite receiving antennas shall be located only within the rear yard of any residential and commercial principal structure as defined by the City of Carmel Unified Development Ordinance.
3. Satellite receiving antennas shall not be allowed on the roof of any principal or accessory structure.
4. Only one (1) satellite receiving antenna shall be located on any one (1) lot.
5. Maximum Height: A satellite receiving antenna and support structure shall be limited to a maximum height of fifteen (15) feet.
6. A satellite receiving antenna having printed matter on its surface shall be regulated as a sign.
7. An Improvement Location Permit shall be required prior to the erection of a satellite receiving antenna greater than twenty-four (24) inches in diameter.
8. All cables, wires and connectors from a satellite receiving antenna to other equipment shall be buried underground.
9. A satellite receiving antenna shall not be located within five (5) feet of any property line, easement or public right-of-way.
10. All satellite receiving antennas shall be obscured from the view of adjacent property owners of public rights-of-way by buildings, screen wall, fence, berm, evergreen planting or any combination thereof. Such screening devices shall be at least eighty percent (80%) obscuring when viewed from adjacent property or public street right-of-way, as approved by the Department of Community Services, Plan Commission and/or Board of Zoning Appeals when applicable.
11. All satellite receiving antennas shall be neutral or black in color and, to the extent possible, shall be compatible with the appearance and character of the neighborhood.

5.41 TU-01: Temporary Construction Facility Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Temporary Construction Facilities:

1. Temporary Construction Facilities, which shall include temporary construction offices, temporary storage units, and temporary sales facilities shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*.
2. Temporary Construction Facilities require a temporary use permit however shall not be assessed the temporary use permit fee.
3. The duration of the temporary construction facility shall be fixed by the Director of Community Services for a term not to exceed eighteen (18) months. However, upon request and upon a site inspection, the Director of Community Services may extend such a permit for a length of time deemed appropriate not to exceed eighteen (18) months per extension.
4. Temporary Construction Facilities shall be removed and permits shall expire within thirty (30) days of the issuance of a Certificate of Occupancy for the related construction project.
5. Temporary Construction Facilities utilized as a temporary sales facility shall be fixed by the Director of Community Services for a term not to exceed four (4) months or upon the issuance of a Certificate of Occupancy for a model home, whichever is less.
6. Temporary Construction Facilities applications intended to be utilized as a temporary sales facility shall be submitted concurrently with a model home or temporary sales center application as regulated under *Section 5.42: Model Homes Standards*.
7. Signs for Temporary Construction Facilities shall be prohibited except as provided by *Section 5.39: Sign Standards*.
8. The Director of Community Services shall ensure prior to issuing a Temporary Construction Facility permit, that:
    a. If the temporary facility serves multiple properties, that the lot of which the facility is located is not visually prominent from a primary project entryway;
    b. Adequate access and off-street parking will be provided;
    c. The placement of the temporary facility on the site shall not obstruct any Vision Clearance;
    d. The applicant has supplied the mobile unit certification number issued from State Fire Prevention and Building Safety, Division of Code Enforcement; and
    e. The applicant has supplied a copy of the mobile unit structure plans.

5.42 TU-02: Model Home Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5 UR C1 C2

A. Model Homes:

1. Model Homes, which may include Temporary Sales Offices, may be permitted in all residential districts but only as a Temporary Use, subject to approval by the Director of Community Services based on a finding that the Temporary Use will not detrimentally affect the health, welfare, safety, or morals of the neighborhood under construction for such Temporary Use.
2. The duration of a Model Home permit shall be assigned by the Director of Community Services, for a term not to exceed eighteen (18) months. However, upon request, the Director of Community Services may extend such a permit for increments of six (6) months, so long as the Temporary Use in the aggregate does not continue for more than thirty-six (36) months.
3. The Director of Community Services shall ensure, before issuing a Model Home permit, that:
    a. Adequate access and off-street parking facilities will be provided,
    b. That public address systems will not be used,
    c. That flood lights and other lighting on the subject premises will be directed only upon those premises, and
    d. That a Certificate of Occupancy will be issued before the Temporary Use commences.
4. A Model Home is also subject to all other regulations of the applicable district.

5.43 TU-03: Outdoor Sales Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

B1 B2 B3 B5 I1

A. Limitations: As an Accessory Use to the Primary Use on the same lot or tract of land, a person conducting an established business in a principal building shall be permitted to temporarily display goods or merchandise.

B. Standards: Outdoor sales shall conform with the following requirements:

1. Outdoor Sales shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall be allowed only as a Temporary Use, requiring a Temporary Use Permit.
2. Areas designated for Outdoor Sales shall not exceed five-percent (5%) of the area of the lot.
3. Areas designated for Outdoor Sales shall not be located within nor encroach upon:
   a. Any minimum required setback yard;
   b. Any drainage easement;
   c. A fire lane;
   d. A maneuvering aisle,
   e. A parking space or spaces necessary to meet the minimum parking requirements of the other use(s) of the lot or parcel.
4. Outdoor Sales may be located within parking areas, provided it:
   a. Does not interfere with pedestrian or vehicular access or parking.
   b. Does not create a visibility obstruction to moving vehicles within a parking lot.
5. Goods or merchandise displayed in conjunction with an Outdoor Sale shall not exceed six (6) feet in height.
6. Only three (3) Outdoor Sales, Temporary Use permits shall be issued per property per year. Outdoor Sales, Temporary Use Permits shall be issued for a term of five (5) consecutive days per permit.
7. Signs for Outdoor Sales shall be prohibited except as provided by *Section 5.39: Sign Standards*.
8. *Findings*: The Director of Community Services may approve an application for Outdoor Sales, Temporary Use as specified in this section only upon making the following findings:
   a. The proposed use will not adversely affect adjacent structures and uses nor the surrounding neighborhood;
   b. The proposed use will not adversely affect the circulation and flow of vehicular and pedestrian traffic in the immediate area;
   c. The proposed use will not create a demand for additional parking which cannot be met safely and efficiently in existing parking areas;
   d. The proposed use will not otherwise constitute a nuisance or be detrimental to the public welfare of the community.

5.44 TU-04: Outdoor Special Event Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Zoning Districts: Special Outdoor Events shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall be allowed only as a Temporary Use, requiring a Temporary Use Permit.

B. Areas designated for Special Outdoor Events shall not be located within nor encroach upon:
   1. Any minimum required setback yard;
   2. Any drainage easement;
   3. A fire lane;
   4. A maneuvering aisle.

C. Location: Special Outdoor Events may be located within parking areas, provided:
   1. It does not interfere with pedestrian or vehicular access or parking.
   2. It does not create a visibility obstruction to moving vehicles within a parking lot.
   3. The site has adequate on and off-street parking for patrons of the Special Event as determined by the Director of Community Services.

D. Duration: Duration of Special Events shall not exceed five (5) days per event. The Director of Community Services may provide for a five (5) day extension.

E. Signs: Signs for Special Outdoor Events shall be prohibited except as provided by *Section 5.39: Sign Standards*.

5.45 TU-05: Seasonal Outdoor Sales Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

B1 B2 B3 B8 I1

A. Zoning District: Seasonal Outdoor Sales shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*.

B. Limitations: Seasonal Outdoor Sales shall be allowed only as a Temporary Use, requiring a Temporary Use Permit. Local non-profit organizations shall be exempt from all fees associated with this type of Temporary Use permit. All licenses, certificates and permits from all governmental agencies shall be prominently displayed on the Outdoor Sales stand.

C. Special Application Requirements: Submittal of a site plan, indicating sales areas, signage and parking areas, shall be required before the issuance of any permits related to Seasonal Outdoor Sales. Signage plans are also required.

D. Encroachment Limits: Areas designated for Seasonal Outdoor Sales shall not be located within nor encroach upon:
   1. Any minimum required setback yard;
   2. Any drainage easement;
   3. A fire lane;
   4. A maneuvering aisle,
   5. Any right-of-way, greenway or trail;
   6. A parking space or spaces necessary to meet the minimum parking requirements of the other use(s) of the lot or parcel.

E. Location: Seasonal Outdoor Sales may be located within parking areas, provided it:
   1. Does not interfere with pedestrian or vehicular access or parking.
   2. Does not create a visibility obstruction to moving vehicles within a parking lot.

F. Height Limitation: Goods or merchandise displayed in conjunction with a Seasonal Outdoor Sale shall not exceed nine (9) feet in height.

G. Permit Limitations: Only one (1) Seasonal Outdoor Sales, Temporary Use permit shall be issued per property per year. Seasonal Outdoor Sales, Temporary Use Permits shall be issued for a term of thirty (30), sixty (60), ninety (90), or 120 consecutive days per permit, depending on use. One-time extensions may be granted for all Seasonal Outdoor Sales, unless otherwise approved by the Board of Zoning Appeals. Seasonal Outdoor Sales shall not be renewed beyond the time period indicated in the Time Limits for Seasonal Outdoor Sales table. Periods of time are considered to include one (1) calendar year.

		Item(s) Sold	
		Fruit/Vegetables	Plants, Flowers and Holiday Items
Time Period	30 Days	X	X
	60 Days	X	X*
	90 Days	X	
	120 Days	X	
* = nonrenewable			

H. Signs: Signs for Seasonal Outdoor Sales shall be prohibited except as provided by *Section 5.39: Sign Standards*.

I. Architectural Design, Exterior Lighting, Landscaping and Signage: To ensure the compatibility of the proposed temporary use with adjoining areas, the Director of Community Services shall review the Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) application of any proposed Seasonal Outdoor Sale. Once approved by the Director of Community Services, the Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) shall not be materially or substantially changed or altered without the prior approval of the Director of Community Services. Plan Commission approval is required prior to the issuance of Temporary Use Permit. An applicant may continue to use an ADLS Approval to obtain subsequent Temporary Use Permits provided that the proposed Temporary Use is consistent with such ADLS Approval, including time limits.

5.46 TU-06: Firework Sales Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

R5 B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Limitations:
   1. *General Retail*: The temporary sale of legal fireworks shall only be permitted in the zoning districts permitting General Retail, according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall only be permitted as a Temporary Use, requiring a Temporary Use Permit.
   2. *Building and Fire Code*: Legal fireworks shall only be sold from permanent structures meeting the conditions of the *2003 Indiana Building Code (sec 307.5)* and *2003 Indiana Fire Code (sec 202)*.
   3. *Per Property*: Only one (1) Sale of Fireworks, Temporary Use Permit shall be issued per property per year. Sale of Fireworks, Temporary Use Permits shall be issued for a term not to exceed thirty (30) consecutive days.

B. Signs: Signs for Sale of Fireworks shall be prohibited except as provided by *Section 5.39: Sign Standards*.

C. Special Application Requirements: Sale of Fireworks, Temporary Use Permits applications shall include:
   1. Three (3) copies of permit from Indiana State Fire Marshall;
   2. Three (3) copies of Proof of Insurance;
   3. Three (3) site plans illustrating the following:
      a. Location of all structures;
      b. Public right-of-ways and easements;
      c. Parking spaces, parking lot circulation;
      d. Location of proposed temporary signage.
   4. Three (3) structure plans illustrating the following:
      a. Location of the fireworks;
      b. Location of sprinklers and exits.

5.47 US-01: Cemetery Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

P1 S1 S2 R1 R2 R3 R4 B1 B2 B3 B5

A. Minimum Lot Area Requirements: A cemetery use shall have a minimum of thirty (30) acres of lot area.

5.48 US-02: Commercial Greenhouse Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 B6 I1 M3

A. Minimum Lot Area Requirements: A commercial greenhouse use shall have a minimum of ten (10) acres of lot area.

5.49 US-03: Day Nursery and Day Care Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

B2 B3 B6 B7 B8

A. Minimum Lot Area Requirements: A day nursery or day care use shall have a minimum of one (1) acre of lot area.

5.50 US-04: Kindergarten or Preschool Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 B1 B2 B3 B5 B7

A. Minimum Lot Area Requirements: A kindergarten or preschool use shall have a minimum of one (1) acre of lot area.

5.51 US-05: Plant Nursery Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 B1 B2 B3 B6

A. Minimum Lot Area Requirements: A plant nursery use shall have a minimum of ten (10) acres of lot area.

5.52 US-06: Mobile Home Park Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

R4

A. Minimum Lot Area Requirements: A mobile home park use shall have a minimum of fifteen (15) acres of lot area.

5.53 US-07: Commercial Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

R5

A. Uses Applicable: The following uses shall be regulated by *Section 5.53(B): Minimum Lot Area Requirements*: General Office, General Retail and Professional Office.

B. Minimum Lot Area Requirements: The total gross area of a commercial use in the R5 District shall not exceed fifty percent (50%) of the R5 District tract, which shall have a minimum gross area of thirty (30) acres.

5.54 US-08: Sanitary Landfill, Junk Yard or Salvage Yard Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

B2 I1

A. Minimum Lot Area Requirements: A sanitary landfill, junk yard or salvage yard use shall have a minimum of forty (40) acres of lot area.

5.55 US-09: Outdoor Theater Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

B2 C1 I1

A. Minimum Lot Area Requirements: An outdoor theater use shall have a minimum of five (5) acres of lot area.

5.56 US-10: Stadium or Coliseum Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

B6 I1

A. Minimum Lot Area Requirements: A stadium or coliseum use shall have a minimum of five (5) acres of lot area.

5.57 US-11: General Retail Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

M3

A. Limitations of Use: A general retail use shall be limited to twenty percent (20%) of the total gross area of the M3 District.

5.58 US-12: Residential Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

M3

A. Limitations of Use: Residential uses shall be limited to twenty percent (20%) of the total gross area of the M3 District and limited to a density of ten (10) dwelling units per acre.

5.59 US-13: General Retail (Ground Floor Only) Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

UC MC

A. Limitations of Use: General retail (ground floor only) uses shall be limited to the ground floor of a multiple-floor principal building (i.e. shall not be a permitted use in a single story buildings).

B. Non-permitted Uses: The following general retail (ground floor only) uses shall not be permitted:
   1. Roadside sales stand.
   2. Sexually oriented business.

5.60 US-14: General Service (Ground Floor Only) Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

UC MC

A. Limitations of Use: General service (ground floor only) uses shall be limited to the ground floor of a multiple-floor principal building (i.e. shall not be a permitted use in a single story buildings).

B. Non-permitted Uses: The following general service (ground floor only) uses shall not be permitted:
   1. Dry cleaning with on-site plant.
   2. Commercial kennel.
   3. Sexually oriented business.

5.61 US-15: Borrow Pit and Top Soil Removal and Storage Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5 B1 B2 B3 B5 B8

A. Borrow Pit and Top Soil Removal and Storage: Borrow pit and top soil removal and storage use shall have a minimum perimeter, Natural Open Space Buffer of 300 feet when adjoining or abutting any residential use or district.

5.62 US-16: Mineral, Sand and Gravel Extraction Operation Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5 B2 B3 B5 B8

A. Mineral, Sand and Gravel Extraction Operation: Mineral, Sand and Gravel Extraction Operation use shall have a minimum perimeter, Natural Open Space Buffer of 300 feet when adjoining or abutting any residential use or district.

5.63 US-17: Carnival, Fair or Circus Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

B1 B2 B3 B8 I1

A. Not to exceed fifteen (15) days per calendar year.

5.64 US-18: Roadside Sales Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

B1 B2 B3 B6

A. Shall not exceed six (6) months per calendar year.

5.65 US-19: Automobile Service Station; Automobile Filling Station Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

B1 B2 B3 B6 B8 I1

A. Setback:
   1. *Principal Building*: Per primary zoning district.
   2. *Pumps and Pump Islands*: Minimum of five hundred (500) feet from residentially zoned or used property. May not be located within required yards.
   3. *Vent pipes for underground storage tanks*: Minimum of five (500) hundred feet from residentially zoned or used property. May not be located within required yards.

B. Lighting:
   1. Light standards may be located within the required Front Yard.
   2. Light standards shall be located a minimum of thirty (30) feet from residentially zoned or used property.
   3. *Intensity*: Lighting shall not cause illumination beyond any residential Lot Line or road right-of-way line in excess of 0.1 Foot-candle of light. Lighting shall not cause illumination beyond any non-residential tract or parcel line or road right-of-way line in excess of 0.3 Foot-candle of light.
   4. Under-canopy lighting shall use full cut-off, recessed luminaires with flat lenses to minimize glare and light trespass.

5.66 US-20: Food Stand Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

P1 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 I1 M3

A. Food Stands shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall only be allowed as a Temporary Use, requiring a Temporary Use Permit. All licenses, certificates and permits from all government agencies shall be prominently displayed on the Food Stand. Non-incorporated children's stands, such as a lemonade stand, shall be exempt from Temporary Use permits.

B. Submittal of a site plan, indicating sales areas, shall be required before the issuance of any permits related to Food Stands. Signage plans are also required. Areas designated for Food Stands shall not be located within nor encroach upon:
   1. Any drainage easement;
   2. A fire lane;
   3. A maneuvering aisle,
   4. Any right-of-way, greenway or trail;
   5. A parking space or spaces necessary to meet the minimum parking requirements of the other use(s) of the lot or parcel.

C. Food Stands may be located within parking areas, provided it:
   1. Does not interfere with pedestrian or vehicular access or parking.
   2. Does not create a visibility obstruction to moving vehicles within a parking lot.

D. Food Stands shall be removed from the premises when not in operation.

E. The height of the Food Stand, including all accessory equipment and signage, shall not exceed ten (10) feet.

F. Signage in conjunction with a Food Stand shall be permitted signage per *Section 5.39(P): Temporary Sign; Signage for Temporary Uses* and attached to the Food Stand.

G. Food Stand vendors shall be prohibited from using or maintaining sound amplifying equipment, lights or noisemakers, such as bells, horns or whistles.

H. Customer seating areas associated with Food Stands shall be prohibited.

I. Temporary Use Permits for Food Stand may be issued for up to one (1) year.

J. All Food Stand requirements listed herein are in addition to health and safety codes administered by the State or County Health Departments.

5.67 US-21: Manufactured Home Park Use-Specific Standards

These Use-Specific Standards (US) apply to the following zoning district:

R4

A. All inhabited Mobile Homes/Manufactured Homes shall be located in a Mobile Home Park/Manufactured Home Park that has received Special Use approval. No inhabited Mobile Home Manufactured Home, outside an approved Mobile Home Park Manufactured Home Park, shall be connected to utilities except those Mobile Homes Manufactured Homes being offered for sale. Mobile Homes Manufactured Homes used for all other purposes shall be placed in accordance with the regulation of the Unified Development Ordinance.

B. Each lot provided for the occupancy of a single mobile home unit shall have an area of not less than 5,000 square feet and a width of not less than fifty (50) feet, and each mobile home park shall provide a total gross court area of not less than five (5) acres. The maximum gross density of the court shall be ten (10) units per gross acre.

C. Each mobile home site shall abut or face a clear unoccupied space, driveway, public or private roadway, or street of not less than twenty (20) feet in width, which shall have unobstructed access to a public highway or street.

D. Space between mobile homes may be used for the parking of motor vehicles if the space is clearly designated. Each mobile home unit shall have two (2) parking spaces.

E. The mobile home park shall be surrounded by a fifty-foot (50') wide landscaped strip.

F. A planting screen six (6) feet high is required where a mobile home park abuts a residential district.

G. The mobile home park shall provide a water distribution system and a sanitary collection system with connection to a public sanitary system.

H. Adequate storm water drainage by surface and subsurface means shall be provided.

5.68 US-22: Sexually Oriented Business Use-Specific Standards

These Use-Specific Standards (US) apply to the following district:

I1

A. Commitments by Owner: In the case of an sexually oriented business application which Seeks approval for the erection of a new building, the Board of Zoning Appeals shall, before approving such Special Use, require the applicant to make written Commitments that:

1. The building will be designed and erected in such manner that it can reasonably accommodate up to three (3) additional sexually oriented business within the same building;
2. The owner of the building will offer commercially reasonable lease terms to any other sexually oriented business owner that Seeks to collocate its business in the building, so as to accomplish the purpose of minimizing the number of such buildings that shall be erected in the City of Carmel community, and will agree to submit any disputes regarding the commercial reasonableness of such terms to binding arbitration;
3. The owner of the building will notify the Director of Community Services within thirty (30) days after any oral or written communication from another sexually oriented business owner inquiring about collocation within the building, providing the Director of Community Services with the name and address of the owner making the inquiry; and
4. The owner of the building will notify the Director of Community Services within thirty (30) days after any sexually oriented business located in the building goes out of business or is abandoned, and will agree to remove from the building all supplies and equipment that were used by such sexually oriented business, and to remove from the site all associated facilities. The commitment shall require that such removal be completed within sixty (60) days of the cessation of sexually oriented business operations at the site, and shall authorize the Director of Community Services, in the event that supplies, equipment, and facilities are not removed within the required sixty-day period, to enter upon the premises and remove the supplies, equipment, and facilities, with the costs of such removal to be assessed against the owner of the parcel.

B. Commitment: A Commitment made under Subparagraph (2) above shall be recorded pursuant to state statute and may be enforced by the Board of Zoning Appeals, by the Director of Community Services, or by any sexually oriented business owner that desires to collocate its business in the building subject to the Commitment.

C. Loss of Approval: If, after thirty (30) days notice from the Board of Zoning Appeals, a person subject to a binding Commitment refuses to honor or abide by such Commitment, the Special Use approval shall be revoked by the Board of Zoning Appeals.

5.69 US-23: Private Recreational Facility Use-Specific Standards

These Use-Specific Standards (US) apply to the following district:

S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B8

A. Commercial Swimming Pool:
   1. *Minimum Area*: 2,000 square feet.

5.70 US-24: Ground Floor Residential Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

UC

A. Purpose: Ground floor multiple family and single family residential shall only be permitted as a short-term use, allowing the owner the opportunity to generate revenue until demand for commercial space strengthens.
B. Permitted: The ground floor space may fully or partially be used for multiple family and/or single family residential use as a Special Use, subject to any conditions per the Board of Zoning Appeals Rules of Procedure.
C. Time Limitation: Ground floor multiple family residential and single family residential shall only be permitted for up to five (5) years.
D. Documentation and Written Commitment: A signed affidavit or letter of understanding stating the following shall be submitted by the property owner prior to approval as a Special Use.
   1. *Time*: That the ground floor of the subject property shall only be used for residential purposes for the time frame approved by the Board of Zoning Appeals.
   2. *Restoration*: That the space will be abandoned as residential use by the end of the approved time frame at the expense of the owner.
   3. *Binding*: That the commitment to revert the space to commercial use shall be binding on all assignees or successors.
E. Ground Floor Facade Design: When the ground floor space is used for residential use, the ground floor facades shall fully maintain commercial character

5.71 US-25: Retail and Commercial Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

UR

A. Uses Applicable: The following uses listed as permitted uses in the UR District shall be regulated by *Section 5.71(B): Floor Limitations*.
   1. General Office*
   2. General Retail*
   3. General Service*
   4. Professional Office*
B. Floor Limitations:
   1. *Buildings Two Stories or Less*: The above listed permitted uses shall only be permitted on the first floor in buildings with two (2) stories or less.
   2. *Buildings Three Stories or Greater*: The above listed permitted uses shall only be permitted on the first and second floor in buildings with three (3) stories or more.
   3. *Square Feet Limitation*: Under no circumstance shall residential permitted uses be less than sixty percent (60%) of the building's total occupiable square feet to assure the districts intent be preserved.

5.72 US-26: Group Home Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5 UR

A. Purpose: It is the purpose of this Section to benefit the general public by minimizing adverse impacts on established residential neighborhoods in the City and the owners and residents of properties in these neighborhoods which may result from the conversion of residential properties to business or institutional uses. However, it is also the purpose of this Section to provide that the City may not refuse to make a reasonable accommodation for a Group Home whenever such an accommodation would not impose undue financial or administrative burdens on the City or require a fundamental alteration in the Comprehensive Plan.

B. Special Exception Eligibility: A Dwelling located in a Residential District may be used as a Group Home only if the owner or occupant applies for and is granted a Special Exception, pursuant to *Section 9.08: Special Exception (Group Homes and Short-Term Residential Rentals)* hereof.

C. Required Information for Application: Both the initial application and any renewal application for a Special Exception or Improvement Location Permit for a Group Home shall contain primary and secondary emergency contact information, including mailing address, phone number or email address. Upon approval of a Special Exception, emergency contact information shall be shared with the Carmel Police Department. Group Homes housing persons with developmental disabilities shall obtain, comply with, and maintain a license or certification from the Indiana Division of Disability and Rehabilitative Services which shall be included in its initial application. Group Homes housing those living with psychiatric disorders or addictions shall obtain, comply with, and maintain a license or certification from the Indiana Division of Mental Health and Addiction, which shall be included in its initial application.

D. Limitations:

1. No Group Home in an S1, S2, R1, R2, R3, R4, R5 or UR district shall provide housing for more than eight (8) unrelated persons.
2. The term of a Special Exception permit granted to a Group Home shall be for five (5), ten (10), or fifteen (15) years, at the discretion of the Board of Zoning Appeals. The grant of a Special Exception permit provides an exception only to the other requirements of the Unified Development Ordinance. It does not confer a right to lease, sublease, or otherwise use a Dwelling as a Group Home where such use is not otherwise allowed by law, a homeowners association agreement or requirements, any applicable covenant, condition, and restriction, a rental agreement, or any other restriction, requirement, or enforceable agreement.
3. Nothing in this Section shall relieve any person of the obligations imposed by any and all applicable provisions of Federal and State laws and the Carmel City Code, including but not limited to those obligations imposed by Indiana tax laws and rules. Further, nothing in this Section shall be construed to limit any remedies available under any and all applicable provisions of Federal or State law and the Carmel City Code.

E. Reasonable Accommodation: After formal acceptance of an application for a Special Exception for a Group Home, the Director of Community Services shall review the application for the purpose of determining whether it would be a reasonable accommodation for the City to grant the Special Exception in order to provide the residents who would be provided services at the Group Home with access to housing that is equal to that of residents who are not in need of such services. In addition to the items listed in *Section 9.08(C): Basis of Review* hereof, the Director of Community Services shall consider the following:

1. If there are other Group Homes clustered within a block of the site;
2. The number of unrelated persons who will be living in the Group Home, and whether any professional support staff will also be residing there;
3. In addition to any residents' cars, if more than two (2) staff cars will be parked at the Group Home, and whether they will be marked;
4. If the Dwelling, existing, modified or new, is similar in design, materials and landscaping as other adjacent and nearby Dwellings;
5. Any other exterior indication that the Dwelling will be inhabited by Group Home residents;
6. Any undue financial or administrative burdens that would be imposed on the City; and
7. If a fundamental alteration in the Comprehensive Plan would be required.

Based upon this review, the Director of Community Services may support or oppose the granting of the Special Exception.

5.73 US-27: Short-Term Rental Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5 UR

A. Purpose: It is the purpose of this Section to benefit the general public by minimizing adverse impacts on established residential neighborhoods in the City and the owners and residents of properties in these neighborhoods resulting from the conversion of residential properties to tourist and transient use.

B. Special Exception Eligibility: A Permanent Resident of a Dwelling located in a Residential District may use the Dwelling as a Short-Term Residential Rental Unit if:
   1. The Permanent Resident applies for and is granted a Special Exception, pursuant to *Section 9.08: Special Exception (Group Homes and Short-Term Residential Rentals)* hereof.
   2. The Permanent Resident maintains a valid Registered Retail Merchant Certificate;
   3. The Permanent Resident posts a clearly printed sign inside his or her Dwelling on the inside of the front door that provides information regarding the location of any fire extinguishers in the unit and building, gas shut off valves, fire exits, or pull fire alarms;

C. Required Information for Application: Both the initial application and any renewal application for a Special Exception permit shall contain the following:
   1. Information sufficient to show that the applicant is the Permanent Resident of the Short-Term Residential Rental Unit, and that the applicant has a Registered Retail Merchant Certificate. Permanent residency shall be established by showing that the Unit is listed as the applicant's residence on at least two (2) of the following: motor vehicle registration; driver's license; voter registration; tax documents showing the unit as the applicant's primary residence for a standard homestead credit; or utility bill. A renewal application shall contain sufficient information to show that the applicant is a Permanent Resident and has occupied the unit for at least 275 days of the preceding calendar year.
   2. Primary and secondary emergency contact information, including mailing address, phone number or email address. Upon approval of a Special Exception, emergency contact information shall be shared with the Carmel Police Department.

D. Limitations: The term of a Special Exception permit granted to a Permanent Resident shall be one (1) year. The grant of a Special Exception permit provides an exception only to the other requirements of this Ordinance. It does not confer a right to lease, sublease, or otherwise use a Dwelling as a Short-Term Residential Rental Unit where such use is not otherwise allowed by law, a homeowners association agreement or requirements, any applicable covenant, condition, and restriction, a rental agreement, or any other restriction, requirement, or enforceable agreement. Nothing in this Section shall relieve any person or facilitator of the obligations imposed by any and all applicable provisions of state law and the Carmel City Code, including but not limited to those obligations imposed by Indiana tax laws and rules. Further, nothing in this Section shall be construed to limit any remedies available under any and all applicable provisions of state law and the Carmel City Code.

E. Suspension of Section: The Mayor may, subject to approval by resolution of the Council, suspend operation of this Section for not more than thirty (30) days per calendar year, during periods of time when major sporting activities or other special events, including, but not limited to the Indianapolis 500, PGA Tournament, NCAA Tournament, or a large convention, are scheduled in the Central Indiana community. During these periods, a Permanent Resident may use his or her Dwelling as a Short-Term Residential Rental Unit without obtaining a Special Exception permit.

5.74 US-28: Non-Dwelling Short-Term Rental Use-Specific Standards

This Use-Specific Standards (US) section applies to the following zoning districts:

S1 S2 R1 R2 R3 R4 R5 UR

A. Purpose: It is the purpose of this Section to benefit the general public by minimizing adverse impacts on established residential neighborhoods in the City and the owners and residents of properties in these neighborhoods resulting from the conversion of residential properties or portions thereof to tourist, entertainment, transient and/or temporary uses.

B. Special Exception Eligibility: A Permanent Resident of a Dwelling located in a Residential District may use a portion of the real estate where such Dwelling is located as a Non-Dwelling Short-Term Rental if:
   1. The Permanent Resident applies for and is granted a Special Exception, pursuant to *Section 9:08: Special Exception* (*Group Homes and Short-Term Residential Rentals*) hereof.
   2. The Permanent Resident maintains a valid Registered Retail Merchant Certificate;
   3. The Permanent Resident posts a clearly printed sign in the clearly-visible location within the rented space that provides information regarding the location of lifesaving equipment, fire extinguishers, gas shut off valves if gas-operated equipment is present, evacuation exits, and emergency contact information.

C. Required Information for Application: Both the initial application and any renewal application for a Special Exception permit shall contain the following:
   1. Information sufficient to show that the applicant is the Permanent Resident of the real estate where Non-Dwelling Short-Term Rental is located, and that the applicant has a Registered Retail Merchant Certificate. Permanent residency shall be established by showing that the Unit is listed as the applicant's residence on at least two (2) of the following: motor vehicle registration; driver's license; voter registration; tax documents showing the unit as the applicant's primary residence for a standard homestead credit; or utility bill. A renewal application shall contain sufficient information to show that the applicant is a Permanent Resident and has occupied the real estate for at least 275 days of the preceding calendar year.
   2. Primary and secondary emergency contact information, including mailing address, phone number or email address. Upon approval of a Special Exception, emergency contact information shall be shared with the Carmel Police Department.
   3. Any other information as may be required by the Director to evaluate the application.

D. Limitations:
   1. The term of a Special Exception permit granted to a Permanent Resident shall be one (1) year. The grant of a Special Exception permit provides an exception only to the other requirements of this Ordinance. It does not confer a right to lease, sublease, or otherwise use a residential property or portions thereof as a Non-Dwelling Short-Term Rental where such use is not otherwise allowed by law, a homeowners association agreement or requirements, any applicable covenant, condition, and restriction, a rental agreement, or any other restriction, requirement, or enforceable agreement. Nothing in this Section shall relieve any person or facilitator of the obligations imposed by any and all applicable provisions of state law and the *Carmel City Code*, including but not limited to those obligations imposed by Indiana tax laws and rules. Further, nothing in this Section shall be construed to limit any remedies available under any and all applicable provisions of state law and the *Carmel City Code*.
   2. If, after obtaining a permit, the real estate is subject to two (2) notices of violations or citations for violation of any provision of this Section, the *Carmel City Code* or state law that is attributable to the use of the real estate as a Non-Dwelling Short-Term Rental, the permit shall be revoked. Director of Community Services shall notify the Permanent Resident of the permit revocation via first class mail and/or posting such notice at the real estate.
   3. In addition to all of the Limitations of *Subsection 5.74(D)(1)* above, Non- Dwelling Short-Term Rental shall have the following use-specific limitations:
      a. Pools:
         i. Permanent Resident must be at the property at all times during a Non-Dwelling Short-Term Rental operation.
         ii. Permanent Resident must obtain premises liability insurance in the amount not less than $1,000.000.00 per occurrence. The insurance must be renewed annually. The certificate of such insurance shall be delivered to the Department of Community Services prior to listing the real estate as a Non-Dwelling Short-Term Rental. Proof of annual insurance renewal shall be delivered to the Department of Community Services.
         iii. Operation hours shall be between 10 A.M and 8 P.M.

iv. A group size for a single Non-Dwelling Short-Term Rental shall not exceed ten (10) individuals. At least one of these individuals shall be at least twenty-one (21) years of age.
v. Number of Non-Dwelling Short-Term Rentals shall not exceed one (1) day per calendar month. The rental shall not exceed five (5) hours.
vi. Permanent Resident must provide sufficient guest parking that must be contained within the real estate.
vii. Permanent Resident must comply with any applicable state laws, rules and regulations relating to pool operation.
viii. Permanent Resident shall ensure that renters do not trespass on the neighbors' properties.

b. Yards and other facilities (includes decks, patios, accessory structures etc.):
i. Permanent Resident must be at the property at all times during a Non-Dwelling Short-Term Rental operation.
ii. Permanent Resident must obtain premises liability insurance in the amount not less than $1,000.000.00 per occurrence. The insurance must be renewed annually. The certificate of such insurance shall be delivered to the Department of Community Services prior to listing the real estate as a Non-Dwelling Short-Term Rental. Proof of annual insurance renewal shall be delivered to the Department of Community Services
iii. Operation hours shall be between 10 A.M and 8 P.M.
iv. A group size for a single Non-Dwelling Short-Term Rental shall not exceed ten (10) individuals. At least one of these individuals shall be at least twenty-one (21) years of age.
v. Number of Non-Dwelling Short-Term Rentals shall not exceed one (1) day per calendar month. The rental shall not exceed five (5) hours.
vi. Permanent Resident must provide sufficient guest parking that must be contained within the real estate.

5.75 UT-01: Utility Services Standards

These Utility Services Standards (UT) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. Required Community Facilities: When community facilities (community water, community sanitary sewer, and/or storm sewer) are required in a particular zoning district and one or all of the public systems are unable to support an additional load, the Plan Commission may grant approval for use of an alternative method of providing the service or services with the provision that public facilities will be utilized when they become available.

5.76 VC-01: Vision Clearance Standards

These Vision Clearance Standards (VC) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 B1 B2 B3 B5 B6 B7 B8 MC I1 M3

A. Corner Lots: A triangular space at the street corner of a Corner Lot, free from any kind of obstruction to vision between the heights of three (3) and eight (8) feet above the established street grade. The street grade is measured at the intersection of the centerlines of the intersecting street pavement, and the triangular space is determined by a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the Lot corner along each property line at intersections of two (2) local streets or twenty-five (25) feet at the intersection of any other types of Streets.

B. Vision Clearance Triangle: A vision clearance triangle shall be maintained at every intersection of two (2) or more streets, intersection of a street and alley, intersection with a street and entrance, and intersection of a street and driveway.

1. *Horizontal Area*:

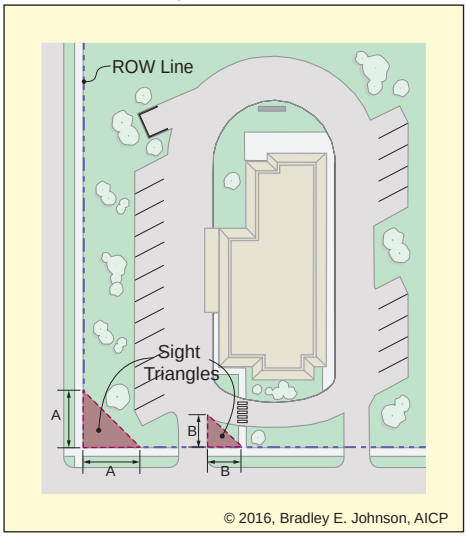
a. Streets: The vision clearance triangle leg lengths shall be measured from the intersection of right-of-way lines (See "A" in the illustration below). If the right-of-way line curves, then each right-of-way line shall be extended to form a corner point to measure from. The distances for each leg of the vision clearance triangle shall be as follows:

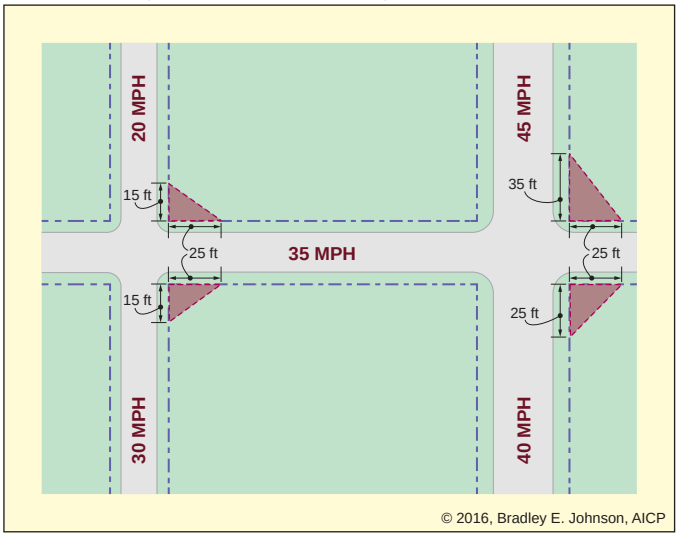
i. Speed Limit 30 MPH or Less: A triangle leg that parallels a street with a speed limit of 30 MPH or less shall be fifteen (15) feet.

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 twenty-five (25) 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 thirty-five (35) feet.

b. Alleys, Entrances 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, entrance, or alley (See "B" in the illustration below). The edge of pavement shall be used for driveways, entrances and alleys.





c. Vertical Area: No primary or accessory buildings, landscaping, fences, walls, or signs shall be permitted to be placed in or to project into the vision clearance triangle between the heights of two (2) feet and nine (9) feet above the established street grade. The street grade is measured at the intersection of the centerlines of the street and the intersecting street, alley, entrance or driveway.

d. Exemptions: Public street signs, utility boxes, utility markers, and utility poles shall be exempt from the vision clearance standards if all reasonable opportunities to keep the vision clearance triangle free from obstructions is not reasonably possible or considered unsafe for motorists or pedestrians.

5.77 WS-01: Weed and Solid Waste Standards

These Weed and Solid Waste Standards (WS) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

A. All developed or improved property in the Business, Industrial and Manufacturing Districts, and all developed or improved residential lots, shall be maintained so as to be free of weeds and other unsightly growth of plant materials.

B. Trash, garbage and solid wastes shall not be stored outside of any building, covered receptacle or approved dumpster enclosure, if applicable, for a period of longer than seven (7) days, except when construction is in progress.

5.78 WP-01: Wellhead Protection Standards

These Wellhead Protection Standards (WP) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 UR B1 B2 B3 B5 B6 B7 B8 C1 C2 UC MC I1 M3

The following standards apply to any property that partially or fully is within a one-year time of travel recharge area for a public well, whether in Carmel's planning jurisdiction or an adjacent jurisdiction.

A. Lakes and Ponds: Any on-site, man-made lake, pond, or water impoundment shall completely seal the lake, pond, or other water impoundment of any kind when it is located within the one-year time of travel for any existing public wellhead. No lakes, ponds or other water impoundment of any kind shall be allowed within the 200 foot radius of a public wellhead.

B. Infiltration and Percolation: A development shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of streets, buildings and impervious surfaces.

5.79 WL-01: Wireless Support Structure Standards

These Wireless Support Structure Standards (WP) apply to the following district:

I1

A. Generally: The purpose of this Section is intended to implement the provisions of *IC 8-1-32.3*, but otherwise to comply with *IC 36-7-4*, in regard to the City's regulation of the placement, construction, or modification of Wireless Support Structures.

B. Delegation of Authority: For purposes of *IC 8-1-32.3* and *Section 332(c)(7)(B) of the Federal Telecommunications Act of 1996 as in effect on July 1, 2017*, the Board of Zoning Appeals shall exercise the authority to conduct hearings, to make decisions, and to approve the issuance or denial of Improvement Location Permits (except for Collocation) under this Section. The Planning Administrator shall exercise the authority to review applications for completeness, within the meaning of *IC 36-7-4-1109*, and to issue Improvement Location Permits or building permits under this Section.

C. Review of Applications: The Planning Administrator shall promptly review for completeness every application duly filed with the City which requests authorization to place, construct, or modify personal Wireless Facilities. Every applicant shall be notified within ten (10) Business Days of the City's receipt of an application whether its application is complete and whether a public hearing will be required regarding its request. Whenever no public hearing is required, the Planning Administrator shall take final action on the request within a reasonable period of time after the request is duly filed. Whenever a public hearing is required regarding a request, the Board of Zoning Appeals shall conduct the hearing and take final action on the request within a reasonable period of time. For purposes of *Section 5.79: Wireless Support Structure Standards*, any application that contains all of the following information shall be considered complete:

1. A statement that the applicant is a person that either provides Wireless Communications Service or owns or otherwise makes available infrastructure required for such Service.
2. The name, business address, and point of contact for the applicant.
3. The location of the proposed or affected Wireless Support Structure or Wireless Facility.
4. A construction plan that includes evidence of conformance with all applicable building permit requirements.
5. Except for an application that requests Collocation only, evidence showing that the application complies with the applicable criteria set forth in *Section 9.09: Special Use* for a special use, or that the application complies with the applicable criteria for a variance of use under *IC 36-7-4-918.4*. An application that requests Collocation only is required to comply only with *Section 5.79(C)(1-4)*.
6. If the application requests an Improvement Location Permit for the construction of a new Wireless Support Structure, a construction plan that describes the proposed Wireless Support Structure and all equipment and network components, including Antennas, transmitters, receivers, Base Stations, power supplies, cabling, and related equipment, along with evidence supporting the choice of location for the proposed Wireless Support Structure, including a sworn statement from the individual responsible for the choice of location demonstrating that Collocation of Wireless Facilities on an existing Wireless Support Structure is not a viable option because Collocation:
   a. Would not result in the same Wireless Communications Service functionality, coverage, and capacity;
   b. Is technically infeasible; or
   c. Is an economic burden to the applicant.
7. If the application requests an Improvement Location Permit for Substantial Modification of a Wireless Support Structure, a construction plan that describes the proposed modifications to the affected Wireless Support Structure and all equipment and network components, including Antennas, transmitters, receivers, Base Stations, power supplies, cabling, and related equipment.

D. Failure to Notify: Any failure by the Planning Administrator to notify an applicant within ten (10) Business Days whether its application is complete shall be considered a non-final zoning decision within the meaning of *IC 36-7-4-1602(c)*, with the applicant consequently entitled to expedited judicial review of the non-final zoning decision.

E. Deadlines for Final Action: For purposes of *Section 5.79: Wireless Support Structure Standards* a reasonable period of time shall be determined as follows:
   1. If the request involves an application for Collocation only, a reasonable period of time is not more than forty-five (45) days from the date that the applicant is notified by the Planning Administrator that the application is complete. An application for Collocation only is not subject to a public hearing before the Board of Zoning Appeals, but the Planning Administrator may review the application for compliance with applicable building permit requirements before issuing the applicant an Improvement Location Permit or building permit.
   2. If the request involves an application for an Improvement Location Permit to construct a new Wireless Support Structure or for Substantial Modification of a Wireless Support Structure, a reasonable period of time is not more than ninety (90) days from the date that the applicant is notified that the application is complete, or not more than 120 days in any case in which the approval of a variance of use is necessary. The Board of Zoning Appeals shall conduct a public hearing on the request and shall make a decision on the request at the meeting at which it is first presented. Decisions made by the Board of Zoning Appeals after a public hearing conducted in accordance with this Section are considered zoning decisions for purposes of *IC 36-7-4* and are subject to judicial review under the *IC 36-7-4-1600* series.
   3. If an applicant has requested additional time to amend its application or requested or agreed to a continuance during the review or hearing process, then the period of time prescribed by *Section 5.79(D)(1)* and *Section 5.79(D)(2)* shall be extended for a corresponding amount of time. However, any failure by the Planning Administrator or the Board of Zoning Appeals to take final action on a request within a reasonable period of time shall be considered a non-final zoning decision within the meaning of *IC 36-7-4-1602(c)*, with the applicant consequently entitled to expedited judicial review of the non-final zoning decision.

F. Additional Rules: Notwithstanding *IC 36-7-4* or any rules adopted by the Board of Zoning Appeals under that provision,the following provisions apply to all applications submitted under *Section 5.79: Wireless Support Structure Standards*:
   1. In reviewing applications and conducting hearings, the Planning Administrator and the Board of Zoning Appeals shall comply with all applicable provisions of *Section 332(c)(7)(B) of the Federal Telecommunications Act of 1996* as in effect on July 1, 2015, and *Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012* as in effect on July 1, 2015.
   2. Neither the Planning Administrator nor the Board of Zoning Appeals may require an applicant to submit information about or evaluate an applicant's business decisions with respect to the applicant's designed service, customer demand, service quality, or desired signal strength to a particular location.
   3. All meetings of the Board of Zoning Appeals are subject to the *Open Door Law (IC 5-14-1.5)*. However, neither the Administrator nor the Board of Zoning Appeals may release to the public any records that are required to be kept confidential under Federal or State law, including the trade secrets of applicants, as provided in the *Access to Public Records Act (IC 5-14-3)* and other applicable laws.
   4. The Planning Administrator shall allow an applicant to submit a single consolidated application to collocate multiple Wireless Facilities, or for multiple Small Cell Facilities that are located within the planning jurisdiction and that comprise a single Small Cell Network. Whenever a consolidated application is approved, the Planning Administrator shall issue the applicant a single Improvement Location Permit for the multiple facilities, or for the Small Cell Network, in lieu of issuing multiple Permits for each respective Facility.
   5. The Board of Zoning Appeals shall not impose on an applicant a fall zone requirement for a Wireless Support Structure that is larger than the area within which the structure is designed to collapse, as set forth in the applicant's engineering certification for the structure, unless evidence submitted by a professional engineer demonstrates that the engineering certification in the application is flawed. *Section 5.79(F)(5)* does not apply to any setback requirement prescribed by the Unified Development Ordinance for the land use which is not based on the height of the Wireless Support Structure.
   6. Neither the Board of Zoning Appeals nor the Planning Administrator may require or impose conditions on an applicant regarding the installation, location, or use of Wireless Facilities on Utility Poles or Electrical Transmission Towers.

7. Neither the Planning Administrator nor the Board of Zoning Appeals may require an applicant to pay a fee associated with the submission, review, processing, or approval of the application unless the same or a similar fee also applies to applications for Permits for similar types of commercial or industrial development within the planning jurisdiction. In addition, if a fee is imposed in connection with the submission, review, processing, or hearing of an application, including a fee imposed by a third party that provides review, technical, or consulting assistance to the Planning Administrator or the Board of Zoning Appeals, the fee shall be based on actual, direct, and reasonable costs incurred for the review, processing, and hearing of the application, and shall not include:
   a. Travel expenses incurred by a third party in its review of an application; or
   b. Direct payment or reimbursement of third party fees charged on a contingency basis.

G. Conditions of Approval: Notwithstanding *IC 36-7-4* or any rules adopted by the Board of Zoning Appeals under that provision, the following conditions apply to all applications submitted under *Section 5.79: Wireless Support Structure Standards*:

1. If a Wireless Support Structure is abandoned or remains unused for a period of six (6) months, the owner shall remove the Wireless Support Structure and all associated facilities from the site. Such removal shall be completed within twelve (12) months of the cessation of operations at the site. In the event that a Wireless Support Structure is not removed within the required twelve (12) month period, the Director of Community Services may remove the Wireless Support Structure and the associated facilities, and the costs of such removal shall be assessed against the owner of the parcel.

5.80 YS-01: General Yard Standards

These Yard Standards (YS) apply to the following districts:

P1 S1 S2 R1 R2 R3 R4 R5 B1 B2 B3 B5 B6 B7 B8 I1 M3

A. On lots fronting on two non-intersecting streets, a front yard shall be provided on both streets (double frontage).

B. Corner Lots:
   1. There shall be a Front Yard provided on both Streets.
   2. On Corner Lots that are Lots of Record, the buildable Lot Width shall not be reduced to less than twenty-eight (28) feet, except that there shall be a Side Yard of at least five (5) feet along each Side Lot Line.
   3. The minimum buildable Lot Width of twenty-eight (28) feet for a principal building is reduced to twenty-two (22) feet for an accessory building.

C. Where a frontage is divided among districts with different front yard requirements, the deepest front yard required shall apply to the entire frontage.

D. There may be two (2) or more related multiple-family, hotel, motel or institutional buildings on a lot provided that:
   1. The required yards be maintained around the group of buildings, and
   2. Buildings that are parallel or that are within forty-five degrees (45º) of being parallel be separated by a horizontal distance that is at least equal to the height of the highest building.

E. Those parts of existing buildings that violate yard regulations may be repaired and remodeled, but any addition shall provide the required yards.

F. The minimum width of side yards for schools, libraries, churches, community buildings, and other public and semi-public buildings in residential districts shall be twenty-five (25) feet, except where a side yard is adjacent to a Business, Industrial or Manufacturing District, in which case the width of that yard shall be as required in the district in which the building is located.

G. Open, unenclosed porches (not under roof) or patios may extend ten (10) feet into a front yard.

H. Terraces which do not extend above the level of ground (first) floor may project into a required yard, provided these projections be a distance of at least two (2) feet from the adjacent side lot line.

I. No side yards are required where dwellings are erected above commercial and industrial structures, except such side yard is required for a commercial or industrial building on the side of a lot adjoining a residential district.

J. Sills, belt courses, window air-conditioning units, window wells, cornices, and ornamental features may project into a required yard a distance not to exceed twenty-four (24) inches.

K. Normal roof overhang, open fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues shall be permitted to project into required yards for a distance of not more than forty-eight (48) inches when so placed as to not obstruct light and ventilation.

5.81 YS-02: Residential Yard Standards

These Yard Standards (YS) apply to the following districts:

S1 S2 R1 R2 R3 R4 R5

A. Residential Districts:

1. The measurement for the required front yard of any lot accessed via a frontage place may include the frontage place.
2. Where twenty-five percent (25%) or more of the lots of record in the block are occupied by buildings, the average setback of such buildings determine the dimension of the front yard in the block.
3. Building lines or building setback lines established in a recorded subdivision shall establish the dimension of front yards in such subdivisions except such building setback lines shall not be less restricting than the Unified Development Ordinance.

5.82 YS-03: Non-Residential Yard Standards

These Yard Standards (YS) apply to the following districts:

P1 B1 B2 B3 B5 B6 B7 B8 I1 M3

A. Business, Industrial and Manufacturing Districts:

1. Alley space shall not be included for loading and unloading berths.
2. Where twenty-five percent (25%) or more of the lots of record in a block are occupied by buildings, the average setback of such buildings shall determine the dimension of the front yard in the block.
3. Parking is permitted in the required front yard in the Business and Industrial Districts.

5.83 ZL-01: Zero Lot Line Standards

These Zero Lot Line Standards (ZL) apply to the following districts:

UR C1 C2 UC MC

The following standards apply to any principal building or accessory building built on or within four (4) feet of a side property line, front property line, or rear property line.

A. Foundation Landscaping Exemption: If a side facade of a principal building is approved as a common wall to which another principal building on the adjacent property will attach, then foundation landscaping shall not be required.

B. Foundation or Building Projections: A principal building or accessory building's foundation, including any window well, deck, balcony, or other building appurtenance shall not project beyond the plane of the property line.

C. Easements:

1. *Access Easement*: An access easement with the adjacent property owner shall be established such to grant access to the subject property owner for building maintenance in perpetuity.
2. *Drainage Easement*: When necessary for the detention, conveyance or water quality, a storm water drainage easement shall be provided.
3. *Landscaping Easement*: If foundation plantings are required for the principal building on the subject property, a landscaping easement shall be established for the landscape bed, plants, shrubs and the like, such that the subject property owner may maintain the required landscaping in perpetuity.

D. Mechanical Equipment and On-Site Utilities: Mechanical equipment and utility components such as air conditioning condensers, generators, electrical panels, electrical drops, gas meters, meter pits, telecommunication equipment, water heater cabinets, and the like shall not be located between the principal building and the property line, or project into the neighboring property.

E. Utilities: Water mains, sanitary sewer mains, gas mains, storm water mains, power trunk lines, and the like, built parallel to a public right-of-way in a utility easement, or otherwise built along or through a property in a utility easement, shall not be encroached upon by a principal building or other permanent structure without the written authority to do so by the easement holder(s).

F. Detention of Right-of-Way: Under no circumstance shall the detention of storm water from an adjacent right-of-way be waived.

Article

6

Subdivision Types

City of Carmel
Unified Development
Ordinance

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GroundRules
website www.groundrulesinc.com

Simple Subdivision (SS)

6.01 Simple Subdivision (SS) Intent

The Simple Subdivision type of subdivision is established to allow minor subdivisions of land with the following priorities:

Permitted Land Uses
- Land uses permitted in the base zoning district(s)
- Assure compatibility with adjacent land uses

Pedestrian Network
- Install sidewalks or multi-use paths along perimeter streets to match existing, or to install according to the Bike and Pedestrian Facilities Plan

Vehicular Network
- Preserve accessibility to undeveloped land behind frontage lots
- Assure access points are safely located

Site Features
- Strive to save existing quality tree stands

Lot Standards
- All resulting lots shall meet the minimum lot area and minimum lot width standards per the base zoning district

Incentives
- None

6.02 Simple Subdivision (SS) Prerequisites

Base Zoning
- All zoning districts

Minimum Lot Splits
- Not applicable

Maximum Lot Splits
- 6 lots

Minimum Parent Tract
- Not applicable

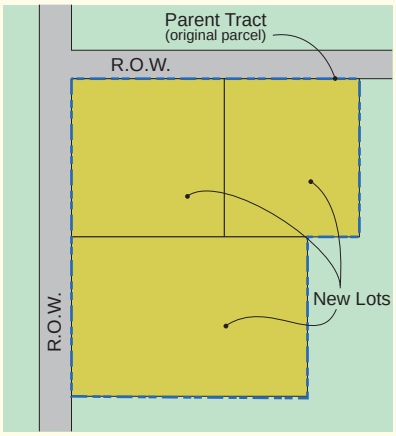
Maximum Parent Tract
- Not applicable

Disqualifications
- Any subdivision with common area
- Any subdivision with internal streets
- Subject land was previously subdivided utilizing a minor or major subdivision process
- Any subdivision that cannot meet the storm water detention or quality standards
- Any new lot that doesn't have street access

Applicable Process
- Minor subdivision

Simple Subdivision (SS)

6.03 Simple Subdivision (SS) Design Standards



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No Applicable Graphic

No Applicable Graphic

Minimum Required Open Space
- Not applicable

Resulting Lots
- All resulting lots shall meet the minimum lot standards of the base zoning district (e.g. lot area and lot width)

Minimum Perimeter Landscaping
- Not applicable; however, bufferyard requirements in *Section 5.19(F)(1): Bufferyard*, *Section 5.20: Bufferyard Standards*, or *Section 5.21: C2 Bufferyard Standards* may apply

Dedication of Land
- One-half right-of-way shall be established through dedication of land, when necessary to meet the planned right-of-way as determined by the Thoroughfare Plan

Storm Water Management Permit
- Any ¼ acre or greater disturbance shall first be issued a storm water management permit

Minimum Block Length
- Not applicable (no internal streets)

Maximum Block Length
- Not applicable (no internal streets)

Minimum Cul-de-sac Length
- Not applicable (no internal streets)

Maximum Cul-de-sac Length
- Not applicable (no internal streets)

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 Transportation Plan
- Any off-street trail or off-street urban trail indicated on the Bicycle and Pedestrian Plan Map shall be required

Minimum ROW for Internal Streets
- Not applicable

Minimum Lane Width
- Not applicable (no internal streets)

Curb Requirement
- Not applicable (no internal streets)

On-street Parking Requirement
- Not applicable (no internal streets)

Minimum Sidewalk Width
- Not applicable (no internal streets)

Minimum Tree Lawn Width
- Not applicable (no internal streets)

Additional Design Standards that Apply

Development Name
- DN-01 ..... pg. 7-9

Easement
- EA-01 ..... pg. 7-12

Flood Damage Prevention
- FD-01 ..... pg. 7-18

Lot Establishment
- LE-01 ..... pg. 7-23

Monuments and Markers
- MM-01 ..... pg. 7-25

Pedestrian Network
- PN-01 ..... pg. 7-31

Prerequisite
- PQ-01 ..... pg. 7-36

Storm Water
- SM-01 ..... pg. 7-48

Conservation Subdivision (CS)

6.04 Conservation Subdivision (CS) Intent

The Conservation Subdivision (CS) is established to provide a subdivision development option with the following priorities:

Permitted Land Uses
- Only the residential uses permitted in the base 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
- Minimal use of cul-de-sacs
- Large radius curves

Site Features
- Strive to save a substantial amount of existing native tree stands or other quality natural features; or to create a meaningful natural area (e.g. tree stands, prairie)

Lot Standards
- All resulting lots shall meet the minimum lot area and minimum lot width standards per the base zoning district

Incentives
- Intensity bonus for commitment to comply with specific architectural standards
- Small density bonus for conserving pre-existing quality environmental features

6.05 Conservation Subdivision (CS) Prerequisites

Base Zoning
- S1, S2, R1, R2, R3

Minimum Lot Splits
- Subdivisions resulting in 10 lots or more

Maximum Lot Splits
- Not applicable

Minimum Parent Tract
- Not applicable

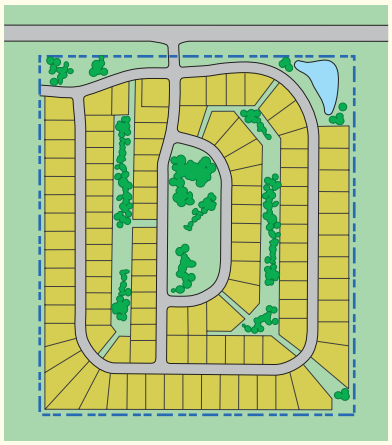
Maximum Parent Tract
- Not applicable

Disqualifications
- Any subdivision that cannot meet the storm water detention or quality standards
- Any new lot that doesn't have street access

Applicable Process
- Major subdivision

Conservation Subdivision (CS)

6.06 Conservation Subdivision (CS) Design Standards



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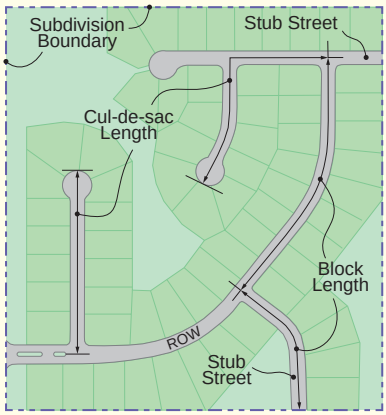

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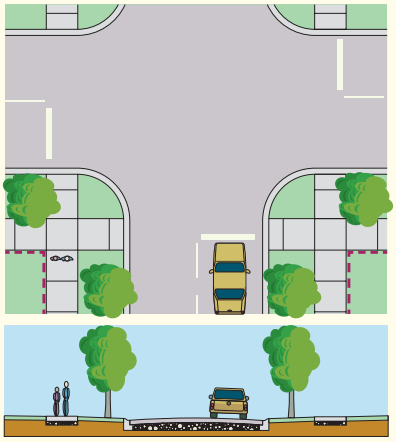

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Minimum Required Open Space
- 35% of the original parent tract

Resulting Lots
- All resulting lots shall meet the minimum lot standards of the base zoning district (e.g. lot area and lot width)
- If the parent tract has a qualified environmental feature, or the applicant commits to creating a meaningful environmental feature a 5% density bonus shall be given

Minimum Perimeter Landscaping
- 25 feet of landscaped common area along a perimeter street classified as a boulevard, collector or local street
- 50 feet of landscaped common area along a perimeter street classified as an arterial
- 75 feet of landscaped common area along a perimeter street classified as Keystone Parkway, highway or interstate

Dedication of Land
- One-half right-of-way shall be established through dedication of land, when necessary to meet the planned right-of-way as determined by the Thoroughfare Plan

Storm Water Management Permit
- Any ¼ acre or greater disturbance shall first be issued a storm water management permit

Minimum Block Length
- 250 feet

Maximum Block Length
- 2,000 feet

Eyebrow Cul-de-sac
- Permitted only when supported by the Engineering Department

Minimum Cul-de-sac Length
- 120 feet or 6 total lots gaining access to the cul-de-sac street, whichever is greater

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 Transportation Plan
- Any off-street trail or off-street urban trail indicated on the Bicycle and Pedestrian Plan Map shall be required

Minimum ROW for Internal Streets
- 50 feet

Minimum Lane Width
- 10½ feet per driving lane, plus 7 feet for a parking lane (if applicable)

Curb Requirement
- Rolled curb required; however, flush curb are permitted where green infrastructure necessitates

On-street Parking Requirement
- Permitted on only 1 side, but not required; however, if parking lanes are not installed, off-street parking and "no parking" signs shall clearly be established

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 ..... pg. 7-3

Common Area
- CA-01 ..... pg. 7-6

Dedication of Public Improvements
- DD-01 ..... pg. 7-8

Development Name
- DN-01 ..... pg. 7-9

Development Utility
- DU-01 ..... pg. 7-10

Easement
- EA-01 ..... pg. 7-12

Entryway Feature
- EF-01 ..... pg. 7-16

Flood Damage Prevention
- FD-01 ..... pg. 7-18

Incentive
- IC-01 ..... pg. 7-19

Lot Establishment
- LE-02 ..... pg. 7-24

Monuments and Markers
- MM-01 ..... pg. 7-25

Open Space
- OP-01 ..... pg. 7-26

Owners' Association
- OA-01 ..... pg. 7-29

Pedestrian Network
- PN-02 ..... pg. 7-32

Perimeter Landscaping
- PL-01 ..... pg. 7-34

Prerequisite
- PQ-01 ..... pg. 7-36

Street and Access
- SA-01 ..... pg. 7-37
- SA-02 ..... pg. 7-41
- SA-04 ..... pg. 7-43
- SA-06 ..... pg. 7-45

Street Lighting
- SL-01 ..... pg. 7-46

Storm Water
- SM-01 ..... pg. 7-48

Surety
- SY-01 ..... pg. 7-49

Residential Subdivision (RS)

6.07 Residential Subdivision (RS) Intent

The Residential Subdivision (RS) is established to provide a subdivision development option with the following priorities:

Permitted Land Uses
- Only the residential uses permitted in the base 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
- Minimal use of cul-de-sacs
- Large radius curves

Site Features
- Strive to save existing native tree stands

Lot Standards
- All resulting lots shall meet the minimum lot area and minimum lot width standards per the base zoning district

Incentives
- Intensity bonus for commitment to comply with specific architectural standards and/or providing more open space

6.08 Residential Subdivision (RS) Prerequisites

Base Zoning
- S1, S2, R1, R2, R3

Minimum Lot Splits
- Subdivisions resulting in 4 lots or more

Maximum Lot Splits
- Not applicable

Minimum Parent Tract
- Not applicable

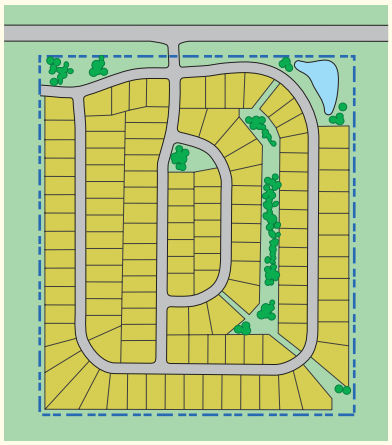
Maximum Parent Tract
- Not applicable

Disqualifications
- Any subdivision that cannot meet the storm water detention or quality standards
- Any new lot that doesn't have street access

Applicable Process
- Major subdivision

Residential Subdivision (RS)

6.09 Residential Subdivision (RS) Design Standards



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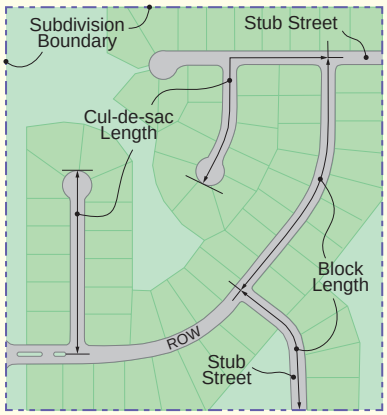

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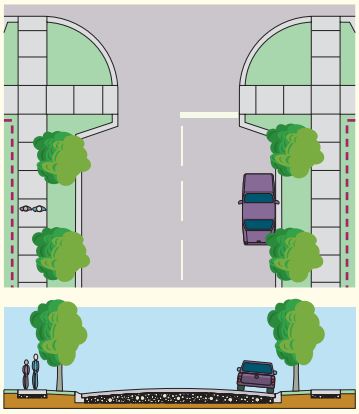

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Minimum Required Open Space
- 25% of the original parent tract

Resulting Lots
- All resulting lots shall meet the minimum lot standards of the base zoning district (e.g. lot area and lot width)

Minimum Perimeter Landscaping
- 25 feet of landscaped common area along a perimeter street classified as a collector,boulevard, or local street
- 50 feet of landscaped common area along a perimeter street classified as an arterial
- 75 feet of landscaped common area along a perimeter street classified as Keystone Parkway, highway, or interstate

Dedication of Land
- One-half right-of-way shall be established through dedication of land, when necessary to meet the planned right-of-way as determined by the Thoroughfare Plan

Storm Water Management Permit
- Any ¼ acre or greater disturbance shall first be issued a storm water management permit

Minimum Block Length
- 150 feet

Maximum Block Length
- 2,000 feet

Eyebrow Cul-de-sac
- Permitted only when supported by the City Engineer

Minimum Cul-de-sac Length
- 120 feet or 6 total lots gaining access from the cul-de-sac street, whichever is greater

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 Transportation Plan
- Any off-street trail or off-street urban trail indicated on the Bicycle and Pedestrian Plan Map shall be required

Minimum ROW for Internal Streets
- 56 feet

Minimum Lane Width
- 10½ feet per driving lane, plus 7 feet per parking lane

Curb Requirement
- Chair-back curb or rolled curb required; however, flush curb are permitted where green infrastructure necessitates

On-street Parking Requirement
- Permitted on 1 or 2 sides, but not required; however, if parking lanes are not installed, off-street parking and “no parking” signs shall clearly be established

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 ..... pg. 7-3

Common Area
- CA-01 ..... pg. 7-6

Dedication of Public Improvements
- DD-01 ..... pg. 7-8

Development Name
- DN-01 ..... pg. 7-9

Development Utility
- DU-01 ..... pg. 7-10

Easement
- EA-01 ..... pg. 7-12

Entryway Feature
- EF-01 ..... pg. 7-16

Flood Damage Prevention
- FD-01 ..... pg. 7-18

Incentive
- IC-01 ..... pg. 7-19

Lot Establishment
- LE-02 ..... pg. 7-24

Monuments and Markers
- MM-01 ..... pg. 7-25

Open Space
- OP-01 ..... pg. 7-26

Owners’ Association
- OA-01 ..... pg. 7-29

Pedestrian Network
- PN-02 ..... pg. 7-32

Perimeter Landscaping
- PL-01 ..... pg. 7-34

Prerequisite
- PQ-01 ..... pg. 7-36

Street and Access
- SA-01 ..... pg. 7-37
- SA-02 ..... pg. 7-41
- SA-03 ..... pg. 7-43
- SA-04 ..... pg. 7-43
- SA-06 ..... pg. 7-45

Street Lighting
- SL-02 ..... pg. 7-46

Storm Water
- SM-01 ..... pg. 7-48

Surety
- SY-01 ..... pg. 7-49

Townhouse Subdivision (TS)

6.10 Townhouse Subdivision (TS) Intent

The Townhouse Subdivision type is intended to provide a subdivision development option with the following priorities:

Permitted Land Uses
- Only the residential uses permitted in the base 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 Features
- Architectural variation from building to building or unit to unit
- Infill development in urban areas or integrated into areas appropriate for high density housing

Lot Standards
- All resulting lots shall meet the minimum lot area and minimum lot width standards per the base zoning district

Incentives
- Intensity bonus for compliance with townhouse subdivision design standards and architectural standards

Applicability
- This subdivision type results in a multiple-unit building, divided by a line from the front property line to rear property line through a common wall. Thus, each unit has a front and rear yard, and end units also have a second front yard or side yard. Condominium types of townhouses (unit footprint only) or apartment type (single owner for all units) can be approved through alternative processes.

6.11 Townhouse Subdivision (TS) Prerequisites

Base Zoning
- R4 and R5

Minimum Lot Splits
- Subdivisions resulting in 4 lots or more

Maximum Lot Splits
- Not applicable

Minimum Parent Tract
- Not applicable

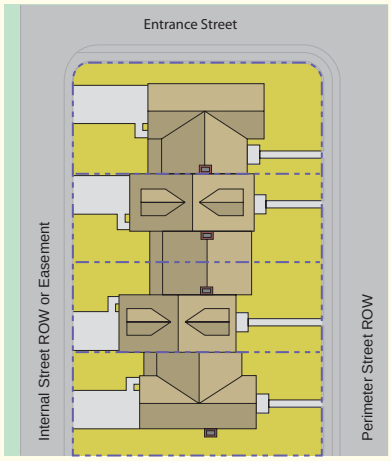
Maximum Parent Tract
- 30 acres

Disqualifications
- Driveway cut for any dwelling unit off of a boulevard, collector or arterial street
- Requesting a waiver or variance that reduces the applicable architectural standards
- Condominium developments
- Apartment developments
- Any subdivision that cannot meet the storm water detention or quality standards
- Any new lot that doesn't have street access

Applicable Process
- Major subdivision
- Development plan

Townhouse Subdivision (TS)

6.12 Townhouse Subdivision (TS) Design Standards



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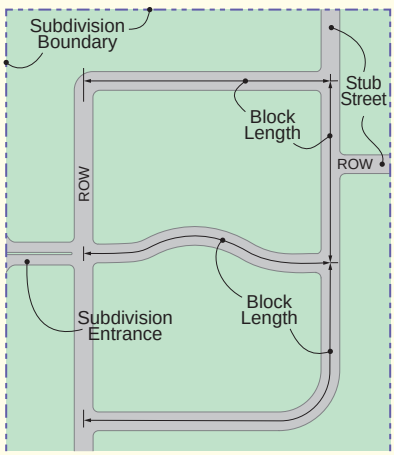

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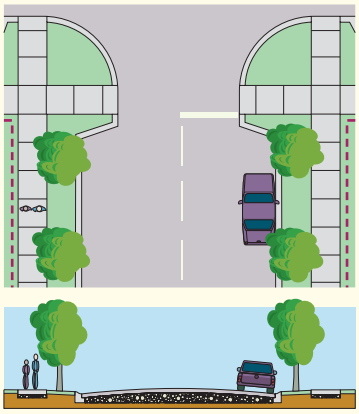
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Minimum Required Open Space
- 15% of the original parent tract

Resulting Lots
- All resulting lots shall meet the minimum lot standards of the base zoning district (e.g. lot area and lot width)

Minimum Perimeter Landscaping
- 0 feet of landscaped common area where front facades face a perimeter street classified as a local street, collector, boulevard, or arterial street
- 30 feet of landscaped common area where front facades face a perimeter street classified as Keystone Parkway
- 75 feet of landscaped common area where rear facades face any perimeter street and along any property line adjacent to a highway or interstate

Dedication of Land
- One-half right-of-way shall be established through dedication of land, when necessary to meet the planned right-of-way as determined by the Thoroughfare Plan

Storm Water Management Permit
- Any ¼ acre or greater disturbance shall first be issued a storm water management permit

Minimum Block Length
- 100 feet

Maximum Block Length
- 1,000 feet

Eyebrow Cul-de-sac
- Not permitted

Minimum Cul-de-sac Length
- Not permitted

Maximum Cul-de-sac Length
- 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 Transportation Plan
- Any off-street trail or off-street urban trail indicated on the Bicycle and Pedestrian Plan Map shall be required
- A sidewalk shall connect the front door to the street the front facade faces

Minimum ROW for Internal Streets
- 56 feet

Minimum Lane Width
- 10½ feet per driving lane, plus 7 feet per parking lane

Curb Requirement
- Chair-back curb required; however, flush curb are permitted where green infrastructure necessitates

On-street Parking Requirement
- Required on 1 side, permitted on 2 sides

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-02 ..... pg. 7-5

Common Area
- CA-01 ..... pg. 7-6

Dedication of Public Improvements
- DD-01 ..... pg. 7-8

Development Name
- DN-01 ..... pg. 7-9

Development Utility
- DU-01 ..... pg. 7-10

Easement
- EA-01 ..... pg. 7-12

Entryway Feature
- EF-01 ..... pg. 7-16

Flood Damage Prevention
- FD-01 ..... pg. 7-18

Incentive
- IC-02 ..... pg. 7-21

Lot Establishment
- LE-02 ..... pg. 7-24

Monuments and Markers
- MM-01 ..... pg. 7-25

Open Space
- OP-01 ..... pg. 7-26

Owners' Association
- OA-01 ..... pg. 7-29

Pedestrian Network
- PN-02 ..... pg. 7-32

Perimeter Landscaping
- PL-01 ..... pg. 7-34

Prerequisite
- PQ-01 ..... pg. 7-36

Street and Access
- SA-01 ..... pg. 7-37
- SA-02 ..... pg. 7-41
- SA-04 ..... pg. 7-43
- SA-06 ..... pg. 7-45

Street Lighting
- SL-03 ..... pg. 7-47

Storm Water
- SM-01 ..... pg. 7-48

Surety
- SY-01 ..... pg. 7-49

Commercial Subdivision (CM)

6.13 Commercial Subdivision (CM) Intent

The Commercial Subdivision type is intended to provide a subdivision development option with the following priorities:

Permitted Land Uses
- All uses permitted in the base zoning district(s) except single-family and two-family dwellings

Pedestrian Network
- Safe internal connections between principle structures and from principle structures to public streets
- Sidewalks or multi-use paths along perimeter streets
- Connection to adjacent developments

Vehicular Network
- Safe internal connections between parcels via internal streets, utilization of cross access easement, or shared parking lots when appropriate
- Minimal curb cuts off of perimeter streets

Site Features
- Strive to save existing tree stands

Lot Standards
- All resulting lots shall meet the minimum lot area and minimum lot width standards per the base zoning district

Incentives
- None

6.14 Commercial Subdivision (CM) Prerequisites

Base Zoning
- B1, B2, B3, B5, B6, B7, B8, C1, C2, I1, and M3

Minimum Lot Splits
- Subdivisions resulting in 2 lots or more

Maximum Lot Splits
- Not Applicable

Minimum Parent Tract
- Not applicable

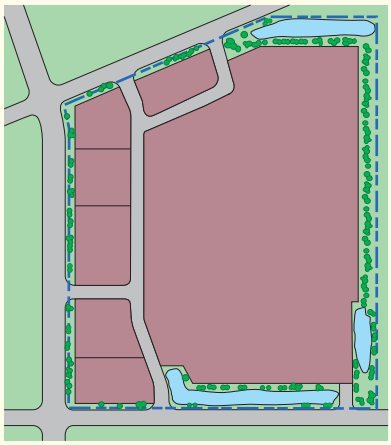
Maximum Parent Tract
- Not applicable

Disqualifications
- Any subdivision that cannot meet the storm water detention or quality standards
- Any new lot that doesn't have street access

Applicable Process
- Major subdivision
- Development plan

Commercial Subdivision (CM)

6.15 Commercial Subdivision (CM) Design Standards



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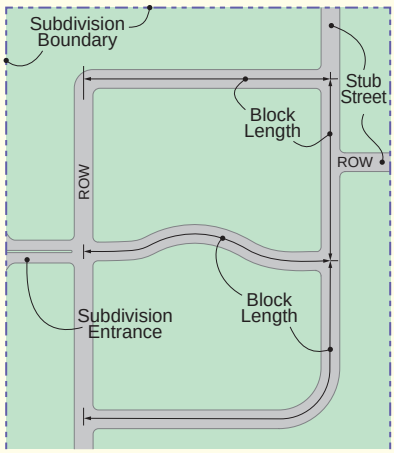

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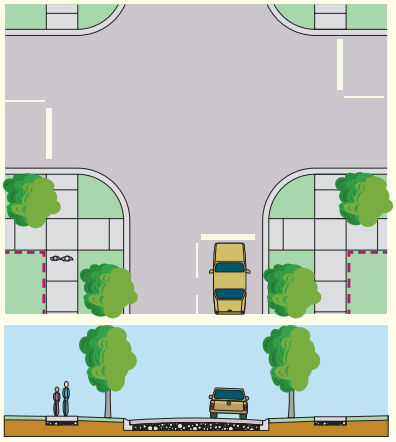

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Minimum Required Open Space
- 10% of the original parent tract

Resulting Lots
- All resulting lots shall meet the minimum lot standards of the base zoning district (e.g. lot area and lot width)

Minimum Perimeter Landscaping
- 10 feet of landscaped common area along a perimeter street classified as a boulevard, collector or local street
- 20 feet of landscaped common area along a perimeter street classified as an arterial street
- 30 feet of landscaped common area along a perimeter street classified as Keystone Parkway, highway or interstate

Dedication of Land
- One-half right-of-way shall be established through dedication of land, when necessary to meet the planned right-of-way as determined by the Thoroughfare Plan

Storm Water Management Permit
- Any ¼ acre or greater disturbance shall first be issued a storm water management permit

Minimum Block Length
- 150 feet

Maximum Block Length
- 2,640 feet (½ mile)

Eyebrow Cul-de-sac
- Not permitted

Minimum Cul-de-sac Length
- Not permitted

Maximum Cul-de-sac Length
- 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 Transportation Plan
- Any off-street trail or off-street urban trail indicated on the Bicycle and Pedestrian Plan Map shall be required

Minimum ROW for Internal Streets
- 52 feet

Minimum Lane Width
- 13 feet per driving lane

Curb Requirement
- Chair-back curb required; however, flush curb are permitted where green infrastructure necessitates

On-street Parking Requirement
- Not permitted

Minimum Sidewalk Width
- 5 feet along internal streets

Minimum Tree Lawn Width
- 6 feet along internal streets

Additional Design Standards that Apply

Common Area
- CA-01 ..... pg. 7-6

Dedication of Public Improvements
- DD-01 ..... pg. 7-8

Development Name
- DN-01 ..... pg. 7-9

Development Utility
- DU-01 ..... pg. 7-10

Easement
- EA-01 ..... pg. 7-12

Entryway Feature
- EF-02 ..... pg. 7-17

Flood Damage Prevention
- FD-01 ..... pg. 7-18

Monuments and Markers
- MM-01 ..... pg. 7-25

Open Space
- OP-01 ..... pg. 7-26

Owners' Association
- OA-01 ..... pg. 7-29

Pedestrian Network
- PN-02 ..... pg. 7-32

Perimeter Landscaping
- PL-01 ..... pg. 7-34

Prerequisite
- PQ-01 ..... pg. 7-36

Street and Access
- SA-01 ..... pg. 7-37
- SA-02 ..... pg. 7-41
- SA-05 ..... pg. 7-44
- SA-06 ..... pg. 7-45

Street Lighting
- SL-04 ..... pg. 7-47

Storm Water
- SM-01 ..... pg. 7-48

Surety
- SY-01 ..... pg. 7-49

Article

7

Design Standards

City of Carmel
Unified Development
Ordinance

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GroundRules
website www.groundrulesinc.com

Using This Article

7.01 Using This Article

The following pages contain the design standards for subdivision approval. One or more sections are used to regulate each category of design standards. There are two ways to determine which design standards apply to a specific type of subdivision. They are:

A. Using Two-Page Layouts: Refer to the two-page layouts in *Article 6: Subdivision Types* for the applicable and desired subdivision type. Applicable design standards for that specific subdivision type are identified by four-digit codes in the "Additional Design Standards that Apply." Only the four-digit codes noted in the "Additional Design Standards that Apply" section apply to that subdivision type.

B. Using Icons: Refer to the icons used at the beginning of each design standards section in *Article 7: Design Standards*. Each design standard section begins with a four-digit code and introductory sentence followed by square icons that represent each subdivision type. These project icons note that the design standards written in that section applies to that type of subdivision.

7.02 Purpose of Design Standards

A. Intent: It is the purpose of *Article 7: Design Standards* to establish and define design standards that shall be required by the City of Carmel for the subdivision of land.

7.03 Icon Key

- Simple Subdivision

- Conservation Subdivision

- Residential Subdivision

- Townhouse Subdivision

- Commercial Subdivision

7.04 AD-01: Residential Architectural Diversity (AD) Standards

This Architectural Diversity (AD) Standards section applies to the following types of development:

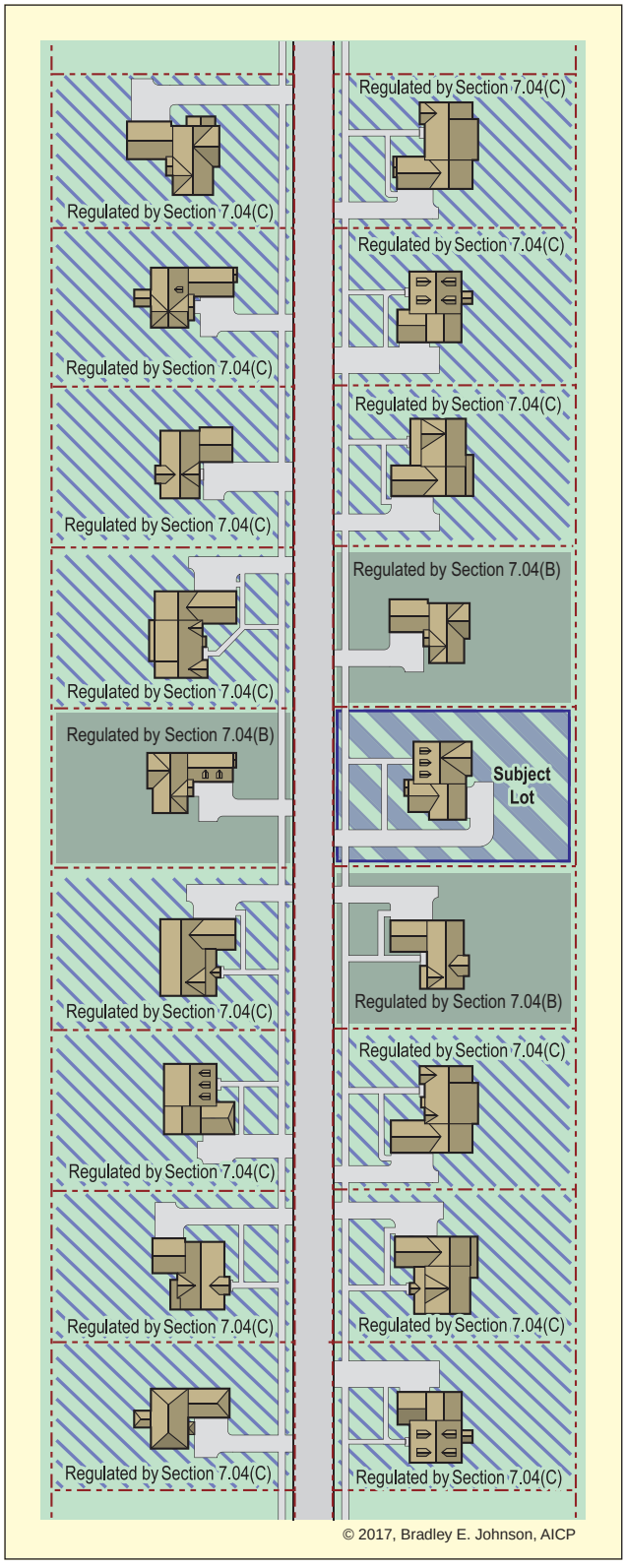
CS RS

A. Applicability: Any residential subdivision with ten (10) lots or greater and internal streets shall comply with the regulations in this section.

B. Floor Plan Duplication Restriction: No two (2) adjacent principal buildings shall have the same floor plan. The illustration below highlights the lots considered adjacent to the subject lot. Mirror images of a floor plan or incidental alterations to a floor plan shall not constitute a unique floor plan. Additionally, the following number of unique floor plans shall be required:

1. *10 to 29 Lots*: At least four (4) unique floor plans shall be used.
2. *30 to 49 Lots*: At least six (6) unique floor plans shall be used.
3. *50 Lots or Greater*: At least eight (8) unique floor plans shall be used.

C. Front Elevation: If a principal building within four (4) 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.



7.05 AD-02: Townhouse Subdivision Diversity (AD) Standards

This Architectural Diversity (AD) Standards section applies to the following type of development:

A. Applicability: Any townhouse development shall comply with the regulations in this section.

B. Floor Plan Restriction: At least four (4) unique floor plans shall be used throughout any townhouse development; with at least two (2) unique floor plans per multiple-unit building. Mirror images of a floor plan or incidental alterations to a floor plan shall not constitute a unique floor plan.

C. Primary Elevations, Large Developments: Townhouse developments with four (4) or more multiple-unit buildings shall have diversity in elevations such to avoid a "cookie cutter" or repetitive aesthetic throughout the development. Diversity in building elevations shall be from building-to-building. Diversity shall be achieved through differences in architectural features, siding material changes, masonry variations, brick color changes, paint color changes, entryway feature changes, window variations, and/or roof design. Cumulatively, changes in these features shall clearly distinguish one building from one another, yet be complementary of one another. Further, no single building facade design shall be used more than forty percent (40%) of the time throughout the development.

D. Primary Elevations, Small Developments: Townhouse developments with three (3) or less multiple-unit buildings shall have diversity in individual facades for each unit such to avoid a "cookie cutter" or repetitive aesthetic for any single building. Diversity in unit elevations shall be achieved through multiple differences in any of the following:

- architectural features,
- setback offsets,
- siding material changes,
- masonry variations,
- brick color changes,
- paint color changes,
- entryway feature changes,
- window variations, and/or
- roof design.

Cumulatively, changes in these features shall clearly distinguish one unit facade from the others, yet be complementary of one another. Further, no single facade design for a unit shall be used more than forty percent (40%) of the time throughout the development.

E. Alternative Compliance: An applicant may Seek to not follow the requirements above in *Section 7.05(C): Primary Elevations, Large Developments* or *Section 7.05 (D): Primary Elevations, Small Developments*, but instead submit sufficient, detailed, color facade drawings that clearly meets or exceeds the intent of those architectural standards. The architectural alternative design, if approved, shall be legally binding to the applicable townhouse buildings. The submitted facade drawings must be reviewed and approved by the Planning Administrator. If the proposed alternate design is not determined to clearly meet or exceed the intent of the architectural diversity standards it shall be denied and then the applicable prescribed standards in *Section 7.05(C): Primary Elevations, Large Developments* or *Section 7.05 (D): Primary Elevations, Small Developments* shall apply. If denied by the Planning Administrator, the applicant may petition the Plan Commission for the same alternate design at a regularly schedule meeting. The Plan Commission may approve or deny the proposed alternate design. Any approved alternate design shall be recorded with the title of each lot within the subdivision.

7.06 CA-01: Common Area (CA) Standards

This Common Area (CA) Standards section applies to the following types of development:

CS RS TS CM

A. Cross Reference:
   1. Storm Drainage: Under no circumstances shall perimeter landscaping impede drainage.
   2. Perimeter Landscaping: See Perimeter Landscaping in *Section 7.23: Perimeter Landscaping Standards* for additional regulations that relate to Common Area.
   3. Bufferyards: See Perimeter Landscaping in *Section 7.23: Perimeter Landscaping* for more information on how bufferyards requirements in *Article 5: Development Standards* may be met with perimeter landscaping.
   4. Landscape Installation and Maintenance: See *Section 5.19: Commercial Landscaping Standards*. The landscape installation and maintenance regulations apply to all landscaping in common areas.

B. Designation: Developments that are required to or elect to have: perimeter landscaping, open space, conservation areas, detention basins, retention ponds, drainage ways, parking lots, private streets, alleys, amenity centers, or similar features shall designate those areas as common area. An easement may be allowed instead of common area in some circumstances. However, that easement shall be maintained in perpetuity like 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, and officially approved.

D. Notification: A legal representative of the property owners of common area shall notify the Planning Administrator of any proposed changes, except as described in *Section 7.06(F): Managing Landscaping and Entryway Features within the Common Area*. After notification, the Planning Administrator may or may not review and/or inspect the proposed plans based on the scope of the project and potential for non-compliance. No permit is required, but the Planning Administrator shall render an interpretation that the proposed changes remain in the spirit of and in compliance with the original approval.

E. Modifying Features within Common Area: A proposed modification to the character, features, structures, drainage, or an engineered system in a common area shall be subject to Planning Administrator and City Engineer review. Proposed changes that are clearly incidental and/or that clearly meet or exceed the original design, applicable commitments, applicable conditions, and final approval, at that time of platting, shall be approved by the Planning Administrator and City Engineer. Any proposed change deemed by the Planning Administrator or City Engineer to not be incidental or a clear change to the original design, applicable commitments, applicable conditions, and final approval, at the time of platting shall require a plat amendment (i.e. replat) and is subject to Plan Commission approval as a replat.

F. Managing Landscaping and Entryway Features within the Common Area: The following actions do not need Planning Administrator review.
   1. *Exempt Direct Replacement*: Required landscaping that was installed within common area may be removed if:
      a. Diseased or Dead: If diseased or dead landscaping is removed, the same or similar plant shall be installed as a replacement in the same or nearby location. Said replacements shall be as large as can reasonably be installed. Evergreen trees shall only be used to replace evergreen trees and shrubs shall only be used to replace shrubs. In all cases, a native deciduous tree, evergreen or shrub may be used to replace a non-native of the same type.
      b. Overgrown: Trees or shrubs that pose a risk to nearby quality vegetation or utilities, block necessary visibility, or otherwise impact public health or safety may be removed. The same or similar plant may be installed as a replacement in the same or nearby location; however, effort should be made to not perpetuate the same issue. In all cases, a native deciduous tree, evergreen or shrub may be used to replace a non-native of the same type.
   2. *Exempt Additions to Landscaping*: Modest, non-evergreen, additions to existing landscaping may be added to common areas as long as it is outside an easement that precludes such plantings. Said additions to plant material shall not constitute a modification to the plat.

3. *Exempt Entryway Feature Replacement or Repair*: If by accident or act of nature an entryway feature structure is damaged or deteriorates over time, maintenance may be conducted to keep those features aesthetically pleasing. A severely damaged or destroyed entryway feature may be replaced with a substantially similar structure may be installed. This exemption does not exempt current and applicable building, plumbing or electrical codes that may apply.

G. Landscape Installation and Maintenance: The landscape installation and maintenance regulations in *Section 5.19: Commercial Landscaping Standards* apply to all landscaping in common areas.

7.07 DD-01: Dedication of Public Improvement (DD) Standards

This Dedication of Public Improvement Standards (DD) section applies to the following types of development:

A. Applicability: The following regulations shall apply to any subdivision that intends to dedicate infrastructure or other improvement to the City of Carmel or other public entity.

B. Non-dedicatable Facilities: The City of Carmel shall not be dedicated any alley, driveway, drive aisle, parking lot, unusual on-street parking spaces, private streets, or similar development feature unless:
   1. *Public Interest*: There is a public interest,
   2. *Construction*: The facility is constructed to *City of Carmel Engineering Standards* and verified as such by the City Engineer, and
   3. *Approval*: The Board of Public Works approves the acceptance.

C. Dedication of Right-of-Way: The right-of-way illustrated on an approved final plat shall be considered dedicated upon Final Plat approval by the Plan Commission.

D. Establishment of Easement: An easement in favor of the City of Carmel or other public entity illustrated on an approved final plat shall be considered established upon final approval by the Plan Commission.

E. Construction and Maintenance of Public Infrastructure: The developer shall install streets, street features, landscaping and pedestrian facilities within the public right-of-way per the *City of Carmel Engineering Standards*, applicable standards for the subdivision type found on the two-page layouts in *Article 6: Subdivision Types*, and according to *Article 7: Design Standards* for the applicable subdivision type. The maintenance of such facilities shall be the sole responsibility of the property owner(s) of the subdivision until the right-of-way improvements are approved and dedicated to the City.

F. Maintenance Surety: A maintenance bond shall be required per *Section 7.36: Surety Standards*, prior to dedication of any public infrastructure.

G. Dedicated Utilities: All utilities (e.g. sanitary sewer, water) installed per a private or public utility's engineering standards, excluding private laterals, shall be dedicated to the appropriate entity at any time after their installation and after the City of Carmel accepts the street installation.

H. Other Facilities: Other infrastructure, land or facilities may, at the election of the Common Council, be dedicated to the City. These facilities may include parks, open space, street lighting, or other facilities in which the public may have substantial interest.

7.08 DN-01: Development Name Standards

This Development Name Standards (DN) section applies to the following types of development:

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 planning jurisdiction (for example, if Windemere Subdivision exists, the name Windermere Subdivision shall not be permitted). The Planning Administrator may reject root names that duplicate or closely resemble a development's name outside the City's planning jurisdiction if deemed relevant (e.g. Centennial may be restricted to be used in Carmel due to its use in Westfield).
   2. *Prefix or Suffix Name*: Deviations in a prefix or suffix name (e.g. Estates at, Place, Woods, or Glen) shall not constitute a unique name (for example, if Preston Place exists, the name Preston Woods shall not be permitted). However, the following provision for large developments gives a discretionary opportunity to use the same root name.
   3. *Large Developments*: Unique subareas within a large development or separate developments within close proximity may be authorized to use the same root name by the Plan Commission. For example, if a residential development has different price point products, they may be permitted to use Woodhaven Place for one subdistrict and Woodhaven Estates for another.

B. Administrative Review of Development Names: A proposed development name shall be reviewed by a Planning Administrator in coordination with Hamilton County's 911 Communications Department to determine compliance with 911 initiatives.

C. Approval Authority: The Plan Commission has full discretionary authority to approve or deny any proposed name for any reasonable purpose per State Statute. 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 delegates to the Planning Administrator the power to determine a development name for the development prior to final plat approval.

D. Renaming Authority: Existing development names or development names that have been previously approved by the Plan Commission shall not be changed without Plan Commission approval.

7.09 DU-01: Development Utility Standards

This Development Utility Standards (DU) section applies to the following types of development:

CS RS TS CM

A. Location: All utilities shall be installed underground in designated utility easements or rights-of-way if permitted by the City of Carmel Board of Public Works.

B. Utility Easement Standard:

1. *Minimum Width*: Utility easements shall have a minimum width of twenty (20) feet and may include multiple utilities.
2. *Maximum Width*: Utility easements shall not be any greater than absolutely necessary, nor shall they constrain use of property greater than absolutely necessary.
3. *Location*: Utility easement shall run parallel and be contiguous with a right-of-way; or located along lot lines, where one-half (½) of the width is taken from each lot, or as close to such a standard as practicable. In urban environments, utilities may be permitted fully or partially within the right-of-way when an easement outside the right-of-way is not feasible and when the Board of Public Works and City Engineer support the utility in the right-of-way. Utilities in traditional neighborhoods shall strive to locate all electric and telecommunication utilities in alleys. Common areas may also be used for utility easements when they do not conflict or overly restrict drainage design or landscaping.
4. *Walls*: Utility easement shall not restrict walls running perpendicular to an easement when the wall is a permitted structure otherwise, but may restrict walls running parallel within the easement. Easements may include clauses that when unavoidable circumstances require the wall to be removed, that it shall be removed at the owner's expense and re-installation of the wall will be at the owner's expense. Non-emergency maintenance of utilities shall give property owners a minimum of fourteen (14) days notice to remove the wall. Emergency maintenance shall require no notice.
5. *Fences*: Utility easement shall not restrict fences to be installed, but may include clauses that fences may be removed at the owner's expense and re-installation of the fence will be at the owner's expense. Non-emergency maintenance of utilities shall give property owners a minimum of five (5) days notice to remove any obstructions. Emergency maintenance shall require no notice.
6. *Landscaping*: Utility easement shall not restrict reasonable and appropriate landscaping, but may include clauses that landscaping may be removed at the owner's expense and re-installation of landscaping will be at the owner's expense. Non-emergency maintenance of utilities shall give property owners a minimum of five (5) days notice to remove any obstructions. Emergency maintenance shall require no notice.
7. *Drainage Easements*: Utility easements may be shared with drainage easements, but only when it would cause no obstruction to the watercourse or flow of surface water or impede the function of a Best Management Practice.
8. *Pedestrian Facilities*: Paths, sidewalks and public access shall not be prohibited by a utility easement. Only the underlying ownership prohibits such facilities and access.

C. Sanitary Sewer Standards: All subdivisions shall provide for the collection of all sanitary waste by installing sanitary sewers per the specifications of the applicable sanitary sewer utility and City Engineering Standards. These sanitary sewers shall be tied into a sanitary sewer treatment system.

D. Water Service Standards: All subdivisions shall provide for the distribution of potable water and a fire protection system by installing water lines per the specifications of the applicable water utility, fire department, and City Engineering Standards.

E. Storm Sewer Standards: All subdivisions shall provide for the filtering and restricted release of storm water through a storm water collection and storage system, infiltration, and/or green infrastructure. See *Section 7.35: Storm Water and Erosion Control Standards* for more information.

F. Electric and Telecommunications: All subdivisions shall provide electric service and telecommunication lines to each lot. Telecommunications should include cable, telephone and fiber allowing property owners multiple choices of carriers. Limiting any type of telecommunication by contract or other means shall not be permitted.

G. Gas Utility: All subdivisions shall provide natural gas to an easement or right-of-way adjacent to each lot if reasonably available.

H. Up-Sizing Policy: Certain public utilities constructed by the developer of a particular subdivision may also be of benefit to other areas of the City. When this is the case, the City may, upon request of the petitioner, enter into contractual agreements which shall provide for proportional cost recovery of the installed utility. These agreements shall be in accordance with the appropriate Indiana Statutes; and the cost for preparing any and all exhibits, studies, and legal services shall be proportionately shared by the applicant and City. In all cases, the appropriate agreements shall be prepared and executed prior to the start of construction of any utility that is eligible for this construction cost credit.

7.10 EA-01: Easement Standards

This Easement Standards (EA) section applies to the following types of development:

SS CS RS TS CM

A. Cross-Reference:
   1. *Private Street Easements*: For details concerning private street easements, See *Section 7.26: Private Street Standards*.
   2. *Temporary Turnaround Easements*: For details concerning temporary turnaround easements, See *Section 7.25: General Street Standards*.
   3. *Utility Easements*: For details concerning utility easements, See *Section 7.09: Development Utility Standards*.
   4. *Landscape Easement*: For additional information concerning landscape easements, See *Section 7.11: Residential Entryway Feature Standards, Section 7.12: Non-Residential Entryway Feature Standards*, and *Section 7.23: Perimeter Landscaping Standards*.

B. Cross-access Easements:
   1. *Description*: A cross-access easement applies to shared driveways, shared access, access to otherwise land-locked parcels and shared 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.
      c. The cross-access easement (CAE) shall prohibit any person from parking vehicles within the easement, unless the cross-access easement (CAE) is designed for parking.
      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 City of Carmel, and any other specially affected persons identified in the cross-access easement.
      g. The cross-access easement (CAE) shall provide for modification or termination in a manner specified in the Unified Development Ordinance.
      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.
   3. *Cross-access Easement Certificate*:
      a. When a final plat 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(s), and grant the public the right to enter the easement for purposes of accessing the adjoining property. 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 City of Carmel 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. Landscape Easements:
   1. *Description*: A landscape easement applies to required landscaping in a subdivision in-lieu-of that landscaping being located in common area.
   2. *Prerequisite for Required Landscaping*: The use of landscape easements for landscaping required by *Section 7.23: Perimeter Landscaping* is not permitted by right. The Plan Commission must authorize the use of landscape easements (See *Section 7.23(E): Ownership*), otherwise all required landscaping shall be installed in the more traditional common area.
   3. *Prerequisite for Elective Landscaping*: Landscape easements may be used for any elective landscape areas intended to benefit the neighborhood, development, and/or general public.
   4. *Instrument Specifications*: When a landscape easement is elected for and allowed by right or by permission by the Plan Commission, the property owner of record shall execute the landscape easement instrument in favor of the City of Carmel. The landscape easement instrument shall be signed by the property owner of record granting the easement and an authorized representative of the City of Carmel. The landscape easement instrument shall include the following language:
      a. Identify the property with which the landscape easement is associated.
      b. Specify and describe the activities the property owner and other entities are authorized to perform in the landscape easement. This description shall include:
         i. Normal and common maintenance and treatment that improves health of plant material, maintains the designed aesthetic, or extends the serviceable life of landscape features (e.g. fence or wall).
         ii. Required maintenance of irrigation system (if applicable).
      c. Specify and describe the activities the property owner and other entities are prohibited from performing in the landscape easement. This description shall include:
         i. All required plant material and ground cover shall not be neglected.
         ii. All required plant material shall not be removed or relocated.
         iii. Landscape Easement grade not be raised or lowered.
         iv. Any landscape features (e.g. fence or wall) within the landscape easement not be altered.
      d. Be binding on all heirs, successors, and assigns to the property on which the landscape easement is located.
      e. Be enforceable by the City of Carmel.
      f. Provide for modification in the manner stipulated in the Unified Development Ordinance.
      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 landscape easement.

D. Drainage Easements: Where a proposed subdivision is traversed by any stream, watercourse, or drainageway, the subdivider shall make adequate provision for the proper drainage of surface water, including the provision of easements along such streams, watercourses, and drainageways, in accordance with the standards established by the City.

E. Best Management Practice (BMP) Easement:
   1. *BMP Easement Agreement*:
      a. Projects that shall install storm water Best Management Practices to comply with the City's Storm Water Ordinance and Technical Standards Manual shall provide a BMP Easement over these facilities and provide one of the following:
         i. BMP Easement Agreement to be recorded with the property.
         ii. BMP Easement Certificate placed on the final plat.
   2. BMP Easement Agreements or Certificates shall be cross referenced in any covenants and restrictions as well as including language detailing the maintenance responsibilities and rights of access to said areas.

F. Water Quality Preservation Easements: Any lot abutting or containing a natural lake, stream or wetland shall establish a Water Quality Easement per the following regulation:

1. *Natural Lake*: From the normal pool elevation of the natural lake, a twenty-five foot (25') wide Water Quality Preservation Easement shall be established. This easement shall be designated and restricted as a "no-build," "no-disturb" zone (i.e. not allowing man-made structures, changes in grade, plant material installation, or hardscape features to be constructed or placed on or in that area), excluding plant material permitted by the Planning Administrator. Turf grass shall not be planted or maintained in this easement, nor shall fertilizer, herbicide or insecticide of any type be applied. Rather, native plants shall be maintained. Up to twenty percent (20%) of the entire boundary with the natural lake may be managed such that access can be gained to the water's edge. However, this does not permit man made materials, gravel, sand, or turf grass to be used to provide that access. A minimally invasive boardwalk, stepping stones, or mowed/trimmed native grasses may be used when approved by the Planning Administrator.
2. *Wetlands*: From the delineated boundary of a wetland, a fifty foot (50') wide Water Quality Preservation Easement shall be established. This easement shall be designated and restricted as a "no-build," "no-disturb" zone (i.e. not allowing man-made structures, changes in grade, plant material installation, or hardscape features to be constructed or placed on that area), excluding plant material permitted by the Planning Administrator. Turf grass shall not be planted or maintained in this easement, nor shall fertilizer, herbicide or insecticide of any type be applied. Rather, native plants shall be maintained.
3. *Stream*: The entire floodway fringe, as delineated, plus an additional twenty-five (25) feet of buffer shall be established as a Water Quality Preservation Easement. This easement shall be designated and restricted as a "no-build," "no-disturb" zone (i.e. not allowing man-made structures, changes in grade, plant material installation, or hardscape features to be constructed or placed on or in that area), excluding plant material permitted by the Planning Administrator. Turf grass shall not be planted or maintained in this easement, nor shall fertilizer, herbicide or insecticide of any type be applied. Rather, native plants shall be maintained. Up to ten percent (10%) of the entire boundary with the stream may be managed such that access can be gained to the water's edge. However, this does not permit man made materials, gravel, sand, or turf grass to be used to provide that access. Stepping stones, or mowed/trimmed native grasses may be used when approved by the Planning Administrator.
4. *White River*: A 100 foot wide buffer shall be preserved, measured from the water's edge at normal elevation. See Open Space Standards for more information.

G. Other 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, City of Carmel, utility 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(ies) 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 City of Carmel.
   f. Provide for modification in the manner stipulated in the Unified Development Ordinance.
   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.
2. *Easement Certificate*:
   a. When a final plat, development plan, or final plan of a planned unit development is being recorded, the applicant may forgo 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.

7.11 EF-01: Residential Entryway Feature (EF) Standards

This Entryway Feature Standards (EF) section applies to the following types of development:

CS RS TS

A. Applicability: Residential Complexes with internal public or private streets and set back greater than fifteen (15) feet, may establish an Entryway Feature.

B. Approval Authority: ADLS or ADLS Amendment

C. Cross Reference: See *Section 5.39 Sign Standards* and *Section 7.06: Common Area Standards* for information regarding approval, maintenance, repair, and replacement of Entryway Features

D. Disturbances: Entryway features shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of structures, hardscape features and impervious surfaces.

E. Location:
   1. *General*: Any Entryway Feature shall be located at a Vehicular Entrance, or a location that is clearly visible from a Vehicular Entrance into the development.
   2. *Common Area or Landscape Easement*: An Entryway Feature shall be located within common area or within a Landscape Easement. If within common area, an Owners' Association shall own and maintain it in perpetuity. If within a Landscape Easement, the Owners' Association shall maintain it in perpetuity and the easement shall grant access to the Owners' Association and the City of Carmel. The easement may require the lot owner to maintain turf grass that may partially or fully surround the Entryway Feature, but otherwise shall not assign other maintenance to the lot owner.
   3. *Vision Clearance*: An Entryway Feature shall not be permitted in the Vision Clearance Triangle.
   4. *Entryway Median*: Under no circumstances shall the identification portion (i.e. the development name) be located within the right-of-way or a median carved out of the right-of-way.
   5. An Entryway Feature shall be installed a minimum of five (5) feet from the street right-of-way.

F. Landscaping: The identification portion (i.e. the development name) of the Entryway Feature shall be significantly subordinate to the landscaping and hardscaping features used to create the entryway feature.

G. Height: The identification portion (i.e. the development name) of the Entryway Feature shall not exceed six (6) feet in height above the pre-existing grade. The overall height of an Entryway Feature's hardscaping or structures is limited to thirty (30) feet, but shall be in proportion to the scale of the development and entryway. For example, the maximum height is set to allow a historic barn to be preserved and integrated into an entryway feature, or a clock tower to be installed. Hardscape features or structures that would normally and traditionally not be tall should be similar in scale to how they are used elsewhere in the region.

H. Signage:
   1. The Entryway Feature shall be permitted signage per *Section 5.39: Sign Standards*.

I. Lighting: The identification portion (e.g. the development name) of the Entryway Feature is encouraged to be externally lighted, but is not mandatory. If externally illuminated, only ground mounted cutoff fixtures shall be used. Lighting shall be the minimum necessary to softly illuminate the identification portion (e.g. the development name) of the Entryway Feature. Other low-voltage landscape lighting may be used to softly illuminate other features of an Entryway Feature as long as it does not cause as safety hazard or glare to motorist or pedestrians. Illumination levels shall not exceed 0.1 foot-candles at the property line.

7.12 EF-02: Non-Residential Entryway Feature Standards

This Entryway Feature Standards (EF) section applies to the following types of development:

CM

A. Applicability: Commercial subdivisions and non-residential developments with four (4) or more lots, and with internal public or private streets, may establish one Entryway Feature.

B. Approval Authority: ADLS or ADLS Amendment

C. Cross Reference: See *Section 5.39: Sign Standards* and *Section 7.06: Common Area Standards* for approval, information regarding maintenance, repair, and replacement of Entryway Features.

D. Disturbances: Entryway Features shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of structures, hardscape features and impervious surfaces.

E. Location:
   1. Any Entryway Feature shall be located at a Vehicular Entrance from a perimeter street.
   2. *Vision Clearance*: An Entryway Feature shall not be permitted in the Vision Clearance Triangle.
   3. An Entryway Feature shall be installed a minimum of five (5) feet from the street right-of-way.
   4. *Entryway Median*: Under no circumstances shall the Entryway Feature or the signage portion be located within the right-of-way or a median carved out of the right-of-way.

F. Landscaping: The identification portion (e.g. the development name) of the Entryway Feature shall be significantly subordinate to the landscaping and hardscaping features.

G. Height: The identification portion (i.e. the development name) of the Entryway Feature shall not exceed six (6) feet in height above the pre-existing grade. The overall height of an Entryway Feature's hardscaping or structures is limited to twenty (20) feet, but shall be in proportion to the scale of the development and entryway. For example, the maximum height is set to allow a clock tower or similar, stylistic structure to be installed. Hardscape features or structures that would normally and traditionally not be tall should be similar in scale to how they are used elsewhere in the region.

H. Signage:
   1. The Entryway Feature shall be permitted signage per *Section 5.39: Sign Standards*.

I. Lighting: Exterior lighting of the Entryway Feature shall be designed so that light is not directed off the site and the light source is shielded from direct offsite viewing. Illumination levels shall not exceed 0.3 foot-candles at the property line.

J. Disqualification: If a commercial development utilizes Multi-Tenant Building Complex signs through the zoning regulations in *Section 5.39: Sign Standards*, then the development shall not be permitted an Entryway Feature.

7.13 FD-01: Flood Damage Prevention Standards

This Flood Damage Prevention Standards (FD) section applies to the following types of development:

A. Cross Reference: All proposed subdivisions shall be in compliance with the following:
   1. *Flood Damage Prevention Ordinance*: *Carmel Flood Damage Prevention Ordinance, Chapter 10, Article 5* in the City's Municipal Code.
   2. *Storm Water Ordinance*: *Carmel Stormwater Management Ordinance; Chapter 6 and Article 7* in the City's Municipal Code, and *Stormwater Technical Standards Manual*.

B. Denoting Base Flood Elevation:
   1. *Drawing on Plats and Plot Plans*: The base flood elevation (BFE) shall be identified and drawn on all final plats and on all plot plans (i.e. each lot's as-built survey document) that are partially within a Special Flood Hazard Area (SFHA).
   2. *Language on Plats and Plot Plans*: A note shall be added to the final plat and any plot plan (i.e. each lot's as-built survey document) that is partially within a floodplain, indicating that the base flood elevation (BFE) is not an indicator of the maximum flood elevation and that any improvements should be kept as far and as high above the base flood elevation (BFE) as practical.

C. New Platted Lots: Any newly platted lot shall have at least seventy-five percent (75%) of the required minimum lot area outside of the Special Flood Hazard Area allowing for the driveway and building location to be free and clear of any flood event.

D. No Parking in Hazard Area: On-street or off-street parking shall not be built within a Special Flood Hazard Area (SFHA) identified as an "A Zone" on the Flood Insurance Rate Maps.

E. Principal buildings Adjacent to a Special Flood Hazard Area: Any principal building adjacent to a Special Flood Hazard Area (SFHA) identified as an "A Zone" on the Flood Insurance Rate Maps, shall have all openings (e.g. doors, windows, crawl space vents, etc.) two (2) feet or greater above the base flood elevation (BFE).

F. Designed to Minimize Flood Damage: All proposed subdivisions shall be designed to minimize flood damage to public improvements. This shall include designing, constructing and installing streets, sidewalks, multi-use paths, trails, lighting, street signs and public utilities (e.g. sewer, gas, electrical, and water systems) to be periodically inundated by flood water and to survive such flooding without appreciable damage.

G. Isolated Lots: A subdivision shall be designed such that no lot would lose accessibility to perimeter streets during a one percent (1%) chance storm.

7.14 IC-01: Conservation Subdivision and Residential Subdivision Incentive Standards

This Incentive Standards (IC) section applies to the following type of development:

CS RS

A. Applicability: Residential developments that elect to follow the architectural standards described in *Section 7.14(D) Architectural Standards* shall be eligible for the intensity incentives described below.

B. Disqualification: Any development that Seeks a waiver from *Section 7.14(D) Architectural Standards* shall not qualify for an intensity bonus.

C. Intensity Bonus: The following intensity bonus shall be granted to any development that meets or exceeds the Architectural Standards in *Section 7.14(D): Architectural Standards*.

1. *Minimum Lot Area*: The minimum lot area from the applicable base zoning district shall:
   a. Become an "Average Lot Area" for all lots within the development,
   b. However, the Minimum Lot Area for any single lot shall be eighty percent (80%) of the minimum lot area from the applicable base zoning district.
2. *Minimum Lot Width*: The minimum lot width from the applicable base zoning district shall:
   a. Become an "Average Lot Width" for all lots within the development,
   b. However, the Minimum Lot Width for any single lot shall become eighty percent (80%) of the minimum lot width from the applicable base zoning area. Under no circumstances shall a lot width be less than forty (40) feet.
3. *Minimum Aggregate of Side Yard Setback*: The minimum aggregate side yard from the applicable base zoning district shall:
   a. Become an "Average Aggregate Side Yard Setback" for all lots within the development,
   b. However, the Minimum Aggregate Side Yard shall become ninety percent (90%) of the minimum aggregate side yard setback from the applicable base zoning area. Under no circumstances shall two (2) principal structures on separate lots be less than ten (10) feet apart.
4. *Maximum Lot Coverage*: The maximum lot coverage from the applicable zoning district shall:
   a. Be increased by five (5) percentage points for all lots within the development.
5. *Example*: In the R2 zoning district the following changes would apply to a development that meets the architectural standards:

Development Standard	Base Zoning Standard for R2	Incentive Standard for R2
Minimum Lot Area	10,000 sq ft, when on public sewer and water	Average lot area shall be 10,000 sq ft and the absolute minimum lot area shall be 8,000 sq ft
Minimum Lot Width	80 feet	Average lot width shall be 80 feet and the absolute minimum lot width for any single lot shall be 64 feet
Minimum Aggregate Side Yard Setback	15 feet	Average aggregate side yard setback shall be 15 feet and the absolute minimum aggregate side yard setback shall be 13½
Maximum Lot Coverage	35%	40%

D. Architectural Standards:

1. *Facade Features*: All dwelling units in the development shall utilize brick and/or stone masonry on 100% of the first floor front and side facades. Also, 100% of the first floor rear and/or side facade shall utilize brick and/or stone masonry if visible from a perimeter street.
2. *Roof Features*: All roofs shall have eaves or overhangs a minimum of eleven (11) 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 siding and masonry. Flat roof designs shall only be permitted per *Section 7.14(E): Alternative Compliance*.
3. *Garage Design*: Utilize side-loading, courtyard, or rear-loading garages for at least seventy percent (70%) of all 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 ten (10) feet from the plane of the front facade of the dwelling portion of the home as to be inferior to the front facade of the home.
   b. Side-Loading Garages: Side-loading garages shall have a driveway designed to allow 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(D)(5): Windows* below. This garage configuration shall also have a driveway design 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 and Side Facades Along Perimeter Streets*: All lots where the rear or side 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 facade facing the perimeter street right-of-way.
   b. Additional Aesthetic Character: At least two (2) 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 percent (40%) 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 facade. This requirement may apply to one (1) or two (2) stories of a two (2) story home.
      ii. An all-brick or all-stone chimney that is offset from the plane of the rear facade by at least two (2) feet.
      iii. A sunroom projecting from 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 substantive landscaping around the deck's perimeter. The deck area shall be at least 150 square feet to qualify.
      vi. Install a large brick paver or stamped concrete patio with an integrated vertical element (e.g. outdoor fireplace, arbor, pergola, gazebo, built-in benches). The patio area shall be at least 120 square feet to qualify.
      vii. Install native shade trees planted on the subject lot within ten (10) feet of the rear property line (or easement if applicable) at a rate of one (1) tree per twenty-five lineal feet of rear lot line. A natural, random pattern for tree spacing is required. Trees may be clustered as they might grow in nature, but shall not be any closer to one another than ten (10) feet.

5. *Windows*: All dwelling units shall have at least two (2) windows per floor on each front, side, and rear elevation. Half-stories (i.e. floors within the roof line) shall have dormers or end gables with at least two (2) windows on at least two (2) sides of the home.

E. Alternative Compliance:

1. *Single Builder Subdivision*: An applicant may Seek to not follow the requirements above in *Section 7.14(D)(1-5)*, but instead submit a detailed architectural design plan that clearly meets or exceeds the intent of those architectural standards. An approved architectural design plan shall be legally binding to all applicable lots.
   The submitted architectural design plan must be approved by the Plan Commission as part of the Primary Plat for the subdivision. The developer shall include at least four (4) sample dwelling unit designs to be built within the development showing accurate color illustrations of each elevation. These designs shall highlight how the proposed architectural design plan will result in equal or greater architecture quality for the development. Additional sample dwelling units illustrations may be required by the Plan Commission.
2. *Multiple Builder Subdivision*: An applicant may Seek to not follow the requirements above in *Section 7.14(D)(1-5)*, but instead submit a detailed architectural design plan that will clearly result in architecture that meets or exceeds the intent of those architectural standards. An approved architectural design plan shall be legally binding to all applicable lots. The submitted architectural design plan must be approved by the Plan Commission as part of the Primary Plat for the subdivision. Additionally, the development shall be a custom home subdivision or semi-custom home subdivision where no two (2) homes will be identical in floor plan and facade aesthetic, and at least two (2) builders will be responsible for constructing all homes.
3. *Cause for Replat*: Any applicant that was approved for alternative compliance shall have to replat the subdivision if the committed product samples change or the architectural design plan changes.
4. *Discretion*: The Plan Commission can deny an application for alternative compliance for any reason. However, the Plan Commission may not revoke an approval unless the approved architectural design plan is clearly not being followed.
5. *Transfer of Ownership*: An approved architectural design plan shall convey with transfer in ownership, but shall not be reduced in quality without a replat. Increases in architectural quality may be authorized by the Planning Administrator. Further, the new owner can revert to the standards in *Section 7.14(D)(1-5)*.

7.15 IC-02: Townhouse Subdivision Incentive Standards

This Incentive Standards (IC) section applies to the following type of development:

TS

A. Applicability: Residential developments that elect to follow the architectural standards in *Section 7.15(E) Architectural and Site Design Standards* shall be eligible for intensity incentives described in *Section 7.15(D): Intensity Bonus*.

B. Prerequisites: The development shall have internal streets onto which at least eighty percent (80%) of all vehicular surface parking areas or garages gain access.

C. Disqualification: Any townhouse subdivision that is not on community sanitary sewers and community water systems shall not qualify for the incentives in this section.

D. Intensity Bonus: The following intensity bonus shall be granted to any development that meets or exceeds the Architectural Standards in *Section 7.15(E): Architectural and Site Design Standards*. Any development that Seeks a waiver from these standards shall not be granted the intensity bonus.

1. *Minimum Lot Area*: The minimum lot area from the applicable zoning district shall:
   a. Shall become seventy-five percent (75%) of the minimum lot area from the applicable zoning area.
2. *Minimum Lot Width*: The minimum lot width from the applicable zoning district shall:
   a. Become a Average Lot Width of twenty-four (24) feet for all lots, and
   b. Become a Minimum Lot Width of eighteen (18) feet.
3. *Minimum Side Yard Setback*: The minimum side yard setback shall become zero (0) feet to allow attached single-family dwelling units.
4. *Minimum Aggregate of Side Yard Setback*: The minimum aggregate side yard setback shall be zero (0) feet to allow attached single-family dwelling units.
5. *Minimum Building Setback*: Each townhouse block (i.e. multiple dwelling unit building) shall be setback as follows:
   a. Front Yard: Ten (10) feet from front property line of the parent tract,
   b. Side Yard: Fifteen (15) feet from any side property line of the parent tract or required buffer yard, whichever is greater,
   c. Rear Yard: Forty (40) feet from rear property line of the parent tract,
   d. Building to Building: Twenty-five (25) feet from the nearest point of one townhouse block to another, and
   e. Building to Internal Private or Public Street: Ten (10) feet from building to edge of easement or internal street right-of-way, or edge of pedestrian facility along that street, whichever is greater.
6. *Maximum Lot Coverage*: The maximum lot coverage from the applicable zoning district shall:
   a. Be increased by thirty (30) percentage points applicable to each dwelling unit lot within the development, however, the net maximum lot coverage, including open space, perimeter landscaping, and any other previous common area shall not exceed forty-five percent (45%).
7. *Example*: In the R4 zoning district the following changes would apply to a development that meets the architectural standards:

Development Standard	Base Zoning Standard for R4	Incentive Standard for R4
Minimum Lot Area	4,000 sq ft	3,000 sq ft
Minimum Lot Width	60 feet	Average of 24 feet, minimum of 18 feet
Minimum Side Yard Setback	5 to 20 feet, depending on adjacency and land use	0 feet
Minimum Aggregate Side Yard Setback	15 to 40 feet, depending on land use	0 feet
Minimum Building Setback	Not applicable	10 to 40 feet, depending on which yard and type of separation
Maximum Lot Coverage	35%	65% per dwelling unit lot, maximum aggregate for the entire development of 45%

E. Architectural and Site Design Standards:
   1. *Off-Street Parking*: At least fifty-five percent (55%) of all required off-street parking spaces shall be in attached or detached garages. Each parking space inside garages shall be at least eleven (11) feet wide and twenty-two (22) feet deep.
   2. *Facade Features*: Utilize brick and/or stone masonry on seventy-five percent (75%) of the front facade and fifty percent (50%) of each side and rear facade.
   3. *Roof Features*: All townhouse buildings in the development shall have eaves or overhangs a minimum of eleven (11) 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 siding and masonry. Flat roof designs shall only be permitted per *Section 7.15(F): Alternative Compliance*.
   4. *Garage Design*: Utilize detached or rear-loading garages for at least eighty percent (80%) of all dwelling units in the development, however, front-loading garages shall not be used at entrances or within 500 feet of vehicular entrances. When front-loading garages are used, a prominent front entrance shall be utilized next to the garage and be on the same elevation as to lessen the prominence of the garage door. Garage doors shall not be forward of the main living area of the townhouse, and garage doors shall have windows or enhanced ornamentation to complement the front facade. Additionally, front-loading garages shall not face and gain driveway access from a perimeter street.
   5. *Rear or Side Facades Along Perimeter Streets*: All rear-facing or side-facing townhouse blocks along (but not necessarily adjacent to) a perimeter street shall have 4-sided architecture, such that all facades will be aesthetically finished, equal to the front facade. Thus, all facades shall be architecturally designed and finished to convey a high quality aesthetic.

F. Alternative Compliance: An applicant may Seek to not follow the requirements above in *Section 7.15(E)(1-5)*, 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 townhouse buildings.

   The submitted architectural design standards shall be approved by the Plan Commission as part of a primary plat for the subdivision. The developer shall include at least two (2) sample townhouse building designs 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.

7.16 LE-01: Simple Subdivision Lot Establishment Standards

This Lot Establishment Standards (LE) section applies to the following types of development:

A. Cross Reference: See Easement Standards in *Section 7.10: Easement Standards*.

B. 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*.

C. Lot Sizes: Lot sizes shall be consistent with the lot area standards indicated on the two-page layout for the applicable zoning district in *Article 2: Zoning Districts*.

D. Lot Design: Lots shall meet the following conditions.

1. *Side Lot Lines*: Lots shall have side lot lines that are within fifteen degrees (15°) of perpendicular to the street right-of-way.
2. *Corner Lots*: Corner lots shall be twenty-five percent (25%) larger than the applicable minimum lot area. This minimum lot area increase does not apply to lots required to be, or elected to be one (1) acre or larger in lot area. Corner lots shall have two (2) front yards, one (1) side yard, and one (1) rear yard.
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 more than one (1) street or alley.

7.17 LE-02: Lot Establishment Standards

This Lot Establishment Standards (LE) section applies to the following types of development:

CS RS TS

A. Prerequisite: All lots shall have direct access to a public street or a private street established per *Section 7.26: Private Street Standards*. Access via an access easement through another property shall not be permitted.

B. 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*.

C. Disturbances: A subdivision shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of streets, buildings and impervious surfaces.

D. Lot Sizes: Lot sizes shall be consistent with the minimum lot area, minimum lot width, and minimum lot frontage standards indicated on the two-page layout for the applicable zoning district in *Article 2: Zoning Districts*; or as adjusted in *Section 7.17(E): Lot Design*, *Section 7.15: Townhouse Subdivision Incentive Standards*, or *Section 7.19(F): Intensity Bonus for Woodland Preservation*.

E. Lot Design: Lots shall meet the following conditions.

1. *Street Frontage*: Lots shall be laid out to front onto interior streets. Perimeter lots are required to front onto a frontage street.
2. *Side Lot Lines*: 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*: Corner lots shall be twenty-five percent (25%) larger than the applicable minimum lot area. This shall also include lots at the corner of a development entrance and a perimeter street. This special minimum lot area increase does not apply to lots required to be, or elected to be one (1) acre or larger in lot area. Corner lots shall have two (2) front yards, one (1) side yard, and one (1) rear yard.
4. *Through Lots*: Through lots are discouraged, and shall only be permitted if the lot has a legal instrument that restricts, in perpetuity, establishing vehicular access to more than one (1) street or alley. Through lots shall gain access from internal streets or frontage street.
5. *Sensitivity and Connection to Context*: Residential developments shall be laid out to be sensitive to neighboring residential developments if built-out, or neighboring residential zoning districts if undeveloped. Specifically, lots need to be laid out to address potential privacy issues, and especially to allow for street and sidewalk connection between development, including to adjacent commercial developments.

7.18 MM-01: Monument and Marker Standards

This Monument and Marker Standards (MM) section applies to the following types of development:

SS CS RS TS CM

A. External Boundaries of Subdivisions: The external boundaries of a subdivision shall be monumented in the field by monuments of concrete, not less than twenty-four (24) inches in depth, not less than four (4) inches square or five (5) inches in diameter, and marked on top with a brass plug, ferrous or magnetic rod, or other durable material securely embedded at major corners. Minor corners may be monumented by ferrous or magnetic rods at least five-eighths (⅝) inch in diameter and twenty-four (24) inches long, or ferrous or magnetic pipes at least one (1) inch in diameter and twenty-four (24) inches long. The same ferrous or magnetic rods or ferrous or magnetic pipes shall be placed not more than 400 feet apart in any straight segment between corners, at each end of curves, at any point where a curve changes its radius, and at all angle points along the meander line, and locations shall be shown on the plat. 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.

B. 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 ferrous or magnetic rods at least five-eighths (⅝) inch in diameter and at least twenty-four (24) inches long, or ferrous or magnetic pipes at least one (1) inch in diameter and at least twenty-four (24) 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.

C. Lots Adjacent to Water: The lines of lots that extend into a lake, stream, or other water body shall be monumented in the field by ferrous or magnetic rods at least twenty-four (24) inches long and five-eighths (⅝) inch in diameter, or ferrous or magnetic pipes at least one (1) inch in diameter and at least twenty-four (24) 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.

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: Monuments to be placed in streets shall be of brass, iron or steel pin, twenty-four (24) inches in length, one-half-inch (½") minimum diameter with one and one-half-inch (1½") minimum diameter head, set vertically in place. Said monuments shall be set:

1. At the intersection of all street centerlines.
2. At the beginning and ending of all curves along street centerlines.

F. Section Corners: Any section, half section or quarter section monument located in a street shall be re-established by the Hamilton County Surveyor and shall be provided with an Indiana State Highway Department standard monument box.

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. Submittal Material: The subdivider shall submit two (2) copies of the plat of the subdivision indicating the placement of all monuments and markers installed or existing. Said plat shall be certified by a Registered Land Surveyor, in accordance with State Statutes and licensed to do business in the State of Indiana, and approved by the Commission.

I. Approval by Surveyor: All monuments shall be properly set in the ground and approved by a Registered Land Surveyor.

J. Surety: Monuments that are not set prior to final plat approval shall be included in the performance bond for the subdivision. Additionally, monuments shall be subject to a maintenance bond until after final grading, construction, and settling of disturbed areas at which time the applicable monuments shall be verified to still be in their correct position and depth. Section corners shall be inspected by the Hamilton County Surveyor and all other markers shall be inspected by the City Engineer.

7.19 OP-01: Open Space Standards

This Open Space Standards (OP) section applies to the following types of development:

CS RS TS CM

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*.

B. Cross Reference:
   1. *Owners' Association*: See *Section 7.20: Owners' Association Standards* for information related to open space ownership and maintenance.
   2. *Lot Establishment Standards*: See *Section 7.17: Lot Establishment Standards* for additional buffer requirements.

C. Ownership: Open space areas shall be retained as private ownership, whether as a conservation easement on private land or as common areas maintained by an owners' association.

D. 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 ninety percent (90%) of all required open space shall be accessible to the lot owners of the development. Amenity centers and sport courts are deemed open space, and count toward minimum usable open space.

E. Required Open Space: Any area described below that is fully or partially within the boundaries of land being subdivided shall be preserved as described, and may count toward the minimum required open space if indicated as such. If a greater amount of open space is created than is required, the Required Open Space shall still be required to be preserved as open space.
   1. *Public Wellhead*: Any portion of land within 200 feet of an existing public wellhead shall be designated as open space and shall not count toward the required minimum open space. No lakes, ponds, or other water impoundment of any kind shall be allowed within 200 feet of a public wellhead.
   2. *FEMA and IDNR Floodplain*: Any area designated as a floodway or floodway fringe by FEMA or the Indiana Department of Natural Resources shall be designated as open space and shall not count toward the required minimum open space.
   3. *Wetland*: Any federal jurisdiction wetland of one-quarter (¼) acre or greater shall be designated as open space including any required perimeter buffer and shall not count toward the applicable minimum required open space. Wetland reduction or removal per a mitigation plan approved by the Indiana Department of Environmental Management and the Plan Commission shall not apply.
   4. *White River Greenway*: Any area designated as White River Greenway, a 100 foot wide buffer strip measured from the water's edge at normal elevation shall be designated as open space. Open space areas outside of the floodplain shall count toward the required minimum open space. All areas within the floodplain shall not count toward the required minimum open space percentage.
   5. *Woodland*: Because of their resource value, all Mature and Young (and Scrub) Woodlands shall be evaluated by the applicant, Planning Administrator and Plan Commission to determine the extent to which they shall be protected as open space. 100% of required woodland preservation shall count toward the applicable minimum open space. Evaluation criteria and protection for woodlands can be found in *Section 7.19(H): Woodland Evaluation*. The following additional standards apply to woodlands:
      a. No more than fifteen percent (15%) of lands occupied by Mature Woodlands shall be cleared.
      b. No more than forty percent (40%) of lands occupied by Young and Scrub Woodlands shall be cleared.

F. Intensity Bonus for Woodland Preservation: Any subdivision that is required to set aside woodlands per *Section 7.19(E)(5): Woodland* in an amount greater than the minimum required open space for the overall development shall be granted an intensity bonus, as described below, for the increment that exceeds the required minimum open space.
   1. *Lot Width*: The minimum required lot width may be reduced by the least amount necessary to yield the same number of lots as would have been permitted with only the minimum required open space.
   2. *Lot Area*: The minimum required lot area may be reduced by the least amount necessary to yield the same number of lots as would have been permitted with only the minimum required open space.

G. Additional Features that Qualify as Open Space: If the minimum required open space is met with required open space in *Section 7.19(E): Required Open Space*, then no further open space is required. Only if additional open space is required may, the features described below count toward the minimum open space requirements.

1. *Man-made Water Features*: Any man-made water feature, including a retention pond, may count toward open space if it supports aquatic life and provides native habitat that meets the following minimum conditions:
   a. A surface area at normal pool elevation of at least 32,670 square feet (¾ acre); and
   b. A buffer area (i.e. not part of a developable lot) around the perimeter of the water feature shall be established that is at least twenty-five (25) feet in width and that is accessible from a public street. The buffer area shall be common area or a public access easement, planted and maintained as a wildlife habitat, and designed to allow persons to walk around the perimeter of the water feature. A trail is encouraged, but shall not be required unless it serves as a required connection to neighboring development or a perimeter street.
2. *Man-made Dry Detention Facilities*: Any man-made, dry detention facility may count toward open space if it meets the following minimum conditions:
   a. At least 10,890 square feet (¼ acre) of flat bottom area with under-drains to promote water absorption.
   b. Overall depth of the detention facility shall not exceed six (6) feet from top of bank to the flat bottom.
   c. Slopes defining the detention facility shall not be greater than a 4:1 ratio.
   d. The dry detention area shall have a means for people to access the area from a public street.
3. *Required Perimeter Landscaping*: Fifty percent (50%) of the required perimeter landscaping shall count as open space. See *Section 7.23: Perimeter Landscaping Standards* for required perimeter landscaping.
4. *Recreation Facilities*: Any common areas set aside for passive or active recreation or any land used for a meeting facility constructed within the development shall count toward the minimum required open space if the following minimum conditions are met:
   a. Passive Recreation: Be a minimum of one-half (½) acre, have a minimum width of seventy-five (75) feet, and have at least two points of access or seventy-five (75) feet of frontage along an internal street.
   b. Active Recreation: Be a minimum of one-sixth (⅙) acre, have a minimum of four (4) pieces of recreation equipment (e.g. playground pieces, fitness court pieces), and have a minimum width of 100 feet. Instead of the three (3) above criteria, a swimming pool, basketball court, or tennis court may be approved as a replacement by the Planning Administrator.
   c. Meeting Facility: Be located on a minimum of one-sixth (⅙) acre.
5. *Community Gardens*: Any common area set aside for community gardens shall count toward the minimum required open space.
6. *Alternative Energy*: Any common area used for solar panels used to generate electricity for the subdivision or as a revenue generator for the subdivision shall count toward the minimum required open space.
7. *Special Opportunity Corridors*: A special opportunity corridor is an unbuildable linear piece of land subject to restrictions by major pipeline companies or public utilities. These corridors typically extend for long distances, and may provide an opportunity for multi-purpose trails and native landscaping. Pipeline and high voltage electrical transmission line easements, if planted in native prairie grasses or wildflowers, shall count fifty percent (50%) toward the applicable minimum open space percentage; but under no circumstance shall special opportunity corridors account for more than forty percent (40%) of the total required open space.

H. Woodland Evaluation: The evaluation of the tract's woodlands shall be undertaken by an arborist, landscape architect, horticulturist or another qualified professional, acceptable to the Director of Community Services. This evaluation shall be submitted as a written report, included with and supplemental to the Open Space Conservation Plan.

1. *Evaluation of Trees*: The goal of woodland preservation is to ensure trees remain assets to the site for years to come. Single trees and woodlands that are preserved within project Open Space, therefore, shall meet the following minimum standards:
   a. A life expectancy of greater than ten (10) years.
   b. The tree must be in good or better condition.
   c. A relatively sound and solid trunk with no extensive decay.
   d. No more than one major dead limb or several minor dead limbs.
   e. No major insect or pathogenic problem.
2. *Woodland Protection Practices*: Protecting the root zone is the most critical factor in tree preservation throughout the development process. Disturbance within this area directly affects tree survival. To protect root zones, the following standards apply:
   a. When earthwork, grading, or construction activities are planned adjacent to Woodland open space, a limit of disturbance line shall be shown on the construction plans and the area(s) protected through installation of temporary fencing or other measures approved by the Plan Commission. Such fencing (or other approved measures) shall be installed and identified through signage as a "Tree Preservation Area" prior to commencing land disturbance, and remain throughout the period of construction.
   b. The root zone of trees and woodlands shall include no less than the total area beneath the tree(s) canopy as defined by the farthest canopy of the tree(s) plus a five-foot (5') wide protective buffer.
   c. Construction site activities such as, but not limited to, parking, material storage, bury pits, and concrete washout shall not be allowed within Woodland open space.
   d. Grade changes adjacent to tree preservation areas shall not result in alteration to soil or drainage conditions that would adversely affect existing vegetation. Woodlands must be evaluated for flood tolerance, and storm water routed around those areas deemed intolerant of an increase of additional flow from urbanization.
   e. Disturbed areas adjacent to tree preservation areas shall be mulched to provide additional protection to tree roots.
   f. When digging trenches for utility lines, erosion fencing, or similar purposes, disturbances to the root zones of woodland open space shall be prohibited. Underground tunneling or directional boring of utilities is required to protect woodland root zones.
   g. Woodland clearing shall not be permitted prior to Primary Plat approval.
   h. The determination of sight distance clearances along roadways shall be made graphically, not by clearing woodlands on-site prior to Secondary Plat approval.
3. *Afforestation and Reforestation*: The replacement of trees in the Natural Open Space or tree preservation areas shall be determined on the Open Space Conservation Plan pursuant to the following:
   a. The base planting for Afforestation within or adjacent to Natural Open Space shall be seven (7) shade trees for each 500 square feet of land area.
   b. Where specimen trees, stands of trees or woodlands within Natural Open Space or designated tree preservation areas have been irreparably damaged or illegally removed, a reforestation area shall be set aside, double in size of the damaged or cleared area, to be planted pursuant to the above standards for Afforestation.
   c. A landscape buffer of native trees and shrubs is required adjacent to Woodland open space areas that have been opened up due to land clearing activity. Planting shall occur per the Urban Forester and based on best practices and the intent of bufferyard standards.
   d. Tree species selected for replacement shall be quality specimens and shall be native to north central Indiana. A site-specific tree list with planting details shall be provided to the Urban Forester. Approved standard tree planting details and a list of recommended trees will be provided by the Urban Forester.

7.20 OA-01: Owners' Association Standards

This Owners' Association Standards (OA) section applies to the following types of development:

CS RS TS CM

A. 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 Hamilton County Recorder.
4. *Declaration of Covenants*: The owners' association shall be responsible for the administration of any elective restrictive covenant utilized to further restrict improvements and uses in the development. The "Declaration of Covenants" shall be recorded in the Office of the Hamilton County Recorder following final plat approval and prior to selling any lots or units. A copy of the recorded document shall be delivered to the Department of Community Services within two (2) weeks of it being recorded.
5. *Deed Restrictions*: All requirements (See *Section 7.20(E): Required Language* below) or other restrictions that resulted as a commitment or condition of approval shall be included in an independent legal document (e.g. deed restriction or similar legal mechanism) and recorded for each lot.
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.
7. *Amendment of Covenants*: In accordance with *IC 32-25.5-3-9*, the governing documents of the owners' association must contain a provision allowing the owners to amend the governing documents at any time, from time to time and such amendment may not require the consent of more than seventy-five percent (75%) of all owners; provided, however, the governing documents may not require the consent of more than the majority (50%+1) of all owners to create or amend provisions relating to rental restrictions. This paragraph does not apply to Commercial Subdivisions (CM).

C. Contractual Obligations: Prior to the transition from the developer to the owners' 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 past the date of transition. Thereafter, the owners' association shall be responsible for the renewal or termination of such contracts.

D. Common Area Inspection: Before the developer transfers control of the owners' association under the Declaration of Covenants to the property owners, including control of a board of directors or other means of representation, the developer shall arrange for an inspection of all improvements not located on a platted lot or for which the owners' association has maintenance responsibility (a "Common Area Improvement"), including street trees. For purposes of this section, whenever another person or persons succeeds to the rights and liabilities of the original applicant, the term "developer" includes successors and assigns of the original applicant.

1. *Inspection Requirements*: Such inspection shall (i) be performed by an independent, licensed professional engineer or land surveyor selected and paid for by the developer, and (ii) determine whether each approved and/or committed Common Area Improvement has been completed and maintained and is currently in compliance with all applicable requirements of the City of Carmel, the Hamilton County Surveyor's office; and any other applicable governmental authority or utility.
2. *Inspection Report*: A reasonably detailed report of the inspection shall be provided to the Carmel Department of Community Services. Upon written confirmation by the department that the inspection demonstrates that all Common Area Improvements have been properly completed and maintained, the developer may then turn over control of the owners' association to the property owners.
3. *Corrections*: If the inspection reveals that any Common Area Improvements have not been properly completed and/or maintained, the developer shall cause, at its cost, all such improper Common Area Improvements to be corrected so as to be in compliance with applicable requirements. Upon completion of such correction, the developer shall notify the department in writing of details of the corrections made. The department shall have

thirty (30) days from the date of notice of completion of corrections to verify compliance. Thereafter, upon receipt of notice from the department that all the improper Common Area Improvements have been corrected, the developer may turn over control of the owners' association to the property owners.

4. *Failure to Respond*: If the department fails to respond to an inspection that shows no improper Common Area Improvements or to a notice from developer of its correction of all improper Common Area Improvements within thirty (30) days of receipt of such inspection or notice, as applicable, then the developer may assume department approval and turn over control of the owners' association to the property owners.

E. Required Language: The following content shall be reflected in the Deed Restriction or other legal mechanism:

1. *Street Lighting*: When a development installs a street light, then the owners' association shall be responsible for the maintenance, replacement, and electricity used. In this case, the legal mechanism shall make the owners' association responsible for all maintenance, replacement, and electricity consumption in perpetuity. The City of Carmel shall not, now or in the future, be obligated to accept the lights as public property. In the event the owners' association fails to maintain street lighting, the City of Carmel may make the improvements and assess each property for the project cost plus applicable administrative expenses.
2. *Detention, Drainage Systems, and Best Management Practices*: When a retention pond and/or other drainage systems are required or installed and established as common area, the City of Carmel 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 City of Carmel may make the improvements and assess each property in the subdivision equally for the project cost plus administration costs.
3. *Private Streets*: When private streets are installed, the City of Carmel shall not, now or in the future, be obligated to accept private streets as public property. The City of Carmel 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 City of Carmel may make the improvements and assess each property for the project cost plus administration costs.
4. *Off-street Trails*: When trails are installed outside of a right-of-way, the City of Carmel shall not, now or in the future, be obligated to accept the trail as public property. The City of Carmel 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 trail, the City of Carmel may make the improvements and assess each property for the project cost.
5. *On-street Sidewalks*: When sidewalks are installed inside of a right-of-way of internal streets, the City of Carmel shall bear no financial responsibility for maintenance or replacement costs. The owners' association, and particularly abutting property owners shall bear the cost of maintenance and replacement. In the event the owners' association, or abutting property owners, fails to maintain the sidewalks, the City of Carmel may complete the maintenance work or make the improvements and assess the appropriate property owners for the project cost.
6. *Landscaping*: When landscaping is required to be or elected to be installed in a right-of-way, common area or easement, 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. Required perimeter landscaping shall be maintained by the owners' association as approved by the Plan Commission; or in a manner equal to or in excess of what was approved if permitted by the Planning Administrator. See *Section 7:06: Common Area Standards* for more information.
7. *Street Trees*: Once a final plat is approved, the right-of-way becomes the property of the City of Carmel. Therefore, the City retains the right to reasonably trim or remove any tree or shrub impeding the street or sidewalk. When performing essential infrastructure work, the City of Carmel may remove trees or shrubs within the right-of-way and shall not be responsible for replacing said trees. The City of Carmel shall approve any new tree or shrub being planted within the right-of-way and can deny such planting for any reason.

F. 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*.

7.21 PN-01: Simple Subdivision Pedestrian Network Standards

This Pedestrian Network Standards (PN) section applies to the following type of development:

A. Cross Reference:
   1. *Pedestrian Facility Requirements*: The pedestrian facility requirements from *Section 6.03: Simple Subdivision Design Standards* shall apply.
   2. Required sidewalks, off-street trails, and multi-use paths shall be constructed to meet or exceed the *City of Carmel Engineering Standards*.

B. Disturbances: Pedestrian networks shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of impervious surfaces.

C. General: All pedestrian facilities shall:
   1. *ADA*: Meet all ADA standards.
   2. *Paved*: Be paved with asphalt or concrete, which shall be per the Bicycle and Pedestrian Facility Plan as interpreted by the Planning Administrator.
   3. *Concrete Sidewalks*: Concrete sidewalks in all circumstances shall be saw-cut instead of tooled joints.

D. Perimeter Street Pedestrian Facility: If a pedestrian facility does not exist along the perimeter street to which the subdivision abuts, then a pedestrian facility shall be installed consistent with the City's Bicycle and Pedestrian Facility Plan. Further, if a pedestrian facility does exist, but is inferior to what is required per the Bicycle and Pedestrian Facility Plan, then it shall be replaced with the compliant type of pedestrian facility. Similarly, an existing pedestrian facility that is deteriorated, especially when it is unsafe, shall be replaced or repaired to a standard compliant with the Bicycle and Pedestrian Facility Plan.
   1. *Location*: To the extent possible, sidewalks and multi-use paths shall be located at least one (1) foot inside the right-of-way. Under no circumstance shall a tree lawn be reduced to meet this standard.
   2. *Width*: The minimum sidewalk and/or multi-use path width shall be per the Bicycle and Pedestrian Facility Plan and/or Transportation Plan as interpreted by the Planning Administrator.

E. Non-Single-Family Subdivisions: For non-single-family residential subdivision, when the created lots are adjacent to a public destinations (e.g. schools, parks, retail or services) or off-street trail, a connection to that destination or pedestrian facility may be required by the Planning Administrator when deemed consistent with the Bicycle and Pedestrian Facility Plan. If required to connect, this provision shall not render the development ineligible to use the Simple Subdivision subdivision type.
   1. *Location*: Off-street trails shall be located in a public access easement at least twelve (12) feet in width.
   2. *Width*: The minimum off-street trail shall be at least ten (10) feet in width.

F. Non-petition 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 City of Carmel shall not, now or in the future, be obligated to install them. Every lot within the subject subdivision shall have a non-petition clause recorded as a legal instrument, applicable in perpetuity, stating that the property owner(s) waives the right to petition the City of Carmel for a pedestrian facility to be installed at the City of Carmel's expense. This waiver does not restrict private funding to be used for such improvements to be made.

G. Final Location of Sidewalks: The final location of sidewalks within a proposed subdivision is subject to the approval of the City Engineer.

7.22 PN-02: Pedestrian Network Standards

This Pedestrian Network Standards (PN) section applies to the following types of development:

CS RS TS CM

A. Cross Reference:
   1. *Pedestrian Facility Requirements*: The pedestrian facility requirements listed for the applicable type of subdivision shall apply. See *Section 6.06: Conservation Subdivision Design Standards, Section 6.09: Residential Subdivision Design Standards*, *Section 6.12: Townhouse Subdivision Design Standards*, or *Section 6.15: Commercial Subdivision Design Standards* for the "Pedestrian Facility Requirement" standards.
   2. *Minimum Sidewalk Width*: The internal sidewalk width requirements listed for the applicable type of subdivision shall apply. See *Section 6.06: Conservation Subdivision Design Standards, Section 6.09: Residential Subdivision Design Standards*, *Section 6.12: Townhouse Subdivision Design Standards*, or *Section 6.15: Commercial Subdivision Design Standards* for the "Minimum Sidewalk Width" standards.
   3. Required sidewalks, off-street trails, and multi-use paths shall be constructed to meet or exceed the *City of Carmel Engineering Standards*.

B. Disturbances: Pedestrian networks shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of impervious surfaces.

C. Dedication Commitment: The right-of-way and/or public access easements necessary to achieve the required pedestrian network described below and described in the Transportation Plan shall be dedicated to the City of Carmel or established in favor of the City of Carmel.

D. General: All pedestrian facilities shall:
   1. *ADA*: Meet all applicable ADA standards.
   2. *Paved*: Be paved with asphalt or concrete, which shall be per the Bicycle and Pedestrian Facility Plan as interpreted by the Planning Administrator.
   3. *Concrete Sidewalks*: Concrete sidewalks in all circumstances shall be saw-cut instead of tooled joints.

E. Perimeter Street Pedestrian Facility: If a pedestrian facility does not exist along the perimeter street to which the subdivision abuts, then a pedestrian facility shall be installed consistent with the City's Bicycle and Pedestrian Facility Plan. Further, if a pedestrian facility does exist, but is inferior to what is required per the Bicycle and Pedestrian Facility Plan, then it shall be replaced with the compliant type of pedestrian facility. Similarly, an existing pedestrian facility that is deteriorated, especially when it is unsafe, shall be replaced or repaired to a standard compliant with the Bicycle and Pedestrian Facility Plan.
   1. *Location*: To the extent possible, sidewalks/multi-use paths shall be located one (1) foot inside the right-of-way. Under no circumstance shall a tree lawn be reduced to meet this standard.
   2. *Width*: The minimum sidewalk and/or multi-use path width shall be a minimum of ten (10) feet wide or per the Bicycle and Pedestrian Facility Plan and/or Transportation Plan as interpreted by the Planning Administrator.

F. Interior Street Pedestrian Facility: Developments shall integrate an interior pedestrian network comprised of concrete sidewalks for pedestrian transportation and recreation. This network shall consist of sidewalks along both sides of interior streets, except frontage streets that are only loaded from one (1) side which may have sidewalks on only one (1) side of the street. The following additional standards apply:
   1. *Location*: To the extent possible, internal street sidewalks shall be located one (1) foot inside the right-of-way. Under no circumstance shall a tree lawn be reduced to meet this standard.
   2. *Width*: The minimum sidewalk width shall be as indicated on the two-page layout for each subdivision type in *Article 6: Subdivision Types* or per the Bicycle and Pedestrian Facility Plan and/or Transportation Plan as interpreted by the Planning Administrator.

G. Off-Street Pedestrian Facility: Developments may be required to integrate asphalt off-street trails for pedestrian transportation and recreation to adjacent or nearby public destinations (e.g. schools, parks, retail or services), perimeter street's pedestrian facilities, other off-street trails, or employment centers. The Planning Administrator shall determine whether off-street trails will be required to be in compliance with the Bicycle and Pedestrian Facility Plan.
   1. *Location*: Off-street trails shall be located in a public access easement or common area at least twelve (12) feet in width.
   2. *Width*: The off-street trail width shall be a minimum of ten (10) feet wide or per the Transportation Plan as interpreted by the Planning Administrator.

H. Timeframe for Completion of the Pedestrian Network: All subdivisions shall complete the required pedestrian network prior to the common area being turned over to an Owners' Association, or within three (3) years from the Final Plat approval date for the subdivision (or first phase, if applicable); whichever comes first. Specifically, all internal sidewalks, multi-use paths along frontage streets, and off-street trails shall be installed whether all lots have been sold and/or buildings have been constructed. The only exception to this standard is approved phasing of the subdivision. In cases where phasing applies, the first phase shall be regulated by the above clauses; however, all subsequent phases shall install all applicable pedestrian network facilities within two (2) years of the final plat approval for each phase, or the transition of the common area to the Owners' Association; whichever comes first.

I. Non-petition Clause: When sidewalks, multi-use paths, or off-street trails are not required, or the development gets relief from installing sidewalks and/or multi-use paths, the City of Carmel shall not, now or in the future, be obligated to install them. Every lot within the subject subdivision shall have a non-petition clause recorded as a legal instrument, applicable in perpetuity, stating that the property owner(s) waives the right to petition the City of Carmel for a pedestrian facility to be installed at the City of Carmel's expense. This waiver does not restrict private funding to be used for such improvements to be made.

J. Final Location of Sidewalks: The final location of sidewalks within a proposed subdivision is subject to the approval of the Planning Administrator.

7.23 PL-01: Perimeter Landscaping Standards

This Perimeter Landscaping Standards (PL) section applies to the following types of development:

CS RS TS CM

A. Cross Reference:
   1. *Perimeter Landscaping Requirements*: The minimum perimeter landscaping requirements for the applicable type of subdivision shall apply. See *Section 6.06: Conservation Subdivision Design Standards*, *Section 6.09: Residential Subdivision Design Standards*, *Section 6.12: Townhouse Subdivision Design Standards*, or *Section 6.15: Commercial Subdivision Design Standards*, as applicable, for the "Minimum Perimeter Landscaping" standards.
   2. *Open Space*: See *Section 7.19: Open Space Standards* for information about how perimeter landscaping may count toward the minimum required open space within a subdivision.

B. Disturbances: Perimeter landscaping shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities.

C. Exempt Areas: Portions of the perimeter of a subdivision that have lots facing a frontage street shall be exempt from the Perimeter Landscaping Standards below. Additionally, the intersecting right-of-way for entrance streets into the subdivision shall be exempt from the Perimeter Landscaping Standards below.

D. Bufferyard Exemption: Any applicable bufferyard requirements in *Section 5.20: Bufferyard Standards* shall not be required if the perimeter landscaping is located in common area and meets or exceeds the minimum required bufferyard standards. If it does not meet or exceed the minimum bufferyard standards, then those standards in *Section 5.20: Bufferyard Standards* shall apply.

E. Ownership: Perimeter landscaping areas shall retain private ownership whether that be a single land owner, multiple land owners, or an owners' association. If installed on private property, a landscape easement shall be established and shall contain all required landscaping, as described in the Landscape Easement Standards in *Section 7.10: Easement Standards*. If held by an owners' association, all required landscaping shall be contained in common area and maintained in perpetuity by the owners' association.

F. Landscaping Design:
   1. *Size*: Perimeter landscape areas shall extend the entire length of the frontage with a perimeter street.
   2. *Minimum Required Planting Quantities*:
      a. Shade Trees: Shade trees shall be provided at a combined rate of eight (8) per 100 lineal feet of frontage with a perimeter street, of which at least seventy-five percent (75%) shall be native shade trees from *Appendix D: Recommended Tree List*.
      b. Ornamental Trees: Ornamental trees shall be provided at a combined rate of two (2) per 100 lineal feet of frontage with a perimeter street, of which at least seventy-five percent (75%) shall be native ornamental trees from *Appendix D: Recommended Tree List*.
      c. Shrubs: Shrubs shall be required in the perimeter landscaping area at a rate of ten (10) shrubs per 100 lineal feet of frontage. See *Section 7.22(F)(6): Fences, Walls and Mounds* for planting location of shrubs.
      d. Use of Calculations: The above calculations and allowances shall only be used to determine the total quantity of required shade tree and ornamental trees and the maximum quantities of shrubs.
      e. Credit for Preserving Existing Trees: Any pre-existing trees that are preserved shall be counted toward required plantings, with the following limitations:
         i. Credits: Any pre-existing trees over four (4) inches DBH shall count as one (1) required tree, and for every additional four (4) inches DBH, one (1) additional required tree credit shall be granted.
         ii. Non-Credit Species: See *Appendix D: Recommended Tree List*.
         iii. Dead or Diseased: Pre-existing trees that are dead, diseased or otherwise in poor health shall not be used for credit.
   3. *Required Planting Location*: Clustering and irregular placement of the required trees (including varying distances from right-of-way) is required in order to create a natural look, rather than an "engineered" look. Planting trees at regular intervals and distances from the right-of-way shall not be permitted. No gap between any two (2) closest shade trees shall be greater than fifty (50) feet from one another. Additionally, no gaps greater than twenty-five (25) feet shall exist.

4. *Maximum Elective Planting Quantities*:
   a. Native Shade and Ornamental Trees: Planting additional native shade tree or ornamental trees from *Appendix D: Recommended Tree List* is elective and there is no maximum quantity.
   b. Non-native Shade Trees: Planting additional non-native shade trees or ornamental trees is elective and is only restricted by negative impact to the required shade tree and ornamental trees.
   c. Evergreen Trees: Evergreen trees are elective and shall not exceed three (3) per 100 lineal feet of frontage with a perimeter street.
   d. Shrubs: Additional shrubs are elective, but shall not exceed twenty (20) per 100 lineal feet of frontage with a perimeter street.
   e. Use of Calculations: The above allowances shall be used to determine the maximum quantities of non-native shade trees, non-native ornamental trees, evergreen trees and shrubs.
5. *Elective Planting Location*: Evergreen trees and shrubs may be strategically placed in arcs and at regular intervals to provide screening in sensitive areas. Otherwise, evergreen trees and shrubs shall be planted to complement the natural look of the required plantings. Additionally, no evergreen tree shall be within twenty-five (25) feet of a required shade tree or ornamental tree, and no shrub shall be within fifteen (15) feet of a required shade tree or ornamental tree.
6. *Fences, Walls and Mounds*: Fences, walls and mounds may be integrated into the required perimeter landscape if the following conditions are met:
   a. Perimeter walls shall be constructed of high quality masonry or stone and be at least thirty-six (36) inches in height, but not over ninety-eight (98) inches in height, or one (1) foot in height per two (2) feet in separation from the right-of-way. These height restrictions shall be reduced by the height of any mound they are placed upon.
   b. Perimeter fences shall be constructed of wood, composite wood, or metal; and be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height. These height restrictions shall be reduced by the height of any mound they are placed on.
   c. Mounds may be combined with plantings and fencing. If used, mounds shall be a maximum of six (6) feet in height with a side slope not to exceed a four to one (4:1) ratio. Undulating mounds are permitted, but continuous mounds shall not be permitted (i.e. levee-like mounds).
   d. Perimeter walls or fences shall be at least twenty (20) feet from the proposed right-of-way and at least thirty percent (30%) of the required trees and shrubs shall be planted between the proposed right-of-way line and the wall or fence, softening the view of the wall or fence. Shrubs shall not be planted less than five (5) feet from the wall or fence face.

G. Qualifying as Required Open Space: See *Section 7.19: Open Space Standards*.

7.24 PQ-01: Prerequisite Standards

This Prerequisite Standards (PQ) section applies to the following types of development:

A. Cross Reference: See *Section 6:02: Simple Subdivision Prerequisites*, *Section 6.05: Conservation Subdivision Prerequisites*, *Section 6.08: Residential Subdivision Prerequisites*, *Section 6.11: Townhouse Subdivision Prerequisites*, or *Section 6.14: Commercial Subdivision Prerequisites* for the applicable regulations.

B. Applicability: If any the of the following categories are indicated for the desired type of subdivision in *Article 6: Subdivision Types*, then that content shall be a prerequisite for a new subdivision.

1. *Base Zoning*: The base zoning district of the parent tract must be listed under the heading for "Base Zoning" in order to use that subdivision type. If a parent tract is in multiple zoning districts, all of those zoning districts must be listed.
2. *Minimum Lot Splits*: If listed, the proposed subdivision shall result in that number of lots or greater to qualify for that subdivision type.
3. *Maximum Lot Splits*: If listed, the proposed subdivision shall result in that number of lots or less to qualify for that subdivision type.
4. *Minimum Parent Tract*: If listed, the proposed subdivision shall have the minimum listed number of acres or greater to qualify for that subdivision type.
5. *Maximum Parent Tract*: If listed, the proposed subdivision shall not exceed the listed number of acres to qualify for that subdivision type.
6. *Disqualifications*: If listed, any statement that is true for the proposed subdivision shall result in not qualifying for that subdivision type.
7. *Applicable Process*: The process type listed shall be the only process used to approve a proposed subdivision using that subdivision type.

7.25 SA-01: General Street Standards

This Street and Access Standards (SA) section applies to the following types of development:

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A. Cross Reference: All street improvements, private or public, shall be designed, constructed, and installed to meet or exceed the *City of Carmel Engineering Standards*. This includes, but is not limited to: cul-de-sacs, eyebrow cul-de-sacs, passing blisters, acceleration lanes, and deceleration lanes.

B. Disturbances: Streets shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of impervious surfaces.

C. Dedication Commitment: The right-of-way and/or public access easements necessary to achieve the required street network described below and described in the Transportation Plan shall be dedicated to the City of Carmel or established in favor of the City of Carmel.

D. Traffic Study: A traffic study may be required by the Planning Administrator or City Engineer. Such study may result in modifications to the design standards in *Section 7.25: General Street Standards* when a public health, safety or welfare risk warrants, but shall be the minimum necessary standard to address the public risk.

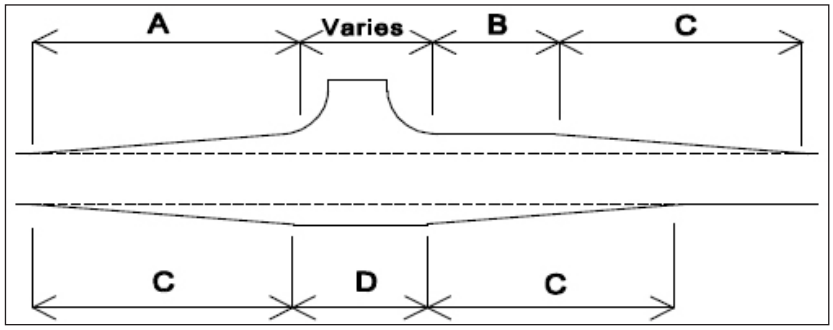
E. Design Principles: Streets shall create conditions favorable to health, safety, convenience, and the harmonious development of the community; shall connect to adjacent parcels unless there is a compelling reason it is not possible or supported by the Comprehensive Plan; and shall provide access to the City of Carmel'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 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.
   b. 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.
   c. Eyebrow Cul-de-sac: Eyebrow cul-de-sacs shall only be permitted if indicated as permitted on the two-page layout for the corresponding type of subdivision in *Article 6: Subdivision Types*. If not indicated, eyebrow cul-de-sacs shall not be permitted in that type of subdivision. When permitted, eyebrows shall be used sparingly, and only where they are necessary. Eyebrows shall also be curbed and be designed with high aesthetic appeal (e.g. landscaped island, change of pavement surface, brick edging) and characteristics that visually convey that it is not part of the public right-of-way.
   d. Cul-de-sac: Any cul-de-sac with a center island shall be landscaped, curbed, and be within the right-of-way.
   e. 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 subdivision.
   f. 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 subdivision.
   g. Minimum Right-of-Way for Internal Streets: The minimum right-of-way width for all local streets shall be the minimum right-of-way width 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. boulevards) shall be per the Thoroughfare Plan.
   h. 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. boulevards) shall be per the Thoroughfare Plan.
   i. 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*. Extruded curb shall not be allowed.
   j. On-street Parking Requirement: 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 or limitations do not apply.

k. Minimum 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*.

2. *Prohibited Street Designs*: Permanent dead end streets and hammerheads shall not be permitted. Cul-de-sacs and stub streets are not considered dead end streets.
3. *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 has an approved primary plat, the applicant shall design the street system to connect to those stub streets.
   b. Where the development abuts undeveloped land, stub streets shall be proposed by the applicant. Generally, each side of the development that does not border a public street shall have at least one (1) stub street. In large developments, additional stub streets may be required to provide adequate connectivity between the two (2) properties. The final number and location of stub streets shall be determined by the Planning Administrator based on best planning and development practices.
   c. If the Comprehensive Plan or any applicable transportation planning document indicates the preferred location of connections to neighboring land, or perimeter streets, then proposed connections shall be in conformance with those documents.
4. *Stub Streets*: Stub streets shall be constructed at the same time other streets are built within the development.
5. *Gated Entrances*: Shall not be permitted unless the internal streets are Private Streets; See *Section 7.26: Private Street Standards*.
6. *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 along the entrance street. The width of the center planting strip shall be at least ten (10) feet and shall be curbed. The identification portion (i.e. the development name) of an entryway feature shall not be located in the median.
7. *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 City of Carmel or Hamilton County. This does not preclude the City or County from contributing when a compelling public benefit or need is identified.
8. *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 center lines for a distance of 100 feet. Under no circumstance shall deviations from right angles be greater than fifteen degrees (15°).
   b. Intersections of more than two (2) streets at one (1) point shall not be permitted.
   c. Curb radius at internal intersections shall be a minimum of twenty (20) feet if within five degrees (5°) of right angles. Internal intersections that are further askew from right angles shall have greater radii, determined by the City Engineer.
   d. Proposed intersections with a perimeter street shall align with any existing street or major entrance into a large development. If alignment is not possible, the new intersecting street shall be offset by a distance determined by the City Engineer.
   e. Intersections shall be designed to be relatively flat whenever practical. The approaches to an intersection shall not have a slope greater than a two percent (2%) grade for a distance of sixty (60) feet, measured from the centerline of the intersecting street.
   f. Intersections shall be designed to comply with the Vision Clearance Triangle. Any slope or natural feature which would obstruct visibility shall be regraded or removed.
   g. The cross-slopes on all intersections shall be no greater than two percent (2%).
9. *Curvature Along Centerline*: Curvature measured along the centerline shall have a minimum radius as follows:
   a. Arterial Streets: 500 feet
   b. Collector and Boulevard: 400 feet
   c. Local Streets: 150 feet
   d. Cul-de-sac: 100 feet

10. *Maximum Grades*: Maximum Grades for streets shall be as follows:
    a. Collector, Boulevard, and Arterial Streets: Not greater than six percent (6%).
    b. Local Streets and Alleys: Not greater than eight percent (8%).
    c. Cul-de-sac Streets: Not greater than three percent (3%) within the turning area.
11. *Minimum Grades*: Minimum street grade shall be 0.50 percent (½%).
12. *Acceleration and Deceleration Lane*: Where subdivision access is from an Arterial, Boulevard, or a Collector street, acceleration/deceleration lanes and a passing lane shall be provided at each intersection per the following chart:



Functional Classification	Controlling Dimension (Feet)			
	A	B	C	D
Arterial Street	250	100	150	100
Boulevard Street; Collector Street	100	100	100	60

*Where appropriate right-of-way exists.

13. *Discretion on Acceleration and Deceleration Lanes*: Where a cul-de-sac or single outlet subdivision outlets onto an Arterial, Boulevard, or Collector Street, wider street widths and longer acceleration/deceleration lanes than the above minimum requirements may be required by the Plan Commission; based on the standards established in the American Association of State Highway Engineers Manual.

F. Inspections: The applicant shall allow and cooperate in the inspection of any part of street construction at any time by the City Engineer. The City Engineer shall be notified by the applicant forty-eight (48) hours in advance of the starting date 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 on site, and may be rejected at either location. Final approval of the work rests with the City Engineer. Inspections of materials and related work, when performed by the applicant's representatives or employees, shall be at the expense of the applicant.

G. 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 City of Carmel.
      c. Suffix Name: Deviations in suffix names (e.g. Street, Place, or Avenue) shall not constitute a unique name (for example, if Maple Street existed, the name Maple Avenue would not be permissible). One exception is a street segment that continues past an intersecting street into a cul-de-sac. The cul-de-sac segment may have the suffix "Court" (for example, Maple Street could change to Maple Court for the segment that terminates as a cul-de-sac).
      d. Street Name Length: Due to physical constraints of street name signs and to assure street names are clearly legible, the maximum number of characters in a street name may be limited by the City Engineer if the sign size would exceed engineering policy, best practices or for safety reasons. See the City Standard Engineering Drawings for other requirements for street name signs.
   2. *Proposed Address Numbers*: Street address numbers for all lots shall be consistent with the City's existing address scheme and shall be approved by all regulating agencies (e.g. Post Office and 911 Communications Department). When possible, the applicant and Planning Administrator shall work to establish the range of addresses along each street segment.
   3. *Approval Authority*: The Plan Commission delegates naming and renaming authority to the Planning Administrator. While street names and address numbers proposed by the applicant will be considered, the Planning Administrator shall have the authority to approve or deny any proposed street name or address number. If a dispute arises, the Plan Commission shall make the final determination.

H. 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 Thoroughfare Plan, 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.

I. Off-site Street Improvements:
   1. *Applicant Effort*: 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 necessary off-site improvement is to be installed refuses to sell the property to the applicant, the applicant shall provide the Planning Administrator with copies of all surveys, appraisals, written offers made by the applicant, and correspondence from the property owner.
   2. *City Acquisition or Eminent Domain*: When an off-site street improvements is required, it is because it is vital to the health, safety, and welfare of the motoring public. As a result, the City may begin eminent domain proceedings in accordance with *IC 32-24: Eminent Domain* for acquisition of the least necessary amount of public right-of-way sufficient for the installation of the off-site street improvement. Such process shall not be initiated until and unless the aforementioned documentation illustrating the applicants failure to acquire the needed property is received. Upon completion of eminent domain proceedings, the applicant shall reimburse the City in an amount equal to the cost of the land, administrative cost, and the cost of any other necessary improvements to appease the former property owner (e.g. planting new trees to compensate for trees that had to be removed).
   3. *Installation of Improvements*: The applicant shall then install the off-site street improvement to meet or exceed the *City of Carmel Engineering Standards*.

7.26 SA-02: Private Street Standards

This Street and Access Standards (SA) section applies to the following types of development:

CS RS TS CM

A. Project Applicability: Private streets shall not be permitted, but a waiver can be approved allowing private streets if the waiver criteria in *Section 7.*26(D): Waiver Criteria is met and the private streets meet or exceed the standards for public streets established within the Unified Development Ordinance and the Engineering Standards for public streets within the *City of Carmel Engineering Standards*, including being inspected by the City Engineer during construction; See *Section 7.25: General Street Standards*. Private streets shall also install a pedestrian network to achieve or exceed the standards in *Section 7.22: Pedestrian Network Standards*.

B. Disturbances: Private streets shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of impervious surfaces.

C. Gated Entrances: Developments with internal private streets may have gated entrances, but shall have the following:
   1. Public pedestrian and bike access to & through the site must be provided without obstruction.
   2. Minimum of 60 feet of stacking area shall be provided outside the gate. Stacking area can not be within the Thoroughfare Plan right of way.
   3. Turnaround area with adequate turning radius must be provided (the design vehicle for the turnaround area should be a passenger vehicle.) Turnaround and gate must be located outside of the Thoroughfare Plan right-of-way.
   4. School bus pick-up area must be provided.
   5. Gate and associated structures must be of high quality materials and construction.
   6. Walls or other enclosures must be landscaped and designed with human-scale articulation along their exterior perimeters.
   7. Perimeter wall height shall be as approved by the Commission.
   8. Emergency response access to the development must be provided and approved by all City public safety departments.
   9. Access to other City or County departments must be provided for official business, including, but not limited to building inspections, code enforcement inspections and inspections for tax assessment purposes.
   10. Gates must have no overhead obstructions.
   11. Power must be supplied to the gates at all times.
   12. Under no circumstances shall gated entries be permitted in the area between US 31 – Meridian Street and Keystone Parkway.

D. Pedestrian Network: Shall comply with *Section 7.22: Pedestrian Network Standards*.

E. Waiver Criteria: A waiver to allow private streets shall be considered only if the following criteria are met:
   1. Street shall offer no feasible "through" links for the surrounding transportation network and function as a local street.
   2. Street may not utilize hammerhead street designs.
   3. Street can not obstruct any future connections identified on the Thoroughfare Plan.
   4. Auxiliary lanes (acceleration / deceleration lanes and passing blister) shall be provided at the entrance to the street.
   5. All interior street improvements shall be designed and installed according to City standards; including right-of-way width, storm drainage, curb and gutter, pavement widths, sub-surface drains, sidewalks, and driveway cuts.
   6. A demonstrated financial guarantee that the home owners' association will budget for the maintenance and upkeep of all street improvements.
   7. All adjacent pedestrian path stubs shall connect. Pedestrian paths shall be dedicated or platted in easements to allow public ingress/egress.
   8. The following condition of approval is required for any waiver request to permit a private street.
   9. If and when the City is petitioned to take over the private street, said street shall be improved to the current governing City standards as determined by the City Engineer prior to acceptance. All required improvements to be at the home owners' association's expense unless otherwise waived by majority passage of a resolution of the Common Council.

F. 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 and drainage system associated with it 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 of incorporation. No governmental entity has any duty or responsibility to maintain, repair, or replace any private street or drainage system associated with the street."

G. Location: Private streets shall be located within private street easements or common area, 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 *City of Carmel Engineering 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 *City of Carmel Engineering 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 City, 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 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 final plat 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 shown 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 City 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.

7.27 SA-03: Residential Subdivision Alley Standards

This Street and Access Standards section applies to the following types of development:

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A. General: Alleys shall be used sparingly within residential subdivisions. All lots and uses served by alleys shall also have lot frontage on a public street, but not vehicular access to that 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. Ownership: Alleys shall be privately owned and maintained by an Owners' Association, and be located on a public access easement.

D. Connection: Alleys shall be designed and constructed to connect for internal street to internal street. Dead-end alleys are not permitted.

E. Easement Width: Alley easements shall be at least twelve (12) feet in width.

F. Alley Surface and Width: Alleys shall be paved with a durable material (e.g. asphalt or brick pavers) and shall be at least twelve (12) feet in width.

G. Alley Crown: All alleys shall be designed with center crown or side slope. Inverse crowns are not permitted.

H. Curb: Alleys may have a flush, rolled, or straight curb. Extruded curb shall not be permitted.

I. Alley Intersections: The intersections of alley and a public street shall be perpendicular or within fifteen degrees (15°) of perpendicular with the internal street. Alley intersections shall be spaced away from internal street intersections, and shall generally be located at mid-point between two (2) internal street intersections. The minimum separation shall be determined by the City Engineer.

J. 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.

K. Alley Construction: All alleys are to be constructed per the *City of Carmel Engineering Standards*.

7.28 SA-04: Residential Access Standards

This Street and Access Standards (SA) section applies to the following types of development:

CS RS TS

A. Quantity: Vehicular access into and out of the development shall be provided as follows:
   1. *Small Developments*: Developments with fifteen (15) or more lots shall have at least two (2) access points. At least one access point shall be from a perimeter street.
   2. *Large Developments*: Developments with forty (40) or more lots shall provide at least two (2) access points from a perimeter street. The Planning Administrator may require one (1) additional access point for every forty (40) lots in the development, including the first forty (40) lots. If a dispute arises in regard to the required number of access points, the Plan Commission shall have final authority.

7.29 SA-05: Non-residential Access Standards

This Street and Access Standards (SA) section applies to the following types of development:

CM

A. Disturbances: Points of access shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of impervious surfaces.

B. Commercial Development Along Non-arterial Streets:
   1. *Entrance Street*: One or more entrance street may be established for a commercial development. An entrance street intersects with a perimeter street and provides perpendicular access to lots from that perimeter street.
   2. *Quantity and Location*: An applicant may propose the quantity and location of ingress/egress points to provide safe, efficient, and adequate to meet the needs of the development. However, the Planning Administrator is delegated the authority to make the determination of quantity and location based on best practices, City Engineer input, and the Thoroughfare Plan. If a dispute arises, the Plan Commission shall have the final authority.

C. Major Commercial Development Along an Arterial Street: Any non-residential development that fronts an arterial street and that has ten (10) or more lots or a multiple-tenant building with fifteen (15) or more tenant spaces may be restricted from gaining access from the arterial street. Instead, an entrance street off of a less intense street (e.g. a boulevard), or a rear access street may be required. The Planning Administrator and City Engineer shall have discretion in restricting access from the arterial street and determining which type of access is most appropriate to ensure a safe and efficient, current and future transportation network. If a dispute arises the Plan Commission shall have final authority.
   1. *Entrance Streets*: Entrance streets, if required, shall meet the following standards.
      a. Entrance streets shall generally run perpendicular to the perimeter street.
      b. Entrances streets shall accommodate two-way traffic.
      c. Right-of-way or private street easement for an entrance street shall be at least forty (40) feet in width.
      d. Pavement width for an entrance street shall be a minimum of twenty-four (24) feet.
      e. Parking shall not be permitted on entrance streets.
      f. Sidewalks shall be on at least one (1) side of entrance streets and be integrated into the overall pedestrian network of the development.
   2. *Rear Access Streets*: Rear access street, if required shall meet the following standards.
      a. Generally, a rear access street shall be parallel to the arterial street and located behind the first tier of commercial lots (often called outlots) and in front of the second tier of commercial lots (often the anchor lots), but provides access to both.
      b. Rear access streets shall generally run parallel to the arterial street and be separated by at least one 150 feet from the arterial street (measured from the edge of pavement to the edge of pavement).
      c. Rear access streets shall accommodate two-way traffic.
      d. Right-of-way or private street easement for a rear access street shall be at least forty (40) feet in width.
      e. Pavement width for a rear access street shall be a minimum of twenty-four (24) feet.
      f. Parking shall not be permitted on rear access streets.
      g. Sidewalks shall be on at least one (1) side of rear access streets and be integrated into the overall pedestrian network of the development.
   3. *Additional Standards for Entrance Streets and Rear Access Streets*:
      a. Points of Ingress/Egress: An access street serving developments less than fifteen (15) acres may be permitted up to two (2) ingress/egress points off of a perimeter street. Developments with fifteen (15) acres or more may be permitted up to three (3) ingress/egress points onto a perimeter street. Those access points shall not include the arterial street unless authorized by the Planning Administrator and City Engineer.
      b. 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. However, ingress/egress points that align with a street or access point across the street do not require separation.

7.30 SA-06: Street Signs Standards

This Street and Access Standards (SA) section applies to the following types of development:

CS RS TS CM

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 paid for and installed by the developer.

B. Cross Reference: The City'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, font, letter and number characteristics, reflectivity, and location of each of these signs. Where guidance is silent on an issue, the City Engineer shall have authority to make the determination.

C. Public Safety and Speed Limit Signs: The applicant shall coordinate with the City Engineer before purchasing and installing any public safety and speed limit street sign. The City Engineer shall make the final determination regarding the final location and height of each sign. All public safety related street sings shall be installed by the applicant prior to any street being open to the public.

D. Street Name Signs: The applicant shall coordinate with the City 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 City Engineer shall make the final determination regarding the final location and height of each sign. All street name signs shall be installed by the applicant prior to any street being open to the public.

E. Street Sign Posts: All street signs shall be installed on 2 ¼ X 2 ¼ square, black posts. The applicant may install street signs on decorative posts, but the maintenance of those posts shall be maintained by an Owners' Association in perpetuity.

F. Wayfinding System Signs: The applicant may propose an internal wayfinding system of signs.

1. *Residential Development Prerequisite*: The subject development must be at least eighty (80) acres, have three (3) or more internal streets, and have an amenity or destination that necessitates a wayfinding sign (e.g. a community swimming pool).
2. *Commercial Development Prerequisites*: The subject development must be at least eighty (80) acres and have at least five multi-tenant buildings or an amenity or destination that necessitates a wayfinding sign.
3. *Purpose*: Wayfinding system signs shall be used to direct vehicular and pedestrian traffic to specific destinations within a development.
4. *Appearance*: Wayfinding systems shall be required to have signs of consistent size, scale and appearance.
5. *Location*:
   a. Wayfinding system signs shall not be located within the vision clearance triangle as regulated by *Section 5.76: Vision Clearance Standards*.
   b. Wayfinding system signs may be located within rights-of-way with written authorization from the Common Council. However, the City shall not be responsible for the maintenance or replacement of any wayfinding system signs.
6. *Review and Approval*: Proposals for wayfinding systems shall be reviewed and approved at the discretion of the Planning Administrator. The Planning 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.

7.31 SL-01: Conservation Residential Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following types of development:

A. Project Applicability: Street lights shall be installed at all entrances and intersections within conservation residential subdivisions.

B. Ownership: Street light ownership and maintenance shall be per *Section 7.20(D)(1): 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. *Element*: All street light elements shall be LED.
3. *Glare*: Street lights shall be located and shielded to prevent glare on neighboring properties.
4. *Continuity*: Street lights shall be a consistent style throughout the entire development.
5. *Height*: Internal street lights shall not exceed eighteen (18) feet in height.
6. *Street Lights at Intersections*: One (1) street light shall be installed at each internal street intersections, including entrances, and shall provide the minimum amount of light necessary for vehicular and pedestrian safety at those intersections.
7. *Street Light Fixture Standard*: The light fixture at all intersections with perimeter streets shall be determined by the City Engineer. For internal street intersection lighting, it is strongly encouraged to use a light fixture standard that the City of Carmel has adopted, but it is not mandatory.
8. *Energy Conservation*: Street lights shall be activated by a photo cell.

7.32 SL-02: Residential Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following types of development:

A. Project Applicability: Street lights shall be installed at all entrances, intersections, and along internal streets within residential subdivisions.

B. Ownership: Street light ownership and maintenance shall be per *Section 7.20(D)(1): 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. *Element*: All street light elements shall be LED.
3. *Glare*: Street lights shall be located and shielded to prevent glare on neighboring properties.
4. *Continuity*: Street lights shall be a consistent style throughout the entire development.
5. *Height*: Internal street lights shall not exceed eighteen (18) feet in height.
6. *Street Lights at Intersections*: One (1) or more street lights shall be installed at all major intersections, including entrances, and shall provide the minimum amount of light necessary for vehicular and pedestrian safety at those major intersections.
7. *Street Lights Between Intersections*: Street lights shall be installed between intersections at intervals no greater than one (1) every 400 feet on one (1) side (or alternating sides) of the street.
8. *Street Light Fixture Standard*: The light fixture at all intersections with perimeter streets shall be determined by the City Engineer. For internal street intersection lighting it is strongly encouraged to use a light fixture standard that the City of Carmel has adopted, but it is not mandatory.
9. *Alternate to Street Lighting*: In-lieu-of street lights between intersections, at least two (2) dusk-to-dawn lights shall be installed on the front facade of each residential dwelling. This lighting shall be provided by the builder and maintained by the owner in perpetuity.
10. *Energy Conservation*: Street lights and dusk-to-dawn lights (if applicable) shall be turned on by photo cell.

7.33 SL-03: Townhouse Subdivision Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following type of development:

A. Project Applicability: Street lights shall be installed at all entrances, intersections, and along internal streets within residential subdivisions.

B. Ownership: Street light ownership and maintenance shall be per *Section 7.20(D)(1): 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. *Element*: All street light elements shall be LED.
   3. *Glare*: Street lights shall be located and shielded to prevent glare on neighboring properties.
   4. *Continuity*: Street lights shall be a consistent style throughout the entire development.
   5. *Height*: Internal street lights shall not exceed eighteen (18) feet in height.
   6. *Street Lights at Intersections*: One (1) or more street lights shall be installed at all major intersections, including entrances, and shall provide the minimum amount of light necessary for vehicular and pedestrian safety at those major intersections.
   7. *Street Lights Between Intersections*: Street lights shall be installed between intersections at intervals no greater than one (1) every 200 feet on one (1) side (or alternating sides) of the street.
   8. *Street Light Fixture Standard*: The light fixture at all intersections with perimeter streets shall be determined by the City Engineer. For internal street lighting it is strongly encouraged to use a light fixture standard that the City of Carmel has adopted, but it is not mandatory.
   9. *Energy Conservation*: Street lights shall be activated by a photo cell.

7.34 SL-04: Non-residential Street Lighting Standards

This Street Lighting Standards (SL) section applies to the following type of development:

A. Project Applicability: Street lights shall be installed at all entrances, intersections, and along internal streets within non-residential developments whether approved as a subdivision, development plan, or planned unit development.

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 City of Carmel shall not be responsible for any operation or maintenance costs associated with internal 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. *Element*: All street light elements shall be LED.
   3. *Glare*: Street lights shall be shielded to prevent glare on neighboring properties.
   4. *Continuity*: Street lights shall be a consistent style throughout the entire development.
   5. *Height*: Street lights shall not exceed thirty (30) feet in height.
   6. *Street Lights at Intersections*: One (1) 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.
   7. *Street Lights Between Intersections*: Street lights shall be installed between intersections at intervals no greater than one (1) every 300 feet on one side of the street (or alternating sides).
   8. *Street Light Fixture Standard*: The light fixture at all intersections with perimeter streets shall be determined by the City Engineer. For internal street lighting it is strongly encouraged to use a light fixture standard that the City of Carmel has adopted, but it is not mandatory.
   9. *Energy Conservation*: Street lights shall be activated by a photo cell.

7.35 SM-01: Storm Water and Erosion Control Standards

This Storm Water and Erosion Control Standards (SE) section applies to the following types of development

A. Cross Reference: All proposed subdivisions, planned unit developments, and development plans shall be in compliance with the *Carmel Stormwater Management Ordinance; Chapter 6, Article 7: Stormwater Technical Manual* in the City's Municipal Code.

B. Quarter-acre Disturbance: Any parcel with ¼ acre or greater disturbance shall require a storm water management permit, detention and water quality facilities. See *Chapter 6, Article 7: Stormwater Technical Manual* in the City's Municipal Code.

C. Wellhead Protection: Any retention or detention facility located within the one-year time of travel for any existing public wellhead shall be completely sealed. Retention or detention facilities shall not be permitted within 200 feet of a public wellhead.

7.36 SY-01: Surety Standards

This Surety Standards (SY) section applies to the following types of development:

As a prerequisite to final plat approval, the subdivider shall agree to provide financial performance and maintenance guarantees for public facility improvements and installations to be constructed in and, as necessary for proper connection and system coordination, adjoining the proposed subdivision. The public facility improvements and installations shall include streets (base and paving, individually), curbs and gutters, sidewalks, storm water drain and storm sewer systems, sanitary sewer systems, water supply systems, street name signs, monuments and markers and the various appurtenances related thereto. All construction shall be according to plans submitted as portion of final plat and accompanying data, subject to standards and specifications cited herein. Non-public facility improvements and installations shall be subject to financial guarantees established by their ownership.

A. Performance Guarantee: Prior to or at the time of final plat approval, or applicable Stormwater Management Permit, the subdivider shall be required to provide financial performance guarantee, by certified check, performance bond, or any irrevocable, unconditional, acceptable letter of credit issued by a financial institution acceptable to the Plan Commission, that all public facility improvements and installations required under the provisions of the Unified Development Ordinance shall be completed. Bonds, checks, and letters are to run to:
   - City of Carmel Jurisdiction: City of Carmel
   - Hamilton County Jurisdiction: Board of Commissioners of Hamilton County.

   Said financial performance guarantee shall be conditioned upon the following:
   1. The completion of public facility improvements and installations shall be within two (2) years from the recording of the final plat;
   2. A penal sum shall be fixed and approved by the Plan Commission equal to 100% of the total estimated current cost to the city or county of all public facility improvements and installations provided in the final plat and accompanying data according to specifications cited herein;
   3. Each public facility improvement or installation provided in the final plat or accompanying data shall be bonded individually, or shall have an individual certified check or letter of credit to cover the penal sum, and shall not have the performance guarantee provided in combination with any of the other public facility improvements and installations.
   4. The performance bond, certified check, or letter of credit shall be issued in the name of the owner, developer, contractor or other responsible party as determined by the Plan Commission.

B. Extension of Completion Time and Non-Performance:
   1. Should the subdivider not complete the public facility improvements and installations as herein required within the stated two (2) year period, the Building Commissioner may approve an extension of time of up to two (2) additional years, granted at six (6) month intervals, for completion of the required public facility improvements and installations.
   2. Should the subdivider not complete the public facility improvements and installations as herein required within the two (2) year period or within any time extension approved by the Building Commissioner, the proper authorities may take the necessary steps to proceed with the completion of the public facility improvements and installations, making use of the certified check, performance bond or letter of credit.

C. Release of Performance Guarantee: Upon the completion of the required public facility improvements and installations according to the recorded secondary plat, approved development plans, accompanying data and the standards cited herein, the subdivider shall provide the Department of Community Services with two (2) sets of as-built drawings showing all site improvements, including but not limited to drainage and sewerage systems, water distribution systems, signs, and monuments as they were constructed and installed, and including certificates by a Professional Engineer or Land Surveyor that all improvements were installed as shown and in conformance with the Unified Development Ordinance and all applicable standards and requirements of the appropriate governmental jurisdictions. The subdivider may then request the release of the performance guarantee posted with the proper authority. Upon the receipt of a maintenance guarantee, as specified herein, the proper authority shall release the performance guarantee within sixty (60) days. The performance guarantee for each individual public facility improvement or installation may be handled separately and shall in no way be contingent on the completion of any of the other individual public facility improvements and installations or their performance guarantees.

D. Maintenance Guarantee: Prior to the release of the performance guarantee, the subdivider shall be required to provide financial maintenance guarantee, by certified check or maintenance bond, that all public facility improvements and installations required under the provisions of the Unified Development Ordinance shall be maintained according to specifications cited herein. Bonds and checks are to run to:

1. *City of Carmel Jurisdiction*: City of Carmel
2. *Hamilton County Jurisdiction*: Board of Commissioners of Hamilton County.

Said financial maintenance guarantee shall be conditioned upon the following:

3. The maintenance guarantee shall run and be in force for a period of three (3) years from the date of release of the performance guarantee.
4. A penal sum shall be fixed and approved by the Plan Commission but in no case shall the penal sum be less than fifteen percent (15%) of the total performance guarantee for streets and ten percent (10%) of the performance guarantee for all other public facility improvements and installations. The minimum maintenance guarantee to be posted for streets shall be no less than $5,000.00.
5. Each public facility improvement or installation shall be bonded individually, or shall have no individual certified check to cover the penal sum, and shall not have the maintenance guarantee provided in combination with any of the other public facility improvements and installations.
6. The maintenance bond shall be issued in the subdivider's name alone or in the name of the subdivider and his subcontractor as co-signers. All certified checks provided for financial maintenance guarantee shall be signed by the subdivider alone.

E. Release of Maintenance Guarantee: All maintenance bonds shall expire at the end of the three-year period for which they were established. Within sixty (60) days of the expiration date, the proper authority shall return said expired maintenance bonds to the subdivider. In the case where a certified check has been posted as a maintenance guarantee, the subdivider shall, at the end of the three-year maintenance period, contact the proper authority in order to obtain the release of the maintenance guarantee. The proper authority shall return said maintenance guarantee to the subdivider within sixty (60) days. The maintenance guarantee for each individual public facility improvement or installation may be handled separately and shall in no way be contingent on the completion of any of the other individual public facility improvements and installations or their maintenance guarantees.

Article

8

Nonconformances

City of Carmel
Unified Development
Ordinance

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8.01 Legal Nonconforming Use-Specifications

A legal nonconforming use may be continued, although such use does not conform to all the provisions of the Unified Development Ordinance, as hereinafter provided:

A. A legal nonconforming use may be extended throughout a building provided no structural alterations are made therein, except those required by law. Existing residences in the various Business and Industrial Districts may be structurally altered and expanded.

B. A legal nonconforming use may be changed to another legal nonconforming use of the same restrictions, provided no structural alterations are made in the building. Whenever a legal nonconforming use has been changed to a conforming use, it shall not thereafter be changed to a legal or an illegal nonconforming use.

C. No building shall be erected upon any premises devoted to a legal nonconforming use, except in conformance with the applicable provisions of the Unified Development Ordinance.

D. Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit or Improvement Location Permit has been heretofore issued, and the construction of which has commenced and has been diligently pursued within one (1) year of the date of issuance of such permit, and which entire building shall be completed according to such plans within three (3) years from the date of passage of the Unified Development Ordinance.

E. In the event that a legal nonconforming use of any building or premises is discontinued for a period of one (1) year, the use of said building or premises shall thereafter conform to the applicable provisions of the Unified Development Ordinance.

F. Existing uses eligible for special use approval shall not be considered legal nonconforming uses nor require special use approval for continuance but shall require special use approval for any alteration, enlargement or extension.

G. These provisions shall apply in the same manner to any use which may become a legal nonconforming use due to a later amendment to the Unified Development Ordinance.

H. Waivers: The applicant may request a Plan Commission Waiver from the dimensional and quantitative standards of *Section 5.20: Bufferyard Standards*, by not greater than ninety percent (90%), in the instances where an industrial-zoned parcel comes before the Plan Commission with an alteration or expansion.

8.02 Illegal Nonconforming Use-Specifications

An illegal nonconforming use shall not be validated by the adoption of the Unified Development Ordinance.

8.03 Nonconforming Use in a Floodplain

A legal or illegal nonconforming use located in a floodplain, as identified by *Carmel City Code, Chapter 10, Article 5: Carmel Flood Damage Prevention Ordinance* shall not be expanded or enlarged without a permit for construction from the Indiana Natural Resources Commission plus adherence to the appropriate restrictions herein.

8.04 Nonconformance Exemptions

A building nonconforming only as to height, lot area or yard requirements may be altered or extended, provided that an extension meets all of the height, yard and other applicable provisions of the Unified Development Ordinance.

8.05 Intermittent Use

The casual, intermittent, temporary or illegal use of land, buildings or premises shall not be sufficient to establish the existence of a nonconforming use and the existence of a nonconforming use on part of a lot or tract shall not be construed to establish a nonconforming use on the entire lot or tract.

8.06 Existence of a Nonconforming Use

In circumstances where there is question whether or not a nonconforming use exists, it shall be considered a question of fact and shall be decided by the Board of Zoning Appeals following public notice and a public hearing in accordance with the Rules of Procedure of the Board of Zoning Appeals.

8.07 Exemptions

The following structures and uses shall be exempt from the provisions of the Unified Development Ordinance:

A. Wires, cables, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas or water and the collection of sanitary sewage or surface water operated and/or maintained by a government entity or a public utility, including customary meter pedestals, telephone pedestals, distribution transformers and temporary utility facilities required during construction, whether any such facility is located underground or above ground, but only when such franchised utility facilities are located in a street right-of-way or in an easement less than twenty-five (25) feet in width. The provisions of the Unified Development Ordinance shall be complied with on all private property and in easements twenty-five (25) feet in width and over.

B. Railroad tracks, rights-of-way signals, bridges and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.

C. Farms, as defined herein, are permitted in all districts. Dwellings and major (over 400 square feet) accessory buildings are subject to obtaining Improvement Location Permits for construction.

D. Nothing in the Unified Development Ordinance shall prevent the restoration of a building or structure destroyed less than forty percent (40%) of its square footage at the time of such destruction (exclusive of the value of the lot) by explosion, fire, flood, earthquake, windstorm, act of God, riot or act of a public enemy, subsequent to the passage of the Unified Development Ordinance; or shall prevent the continuance of the use, except an illegal nonconforming use, of such building, structure or part thereof, as such use existed at the time of such impairment of such building, structure or part thereof. All such restoration and construction shall be subject to the obtaining of an Improvement Location Permit, with the fees waived for the restoration of a building or structure destroyed less than forty percent (40%) and restored according to its state of existence prior to destruction. All restorations resulting in a divergence from original plans or restoring a building or structure destroyed forty percent (40%) or more shall be subject to obtaining an Improvement Location Permit and payment of fees.

E. All City of Carmel and Clay Township governmental facilities and buildings are exempt from the zoning requirements and procedures listed herein.

8.08 US 421 - Michigan Road Overlay District Nonconformance Standards

A. Conforming Uses: A Development Plan shall be submitted to the Plan Commission for its approval when a legal non-conforming use is changed to a conforming use and when either:
   1. Any new building is to be constructed; or
   2. Any existing building or site development (including addition of parking lot) is expanded by more than thirty percent (30%).

B. Non-Conforming Uses: A Development Plan shall be submitted to the Plan Commission for its approval when a legal non-conforming use is altered as follows:
   1. A building has been more than sixty percent (60%) destroyed.
   2. Any expansion of a building or site development (including addition of parking lot). Normal maintenance and repair is exempt from the Development Plan approval requirement.
   3. If property or building is vacated for more than one (1) year.

8.09 Range Line Road Overlay District Nonconformance Standards

A. Restoration after Destruction of Building: Nothing in the Unified Development Ordinance shall prevent the restoration of a building or structure destroyed 100% or less of its square footage at the time of such destruction by explosion, fire, flood, earthquake, windstorm, act of God, riot or act of a public enemy; or shall prevent the continuance of the use, except an illegal nonconforming use, of such building, structure or part thereof, as such use existed at the time of such impairment of such building, structure or part thereof. All such restoration and construction shall be subject to the obtaining of an Improvement Location Permit, with the fees waived for the restoration of a building or structure destroyed 100% or less and restored according to its state of existence prior to destruction. All restorations resulting in a divergence from original plans shall be subject to obtaining an Improvement Location Permit and payment of fees and comply with *Section 3.72(A): Architectural Design Standards* and *Section 3.72(B): Construction Material Standards*.

8.10 Legal Non-Conforming Signs.

A. The Planning Administrator shall keep record of those signs and any necessary proof that said signs are Legal Non-Conforming Signs and record of such signs will be available to the general public by way of paper copy in the Planning and Zoning Office and on the City's webpage: *www.carmel.in.gov*.

B. The Planning Administrator shall also use all reasonable efforts to notify the user or owner of the property on which such sign is located of the signs non-conformity and whether it is legally non-conforming or is illegal. Should any questions arise as a result of the Planning Administrator's decision that a sign is a Legal Non-Conforming Sign or is illegal, the final determination of such status shall be made by the Board of Zoning Appeals as provided for in *Section 8.06: Existence of a Nonconforming Use*.

C. Where a non-conforming sign was legally existing on January 1, 2017, the Planning Administrator shall register such sign as a Legal Non-Conforming Sign, specifying on the registration form the date of the erection or installation of such sign and, if applicable, the dates on which the Board of Zoning Appeals granted a variance and a Sign Permit was issued.

D. A non-conforming sign as described in *Section 8.10(C)* which is duly registered shall thereafter be deemed a Legal Non-Conforming Sign and may be continued without further action.

E. If the Planning Administrator determines that a non-conforming sign was not legally erected or installed, the user or owner shall have the opportunity to appeal the Planning Administrator's determination to the Board of Zoning Appeals or to obtain a Variance from the Board of Zoning Appeals allowing the sign to be continued. If the Board of Zoning Appeals has not reversed the Planning Administrator's determination or granted a variance allowing the sign to be continued, it shall thereafter be deemed an illegal sign and shall be immediately brought into conformance with *Section 5.39: Sign Standards* or shall be removed.

F. A Legal Non-Conforming Sign shall immediately lose its Legal Non-Conforming designation if:
   1. The sign is not kept in good repair and in a safe condition and the state of disrepair or unsafe condition continues for six (6) months;
   2. The sign is relocated;
   3. The complete sign and sign structure are replaced; or
   4. The Sign Permit or Variance under which the sign was allowed or permitted expires.

G. On the happening of any one (1) of the above conditions the sign shall be immediately brought into conformance with *Section 5.39: Sign Standards* with a new Sign Permit secured therefore, or shall be removed.

H. Nothing in *Section 5.39: Sign Standards* shall relieve the owner or user of a Legal Non-Conforming Sign or owner of the property on which the Legal Non-Conforming Sign is located from the provisions of *Section 5.39: Sign Standards* regarding safety, maintenance and repair of signs.

Article 9

Processes

City of Carmel
Unified Development
Ordinance

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GroundRules
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9.01 Administrative Appeal

A. Applicability: The Board of Zoning Appeals may hear, review and determine appeals taken from any order, requirements, decision or determination made by the Director of Community Services charged with the enforcement of the Unified Development Ordinance of the City of Carmel. All appeals shall be filed with the Director of Community Services within thirty (30) days of the action to be appealed. An appeal shall also be filed where the Board of Zoning Appeals is required to determine a zoning district boundary or the existence of a nonconforming use.

B. Appeal Procedure:

1. *Consultation with the Director of Community Services and Application*: Appellants shall meet with the Director of Community Services in order to examine the nature of the proposed appeal, review the regulatory ordinances and materials, and review the appeal procedures. The Director of Community Services shall aid the appellant in preparing his application and supporting documents as necessary. The appellant shall then submit two (2) copies of the written application form and all necessary supporting documents and materials.
2. *Initial Review by the Director of Community Services and Submission to the Board of Zoning Appeals*: Following the receipt of the written appeal application and necessary supporting documents and materials by the Director of Community Services, he shall then review the materials solely for the purpose of determining whether the application is complete, is in technical compliance with all applicable ordinances, laws and regulations and is to be forwarded to the Board of Zoning Appeals. If the materials submitted by the appellant are not complete, or do not comply with the necessary legal requirements, the Director of Community Services shall inform the appellant of the deficiencies in his materials. Unless and until the Director of Community Services formally accepts the appeal application as complete and in legal compliance it shall not be considered as formally filed for the purpose of proceeding to the succeeding steps toward Board of Zoning Appeals consideration of the appeal as hereinafter set forth. The application is formally filed when it is placed upon the Board of Zoning Appeals agenda by the Director of Community Services according to the Board of Zoning Appeal's Rules of Procedure.
3. *Public Hearing by the Board of Zoning Appeals*: Once the Director of Community Services has accepted and filed the appeal application with the Board of Zoning Appeals, he shall assign a docket number and set a date and time for a public hearing as required by the Rules of Procedure of the Board of Zoning Appeals. The appellant shall be responsible for the cost and publication of the required published legal notification of the public hearing. The appellant shall also notify all interested parties and property owners as required by the Rules of Procedure of the Board of Zoning Appeals. The conduct of the public hearing shall be in accordance with the Board of Zoning Appeal's Rules of Procedures.
4. *Approval or Denial of the Appeal by the Board of Zoning Appeals*: Following the public hearing on the appeal, the Board of Zoning Appeals shall approve or deny the appeal. In exercising its powers, the Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed as in its opinion ought to be done on the premises, and to that end shall have all the powers of the officer or Board of Zoning Appeals from whom the appeal is taken. Upon reaching a decision on the appeal request, the Board of Zoning Appeals shall enter into its records the reasons for its decision and shall provide the appellant with a copy of said reasons, if requested. The Board of Zoning Appeals shall inform the Director of Community Services and the appellant of its decision, including all conditions contained as a part thereof. All further actions taken by the appellant or the Director of Community Services concerning the item that was appealed, including the issuance of Improvement Location Permits, shall be subject to said ruling of the Board of Zoning Appeals.

C. Stay of Work: When an appeal from the Director of Community Services or any official or Board of Zoning Appeals has been filed with the Board of Zoning Appeals, all proceedings and work on the premises upon which the appeal has been filed shall be stayed unless the official or Board of Zoning Appeals from whom the appeal was taken shall certify to the Board of Zoning Appeals that, by reason of facts stated in the certificate, a stay would cause immediate peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order which may be granted by the Board of Zoning Appeals or by a court of competent jurisdiction, on notice to the official or Board of Zoning Appeals from whom the appeal is taken and the owner or proprietor of the premises affected and on due cause shown. After the owner, his agent and/or a person or corporation in charge of the work on the premises affected has received notice, the Director of Community Services shall have full power to order such work discontinued or stayed and to call upon the police power of the city or county to give full force and effect to the order.

9.02 Certificate of Occupancy

The following procedure applies to Certificates of Occupancy:

A. Certificate Requirements: It shall be unlawful and in violation of the Unified Development Ordinance for any builder or property owner to allow any new or significantly remodeled (as determined by the Building Safety Official or Planning Administrator) structure to become occupied or utilized prior to:
   1. Legally obtaining an Improvement Location Permit.
   2. Completing all required inspections, including the final inspection; and
   3. Receiving a Certificate of Occupancy from the Building Safety Official.

B. Change in Occupancy: It shall be unlawful and in violation of this Ordinance for a builder or property owner to allow a change of tenant or change of use of a Commercial Building or Tenant Space without first:
   1. Receiving a determination from the Indiana Department of Homeland Security.
   2. Obtaining the applicable Improvement Location Permit.
   3. Completing any required inspections, including the final inspection; and
   4. Receiving a Certificate of Occupancy from the Building Safety Official.

C. Inspections: The Director shall initiate a construction inspection program to ensure the health, safety and welfare of residents and the public, including the following:
   1. For Class 2 Structures[1], as defined under *IC 22-12-1-5*, applicants for improvement location permits or certificates of occupancy may, at their own expense, use a private provider, as defined in *36-7-2-9.1(d)(3)* and subject to the exceptions in *IC 36-7-2.5-9*[2], to perform inspections required by the construction inspection program.
   2. After the issuance of a building permit, the Building Safety Official shall make, or shall cause to be made, inspections of the work as are necessary to assess progress and ensure compliance with the provisions of this article, with *Carmel City Code Chapter 7* and the terms of the permit.
   3. Reinspection of work found to be incomplete or non-compliant are subject to assessment of late fees or reinspection fees as prescribed in *Section 1.29: Filing Fees,* as amended.
   4. Upon completion of the work approved through an Improvement Location Permit, the permit holder shall contact the Building Safety Official and schedule a final inspection to verify the installation of improvements consistent with the requirements of the *Carmel City Code Chapter 7* and the Unified Development Ordinance. The City Engineer, Fire Official, any other municipal official, and any other person requested by the Building Safety Official may also take part in the inspection.

D. Certificate Issuance: The Building Safety Official shall issue the Certificate of Occupancy if the improvements comply with all applicable requirements of the City of Carmel, including the Unified Development Ordinance and all applicable building codes as verified by the Building Safety Official. A conditional or temporary Certificate of Occupancy may be issued at the discretion of the Director.

[1] Typically including single-family homes, townhomes, outbuildings or pools that are not used for commercial purposes.
[2] Private providers may not be an employee of, affiliated with, or financially interested in the person, firm, or corporation engaged in the project to be reviewed or inspected and cannot be an employee of the City.

9.03 Development Plan and ADLS

A. Purpose and Intent: Development Plan (DP) and/or Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) approval by the Plan Commission shall be necessary prior to the establishment of any Use or Building, so cited by the district regulations herein, or the issuance of an Improvement Location Permit for said Use or Building. Development Plan and/or Architectural Design, Exterior Lighting, Landscaping and Signage applications shall generally be considered favorably by the Plan Commission.

B. Development Plan:

1. *Development Requirements*: The Plan Commission shall review a Development Plan application to determine if the Development Plan satisfies the development requirements specified herein, in the applicable zoning district, and any applicable Overlay district. The Plan Commission's review shall include, but not be limited to the following items:
   a. Compatibility of the development with surrounding land uses:
      i. Consistency with the policies for the district as set forth in the Comprehensive Plan;
      ii. Surrounding zoning and existing land uses;
      iii. Compatibility with existing platted residential uses; and
      iv. Compatibility of proposed project with existing development within the district.
      v. Potential environmental impacts of the development, including stormwater management, tree preservation, air, noise, and light pollution.
   b. Availability and coordination of:
      i. Water supply, considering available capacity and potential impacts;
      ii. Sanitary sewer systems, considering available capacity and potential impacts;
      iii. Stormwater management, including on-site and off-site surface and subsurface drainage, supported by appropriate engineering calculations;
      iv. Erosion and sediment control measures during construction and post-construction;
      v. Protection of wetlands, streams, and other water resources, including any necessary permits and mitigation measures; and
      vi. Other on-site and off-site utilities.
   c. Traffic management that promotes health, safety, convenience, and harmonious community development, ensuring that:
      i. The design and location of proposed street and highway access points minimize safety hazards and congestion;
      ii. The capacity of adjacent streets and highways is sufficient to safely and efficiently accommodate traffic generated by the new development; and
      iii. The proposed entrances, streets, and internal traffic circulation facilities are compatible with existing and planned streets and adjacent developments, including stub street continuation;
      iv. Implementation of traffic calming measures, as appropriate, to control speed and enhance pedestrian safety;
      v. Mitigation of potential negative impacts of increased traffic on adjacent residential neighborhoods;
      vi. Integration of the development's street network with the surrounding community to promote connectivity and efficient traffic flow;
      vii. A traffic management plan for the construction phase, addressing potential impacts on traffic flow and neighborhood access; and
      viii. Analysis of the need for traffic signals or other traffic regulation devices improvements or new signals, or other traffic regulation devices to accommodate the development's traffic.
   d. Building setback lines.
   e. Building coverage.
   f. Building separation.
   g. Vehicle circulation.
      i. Consistency with the policies for the district as set forth in the Thoroughfare Plan;
      ii. Dedication of streets, sidewalks, and rights-of-way, and/or reservation of land for future development of streets and rights-of-way. In developments that adjoin or include existing streets that do not conform to the minimum right-of-way dimensions as established by the Thoroughfare Plan, the property owner of the proposed development shall dedicate additional width along either one or both

sides of such streets of inadequate width so as to bring them up to standards, provided the area to be used for widening is owned by the property owner or under its control;

iii. Location and character of streets;
iv. Driveway and curb cut locations in relation to other sites;
v. Location and character of curbs and gutters;
vi. Location and character of vehicle parking facilities; and
vii. Vehicular internal site circulation.

h. Pedestrian and bicycle circulation:
i. Consistency with the policies for the district as set forth in the Thoroughfare Plan;
ii. Location and character of sidewalks, pedestrian trails, and bicycle paths;
iii. Access to public sidewalks and multi-use paths;
iv. General pedestrian and bicycle traffic;
v. Adequate location and character of bicycle parking and storage facilities; and
vi. Pedestrian and bicycle circulation within the development site.

i. Height, scale, and materials of improvements.
j. Recreational and greenspace amenities.
k. Existing site features, including topography, wetlands, and wooded areas.
l. Special and general easements for public or private use.
m. Protective restrictions, covenants, best management practices, preservation easements, and/or other legal instruments.

2. *Plan Documentation and Supporting Information*: Applicant shall submit the following documents and supporting information to be reviewed by Plan Commission:
a. Plan documents depicting the location and describing the character of the following:
i. Existing and proposed principal buildings and accessory buildings.
[1] Exterior Elevations, Renderings, Etc: Exterior elevations, renderings depicting the exterior materials to be used, and a list of exterior materials relating to all buildings and other structures proposed in the area subject to Development Plan approval, together with Architectural Design, Exterior Lighting, Landscaping and Signage Plans, shall be submitted to the Plan Commission in order to better define the parameters and intent of the proposed development. The architectural design should reflect a unified design which is in character and proper relationship with the surrounding area. Unless required by the Plan Commission, this Section shall not apply to detached, single-family residences.
[2] Site Plan:
[a] Location of special and general easements and other legal instruments for public or private use;
[b] Building setback lines;
[c] Building coverage and dimensions;
[d] Building separation.
ii. New utilities, including, but not limited to, water lines, gas lines, electric lines, and other necessary facilities or equipment.
iii. Description of existing features on the site, such as topography, vegetation, existing structures, utilities, and easements.
b. The description of the nature and types of uses in the development.
c. The traffic management plan, including a traffic management plan during construction, describing condition and size of public thoroughfares and parking, vehicle, and pedestrian facilities. At a minimum, a traffic management plan shall outline how traffic generated by the development will be safely and efficiently managed during both the construction and post-construction phase. Traffic management plan shall seek to minimize traffic congestion, ensure pedestrian and cyclist safety, maintain access for emergency vehicles, and mitigate impacts on the existing transportation network.
i. Traffic Study: A traffic study to include a comparative analysis of present volumes on streets bordering the development or with a direct bearing on the development versus potential capacity volumes of those streets. Consideration should be made of the effect of the proposed development and the traffic it would engender, particularly at peak periods. A Circulation Plan should be included for all existing and proposed streets, both public and private, which will show recommendations for controlling, signalizing, channelizing, parking, storing and warning both pedestrian and vehicular traffic.

d. The location and capacity of drainage and storm water facilities, and sewer systems servicing the development.
   i. Drainage Plan: Detailed drawings and Construction Plans for all elements of the storm water drainage system, including curbs and gutters, storm sewers, open drainage waterways, drain tiles, culverts, retention reservoirs, best management practices and preservation easements, and other necessary appurtenances, shall be included. Among the necessary items of information are locations, grades, sizes, capacity and typical cross-sections of the Drainage Plan elements. A report shall be included concerning:
      [1] Legal drains located in the development or relating to the development;
      [2] The flooding potential of the development;
      [3] The design of the storm water system to deal with such flooding potential; and
      [4] The expected impact of the development's storm water runoff on any receiving stream or downstream property.

      Where floodplains are involved, a statement from the Indiana Natural Resources Commission to the extent it has jurisdiction shall be required with respect to location of floodways and floodplains.
e. Metes and Bounds Description: An accurate metes and bounds description of the boundary of the tract that is subject to Final Development Plan approval.
f. Covenants, Conditions, and Restrictions: A list of the covenants, conditions, and restrictions, if any, which will run with the land and affect the use of the property within the area subject to Final Development Plan approval. The approved covenants shall be recorded with the Recorder of Hamilton County, Indiana.
g. Erosion and Sediment Control Plan: A statement and plan setting forth the method of controlling erosion and sedimentation before, during and following development and construction, e.g., temporary Seeding, sediment donation basins, erosion prevention devices and other similar means, that meet the Hamilton County Soil and Water Conservation District guidelines for urban development.
h. Lighting Plan: Specifics are required concerning the easements, locations, size, height, type, intensity and illuminance of proposed street and outdoor lighting.
i. Service Reports: Service reports or statements, as necessary, may include, but not be limited to, the following sources:
   i. City, County or State highway departments;
   ii. Indiana Natural Resources Commission;
   iii. Carmel Board of Public Works and Safety;
   iv. Staff and City Department as assigned.
j. Other Construction Plans: Other specific Construction Plans as identified by the Director of Community Services or required by State laws, rules, and regulations shall be submitted as necessary detailing information on, but not limited to, streets, lighting, sanitary sewer system, storm water drainage system, curbs and gutters, sidewalks and the related appurtenances. The required information shall include locations, grades, sizes, capacities, typical cross-sections and so forth. These plans shall be drawn by a Registered Land Surveyor or a Professional Engineer licensed to do business in the State of Indiana in accordance with State laws, rules, and regulations.
k. Construction Timetable: A construction timetable or schedule shall include the approximate timing of completion and/or occupancy of the improvements proposed in the area subject to Development Plan approval.
l. Deeds of Dedication: Certification of deeds of streets, rights-of-way and other public property to the proper authorities, except so much thereof as are intended to remain private.
m. Certificate of Plan Commission Approval: Certificate of Approval by the Plan Commission shall be on each sheet of the Development Plan.

C. Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS):

1. *Development Requirements*: The Plan Commission shall review an Architectural Design, Exterior Lighting, Landscaping and Signage application to determine if the Architectural Design, Exterior Lighting, Landscaping and/or Signage satisfy the development requirements specified herein, in the applicable zoning district, any applicable Overlay district, and Comprehensive Plan. The Plan Commission's review shall include, but not be limited, to the following items:
   a. Site landscaping and screening.
   b. Architectural design and style of improvements.
   c. Project signage.
   d. Style and design of exterior lighting.
   e. Existing site features and topography.
   f. Special and general easements for public or private use.
   g. Protective restrictions and/or covenants.
2. *Plan Documentation and Supporting Information*: Applicant shall submit the following documents and supporting information to be reviewed by Plan Commission:
   a. Plan documents depicting the location and describing the character of the following:
      i. Existing and proposed principal buildings and accessory buildings.
         [1] Exterior elevations, renderings depicting the exterior materials to be used, and a list of exterior materials relating to all buildings and other structures proposed in the area subject to Architectural Design, Exterior Lighting, Landscaping and Signage to better define the intent and character of the proposed development. The architectural design should reflect a unified design which is in character and proper relationship with the surrounding area. Unless required by the Plan Commission, this Section shall not apply to detached, single-family residences.
         [2] Site Plan.
            [a] Building setback lines;
            [b] Building coverage;
            [c] Building separation.
      ii. Signage.
         [1] Sign Plan: All exterior signage proposed to be located in the development, subject to approval and obtaining of a Sign Permit prior to erection under the City's signage requirements pursuant to *Section 5.39: Sign Standards* and any applicable overlay district additional signage regulations, shall be shown and conformance or nonconformance with said Ordinance shall be so noted.
      iii. Landscaping.
         [1] Landscape Plan: A detailed plan of the existing and proposed landscaping showing location, kind and caliper measurement size of trees, shrubbery and screening materials, as appropriate and required by the Plan Commission.
      iv. Exterior Lighting.
         [1] Lighting Plan: Specifics are required concerning the easements, locations, size, height, type, style, design, intensity and illuminance of proposed street and outdoor lighting.
   b. Covenants, Conditions, and Restrictions: A list of the covenants, conditions, and restrictions, if any, which will run with the land and affect the use of the property within the area subject to ADLS Signage approval. The approved covenants shall be recorded with the Recorder of Hamilton County, Indiana.
   c. Other Documents and Information: Any supporting documentation and information required by the Director of Community Services and/or Plan Commission necessary for ADLS approval.

D. Procedures for Submission and Review: The procedures described in this section shall apply to all Primary Zoning Districts and Overlay Districts which require Development Plan or ADLS approvals except for the C1 and C2 Districts. See *Section 9.03(E) Procedures for Submission and Review for C1 and C2 Districts* for the applicable procedures.

1. *Development Plan*:

a. Pre-Application Consultation with the Director of Community Services: Applicants shall meet with the Director of Community Services to review the zoning classification of their site, review the regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property. The Director of Community Services shall aid and advise the applicant in preparing his application and supporting documents as necessary.

b. Application: All below submittals shall be done online on the City's website.

i. Director: The applicant shall submit to the Director of Community Services:

[1] A Development Plan application form;
[2] The Existing Features and Site Analysis Plan;
[3] The Development Plan;
[4] All necessary supporting documents and materials as outlined in this section.

ii. Initial Review of the Application and Supporting Documents and Materials:

[1] Director: Following the receipt of the application, Development Plan, and necessary supporting documents and/or materials, the Director of Community Services shall review the materials for the sole purpose of determining whether the application is complete and in technical compliance with all applicable ordinances, laws and regulations. Director shall notify the applicant when the application is complete and has been forwarded for Technical Review.

[2] Technical Review: Following the receipt of the application, Development Plan, and necessary supporting documents and/or materials (collectively "Development Plans"), the Director of Community Services shall cause Development Plans to be distributed to and receive feedback from City departments and related entities regarding compliance with the development requirements of this chapter and applicable federal, state, and local laws, rules, and regulations. Director of Community Services shall promptly notify the applicant if any additional information is required for Technical Review. Unless required additional information necessitates further review and communication with the applicant, the City's Technical Review shall be complete within thirty (30) days of the submittal of the complete application ("Technical Review Deadline"). The Technical Review Deadline excludes required submittals to and reviews by entities outside the City's control such as public utilities, federal agencies, and state/county boards and commissions.

iii. Submittal to the Plan Commission:

[1] If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director of Community Services shall inform the applicant of the deficiencies in said materials. Unless and until the Director of Community Services formally accepts the application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to succeeding steps toward approval as hereinafter set forth.

[2] If the materials submitted by the applicant are determined to be complete and in compliance, the Director of Community Services shall forward the materials to the Plan Commission. Within thirty (30) days of the acceptance of the Development Plan application, the Director of Community Services shall file the application by:

[a] Assigning a docket number;
[b] Setting a date and time for a public hearing; and
[c] Placing it upon the agenda of the Plan Commission according to the Plan Commission's Rules of Procedure.

[3] The applicant shall submit the Development Plans to the Plan Commission secretary to be distributed to the Plan Commission members.

c. Fees: See *Section 1.29: Filing Fees*.

d. Public Notice: The applicant shall be responsible for the cost and publication of the required published legal notification of the public hearing. The applicant shall also notify all interested parties and property owners as required by the Plan Commission's Rules of Procedure and applicable State statutes.

e. Public Hearing by the Plan Commission: The conduct of the public hearing shall be in accordance with the Plan Commission's Rules of Procedure and applicable State statutes.

f. Review: The Plan Commission shall review a Development Plan to determine if the Development Plan:
   i. Is consistent with the Comprehensive Plan; and
   ii. Satisfies the development requirements specified in this Ordinance.

g. Approval:
   i. In determining whether approval shall be granted, the Plan Commission shall consider generally if the Development Plan complies with the development requirements of *Section 9.03(B)(1)*.
   ii. In determining whether approval shall be granted, the Plan Commission may:
      [1] Impose conditions on the approval of a Development Plan if the conditions are reasonably necessary to satisfy the development requirements specified in this Ordinance.
      [2] Provide that approval of a Development Plan is conditioned on the furnishing to the Plan Commission of a bond or written assurance that:
         [a] Guarantees the timely completion of a proposed public improvement in the proposed development; and
         [b] Is satisfactory to the Plan Commission.
      [3] Permit or require the owner of real property to make recorded commitments that are reasonably necessary to satisfy the development requirements specified in this Ordinance.
   iii. Time Limit: An approved Development Plan shall be valid for three (3) years from the date of approval. Upon written application to the Director of Community Services before the expiration of said approval, and upon good cause shown, the Director of Community Services may issue a single extension of the approval for a period not to exceed six (6) months.
   iv. If the Development Plan is substantially or materially altered, resubmission to the Plan Commission is required. Director of Community Services is authorized to approve minor alterations in the Development Plan without seeking Plan Commission approval. Minor Alterations refer to changes or modifications to an approved Development Plan that are considered to have a minimal impact on the overall intent, character, and functionality of the approved development. These alterations do not fundamentally alter the key aspects of the project that were originally reviewed and approved by the Plan Commission. Further, such alterations do not involve fundamental changes to the type of use, density, intensity, or the core design concepts of the development.
   v. If a Development Plan petition is denied, the Plan Commission shall provide the applicant with a written copy of the findings-of-fact, if requested by the applicant.

h. Amendment:
   i. Requirements: See *Section 9.03(B): Development Plan*.
   ii. Fees: See *Section 1.29: Filing Fees*.
   iii. Public Notice: See *Section 9.03(D)(1)(d): Public Notice*.
   iv. Public Hearing: See *Section 9.03(D)(1)(e): Public Hearing by the Plan Commission*.
   v. Review: See *Section 9.03(D)(1)(f): Review*.
   vi. Approval: See *Section 9.03(D)(1)(g): Approval*.

2. *Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS)*:
   a. If a development requires both Development Plan and ADLS approvals, both plans should be submitted concurrently.
   b. Pre-Application Consultation with the Director of Community Services: Applicants shall meet with the Director of Community Services to review the zoning classification of their site, review the regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property. The Director of Community Services shall aid and advise the applicant in preparing the application and supporting documents as necessary.
   c. Application: All submittals must be done online on the City's website.
      i. Director: The applicant shall submit to the Director of Community Services:
         [1] An application form;
         [2] The Existing Features and Site Analysis Plan;
         [3] The Exterior Elevations and/or Renderings;
         [4] The Lighting Plan;
         [5] The Landscape Plan;
         [6] The Sign Plan;
         [7] All necessary supporting documents and materials.
      ii. Initial Review of the Application and Supporting Documents and Materials:

[1] Director: Following the receipt of the application, Plans, and necessary supporting documents and/or materials (collectively "ADLS Plans"), the Director of Community Services shall review the ADLS Plans for the sole purpose of determining whether the application is complete and in technical compliance with all applicable ordinances, laws and regulations. Director shall notify the applicant when the application is complete and has been forwarded for Technical Review.

[2] Technical Review: Following the receipt of the ADLS Plans, the Director of Community Services shall cause ADLS Plans to be distributed to and receive feedback from City departments and related entities regarding compliance with the development requirements of this chapter and applicable federal, state, and local laws, rules, and regulations. Unless required additional information necessitates further review and communication with the applicant, the City's Technical Review shall be complete within thirty (30) days of the submittal of the complete application ("Technical Review Deadline"). The Technical Review Deadline excludes required submittals to and reviews by entities outside the City's control such as public utilities, federal agencies, and state/county boards and commissions.

iii. Submittal to the Plan Commission:

[1] If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director of Community Services shall inform the applicant of the deficiencies in said materials. Unless and until the Director of Community Services formally accepts the application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to succeeding steps toward approval as hereinafter set forth.

[2] If the materials submitted by the applicant are determined to be complete and in compliance, the Director of Community Services shall forward the materials to the Plan Commission. Within thirty (30 days) of the acceptance of the ADLS application, the Director of Community Services shall formally file the application by:

[a] Assigning a docket number;

[b] Setting a date and time for Plan Commission review; and

[c] Placing it upon the agenda of the Plan Commission according to the Plan Commission's Rules of Procedure.

[3] The applicant shall submit ADLS Plans to the Plan Commission secretary to be distributed to the Plan Commission members.

d. Fees: See *Section 1.29: Filing Fees*.

e. Review: The Plan Commission shall review an ADLS to determine if the ADLS:

i. Is consistent with the Comprehensive Plan; and

ii. Satisfies the development requirements specified in this Ordinance.

f. Approval:

i. In determining whether approval shall be granted, the Plan Commission shall consider generally if the ADLS:

[1] Creates and maintains a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and computability of land uses, within the zoning district and with adjacent uses;

[2] Presents a cohesive and harmonious architectural design, lighting plan, sign plan, and landscaping plan that enhances the visual character of the development and complements the surrounding area, considering:

[a] Architectural style and materials, ensuring compatibility with the context of the development, the zoning and overlay districts requirements, and surrounding properties;

[b] Building massing and scale, ensuring appropriate proportions and relationships to adjacent structures and the surrounding environment. This includes consideration of building height, width, and depth, as well as the articulation of building facades to break up large masses and create visual interest;

[c] The use of the proposed materials and detailing. The selection of materials and detailing that contribute to the overall aesthetic character of the development and complement the surrounding environment and uses;

[d] A comprehensive lighting plan that provides adequate illumination for safety and wayfinding while minimizing light pollution and glare;

[e] A well-integrated landscaping plan that incorporates native plants and otherwise complies with *Appendix D*, provides shade and screening, and enhances the overall aesthetic appeal of the development;

[f] Sign plan that identifies the locations of the exterior signage and otherwise complies with the City's signage requirements pursuant to *Section 5.39: Sign Standards* and any applicable overlay district additional signage requirements; and

[3] Allocates adequate sites for all uses proposed, the design, character, grade, location and orientation thereof being appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the zoning district, overlay district, and Comprehensive Plan.

ii. In determining whether approval shall be granted, the Plan Commission may:

[1] Impose conditions on the approval of an ADLS if the conditions are reasonably necessary to satisfy the development requirements specified in this Ordinance for approval of the ADLS.

[2] Permit or require the owner of real property to make recorded commitments that are reasonably necessary to satisfy the development requirements specified in this Ordinance.

iii. Time Limit: An approved ADLS shall be valid for three (3) years from the date of approval. Upon written application to the Director of Community Services before the expiration of said approval, and upon good cause shown, the Director of Community Services may issue a single extension of the approval for a period not to exceed six (6) months.

iv. If the ADLS is substantially or materially altered in any way, resubmission to the Plan Commission is required. The Director of Community Services is authorized to approve minor alterations without seeking Plan Commission approval.

g. Amendment:

i. Requirements: See *Section 9.03(D)(2): Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS)*.

ii. Fees: See *Section 1.29: Filing Fees*.

iii. Review: See *Section 9.03(D)(1)(f): Review*.

iv. Approval: See *Section 9.03 (D)(1)(g): Approval*.

3. *Appeals*:
   a. Authority: The Plan Commission may hear, review and determine appeals taken from any order, requirements, decision or determination made by a Hearing Examiner or Committee authorized to approve the Development Plan or ADLS or any portion thereof.
   b. Filing Deadline: All appeals shall be filed with the Director of Community Services within five (5) days of the action to be appealed.
   c. Appeal Procedure:
      i. Consultation with the Director of Community Services and Application: Appellants shall meet with the Director of Community Services in order to examine the nature of the proposed appeal, review the regulatory ordinances and materials, and review the appeal procedures. The Director of Community Services shall aid the appellant in preparing his application and supporting documents as necessary. The appellant shall then submit two (2) copies of the written application form and all necessary supporting documents and materials.
      ii. Initial Review of the Application and Supporting Documents and Materials by the Director of Community Services; Submission to the Plan Commission. Following the receipt of the written appeal application and necessary supporting documents and materials by the Director of Community Services, he shall then review the materials solely for the purpose of determining whether the application is complete, is in technical compliance with all applicable ordinances, laws and regulations and is to be forwarded to the Plan Commission. If the materials submitted by the appellant are not complete, or do not comply with the necessary legal requirements, the Director of Community Services shall inform the appellant of the deficiencies in his materials. Unless and until the Director of Community Services formally accepts the appeal application as complete and in legal compliance it shall not be considered as formally filed for the purpose of proceeding to the succeeding steps toward Plan Commission consideration of the appeal as hereinafter set forth. The application is formally filed when it is placed upon the Plan Commission agenda by the Director of Community Services according to the Plan Commission's Rules of Procedure.
      iii. Public Hearing by the Plan Commission: Once the Director of Community Services has accepted and filed the appeal application with the Plan Commission, he shall assign a docket number and set a date and time for a public hearing as required by the Rules of Procedure of the Plan Commission. The appellant shall be responsible for the cost and publication of the required published legal notification of the public hearing. The appellant shall also notify all interested parties and property owners as required by the Rules of Procedure of the Plan Commission. The conduct of the public hearing shall be in accordance with the Plan Commission's Rules of Procedures.
      iv. Approval or Denial of the Appeal by the Plan Commission: Following the public hearing on the appeal, the Plan Commission shall approve, approve with conditions, or deny the appeal. In exercising its powers, the Plan Commission may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed as in its opinion ought to be done on the premises, and to that end shall have all the powers of the Hearing Officer or Committee from whom the appeal is taken. Upon reaching a decision on the appeal request, the Plan Commission shall enter into its records the reasons for its decision and shall provide the appellant with a copy of said reasons, if requested. The Plan Commission shall inform the Director of Community Services and the appellant of its decision, including all conditions contained as a part thereof. All further actions taken by the appellant or the Director of Community Services concerning the item that was appealed, including the issuance of Improvement Location Permits, shall be subject to said ruling of the Plan Commission.
   d. Stay of Work: When an appeal from Hearing Examiner or Committee has been filed with the Plan Commission, all proceedings and work on the premises upon which the appeal has been filed shall be stayed unless Hearing Examiner or Committee from whom the appeal was taken shall certify to the Plan Commission that, by reason of facts stated in the certificate, a stay would cause immediate peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order which may be granted by the Plan Commission or by a court of competent jurisdiction, on notice to Hearing Examiner or Committee from whom the appeal is taken and the owner or proprietor of the premises affected and on due cause shown. After the owner, his agent and/or a person or corporation in charge of the work on the premises affected has received notice, the Director of Community Services shall have full power to order such work discontinued or stayed and to call upon the police power of the City or County to give full force and effect to the order.

E. Procedures for Submission and Review for C1 and C2 Districts:
   1. *Development Plan and Architectural Design, Exterior Lighting, Landscaping and Signage (i.e. ADLS)*
      a. Pre-Application Consultation with the Director of Community Services: Not applicable.
      b. Application:
         i. Following approval by the Carmel Redevelopment Commission, the applicant shall submit for approval to the Director of Community Services:
            [1] Two (2) copies of the written application form;
            [2] Two (2) copies of the Existing Features and Site Analysis Plan;
            [3] Two (2) copies of the Development Plan;
            [4] Two (2) copies of the Exterior Elevations and/or Renderings;
            [5] Two (2) copies of the Lighting Plan;
            [6] Two (2) copies of the Landscape Plan;
            [7] Two (2) copies of the Signage Plan;
            [8] As well as two (2) copies of all necessary supporting documents and materials.
         ii. Technical Advisory Committee: Not applicable.
         iii. Initial Review of the Application and Supporting Documents and Materials: Following the receipt of the written application, Development Plan, ADLS, and necessary supporting documents and/or materials, the Director of Community Services shall review the materials for the sole purpose of determining whether the application is complete and in technical compliance with all applicable ordinances, laws and regulations.
         iv. Submittal to the Plan Commission:
            [1] If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director of Community Services shall inform the applicant of the deficiencies in said materials. Unless and until the Director of Community Services formally accepts the application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to succeeding steps toward approval as hereinafter set forth.
            [2] If the materials submitted by the applicant are determined to be complete and in compliance, the Director of Community Services shall formally file the application by:
               [a] Assigning a docket number; and
               [b] Setting a date and time for a public hearing.
      c. Fees: See *Section 1.29: Filing Fees*.
      d. Public Notice: The applicant shall be responsible for the cost and publication of the required published legal notification of the public hearing. The applicant shall also notify all interested parties and property owners as required by the Plan Commission's Rules of Procedure.
      e. Review: The Director, as staff of the Plan Commission, shall review a Development Plan to determine if the Development Plan satisfies the development requirements specified in the C1 or C2 District.
      f. Public Hearing by the Director: The Director shall hold a public hearing before deciding whether to approve or disapprove a Development Plan. However, no Development Plan is required for additions to existing structures which:
         i. Are attached to the existing structure;
         ii. Continue the architectural design of the existing structure, including exterior color and materials; doors and windows; other detailing;
         iii. Meet with requirements of the C1 or C2 District;
         iv. Do not exceed twenty percent (20%) of the original Gross Floor Area of the existing structure, applicable from the date of this section; and
         v. Have received prior ADLS approval from the Plan Commission.

g. Approval:
   i. Pursuant to *IC 36-7-4-1400 et seq*., the Director (as the staff of the Plan Commission) is hereby authorized to conduct a public hearing to determine whether the Development Plan complies in all respects with the Zoning Ordinance and any commitments made by the owner of the real property. The Director shall then make written findings concerning his or her decision to approve or disapprove the Development Plan, and the Director is hereby designated as the official who is responsible for signing the written findings.
   ii. The approval or disapproval of a Development Plan by the Director is a final decision of the Commission that may be reviewed only as provided in *IC 36-7-4-1016*.
   iii. Time Limit: An approved Development Plan shall be valid for three (3) years from the date of approval. Upon written application to the Director of Community Services before the expiration of said approval, and upon good cause shown, the Director of Community Services may issue a single extension of the approval for a period not to exceed six (6) months.
   iv. If the Development Plan or ADLS is substantially or materially altered in any way, resubmission to the Director is required.
   v. If a Development Plan petition is denied, the Director shall provide the applicant with a written copy of the findings-of-fact, if requested.

h. Amendment:
   i. Requirements: See *Section 9.03(B): Development Plan* and *Section 9.03(C): Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS)*.
   ii. Fees: See *Section 1.29: Filing Fees*.
   iii. Public Notice: See *Section 9.03(E)(1)(d): Public Notice*.
   iv. Public Hearing: See *Section 9.03(E)(1)(f): Public Hearing by the Plan Commission*.
   v. Review: See *Section 9.03(E)(1)(e): Review*.
   vi. Approval: See *Section 9.03(E)(1)(g): Approval*.

9.04 Improvement Location Permits

A. Cross Reference: See *Carmel City Code; Chapter 7: Building Code; Article 3: Specific Regulations*.

9.05 Planned Unit Development

A. Proposals to Adopt or Amend Planned Unit Development District Ordinances: The following procedure applies to a proposal to adopt or amend a PUD District Ordinance:

1. *Initiation*: The proposal must be initiated by a petition signed by property owners who own all of the land to be included in the Planned Unit Development District.
2. *Definition*: The petitioners shall prepare the proposal so that it is consistent with the definition of a PUD District Ordinance provided in A*rticle 11: Definitions*.
3. *Decision Criteria*: In considering the proposal, both the Plan Commission and the Common Council shall pay reasonable regard to:
   a. The extent to which the PUD District Ordinance provides (1) a mixed use development or (2) addresses unusual site conditions or surroundings;
   b. The Comprehensive Plan and any other applicable, adopted planning studies or reports;
   c. The extent to which the proposal fulfills the general purposes of the Subdivision Control and Zoning Ordinances;
   d. Current conditions and the character of current structures and uses in each district and its surroundings;
   e. The most desirable use for which the land in each district is adapted;
   f. The conservation of property values throughout the City and the Township, and
   g. Responsible development and growth.
4. *District Ordinance*: The District Ordinance shall be the governing document for the development of the Planned Unit Development. The District Ordinance and corresponding exhibits may be formatted to no larger than ledger or tabloid sized (11"x 17") pages and shall conform to the following:
   a. Cover Page and Table of Contents. The cover page shall include the Docket Number and, when applicable, the Common Council Ordinance number, the title of the PUD District, and the submittal date. A Table of Contents shall identify all sections and exhibits included in the District Ordinance. (See Sample Outline and Ordinance – available in the Department of Community Services).
   b. Development Requirements. The District Ordinance shall clearly indicate in text and/or map form the subject location as well as the permitted uses and development requirements to be applied to the real estate. The District Ordinance shall include, but is not limited to:
      i. Concept Plan, which defines the boundaries of the PUD District, delineates any sub-districts or planning areas and which also illustrates building areas, parking areas and the basic street and connectivity patterns within the project.
      ii. Land Uses proposed, including a specific list of permitted uses in the PUD District or, when applicable, within each sub-district.
      iii. Transportation Systems, including plans for thoroughfares, bicycle and pedestrian connectivity, as well as specifications for each.
      iv. Open Spaces, including minimum acreage and overall percentage.
      v. Natural Features, including any streams, regulated drains, floodplains, wetlands, wooded areas or preserved trees.
      vi. Lot Area, Building Height and Setback Standards.
      vii. Architectural Standards.
      viii. Lighting Standards.
      ix. Landscaping Requirements.
      x. Sign Standards.
      xi. Parking Requirements.
      xii. Definitions.
      xiii. Approval Process, including a list of approvals required prior to obtaining an Improvement Location Permit, e.g. Development Plan, ADLS, Primary Plat, Secondary Plat, Modification procedures.
      xiv. Violations and Enforcement.
      xv. Schedule of Exhibits, including all text and/or maps required to describe, depict, illustrate or characterize any of the project details. Any Conditions or Commitments required per *Section 9.05(A)(7): Conditions and Commitments*, shall also be included in the Schedule of Exhibits.
   c. Any portion of the Carmel Unified Development Ordinance may be referenced in the District Ordinance. However, the Unified Development Ordinance shall govern in instances where the PUD District Ordinance is silent.

d. The Common Council Signature Page shall occur at the end of the District Ordinance, following all exhibits and appendices necessary to describe, regulate and illustrate the PUD District.

5. *Supplemental Information*: In addition to the District Ordinance and its exhibits, the following additional information shall be submitted to aid in the review of the PUD District:
   a. PUD Comparison Exhibit. A table completed by the Department of Community Services which compares the proposed District Ordinance development requirements to the requirements of the existing zoning District and surrounding neighborhood(s).
   b. Character Renderings. One or more renderings shall be submitted which illustrate the style of the architecture and other site details proposed in the PUD District and sub-district.
   c. Vicinity Map. A map that shows adjacent use(s) and zoning district(s).
   d. Existing Site Conditions. A description and/or map of existing conditions on the subject property, including structures, streets, trails, established open spaces, utility lines, easements, topography, natural features, or any other feature that may influence the design of the development.
   e. Historic Structures and Features. A description and/or map of historic structures and features, as determined by the Hamilton County Interim Report or Carmel Historic Preservation Commission.
6. *Public Hearing*: The Plan Commission shall give notice and hold a public hearing on the proposal in accordance with its Rules of Procedure.
7. *Conditions and Commitments*:
   a. When adopting or amending a PUD District Ordinance, the Common Council may impose reasonable conditions on a Planned Unit Development.
   b. Whenever the Plan Commission deems it advisable in regard to the matters contained in *Section 9.05(A)(12): Modifications* or *Section 9.05(A)(3):Decision Criteria* herein, the Plan Commission may permit or require the owner of a parcel of real property to make a Commitment subject to the rules prescribed for Commitments by *Section 9.05(B): Rules Governing Commitments*. By permitting or requiring a Commitment, the Plan Commission does not become obligated to recommend or not recommend the adoption of the proposal.
   c. During the time when the proposal is being considered by the Common Council, the owner of a parcel of land may make a new Commitment or modify the terms of a Commitment made when the proposal was before the Plan Commission. No further action of the Plan Commission is required for a new Commitment to be effective. If a Commitment made when the proposal was before the Plan Commission is modified and the effect of the modification is to make the Commitment more stringent, no further action of the Plan Commission is required for the modified Commitment to be effective; however, if the effect of such a modification is to make the Commitment less stringent, then the modified Commitment must be ratified by the Plan Commission to be effective. A Commitment made or modified under this provision is subject to the rules prescribed for Commitments by *Section 9.05(B): Rules Governing Commitments*.
   d. To the extent that any of the required Conditions or Commitments is a direct alteration of a development requirement listed in the District Ordinance, then the District Ordinance shall be amended to reflect the required Commitment.
8. *Certification*: Within five (5) business days after the Plan Commission determines its recommendation (if any), the Plan Commission shall certify the proposal to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation from the Plan Commission.
9. *Council Action*: The Common Council shall vote on the proposal within ninety (90) days after the Plan Commission certifies the proposal. The Common Council's consideration of the proposal is governed by *IC 36-7-4-608* and *IC 36-7-4-1512*.
10. *Maps*: If the proposal is adopted, the Plan Commission shall update the Official Zoning Map that it keeps available with the Zoning Ordinance and the City's Code of Ordinances to reflect the designation of the parcel as a Planned Unit Development District.
11. *Effective Date*: Unless the proposal provides for a later effective date, the PUD District Ordinance takes effect when the proposal is duly adopted.
12. *Modification*:
   a. The same procedure as is contained in *Section 9.14(F): Proposal to Amend or Partially Repeal the Text of the Unified Development Ordinance* for the amendment or partial repeal of the Zoning Ordinance applies to a proposal to amend or partially repeal the text of a PUD District Ordinance.

b. No alterations from an approved Development Plan, ADLS, or Primary Plat may be made except those that comply with all applicable development standards contained in the PUD District Ordinance, or those that are approved in accordance with Subparagraph (c) or (d) below.

c. The Plan Commission may, after a public hearing, grant a Zoning Waiver of any of the dimensional standards of the PUD District Ordinance, by less than ten percent (10%) of the specified standard. Any approval of such waiver is subject to the following criteria:

i. The proposal shall be in harmony with the purposes and land use requirements contained in the District Ordinance.

ii. The proposal shall complement the overall development plan and the adjoining streetscapes and neighborhoods.

iii. The proposal shall not produce a site plan or street/circulation system that would be impractical or detract from the appearance of the PUD District, and must not adversely affect emergency access in the area.

d. The Board of Zoning Appeals may also review and approve Variances from the terms of the PUD District Ordinance, pursuant to *Section 9.15: Variances*.

B. Rules Governing Commitments: In addition to the requirements of *IC 36-7-4-1015*, all Commitments shall comply with the following:

1. *Form*: A Commitment must be in substantially the form set forth in the Plan Commission's Rules of Procedure, and must identify any specially affected persons or class of specially affected persons who may enforce the Commitment. A Commitment must authorize its recording by the Director of Community Services in the Office of the Hamilton County Recorder.

2. *Recording; Copies*: A Commitment shall be recorded in the office of the Hamilton County Recorder and takes effect upon the adoption of the proposal to which it relates. Following the recording of a Commitment, the Director of Community Services shall return the original recorded Commitment to the owner and shall retain a copy of the recorded Commitment in the Plan Commission's file. All necessary subsequent approvals, including but not limited to Development Plans, Plats, and Improvement Location Permits will be withheld pending receipt of the recorded Commitment. Failure to return a recorded Commitment within thirty (30) days shall nullify the Plan Commission's approval.

C. Rules Governing Reconsideration: The Plan Commission may adopt a rule to limit further consideration, for up to one (1) year after its defeat, of any proposal that is defeated under the Advisory Planning Law. The Plan Commission may also adopt a rule to limit consideration, for up to six (6) months after the withdrawal or defeat of any proposal, of any other proposal involving the same property that was the subject of the withdrawn or defeated proposal.

D. Copies on File: Two (2) copies of the Unified Development Ordinance of the City of Carmel, Indiana, as they may be amended from time to time, shall be filed in the office of the Clerk-Treasurer and shall be available for public viewing during normal office hours. The Clerk-Treasurer shall also keep additional copies of these ordinances in the office for the purpose of sale or distribution.

9.06 Rezoning (Official Zoning Map Changes)

A. General: The following procedure applies to a proposal to change the Official Zoning Map (whether by incorporating an additional map or by amending or deleting a map) incorporated by reference into this Zoning Ordinance:

1. The proposal may be initiated either:
   a. By the Plan Commission;
   b. By a petition signed by property owners who own at least fifty percent (50%) of the land involved; or
   c. By the Common Council; however, if the Common Council initiates the proposal, it shall require the Plan Commission to prepare it.
2. The Plan Commission or petitioners shall prepare the proposal so that it is consistent with applicable state law.
3. In considering the proposal, both the Plan Commission and the Common Council shall pay reasonable regard to:
   a. The Comprehensive Plan;
   b. Current conditions and the character of current structures and uses in each district;
   c. The most desirable use for which the land in each district is adapted;
   d. The conservation of property values throughout the City of Carmel and Clay Township; and
   e. Responsible development and growth.
4. The Plan Commission shall give notice and hold a public hearing on the proposal in accordance with its Rules of Procedure.
5. Whenever the Plan Commission deems it advisable in regard to the matters contained in Subparagraph (3) above, the Plan Commission may permit or require the owner of a parcel of real property to make a Commitment subject to the rules prescribed for Commitments by *Section 9.05(B): Rules Governing Commitments*. By permitting or requiring a Commitment, the Plan Commission does not become obligated to recommend or not recommend the adoption of the proposal.
6. Within five (5) business days after the Plan Commission determines its recommendation (if any), the Plan Commission shall certify the proposal to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation from the Plan Commission.
7. The Common Council shall vote on the proposal within ninety (90) days after the Plan Commission certifies the proposal. The Common Council's consideration of the proposal is governed by *IC 36-7-4-608*.
8. During the time when the proposal is being considered by the Common Council, the owner of a parcel of land may make a new Commitment or modify the terms of a Commitment made when the proposal was before the Plan Commission. No further action of the Plan Commission is required for a new Commitment to be effective. If a Commitment made when the proposal was before the Plan Commission is modified and the effect of the modification is to make the Commitment more stringent, no further action of the Plan Commission is required for the modified Commitment to be effective; however, if the effect of such a modification is to make the Commitment less stringent, then the modified Commitment shall be ratified by the Plan Commission to be effective. A Commitment made or modified under this provision is subject to the rules prescribed for Commitments by *Section 9.05(B): Rules Governing Commitments*.
9. If the proposal is adopted, the Plan Commission shall update the Official Zoning Map that it keeps available with the Zoning Ordinance and the City's Code of Ordinances.
10. Unless the proposal provides for a later effective date, the updated Official Zoning Map shall take effect when the proposal is duly adopted.

9.07 Site Plan and Design Review

A. Consultation with Director and Application: Applicants shall meet with the Director of Community Services to review the applicable zoning district of the subject site, review the regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property. The Director of Community Services shall aid and advise the applicant in preparing his application and supporting documents as necessary.

1. The applicant shall submit:
   a. Two (2) copies of the written Site Plan and Design Review application form,
   b. Two (2) copies of the Existing Features and Site Analysis Plan including adjacent zoning and land use,
   c. Two (2) copies of the proposed Site Plan and Drainage Plan, and/or
   d. Two (2) copies of the required information on architectural design, landscaping, parking, signage, lighting and access, as well as,
   e. All necessary supporting documents and materials.
2. Site Plan and Design Review (SDR) approval is not required where Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) approval is required.

B. Review: Review of the Application and Supporting Documents and Materials by the Director of Community Services; following the receipt of the written application and required supporting information by the Director of Community Services, the Director of Community Services shall review the materials for the sole purpose of determining whether the application is complete and in technical compliance with all applicable ordinances, laws and regulations.

If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director of Community Services shall inform the applicant of the deficiencies in said materials.

1. Unless and until the Director of Community Services formally accepts the application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to succeeding steps toward approval as hereinafter set forth.
2. Within ten (10) days of the formal acceptance of the application by the Director of Community Services, he shall formally approve, deny, or request additional information about the petition.

C. Approval or Denial of the Application by the Plan Commission:

1. An approved Site Plan and Design Review petition shall be valid for two (2) years from the date of approval. If construction of the building(s) has (have) not started at the end of the two-year period, the Site Plan and Design Review request shall be re-submitted to the Director of Community Services.
2. If an approved Site Plan and Design Review petition is (are) substantially altered, re-submittal to the Director of Community Services for approval is required.
3. If the petition is denied by the Director of Community Services, the Director of Community Services shall provide the applicant with a copy of said reasons, if requested.
4. The applicant may appeal the decision of the Director of Community Services to the Board of Zoning Appeals.

9.08 Special Exception

Applicability: This Special Exception section only applied to Group Homes, Short-Term Residential Rental, and Non-Dwelling Short-Term Rental uses.

A. General Information: Except for Short-Term Residential and Short-Term Non-Dwelling Rental renewal applications, Special Exception approval by the Board of Zoning Appeals shall be necessary prior to the establishment of a Special Exception, cited by the district regulations herein, or the issuance of an Improvement Location Permit for said Special Exception. A Special Exception shall be considered as an exception to the uses allowed under the Unified Development Ordinance, and thus the original application for a Special Exception shall not generally be entitled to favorable consideration, except as follows:

1. A proposed Group Home that complies with the requirements of *Section 5.72: Group Home Use-Specific Standards* where not more than eight (8) unrelated persons will be residents shall generally be entitled to favorable consideration;
2. A proposed Group Home that complies with the requirements of *Section 5.72: Group Home Use-Specific Standards* where more than eight (8) unrelated persons will be residents shall be entitled to favorable consideration only if the application is supported by the Director of Community Services.

Any application for the renewal of a Special Exception that complies with the requirements of *Section 5.72: Group Home Use-Specific Standards* shall generally be entitled to favorable consideration, so long as it is not opposed by the Director of Community Services. The Board of Zoning Appeals shall have discretion whether to approve or deny each Special Exception application, with its decision to be based on the basis for review criteria established herein and special and unique conditions pertinent to the site.

B. Procedure:

1. *Procedure Generally*: Whenever an application for a Special Exception within the planning jurisdiction is made, it shall follow the procedure set forth herein and shall conform to the regulations and requirements of the Unified Development Ordinance.
2. *Consultation with the Director of Community Services and Application*: Applicants shall meet with the Director of Community Services to review the zoning classification of their site, review the regulatory ordinances and materials, review the Special Exception procedures, and examine the proposed exception and development of the property. The Director of Community Services shall aid and advise the applicant in preparing the application and supporting documents as necessary. The Director of Community Services will inform the applicant that the Group Home building must meet the Indiana Department of Homeland Security's building classification requirements. The applicant shall then submit the application form and all necessary supporting documents and materials.
3. *Initial Review by the Director of Community Services*: Docketing on Board of Zoning Appeals Agenda: Following the receipt of the application and necessary supporting documents and materials by the Director of Community Services, the Director shall then review the materials solely for the purpose of determining whether the application is complete and in technical compliance with all applicable ordinances, laws, and regulations, and therefore entitled to be forwarded to the Board of Zoning Appeals. If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director of Community Services shall inform the applicant of the deficiencies in said materials. Unless and until the Director of Community Services formally accepts the Special Exception application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to succeeding steps toward Special Exception approval as hereinafter set forth. Within thirty (30) days of the formal acceptance of the application by the Director of Community Services, the Director shall formally file the application by placing it upon the agenda of the Board of Zoning Appeals, according to the Rules of Procedure of the Board of Zoning Appeals.
4. *Short-Term Rentals Renewal Applications*: Short-Term Residential and Short-Term Non-Dwelling Rental renewal applications shall be docketed, filed with, and placed on the agenda of the Hearing Officer for the public hearing according to the Rules of Procedure of the Board of Zoning Appeals. The same rules for public hearing, basis of review and approval/denial, and re-application shall apply for Short-Term Residential and Short-Term Non-Dwelling Rental renewal applications as initial application for Special Exception.
5. *Public Hearing*: Once the Director of Community Services has accepted and filed the application with The Board of Zoning Appeals, a docket number shall be assigned and a date and time set for a public hearing by The Board of Zoning Appeals, according to the Rules of Procedure of the Board of Zoning Appeals. The applicant shall be responsible for the cost and publication of any required published legal notification of the public hearing. The applicant shall also notify all interested parties and property owners as required by the Rules of Procedure of the Board of Zoning Appeals; however, notice by publication shall not be required for the renewal

of a Special Exception. The conduct of the public hearing shall be in accordance with the Board of Zoning Appeals Rules of Procedure.

6. *Approval or Denial of the Special Exception Application*: Upon approval of a Special Exception, the Board of Zoning Appeals shall inform the applicant that the applicant may apply to the Director of Community Services for Improvement Location Permits (if necessary) or may commence the Special Exception if no permits are required. Failure of the Board of Zoning Appeals to inform the applicant of the time limits set forth in *Section 5.72(D): Limitations*, *Section 5.73(D): Limitations* or *Section 5.74(D): Limitations*, as applicable, shall not relieve the applicant of complying with said Section or otherwise complying with all applicable Federal and State laws, rules, and regulations.
7. *Appeal of Hearing Officer Decision*: A Short-Term Residential and Short-Term Non-Dwelling Rental renewal application decision of a Hearing Officer shall not be a basis for judicial review, but it may be appealed to the Board of Zoning Appeals. The Board of Zoning Appeals shall conduct a new hearing on the matter and shall not be bound by any Findings of Fact made by the Hearing Officer. A person who wishes to appeal a decision of the Hearing Officer must file the appeal with the Board of Zoning Appeals within five (5) days after the decision is made, as provided in *IC 36-7-4-924*.
8. *Time Limit for Re-Application*: A Special Exception application that is denied by the Board of Zoning Appeals is ineligible to be placed again on an agenda for consideration until the legality of the decision is finally determined by a court, pursuant to judicial review according to the Advisory Planning Law, or for a period of twelve (12) months following the date of the denial, whichever is later. In addition, whenever a Special Exception application is denied, the property involved in the application shall not be the subject of a different Special Exception application, or any use variance or rezone proposal, for a period of six (6) months following the date of the denial.

C. Basis of Review: The Board of Zoning Appeals, in reviewing a Special Exception application, shall give consideration to the particular needs and circumstances of each application and shall examine the following items as they relate to the proposed Special Exception:
   1. Surrounding zoning and land use;
   2. Access to public streets;
   3. Driveway and curb cut locations in relation to other sites;
   4. Parking location and arrangement;
   5. Trash and material storage;
   6. Necessary exterior lighting;
   7. Protective restrictions and/or covenants; and
   8. (Group Homes only) Proximity and number of other Group Homes to the proposed site.

D. Basis of Approval or Rejection: The Board of Zoning Appeals, in approving or rejecting a Special Exception application, shall base its decision upon the following factors as they relate to the above listed items (*Section 9.08(C): Basis of Review*) concerning the proposed Special Exception:
   1. The economic factors related to the proposed Special Exception, such as cost/benefit to the community and its anticipated effect on surrounding property values;
   2. The social/neighborhood factors related to the proposed Special Exception, such as compatibility with existing uses in the vicinity of the premises under consideration and how the proposed Special Exception will affect neighborhood integrity; and
   3. The effects of the proposed Special Exception on vehicular and pedestrian traffic in and around the premises upon which the Special Exception is proposed.

E. Special Exception Group Home Decisions; Commitment: Pursuant to *IC 36-7-4-1015*, the Board of Zoning Appeals may, as a condition to any approval of an application for a Special Exception, require or allow the owner to make any or all of the following commitments concerning the use of the property:
   1. That the Special Exception will fully comply with *Section 5.72 Group Home Use Specific Standards*.
   2. That the Special Exception will be limited to five (5), ten (10), or fifteen (15) years, at the discretion of the Board of Zoning Appeals.
   3. If the Board of Zoning Appeals determines that a homeowners association or similar entity has established limitations or prohibitions that apply to the property, that the owner's implementation of the Special Exception will not result in the violation of any such limitations or prohibitions.

F. Special Exception Short-Term Residential Rental Decisions; Commitment: Pursuant to *IC 36-7-4-1015*, the Board of Zoning Appeals may, as a condition to any approval of an application for a Special Exception, require or allow the owner to make any or all of the following commitments concerning the use of the property:
   1. That the Special Exception will fully comply with *Section 5.73: Short-Term Rental Use-Specific Standards*.
   2. That the Special Exception will be limited to thirty (30), sixty (60), or ninety (90) days during a calendar year, at the discretion of the Board of Zoning Appeals.
   3. If the Board of Zoning Appeals determines that a homeowners association or similar entity has established limitations or prohibitions that apply to the property, that the owner's implementation of the Special Exception will not result in the violation of any such limitations or prohibitions.

G. Special Exception Non-Dwelling Short-Term Rental Decisions; Commitment: Pursuant to *IC 36-7-4-1015*, the Board of Zoning Appeals may, as a condition to any approval of an application for a Special Exception, require or allow the owner to make any or all of the following commitments concerning the use of the property:
   1. That the Special Exception will fully comply with *Section 5.74: Non-Dwelling Short-Term Rental Use-Specific Standards*.
   2. That the Special Exception will be limited to thirty (30), sixty (60), or ninety (90) days during a calendar year, at the discretion of the Board of Zoning Appeals.
   3. If the Board of Zoning Appeals determines that a homeowners association or similar entity has established limitations or prohibitions that apply to the property, that the owner's implementation of the Special Exception will not result in the violation of any such limitations or prohibitions.

H. Special Exception Non-Dwelling Short-Term Rental Decisions; Commitment: Pursuant to *IC 36-7-4-1015*, a Hearing Officer may, as a condition to any approval of an application for a Special Exception, require or allow the owner to make any or all of the following commitments concerning the use of the property:
   1. That the Special Exception will fully comply with *Section 5.74: Non-Dwelling Short-Term Rental Use-Specific Standards*.
   2. That the Special Exception will be limited to thirty (30), sixty (60), or ninety (90) days during a calendar year, at the discretion of the Hearing Officer.
   3. If the Hearing Officer determines that a homeowners association or similar entity has established limitations or prohibitions that apply to the property, that the owner's implementation of the Special Exception will not result in the violation of any such limitations or prohibitions.

9.09 Special Use

A. General Information: Special Use approval by the Board of Zoning Appeals shall be necessary prior to the establishment of a Special Use, so cited by the district regulations herein, or the issuance of an Improvement Location Permit for said Special Use. Special Uses shall generally be considered favorably by the Board of Zoning Appeal, except in cases where the Board of Zoning Appeals finds the proposed Special Use obviously inappropriate as a result of special and unique conditions determined as a result of the review procedure established herein.

B. Procedure:

1. *Procedure Generally*: Whenever an application for a Special Use within the planning jurisdiction is made, it shall follow the procedure set forth herein and shall conform to the regulations and requirements of the Unified Development Ordinance.
2. *Consultation with the Director of Community Services and Application*: Applicants shall meet with the Director of Community Services to review the zoning classification of their site, review copies of the regulatory ordinances and materials, review the Special Use procedures and examine the proposed use and development of the property. The Director of Community Services shall aid and advise the applicant in preparing his application and supporting documents as necessary. The applicant shall then submit two (2) copies of the written application form and all necessary supporting documents and materials.
3. *Initial Review by the Director of Community Services; Submission to the Board of Zoning Appeals*: Following the receipt of the written application and necessary supporting documents and materials by the Director of Community Services, he shall then review the materials solely for the purpose of determining whether the application is complete and in technical compliance with all applicable ordinances, laws and regulations, and therefore entitled to be forwarded to the Board of Zoning Appeals. If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director of Community Services shall inform the applicant of the deficiencies in said materials. Unless and until the Director of Community Services formally accepts the Special Use application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to succeeding steps toward Special Use approval as hereinafter set forth. Within thirty (30) days of the formal acceptance of the application by the Director of Community Services, he shall formally file the application by placing it upon the agenda of the Board of Zoning Appeal, according to the Board of Zoning Appeals' Rules of Procedure.
4. *Public Hearing by the Board of Zoning Appeals*: Once the Director of Community Services has accepted and filed the application with the Board of Zoning Appeal, the Board of Zoning Appeals or its delegate shall assign a docket number and set a date and time for a public hearing as required by the Rules of Procedure of the Board of Zoning Appeals. The applicant shall be responsible for the cost and publication of the required published legal notification of the public hearing. The applicant shall also notify all interested parties and property owners as required by the Rules of Procedure of the Board of Zoning Appeals. The conduct of the public hearing shall be in accordance with the Board of Zoning Appeal's Rules of Procedure.
5. *Approval or Denial of the Special Use Application by the Board of Zoning Appeals*: Upon approval of the Special Use, the Board of Zoning Appeals shall inform the Director of Community Services that he may issue Improvement Location Permits for the Special Use and inform the applicant of the time limits set forth in *Section 9.09(B)(7): Time Limit*. The Board of Zoning Appeals shall inform the applicant that he may apply to the Director of Community Services for Improvement Location Permits for the Special Use, if necessary, or may commence the Special Use if no permits are required. Failure of the Director of Community Services to inform the applicant of the time limits set forth in *Section 9.09(B)(7): Time Limit* shall not relieve the applicant of complying with said Section.

   A Special Use application that is denied by the Board of Zoning Appeals is ineligible to be placed again on the Board of Zoning Appeal's agenda for consideration until the legality of the Board of Zoning Appeals' decision is finally determined by a court, pursuant to judicial review according to the Advisory Planning Law, or for a period of twelve (12) months following the date of the denial, whichever is later. In addition, whenever a Special Use application is denied, the property involved in the application shall not be the subject of a different Special Use application, or any use variance application or rezone proposal, for a period of six (6) months following the date of the denial.
6. *Authorization*: In no event shall a Special Use be established or an Improvement Location Permit be issued for improvements for a Special Use prior to the approval of the Special Use by the Board of Zoning Appeals unless otherwise excepted herein.

7. *Time Limit*: Any person to whom a Special Use is granted by the Board of Zoning Appeal, under the procedures set forth in this article, shall have commenced continuous construction of said Special Use or implemented said Special Use within three years of the date of the granting of the approval or said approval shall become null and void. Upon application to the Director of Community Services before the expiration of said approval, and upon good cause shown, said approval may be extended for six (6) months.

C. Basis of Board of Zoning Appeals Review: The Board of Zoning Appeal, in reviewing the Special Use application, shall give consideration to the particular needs and circumstances of each application and shall examine the following items as they relate to the proposed Special Use:
1. Topography;
2. Zoning on site;
3. Surrounding zoning and land Use;
4. Streets, curbs and gutters and sidewalks;
5. Access to public streets;
6. Driveway and curb cut locations in relation to other sites;
7. General vehicular and pedestrian traffic;
8. Parking location and arrangement;
9. Number of parking spaces needed for the particular Special Use;
10. Internal site circulation;
11. Building height, bulk and setback;
12. Front, side and rear yards;
13. Site coverage by building(s), parking area(s) and other structures;
14. Trash and material storage;
15. Alleys, service areas and loading bays;
16. Special and general easements for public or private Use;
17. Landscaping and Bufferyards;
18. Necessary fencing;
19. Necessary exterior lighting;
20. On-site and off-site, surface and subsurface storm and water drainage;
21. On-site and off-site utilities;
22. Dedication of streets and rights-of-way;
23. Proposed signage (subject to regulations established by the Sign Ordinance); and
24. Protective restrictions and/or covenants.
25. Need for lifeguards and other supervisory personnel, in respect to a private recreational development or facility

D. Basis of Board of Zoning Appeals Approval or Rejection:
1. *Special Use Decisions*: The Board of Zoning Appeal, in approving or rejecting a Special Use application, shall base its decision upon the following factors as they relate to the above listed items (*Section 9.09(C): Basis of Board of Zoning Appeals Review*) concerning the proposed Special Use:
   a. The particular physical suitability of the premises in question for the proposed Special Use.
   b. The economic factors related to the proposed Special Use, such as cost/benefit to the community and its anticipated effect on surrounding property values.
   c. The social/neighborhood factors related to the proposed Special Use, such as compatibility with existing uses and those permitted under current zoning in the vicinity of the premises under consideration and how the proposed Special Use will effect neighborhood integrity.
   d. The adequacy and availability of water, sewage and storm drainage facilities and police and fire protection.
   e. The effects of the proposed Special Use on vehicular and pedestrian traffic in and around the premises upon which the Special Use is proposed.

E. Expansion of Approved Special Uses: An approved Special Use may be expanded up to ten percent (10%) of the approved gross floor area without obtaining further Special Use approval if the approved use or exception is continued in the expansion, if the particular building height, bulk, setback, yard, parking, etc. requirements are adhered to and if the proper permits for the expansion, such as an Improvement Location Permit, are obtained.

F. Special Uses in Floodplain Districts: The Board of Zoning Appeals shall not exercise Special Use approval in any floodplain, as determined by the City of Carmel Flood Damage Prevention Ordinance, until the Board of Zoning Appeals has received written approval from the Indiana Natural Resources Commission for the proposed Special Use, including any reports supplementary thereto.

G. Provisions for Financial Performance and Maintenance Guarantees for Special Uses: As a prerequisite to Special Use approval on projects subject to new construction, the developer shall agree to provide financial performance and maintenance guarantee for public facility improvements and installations to be constructed in and, as necessary for proper connection and system coordination, adjoining the proposed Special Use. The public facility improvements and installations shall include streets (base and paving, individually), curbs and gutters, sidewalks, storm water drainage and storm sewer systems, sanitary sewer systems, water supply systems, street name signs, monuments and markers and the various appurtenances related thereto. All construction shall be according to plans submitted as a portion of the Special Use application and accompanying data, subject to standards and specifications cited herein. Non-public facility improvements and installations shall be subject to financial guarantees established by their ownership.

1. *Performance Guarantee*: Prior to or at the time of Special Use approval, the developer shall be required to provide financial performance guarantee, by certified check, letter of credit, or performance bond running to:
   a. City of Carmel jurisdiction: City of Carmel
   b. Hamilton County jurisdiction: Board of Commissioners of Hamilton County

   The financial performance guarantee shall provide for the completion of all public facility improvements and installations required under the provisions of the Unified Development Ordinance, and shall be conditioned upon the following:
   a. The completion of public facility improvements and installations shall be within two (2) years from the approval of the Special Use.
   b. A penal sum shall be fixed and approved by the Board equal to 100% of the total estimated current cost to the City or County of all public facility improvements and installations provided in the Special Use application and accompanying data according to specifications cited herein.
   c. Each public facility improvement or installation provided in the Special Use application or accompanying data shall be bonded individually, or shall have an individual letter of credit or certified check to cover the penal sum, and shall not have the performance guarantee provided in combination with any of the other public facility improvements and installations.
   d. The performance bond, certified check, or letter of credit shall be issued in the name of the owner, developer, contractor or other responsible party as determined by the Board of Zoning Appeals.
2. *Extension of Completion Time and Non-Performance*:
   a. Should the developer not complete the public facility improvements and installations as herein required within the stated two (2) year period, the Director of Community Services may approve an extension of up to two (2) years, granted at six-month intervals, for completion of the required public facility improvements and installations.
   b. Should the developer not complete the public facility improvements and installations as herein required within the two-year period, or within any time extension approved by the Director of Community Services, the proper authorities may take the necessary steps to proceed with the completion of the public facility improvements and installations, making use of the certified check, letter of credit, or performance bond.
3. *Release of Performance Guarantee*: Upon the faithful completion of the required public facility improvements and installations according to the Special Use application and accompanying data and the specifications cited herein, the developer shall inform the Director of Community Services who shall confirm that said public facility improvements and installations have been completed in conformity with the Unified Development Ordinance. Following said confirmation, the subdivider shall provide the Director of Community Services with two (2) sets of "as-built" plans showing the storm water drainage and storm sewer systems, water supply system, sanitary sewer system and monuments and markers as they were installed. The developer may then request the release of the performance guarantee posted with the appropriate authority. Upon the receipt of a maintenance guarantee, as specified herein, the appropriate authority shall release the performance guarantee within sixty (60) days. The performance guarantee for each individual public facility improvement or installation may be handled separately and shall in no way be contingent on the completion of any of the other individual public facility improvements and installations or their performance guarantees.

4. *Maintenance Guarantee*: Prior to the release of the performance guarantee, the developer shall be required to provide financial maintenance guarantee, by certified check payable to the appropriate authority or maintenance bond running to the appropriate authority, that all public facility improvements and installations required under the provisions of the Unified Development Ordinance shall be maintained according to specifications cited herein. Said financial maintenance guarantee shall be conditioned upon the following:
   a. The maintenance guarantee shall run and be in force for a period of three (3) years from the date of release of the performance guarantee.
   b. A penal sum shall be fixed and approved by the Board of Zoning Appeals but in no case shall the penal sum be less than fifteen percent (15%) of the total performance guarantee for streets and ten percent (10%) of the performance guarantee for all other public facility improvements and installations. The minimum maintenance guarantee to be posted for streets shall be no less than $5,000.00.
   c. Each public facility improvement or installation shall be bonded individually, or shall have an individual certified check to cover the penal sum, and shall not have the maintenance guarantee provided in combination with any of the other public facility improvements and installations.
   d. The maintenance bond shall be issued in the developer's name alone or in the name of the developer and his subcontractor as co-signers. All certified checks provided for financial maintenance guarantee shall be signed by the developer alone.
5. *Releases of Maintenance Guarantee*: All maintenance bonds shall expire at the end of the three (3) year period for which they were established. Within sixty (60) days of the expiration date, the appropriate authority shall return said expired maintenance bonds to the developer. In the case where a certified check has been posted as a maintenance guarantee, the developer shall, at the end of the three (3) year maintenance period, contact the appropriate authority in order to obtain the release of the maintenance guarantee. The appropriate authority shall return said maintenance guarantee to the developer within sixty (60) days. The maintenance guarantee for each individual public facility improvement or installation may be handled separately and shall in no way be contingent on the completion of any of the other individual public facility improvements and installations or their maintenance guarantee.

9.10 Subdivision, Minor - Plat

A. Purpose and Intent: A Minor Subdivision Plat applies to very simple parcel splits where the risk of remonstration or appeals is very low. A Minor Subdivision Plat uses a streamlined process by requiring less information to be submitted and by allowing review and final decisions to be conducted by the Plat Committee. However, the Plat Committee may elect to pass the review and final decision to the full Plan Commission.

B. Authorization: Minor Subdivision Plats are hereby delegated to the Plat Committee who is authorized to approve any qualified Minor Subdivision Plat as described in *Section 9.10(C): Project Applicability* and *Section 9.10(D): Prerequisites*.

C. Project Applicability: A Minor Subdivision Plat can be used to subdivide a parcel of land 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:

2. *Applicable Subdivision Types*: The minor subdivision of land shall only apply to the following subdivision type:

3. *Exemptions*:
   a. Condominiums regulated by *IC 32-25* are exempt from the land subdivision process outlined in the Unified Development Ordinance. However, developments subject to *IC 32-25* are not exempt from Development Plan (ADLS) or the regulations in *Article 7: Design Standards*.

D. Prerequisites:

1. *Eligible Applicant*: An application for a Minor Subdivision Plat shall be initiated by the owner of the land to be developed 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 Minor Subdivision Plat, the applicant shall meet with a Planning 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 Planning Administrator may also direct the applicant to other agencies with whom to consult.
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 "Simple Subdivision."
   b. The project includes a new internal street,
   c. Divisions of land that result in six (6) or more total lots (i.e. splitting 1 parcel of land into 6 or more lots),
   d. Divisions of land that require one (1) or more waivers from the applicable design standards, or
   e. Divisions of land that require, or elect to have, common area or features that will be in common ownership; excluding a shared driveway.

E. Minor Subdivision Plat Filing Requirements:

1. *Application*: An application for a Minor Subdivision Plat shall be made on a form provided by the Planning Administrator.
2. *Required Information*: The required information for a Minor Subdivision Plat shall be as listed on the application form.
3. *Submittal Discretion*: The Planning Administrator may waive any of the requirements listed on the application form for a Minor Subdivision Plat, when it is clearly not relative to the application. Likewise, the Planning Administrator may require additional information that is not listed on the application form for a Minor Subdivision Plat, when more information is clearly necessary for the Plat Committee's review and consideration for approval.
4. *Copies Required*: Two (2) paper copies and one (1) electronic copy (in .pdf file format) of the application and supporting material shall be submitted. The paper copy shall not exceed twenty-four by thirty-six inches (24" X 36").

5. *Deadline*: Not applicable. The receipt of a Minor Subdivision Plat application will cause a conference of the Plat Committee to be scheduled.
6. *Fees*: Fees shall be paid after the docket number for the petition is assigned by a Planning Administrator. If the Plan Commission, Plat Committee, or Director of Community Services has to hire a professional engineer, professional planner, attorney, soil scientist, materials specialist, or other technician or professional in order to subsidize the City of Carmel's staff capabilities, and which is necessary to review the proposed development, those fees shall be passed along to the applicant and shall be paid prior to Minor Subdivision Final Plat approval.

F. Minor Subdivision Primary Plat Formal Procedure:

1. *Assignment*: An application for Minor Subdivision Plat, which is determined to be complete and in proper form by the Planning Administrator, shall be assigned a docket number and scheduled for conference with the Plat Committee. The Planning Administrator shall notify the applicant of the meeting date.
2. *Internal Review*: Upon assignment of a docket number and conference date, the Technical Advisory 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. For efficiency, the general intent is to conduct reviews of proposed projects outside of a meeting, and only to hold meetings when complex issues need to be discussed.
3. *Staff Report*: The Planning Administrator may submit a written report to the Plat Committee 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 Planning 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, when available.
4. *Public Notice*: The requirements for public notice shall be per the Plan Commission's Rules of Procedures.
5. *Attendance*: The applicant and any interested parties may be present at a conference with the Plat Committee to present and explain the application for a Minor Subdivision Primary Plat, and address and discuss comments and concerns posed by the Plat Committee or interested parties. Failure to appear may result in the dismissal of the application for lack of prosecution.
6. *Public Hearing*: Not required.
7. *Review*: At a pre-determined conference, the Plat Committee shall review:
    a. The application for Minor Subdivision 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 Planning Administrator, and other applicable agencies or departments.
    e. Input from interested parties.
    f. Any applicable provisions of the Unified Development Ordinance.
    g. Conformance with the goals, objectives and intent described in the Comprehensive Plan.
    h. Any other information as may be required by the Plat Committee to evaluate the application.
8. *Decision*:
    a. The Plat Committee shall make findings of fact and take final action, or continue the application to a defined future conference date.
    b. The Plat Committee shall affirm 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 Comprehensive Plan.
        ii. The subdivision of land satisfies the prerequisites, development requirements and design standards for the Simple 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 applicable development standards in *Article 2: Zoning Districts* and *Article 5: Development Standards*.
        v. The subdivision of land satisfies all other applicable provisions of the Unified Development Ordinance.

c. Final Action
   i. If the Plat Committee finds all of the findings of fact in the affirmative, it shall vote to approve the application for Minor Subdivision Primary Plat.
   ii. If the Plat Committee does not find all of the findings of fact in the affirmative, it shall vote to deny the application for Minor Subdivision Primary Plat; or impose conditions of the approval or accept commitments from the applicant that remedy areas of concern; followed by an affirmative vote.

d. Commitments: Any commitment made verbally by, submitted in writing by, or by illustration provided by the applicant or assigned representatives during a Plat Committee conference shall be binding and required to be recorded. The Plat Committee may dismiss verbal, written, or illustrated commitments if it does not believe they are necessary. Commitments shall be recorded in the Office of the Hamilton County Recorder. The deadline and proof of recording is required per *Section 9.10(K): Recording and Submittal for City's Records*.

e. Signatures: If approved, the Minor Subdivision Plat, the Plat Committee's findings and final action, and any commitments or conditions shall be signed by the Director of Community Services, and be attested by a Planning Administrator.

f. Notice of Approval: The applicant shall mail a notice to interested parties that the Plat Committee approved a division of land. That notice shall describe the approved plat and describe the appeals process and timeframe.

g. Letter of Grant: The Planning Administrator shall mail a letter of Grant to the applicant noting the approval for the records.

G. Appeal: Any applicant or aggrieved interested party may appeal a Minor Subdivision Primary Plat to the full Plan Commission. Such an appeal shall be submitted within five (5) days from the publication date of public notice announcing the Minor Subdivision Primary Plat was approved by the Plat Committee. The Plan Commission shall follow the same Minor Subdivision Plat process, but instead of the Plat Committee, the Plan Commission shall serve that role and the conference shall be replaced with a public hearing per the Plan Commission Rules of Procedure. The Plan Commission, at an official meeting may delegate the proceedings to either the Residential Committee or the Commercial Committee per Plan Commission Rules of Procedure.

H. Modification to a Primary Plat:
   1. *Minor Amendments*: A minor amendment to an approved Minor Subdivision Primary Plat may be processed as an Administrative Subdivision as long as the amendments do not go against *Section 9.10(C): Project Applicability* and *Section 9.10(D): Prerequisites*, or the Administrative Subdivision prerequisites.
   2. *Substantial Amendments*: If the Planning Administrator determines that a proposed modification adversely impacts or significantly changes the overall Minor Subdivision Primary Plat, then the applicant shall be required to file a new application for Minor Subdivision Plat.
   3. *Amendments that Require a Waiver*: If the Planning Administrator determines that a proposed modification to a Minor Subdivision Primary Plat requires a waiver, then the applicant shall be required to file a new application for Major Subdivision Plat, to be heard by the full Plan Commission.

I. Minor Subdivision Final Plat Filing Requirements:
   1. *Application*: The Minor Subdivision Plat application shall serve as both primary and final plat application.
   2. *Required Information*: Final Plat drawing(s), easement agreements, applicable commitments, required conditions, and all supporting information; all in their final form. Also, proof that required monumentation has been completed.
   3. *Submittal Discretion*: Not applicable.
   4. *Copies Required*: Paper copies of all final documents in their final form.
   5. *Deadline*: Not applicable.
   6. *Fees*: Not applicable.

J. Minor Subdivision Final Plat Formal Procedure:
   1. *Administrative Approval*: An un-appealed Minor Subdivision Primary Plat shall be administratively approved by the Planning Administrator upon the applicant's submission of a paper copy of the Final Plat, easement agreements, applicable commitments, required conditions and all supporting information in its final form. Also, the applicant shall submit proof that the required monumentation has been installed. Final Plat approval shall be granted by signature of the Planning Administrator after the appeals timeframe has expired, monumentation is in place, and the Planning Administrator is in receipt of all necessary documentation in their final form.

K. Recording and Submittal for City Records: The signed Minor Subdivision Final Plat, applicable supporting information, easement agreements, applicable commitments, and required conditions shall be recorded at the Hamilton County Recorder's office by the applicant or an authorized agent. Then, one (1) scanned electronic copy in .pdf (portable document format) along with two (2) paper copies of all that material plus proof of recording shall be submitted to the Planning Administrator for the City's records. Both the recording and submittal for City records shall be completed within forty-five (45) days from the date it was signed by the Director of Community Services.

L. Transfer of Ownership Limitations: Lots created by the Minor Subdivision Plat shall not be sold or otherwise change ownership until monumentation is installed and *Section 9.10(K): Recording and Submittal for City Records* has been completed.

M. Building Permit Limitation: No building permit shall be issued until monumentation is installed and *Section 9.10(K): Recording and Submittal for City Records* has been completed.

N. Replats: Any modification to an existing Minor Subdivision Final 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 parcel of land 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 and combined into a single vote.

9.11 Subdivision, Major - 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 the 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 a parcel of land within the planning jurisdiction.

1. *Applicable Districts*: The subdivision of land shall occur only in the following zoning districts:

2. *Applicable Subdivision Types*: The major subdivision of land shall only apply to the following subdivision types:

3. *Exemptions*:
   a. Condominiums regulated by *IC 32-25* are exempt from the land subdivision process outlined in the Unified Development Ordinance. However, developments subject to *IC 32-25* are not exempt from Development Plan (ADLS) or the regulations in *Article 7: Design Standards*.
   b. Divisions of land that qualify for Minor Subdivision 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 Planning 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 Planning Administrator may advise the applicant in preparing the application and supportive documents as necessary; as well as direct the applicant to other agencies with whom to consult.

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 Planning Administrator.
2. *Required Information*: The required information for a Major Subdivision Primary Plat shall be as listed on the application form.
3. *Submittal Discretion*: The Planning Administrator may waive any of the requirements listed on the application form for a Major Subdivision Primary Plat when it is clearly not relative to the application. Likewise, the Planning Administrator may require additional information that is not listed on the application form for a Major Subdivision Primary Plat, when more information is clearly necessary for the Plan Commission's review and consideration for approval.
4. *Copies Required*: Copies Required: Two (2) paper copies and one (1) electronic copy (in .pdf file format) of the application and supporting material shall be submitted. The paper copy shall not exceed 24 by 36 inches.
5. *Deadline*: The deadline for submittal shall be per the Plan Commission's Rules of Procedures and per the Plan Commission Calendar.
6. *Fees*: Fees shall be paid after the docket number for the petition is assigned by a Planning Administrator. If the Plan Commission or Director of Community Services has to hire a professional engineer, professional planner, attorney, soil scientist, materials specialist, or other technician or professional in order to subsidize the City of Carmel's staff capabilities necessary to review the proposed development, those fees shall be passed along to the applicant and shall be paid prior to Primary 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 Planning Administrator, shall be assigned a docket number and placed on an agenda pursuant to the Plan Commission's Rules of Procedure. The Planning Administrator shall notify the applicant of the meeting date.

2. *Internal Review*: Upon assignment of a docket number and hearing date, the Technical Advisory 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. For efficiency, the general intent is to conduct reviews of proposed projects outside of a meeting, and only to hold meetings when complex issues need to be discussed.
3. *Staff Report*: The Planning 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 Planning 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 Advisory 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 Discretion*: The Plan Commission, per its Rules of Procedure may either review the project as a full commission, or delegate the review and decision to a standing committee (i.e. Residential Committee or Commercial Committee). Each of the following sections read as "Plan Commission" but shall be interpreted as either the full Plan Commission or subcommittee, or combination thereof.
9. *Review*: At a 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, street and pedestrian facility plan, stormwater quality and drainage plan, traffic impact, landscape plan, etc.
    c. The testimony of the applicant.
    d. Information presented in writing or verbally by the Planning Administrator or other applicable agencies or departments.
    e. Input from the public during the public hearing.
    f. Any applicable provisions of the Unified Development Ordinance.
    g. Any applicable requirements of the *Carmel Engineering Standards*.
    h. Conformance with the goals, objectives and intent described in the Comprehensive Plan.
    i. Any other information as may be required by the Plan Commission to evaluate the application.
10. *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 specific future meeting date.
    b. Findings of Fact: The Plan Commission shall affirm or refute the findings of fact. Findings, or lack of findings, may be in the form of a general statement. Disapproval of findings shall specify the provision of the Unified Development Ordinance, *Carmel Engineering Standards*, or other regulatory document with which there is not compliance; or the manner in which the project is not consistent with the Comprehensive Plan.
        i. The subdivision of land is consistent with the 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 the Unified Development Ordinance.
        v. The subdivision of land satisfies the construction requirements of the *Carmel Engineering Standards*.

11. *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; or may impose conditions of the approval, and/or accept commitments that remedy areas of concern.
    a. Commitments: Any verbal, written or illustrated commitments made 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 written, signed and submitted to the Planning Administrator within thirty (30) days of the Plan Commission's final action on the Major Subdivision Primary Plat for the official record.
    b. The findings, final action, and any conditions shall be signed by the President of the Plan Commission and be attested by the Planning Administrator.
    c. The Planning Administrator shall provide the applicant a copy of the decision.

F. 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 Planning 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 Planning Administrator shall be reported, in writing, to the Plan Commission at its next regular meeting and entered into the project file.
2. *Substantial Amendments*: If the Planning 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.

9.12 Subdivision, Major - 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 included on or with the Final Plat to be recorded.
3. *Infrastructure*: All city controlled public infrastructure improvements proposed in the Major Subdivision Primary Plat shall be installed per the *City of Carmel Engineering Standards*, or the applicant shall have posted a performance surety that complies with *Section 7.36: Surety Standards*. Private infrastructure shall be installed per the respective entity's 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 Planning Administrator.
2. *Required Information*: The required information for a Major Subdivision Final Plat shall be as listed on the application form.
3. *Submittal Discretion*: The Planning Administrator may waive any of the requirements listed on the application form for a Major Subdivision Final Plat, when it is clearly not relative to the application. Likewise, the Planning Administrator may require additional information that is not listed on the application form for a Major Subdivision Final Plat, when more information is clearly necessary to review for compliance.
4. *Copies Required*: Two (2) paper copies and one (1) electronic copy (in .pdf file format) of the application and supporting material shall be submitted. The paper copy shall not exceed 24 by 36 inches.
5. *Deadline*: Not applicable.
6. *Fees*: Fees shall be paid after the docket number for the petition is assigned by a Planning Administrator. If the Plan Commission or Director of Community Services has to hire a professional engineer, professional planner, attorney, soil scientist, materials specialist, or other technician or professional in order to subsidize the City of Carmel'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*: The Planning Administrator shall review the application requesting Final Plat and all supporting information.
2. *Review*: The applicant shall submit an application requesting Major Subdivision Final Plat and the supporting information to the Planning Administrator. The applicant shall also submit supporting information to members of the Technical Advisory Committee for review and consideration for approval. If applicable, the appropriate members of the Technical Advisory 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 Planning Administrator.
3. *Public Notice*: Notice and public hearing shall not be required for Final Plat review and approval.
4. *Review and Decision*: The Planning Administrator shall, based on comments from the Technical Advisory Committee, approve, approve with conditions, approve with commitments, or deny the Major Subdivision Final Plat.

F. Recording and Submittal for City Records: The Major Subdivision Final Plat, including applicable supporting information, easement agreements, commitments, and conditions shall be recorded at the Hamilton County Recorder's office. Then, one (1) scanned electronic copy in .pdf (portable document format) along with two (2) paper copies of the recorded Major Subdivision Final Plat, proof of recording, supporting information, easement agreements, commitments, and conditions shall be submitted to the Planning Administrator for the City's records. Both the recording and submittal for City records shall be completed within forty-five (45) days from the date it was signed by the Director of Community Services.

G. Transfer of Ownership Limitations: Lots created by the Major Subdivision Plat shall not be sold or otherwise change ownership until Monumentation is installed and Plat Recording is completed and submitted to the Planning Administrator.

H. Building Permit Limitation: No building permit shall be issued until proof of recording of the Major Subdivision Plat has been submitted.

I. Replats: A replat shall be required if substantial changes are requested to a Major Subdivision Final Plat. Substantial changes include: adding new lots, changing more than 10% of the lineal feet of street or infrastructure alignment, changing more than 10% of the total number of lot's dimensions, and the like. 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 parcel of land shall be platted using the Major Subdivision Plat process. The two (2) processes may be conducted in the same meeting with one (1) combined vote, but both approvals shall be acknowledged.

9.13 Subdivision, Administrative

A. Purpose and Intent: An Administrative Subdivision provides the City of Carmel 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. Authorization: The Plan Commission delegates to the Planning Administrator to authorize, approve and sign any Administrative Subdivision as described in this section.

C. 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:

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 Planning Administrator. Such cases shall then be processed as a minor or major subdivision application, based on best fit.
   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 void of structures, those structures 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. Subdividing a Duplex Lot: A lot on which a duplex is located and that the owner(s) of the property wish to split the lot at the common wall between the two (2) units, resulting in two (2) lots, each with a single dwelling unit; as long as the adjustment does not result in any new nonconformance or an escalation in an existing nonconformance.
   e. Large Lots: Any parcel split that results in all new lots being five (5) acres or greater in lot area; and when there is no internal streets being built or a change to perimeter streets due to the lot splits.
   f. Creating Non-Developable Land for Utilities and Infrastructure: A land trust, public utility or local government which acquires land for non-development purposes may process the transition and/or adjustment to property lines as an Administrative Subdivision. Non-development purposes includes not using the land for occupiable structures or communication towers. 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, green infrastructure, wetland or woodland mitigation, environmental protection, junction boxes, lift stations, inlets, and similar common and incidental utility features. A deed restriction, removing development rights shall be required.
   g. Removing a platted building setback line.
   h. Modifying a platted easement when agreed to by all vested parties.

D. 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 9.13(C)(2)(a): Merging Common Ownership Lots* and *Section 9.13(C)(2)(b): Splitting a Lot and Merging its Pieces* above, pre-existing driveway(s) established for the dissolved lots shall be vacated and removed, including the apron within the right-of-way. The removal of said driveway and apron shall be subject to City Engineering Department's engineering standards and review.

E. Administrative Subdivision Filing Requirements:
   1. *Application*: An application for an Administrative Subdivision shall be made on forms provided by the Planning Administrator.
   2. *Supporting Information*: The following supporting information shall accompany a completed application for an Administrative Subdivision. The Planning 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, and
      c. Name and address of the owner(s).
   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. North arrow and graphic scale,
      b. Adjacent streets, sidewalks, and easements,
      c. Boundary lines of each lot including all lot dimensions,
      d. Proposed adjustments with resulting: lot dimensions, lot area, and building setback lines,
      e. Footprint and dimensions of existing structures with measurements to property lines pre and post adjustments,
      f. Stamp of registered professional engineer or surveyor, and
      g. Any other information necessary to support a thorough review of the project as listed on the application form or from the Planning Administrator.
   4. *Deadline*: Not applicable.
   5. *Submittal Material*: Two (2) paper copies and one (1) electronic copy (in .pdf file format) of the application and supporting material shall be submitted. The paper copy shall not exceed twenty-four by thirty-six inches (24" X 36").
   6. *Fees*: Fees shall be paid after the docket number for the petition is assigned by a Planning Administrator. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review an Administrative Subdivision, that the City of Carmel does not have adequate proficiency, may result in hiring a professional consultant to conduct the review, or portions thereof, at the expense of the applicant.

F. 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 Planning Administrator, shall be reviewed by the Planning Administrator for compliance with the Unified Development Ordinance.
   2. *Decision*: The Planning Administrator shall make a determination as to whether the application complies with the "Applicable Districts," "Applicable Actions," and "Prerequisites" standards written in *Section 9.13(C): Project Applicability* and *Section 9.13(D): Prerequisites*. If the application is in compliance a Letter of Grant will be mailed to the applicant by the Planning Administrator.
   3. *Report to Plan Commission*: After approved, the Planning Administrator shall report said approval at the first regularly scheduled Plan Commission, or Residential Committee meeting thereafter. Such reporting may be verbal or a written report.
   4. *Recording and Submittal for City Records*: The Administrative Plat, including applicable supporting information and easement agreements shall be recorded at the Hamilton County Recorder's office. Then, one (1) scanned electronic copy in .pdf (portable document format) along with two (2) paper copies of the recorded Administrative Plat, proof of recording, supporting information, and easement agreements shall be submitted to the Planning Administrator for the City's records. Both the recording and submittal for City records shall be completed within forty-five (45) days from the date it was signed by the Planning Administrator.
   5. *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 Planning 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 City's records.

G. Development Restrictions: No building permit or Improvement Location Permit shall be issued until proof of recording has been submitted.

9.14 Text Amendment - Unified Development Ordinance

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 Common Council concerning a proposal to amend the text of the Unified Development Ordinance. The Common 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 Common Council or members of the Plan Commission may 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 Common Council or Plan Commission shall find a sponsor among the Common 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 Planning Administrator upon the direction of either the Common 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 and Procedures.
   1. *Effective Date*: 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*.

F. Proposals to Amend or Partially Repeal the Text of the Unified Development Ordinance: The following procedure applies to a proposal to amend or partially repeal the text (not the Official Zoning Map) of the Unified Development Ordinance:
   1. The proposal may be initiated by either the Plan Commission or the Common Council; however, if the Common Council initiates the proposal, it shall require the Plan Commission to prepare it.
   2. The Plan Commission shall prepare the proposal so that it is consistent with applicable state law.
   3. In considering the proposal, both the Plan Commission and the Common Council shall pay reasonable regard to:
      a. The Comprehensive Plan;
      b. Current conditions and the character of current structures and uses in each district;
      c. The most desirable use for which the land in each district is adapted;
      d. The conservation of property values throughout the City of Carmel and Clay Township; and
      e. Responsible development and growth.
   4. The Plan Commission shall give notice and hold a public hearing on the proposal in accordance with its Rules of Procedure.
   5. Within five (5) business days after the Plan Commission determines its recommendation (if any), the Plan Commission shall certify the proposal to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation from the Plan Commission.
   6. The Common Council shall vote on the proposal within ninety (90) days after the Plan Commission certifies the proposal. The Common Council's consideration of the proposal is governed by *IC 36-7-4-607*.
   7. If the proposal is adopted, the Plan Commission shall print the amendments to the Zoning Ordinance in book or pamphlet form, or arrange for them to be included in the City's Code of Ordinances.
   8. Unless the proposal provides for a later effective date, the amendments contained in the proposal take effect when the proposal is duly adopted, except for any provision prescribing a penalty or forfeiture for a violation, which shall not take effect until the Plan Commission complies with the applicable notice and filing requirements described in *IC 36-7-4-610*.

9.15 Variance

A. General: The Board of Zoning Appeals may authorize in specific cases such variance from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of said ordinances will result in unnecessary hardship, and so that the spirit of the ordinances shall be observed and substantial justice done.

B. Use Variance: In deciding whether or not the applicant has presented sufficient proof to permit the granting of a variance of use, the Board of Zoning Appeals shall determine in writing that:
   1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
   2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
   3. The need for the variance arises from some condition peculiar to the property involved;
   4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
   5. The approval does not interfere substantially with the Comprehensive Plan.

C. Development Standards Variance: In deciding whether or not the applicant has presented sufficient proof to permit the granting of a variance of development standards, the Board of Zoning Appeals shall determine in writing that:
   1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
   2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
   3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in use of the property.

D. Variance Procedure:
   1. *Consultation with the Director of Community Services and Application*: Applicants shall meet with the Director of Community Services to review the zoning classification of their site, review the regulatory ordinances and materials, review the use and development of the property and to consider the proposed variance. The Director of Community Services shall aid and advise the applicant in preparing his application and supporting documents as necessary. The applicant shall then submit two (2) copies of the written application form and all necessary supporting documents and materials.
   2. *Initial Review of the Application and Supporting Documents and Materials by the Director of Community Services*: Following the receipt of the written variance application and necessary supporting documents and materials by the Director of Community Services, he shall then review the materials solely for the purpose of determining whether the application is complete, is in technical compliance with all applicable ordinances, laws and regulations and is to be forwarded to the Board of Zoning Appeals. If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director of Community Services shall inform the applicant of the deficiencies in his materials. Unless and until the Director of Community Services formally accepts the variance application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to the succeeding steps toward approval of the variance application as hereinafter set forth. The variance application is formally filed when it is placed upon the Board of Zoning Appeals agenda by the Director of Community Services, according to the Board of Zoning Appeal's Rules of Procedure.
   3. *Public Hearing by the Board of Zoning Appeals*: Once the Director of Community Services has accepted and filed the variance application with the Board of Zoning Appeals, he shall assign a docket number and set a date and time for a public hearing as required by the Rules of Procedures of the Board of Zoning Appeals. The applicant shall be responsible for the cost and publication of the required published legal notification of the public hearing. The applicant shall also notify all interested parties and property owners as required by the Rules of Procedure of the Board of Zoning Appeals. The conduct of the public hearing shall be in accordance with the Board of Zoning Appeal's Rules of Procedure.
   4. *Approval or Denial of the Application by the Board of Zoning Appeals*: Following the public hearing on the variance application, the Board of Zoning Appeals shall approve or deny the application. The Board of Zoning Appeals, upon approval of a variance application, may at its discretion determine the length of time the variance shall run. The variance may be permanent or it may be set for a reasonable period subject to renewal upon expiration. The Board of Zoning Appeals shall notify the Director of Community Services and the applicant of its decision on the variance application, including all conditions contained as a part thereof. The Director of Community Services shall notify the applicant of the time limits set forth in *Section 9.15(D)(5): Time Limit*. All further actions taken by the applicant or the Director of Community Services concerning the situation for which

the variance is filed, including the issuance of an Improvement Location Permit, shall be subject to said ruling of the Board of Zoning Appeals. Failure of the Director of Community Services to inform the applicant of the time limits set forth in *Section 9.15(D)(5): Time Limit* shall not relieve the applicant of complying with said Section.

A use variance application that is denied by the Board of Zoning Appeals is ineligible to be placed again on the Board of Zoning Appeal's agenda for consideration until the legality of the Board of Zoning Appeal's decision is finally determined by a court, pursuant to judicial review according to the Advisory Planning Law, or for a period of twelve (12) months following the date of the denial, whichever is later. In addition, whenever a use variance application is denied, the property involved in the application shall not be the subject of a different use variance application, or any Special Use application or rezone proposal, for a period of six (6) months following the date of the denial. The Board of Zoning Appeals may include, in its Rules of Procedure, reasonable time limits respecting the future consideration of development standards variance applications that are denied by the Board of Zoning Appeals.

5. *Time Limit*: Any variance which is granted by the Board of Zoning Appeals on a temporary, renewable basis, under the procedures set forth in this Section, shall have been effected within the period of time for which it was granted or said variance shall become null and void. Any variance granted by the Board of Zoning Appeals on a permanent basis, under the procedures set forth in *Section 9.15: Variance*, shall be effected or shall be part of a project on which continuous construction has commenced within three (3) years from the date of the granting of said variance or it shall become null and void. Upon application to the Director of Community Services before the expiration of said approval, and upon good cause shown, said approval may receive a single extension for a period not to exceed six (6) months.

E. Conditions Relating to Board of Zoning Appeals Actions in the Floodplain Districts: The Board of Zoning Appeals shall not exercise any of its powers (e.g., Special Uses, Variances, Appeals, etc.) in a floodplain until the Board of Zoning Appeals has received written approval from the Indiana Natural Resources Commission. The Board of Zoning Appeals shall not vary flood protection grade requirements in the floodplain without written approval from the Indiana Natural Resources Commission.

F. Review by Certiorari: Every decision of the Board of Zoning Appeals shall be subject to judicial review, according to the Advisory Planning Law.

G. Alternate Procedure:

1. *Hearing Officers*: Qualifications, Appointment and Removal. Pursuant to *IC 36-7-4-923*, the Plan Commission hereby establishes the position of Hearing Officer. A Hearing Officer shall be a member of the Board of Zoning Appeals, a former member of the Board of Zoning Appeals, a Zoning Official, or an attorney licensed to practice law in Indiana. One (1) or more Hearing Officers shall be appointed by the Plan Commission. A Hearing Officer may be removed from his or her responsibilities at any time by the Plan Commission.
2. *Powers of Hearing Officers*: A Hearing Officer has the power of the Board of Zoning Appeals to approve or deny (1) a variance from the development standards of the Zoning Ordinance, in accordance with *IC 36-7-4-918.5*; or (2) a special use from the terms of the Zoning Ordinance, in accordance with *IC 36-7-4-918.2*.
3. *Procedural Rules Governing Hearing Officers*: Except as provided in *Section 9.15(G): Alternate Procedure*, all procedural requirements imposed by the Rules of Procedure of the Board of Zoning Appeal, by the Unified Development Ordinance, and by *IC 36-7-4-900 et seq*. apply generally to the alternate procedure. Specifically, the provisions of *IC 36-7-4-920(g)* regulating communication with any member of the Board of Zoning Appeals shall be construed to prohibit communication by any person (other than the staff as permitted by law) with a Hearing Officer before the hearing with intent to influence the Hearing Officer's action on a matter pending before him or her.
4. *Docketing of Matters; Copies to Members of the Board of Zoning Appeals*: After the Director of Community Services has formally accepted any Developmental Standards Variance, or Special Use application as complete and in legal compliance, the Director of Community Services may, if the Director of Community Services believes that it would allow for more expedient disposition of the application, place the matter upon a Hearing Officer's agenda instead of placing the matter upon the Board of Zoning Appeal's agenda. Copies of each Hearing Officer's agenda shall also be submitted to all members of the Board of Zoning Appeal, no less than ten (10) days before the Hearing Officer's hearing of the matters on that agenda. Any member of the Board of Zoning Appeals may then communicate with the Director of Community Services if, in the opinion of the member, the application should be placed upon the Board of Zoning Appeal's agenda.

5. *Transfer to Board of Zoning Appeal's Agenda*: The Director of Community Services may, not less than five (5) days before a hearing before a Hearing Officer, remove any application from the Hearing Officer's agenda if, in the opinion of the Director of Community Services: (1) the approval of the Developmental Standards Variance or Special Use may be found to be injurious to the public health, safety, morals, and general welfare of the community; or (2) the use or value of the area adjacent to the property included in the variance, use, or exception may be found to be affected in a substantially adverse manner. If the Director of Community Services removes an application from a Hearing Officer's agenda, the application shall be considered withdrawn, or shall be transferred to the agenda of the Board of Zoning Appeals if requested by the applicant.
6. *Conditions Proposed by Director; Transfer to Board of Zoning Appeal's Agenda*: The Director of Community Services may, not less than five (5) days before a hearing before a Hearing Officer, indicate that he or she does not object to the approval of a Developmental Standards Variance or Special Use by the Hearing Officer if specified Conditions are attached. If the applicant does not accept these Conditions, the application shall be considered withdrawn, or shall be transferred
7. *Imposition of Conditions by Hearing Officer; Commitments by Property owner; Transfer to Board of Zoning Appeal's Agenda*: Following the hearing of an application under the alternate procedure, a Hearing Officer may impose Conditions and may permit or require the owner of a parcel of property to make a written Commitment concerning the use or development of that parcel, as provided in *IC 36-7-4-1015* and the Rules of Procedure of the Board of Zoning Appeals. If the applicant fails to accept these Conditions or fails to make the Commitment, the application shall be considered withdrawn, or shall be transferred to the agenda of the Board of Zoning Appeals if requested by the applicant. The Hearing Officer shall not modify or terminate any Commitment, whether made under the alternate procedure or pursuant to an approval by the Board of Zoning Appeals. Such a Commitment may be modified only by the Board of Zoning Appeals itself.
8. *Review of the Decisions of the Hearing Officer*: A decision of a Hearing Officer shall not be a basis for judicial review, but it may be appealed to the Board of Zoning Appeals. The Board of Zoning Appeals shall conduct a new hearing on the matter and shall not be bound by any Findings of Fact made by the Hearing Officer. A person who wishes to appeal a decision of the Hearing Officer must file the appeal with the Board of Zoning Appeals within fourteen (14) days after the decision is made, as provided in *IC 36-7-4-924*.

9.16 Waiver of 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 the Unified Development Ordinance.

B. Prerequisites:
   1. *Primary Plat or Replat 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 shall be in regard to design standards in *Article 6: Subdivision Types* and *Article 7: Design Standards*. All relief request from *Article 3: Overlay Districts*, *Article 5: Development Standards* and all other zoning related provisions shall be subject to the Variance procedure with the Board of Zoning Appeals, or Waiver of Development Standards procedure with the Plan Commission.

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 listed on the application form and/or as determined by the Planning 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 subject development's Subdivision Type, its intent and the applicable Design Standards.
      b. Additional Information: Additional information may be required by the Planning Administrator when necessary to evaluate the requested Design Standards Waiver.

D. Fees: Fees shall be paid after the docket number for the petition is assigned by a Planning Administrator.

E. Planning Administrator:
   1. *Complete Submittal*: Once the Planning Administrator has determined that the applicant has made a complete submittal, the Planning 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 Planning 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 Planning Administrator will prepare a staff report outlining its findings with respect to the Design Standard Waiver request.

F. Plan Commission:
   1. *Public Notice*: Public notice shall be conducted per the Plan Commission Rules of Procedure.
   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 interested parties;
      e. The Comprehensive Plan;
      f. Any applicable provisions of the Unified Development Ordinance;
      g. Any applicable requirements of the *City of Carmel Engineering Standards*;
      h. The Planning 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 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 unique circumstances, a particular hardship or practical difficulty would result if the strict letter of these regulations is carried out. Financial hardship, inconvenience 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, particularly the Bike and Pedestrian 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 City 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 Hamilton County Recorder's office with the Primary Plat. The applicant shall deliver receipt and a copy of the recorded commitment instrument to the Planning Administrator before submitting a Final 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 City may enforce any commitment the Plan Commission has accepted as if the commitment were a standard of the Unified Development Ordinance.
8. *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 Planning Administrator shall determine if the submitted changes are consistent with the Plan Commission's decisions prior to the applicant recording the Primary Plat.

9.17 Waiver of Development Standard

A. Applicability: The waivers described in *Section 9.17: Waiver of Development Standards* shall only apply to the following Primary Zoning Districts (See icons below) and in an Overlay District:

B. General: The applicant may apply for a Zoning Waiver of the dimensional and quantitative standards by not greater than thirty-five percent (35%), consistent with requirements set forth below:

1. The proposal shall be in harmony with the purposes and the land use standards contained in *Section 9.17: Waiver of Development Standard*.
2. The proposal shall enhance the overall Development Plan, the adjoining streetscapes and neighborhoods, and the surrounding area.
3. The proposal shall not produce a site plan or street/circulation system that would be impractical or detract from the appearance of the Development Plan, the surrounding area, and shall not adversely affect emergency vehicle access or deprive adjoining properties of adequate light and air.
4. The proposal exhibits extraordinary site design characteristics, including, but not limited to: Increased landscape treatment, tree preservation, public art, provisions for bicycles and/or mass transit, reduced surface parking coupled with provisions for above or below ground parking facilities.
5. In granting a waiver, the Plan Commission may impose such conditions that will, in its judgment, secure the purposes of *Section 9.17: Waiver of Development Standard*. *Section 9.17(B)(5)* does not affect the right of an applicant under Indiana law to petition the Board of Zoning Appeals for a variance from development standards, as provided in *IC 36-7-4-918.5* and the Unified Development Ordinance.

Article 10

Enforcement

City of Carmel
Unified Development
Ordinance

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10.01 Violations and Penalties

A. A failure to comply with any of the requirements of the Unified Development Ordinance, including violations of conditions and safeguards established in connection with the granting of variances, special uses or Planned District Development Plan approvals, shall constitute a violation of the Unified Development Ordinance.

B. The Plan Commission, the Board of Zoning Appeals, the Director of Community Services, Code Enforcement, any other designated enforcement official or any person or persons, firm or corporation jointly or severally aggrieved, may institute a suit for injunction in any court of competent jurisdiction to restrain an individual or a governmental unit from violating the provisions of the Unified Development Ordinance.

C. The Plan Commission, the Board of Zoning Appeals or the Director of Community Services may also institute a suit for mandatory injunction directing any individual, firm, corporation, or governmental unit to remove a structure erected in violation of the provisions of the Unified Development Ordinance.

D. Any building erected, raised or converted, or land or premises used in violation of any provisions of the Unified Development Ordinance or of the requirements thereof, is hereby declared to be a common nuisance and as such may be abated in such manner as nuisances are now or may hereafter be abated under existing law.

E. Any person, firm, or corporation, whether as principal, agent, employee or otherwise, who violates the Unified Development Ordinance is subject to the penalties provided in *Article 10: Enforcement*.

F. The owner or tenant of any buildings, structure, premises or part thereof, and any architect, builder, contractor, realtor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

10.02 Civil Violations; Exceptions

A. Any person, firm or corporation who uses property in violation of the Unified Development Ordinance, or who knowingly permits another person, firm or corporation to do so, shall upon citation by the designated enforcement entity be deemed to have committed a civil zoning violation and shall pay to the City of Carmel a civil monetary fine in the amount prescribed by *Section 10.03: Schedule of Civil Monetary Fines*.

B. Each separate day of violation that remains uncorrected is a distinct and separate civil zoning violation subject to an additional citation and fine in the amount prescribed by *Section 10.03: Schedule of Civil Monetary Fines*.

10.03 Schedule of Civil Monetary Fines

A. The maximum civil monetary fine for each civil zoning violation of the Unified Development Ordinance shall be $1,000.00, except as provided by in *Section 10.03: Schedule of Civil Monetary Fines* below.

B. For a repeated civil zoning violation by the same violator, the maximum civil penalty shall be:

1. Second Violation shall be $2,000.00
2. Third Violation shall be $3,000.00
3. Fourth Violation shall be $4,000.00
4. Each violation in excess of four (4) shall be $5,000.00

10.04 Citation for Civil Zoning Violations

A. The Director of Community Services, upon verification of a civil zoning violation, may issue a civil violation to any responsible party(ies) who commit(s) a civil zoning violation. The citation may be served by personal service or by certified mail or by placement in a conspicuous place on the property where the civil zoning violation occurs. If personal service of a civil zoning violation is made by a Planning Administrator, said official will:

1. Wear on his person in a conspicuous manner, identification from the City of Carmel; and
2. Wear on his person in a conspicuous manner, identification of his employment with the Department of Community Services.

The citation shall serve as notice to the responsible party(ies) that he has committed a civil zoning violation.

B. Where a Zoning Violation exists, the Director of Community Services, may issue a Citation against the property owner for the violation without first issuing a Notice of Violation. In his sole discretion, the Director of Community Services, may issue a Notice of Violation and allow a period of time for the property owner to correct the violation and to comply with the appropriate Section of the Unified Development Ordinance. At the expiration of the period of time granted in the Notice of Violation for compliance, the Director of Community Services, may issue a citation for the zoning violation in his discretion.

C. The Notice of Violation shall include:
   1. Date of issuance;
   2. The name and address of the persons(s) charged;
   3. Section number of the Unified Development Ordinance that has been violated;
   4. Nature of the Civil Violation;
   5. The place and time that the Civil Violation occurred;
   6. Range of fines which could be assessed upon continued noncompliance activity;
   7. Specific time allowed to bring the Civil Violation into compliance;
   8. Name, business address and telephone number of Planning Administrator issuing the citation; and
   9. Date and time of notice given and number of days given on notice;

D. The citation shall be on a form adopted by the Department of Community Services and shall include:
   1. Date of issuance;
   2. The name and address of the person(s) charged;
   3. Section number of the Unified Development Ordinance that has been violated;
   4. Nature of the Civil Violation;
   5. The place and time that the Civil Violation occurred;
   6. Amount of the civil fine assessed;
   7. The date, time, and location of the Court in which the civil violation will adjudicate; and
   8. Name, business address and telephone number of Planning Administrator issuing the citation; and
   9. Date and time that notice was given and number of days given on notice.

10.05 Trial for Civil Zoning Violation

A. Upon issuance of the citation, the Planning Administrator shall forward a copy of the citation to the designated enforcement entity and the City Court of the City of Carmel, Indiana, shall schedule the case for trial.

   The City Attorney, his/her designee, and/or the Department of Community Services is responsible for the enforcement of the Unified Development Ordinance.

   All procedures will be in compliance with the Indiana Rules for Civil Procedure, and will adopt Court cost recovery for infractions according to the State of Indiana.

B. In proceedings before the Court for a Civil Zoning Violation:
   1. The designated enforcement entity has the burden of proving the Civil Zoning Violation and the violator committed the infraction, by a preponderance of the evidence presented at trial;
   2. The violator may question all witnesses who appear for the designated enforcement entity and produce evidence or witnesses on the violator's behalf;

C. A person found guilty of a civil zoning violation is liable for the fine, Court costs and fees. No costs may be assessed against the designated enforcement entity in any such action.

D. Seeking a civil penalty as authorized in this Section, does not prevent the designated enforcement entity from Seeking alternative relief from the Court in the same action, or from Seeking injunctive relief available under the law of the State of Indiana, or any other remedy in a separate action for the enforcement of the Unified Development Ordinance;

E. When a violator has been guilty of a Civil Zoning Violation, the Court may impose additional civil penalties and grant appropriate relief to abate or halt the violation, and the Court may direct that payment of the civil monetary fine or additional civil penalties be suspended or deferred under conditions established by the Court. If a violator fails to pay the civil penalty or violates the terms of any other order imposed by the Court, the failure is contempt; and

F. A change of venue from Carmel, Indiana, shall not be granted in such a case.

Article

11

Definitions

City of Carmel
Unified Development
Ordinance

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11.01 General

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

11.02 Definitions

4-sided Architecture: See "Four-sided Architecture."

Accessory Dwelling: See "Dwelling, Accessory."

Accessory Use: See "Use, Accessory."

Administrator: See "Planning Administrator."

Advisory Planning Law: The Advisory Planning Law of the State of Indiana, as defined in *IC 36-7-4-101*.

Agricultural Building: See "Building, Agricultural."

Agriculture, General: The use of land for agricultural purposes, including farming, pasturage, horticulture, floriculture, viticulture, and the necessary accessory uses for parking, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to the normal agricultural activities. The term agriculture does not include chemical storage or manufacturing associated with Agriculture.

Airport: A facility with surfaced runways and navigation devices for the takeoff and landing of aircraft and with or without services available for aircraft.

Airstrip: A grassed area runway without navigation devices for the takeoff and landing of aircraft and without services available for aircraft.

Alley: A permanent public service way providing a secondary means of access to abutting lands.

Alteration, Material: Any change to an approved plan of any type that involves the substitution of one material, species, element, etc. for another.

Alteration, Minor: Any change to an approved plan of any type that involves the revision of less than ten percent (10%) of the plan's total area or approved materials.

Alteration, Sign: Any location, lighting, design, structure, size, color, or installation method change of the materials comprising an established sign.

Alteration, Structural: Any change in the supporting members of a Building such as bearing walls, partitions, columns, beams, girders, or any substantial change in the exterior walls or the roof. The term does not include Substantial Modification of a Wireless Support Structure.

Alteration, Substantial: Any change to an approved plan of any type that involves the revision of ten percent (10%) or more of the plan's total area or approved materials. The term does not include Substantial Modification of a Wireless Support Structure.

Alteration of Real Estate: Any act by which vegetative cover or soil is removed, or soil is graded and land changed that may result in erosion or the movement of sediments, or the covering of land surfaces with impermeable material on areas totaling more than 15,000 square feet.

Animal, Domestic: An animal that is tame or domesticated and not normally found in the wild state.

Animal, Exotic: Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but rather kept as a pet or for display.

Animal, Farm: Any animal that customarily is raised for profit on farms.

Antenna: Any communications equipment that transmits or receives electromagnetic radio signals used in the provision of Wireless Communications Service.

Antenna, Satellite Receiving: A signal receiving device, the purpose of which is to receive radio communications, television, data transmission or other signals from a satellite or satellites in earth orbit. Considered a Structure, thus subject to all ordinances relating to Structures. Not considered a Wireless Facility, thus not subject to *Article 5, Section Wireless Support Structure Standards.*

Antenna, Radio or Television Transmission: A signal receiving device, the purpose of which is to receive radio communications or television signal transmissions.

Apartment: A dwelling unit, primarily of a rental nature.

Area, Building: See "Building Area."

Area, Common: Areas within a development that serve either a portion of or the entire development. (Example common area - signs, lighting, landscaping, maintenance shed, etc.)

Area, Gross: Entire area of project or platted area.

Area, Window: See "Window Area."

Art and Music Center: See "Center, Art and Music."

Art Gallery: A room or structure in which original works of art or limited editions of original art are bought, sold, loaned, appraised or exhibited to the general public.

Artificial Lake or Pond: See "Lake or Pond, Artificial."

As-Built Drawing: A drawing stamped by a Professional Engineer or Registered Land Surveyor, as appropriate, who is licensed to do business in the State of Indiana in accordance with State Statutes, that accurately depicts an improvement or installation as it was actually constructed.

Assessed Valuation: The monetary value placed on a property and/or Building as established by the assessor with authority over the planning jurisdiction.

Assisted Living Facility: See "Facility, Assisted Living."

Attached Dwelling: See "Dwelling, Attached."

Automated Teller Machine (ATM): A mechanized consumer banking device operated by a financial institution for the convenience of its customers, whether outside or in an access-controlled facility.

Automobile Filling Station: See "Station, Automobile Filling."

Automobile or Boat Sales: See "Sales, Automobile or Boat."

Automobile or Truck Repair (Indoor): See "Repair (Indoor), Automobile or Truck."

Automobile Service Station: See "Station, Automobile Service."

Awning, Permanent: A permanent shelter supported entirely from the exterior wall of a building and composed of rigid or non-rigid materials. (See definition of Wall Sign).

Awning, Temporary: A temporary shelter, erected and in place for less than six (6) months of any given year, supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework. One decorative and non-commercial nature, clearly incidental and customary and commonly associated with any national, state, local or religious holiday.

Banner: A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.

Base Station: A station located at a specific site that is authorized to communicate with mobile stations. The term includes all radio transceivers, Antennas, coaxial cables, power supplies, and other electronics associated with a station.

Basement: A story having part, but not less than one-half (½), of its height below grade. A basement is counted as a story for the purposes of height regulation if subdivided, used for dwelling purposes and/or as walk-out access.

Bay: See "Berth or Bay, Loading and Unloading."

Bed and Breakfast Inn: A private, owner-occupied business with two (2) to ten (10) guest rooms where overnight accommodations and a morning meal are provided to transients for compensation and where the Bed and Breakfast Inn is operated primarily as a business. A Dwelling that is occupied by a Permanent Resident where only one (1) guest room or group of rooms is made available to transients for compensation shall not be considered a Bed and Breakfast Inn.

Berth or Bay, Loading and Unloading: The off-street area required for the receipt or distribution by vehicles of material or merchandise, which in the Unified Development Ordinance is held to be a twelve-foot (12') by forty-five-foot (45') loading space with a fifteen-foot (15') height clearance and paved with a hard surface in accordance with the current standards of the City of Carmel.

Best Management Practices, Drainage: Structural or nonstructural practices, or a combination of practices, designed to act as effective, practicable means of minimizing the impacts of development and human activities on water quality. Traditional structural BMPs, including extended detention dry ponds, wet ponds, infiltration trenches, and sand filtration systems, are now common elements of most new development projects. Structural BMPs rely heavily on gravitational settling and/or the infiltration of soluble nutrients through a porous medium for pollutant removal. Nonstructural BMPs, which may be used independently or in conjunction with structural BMPs, rely on a much wider breadth of mechanisms to prevent or control non-point source pollution. Nonstructural BMPs range from programs that increase public awareness to prevent pollution, to the implementation of control-oriented techniques (such as bio-retention and stormwater wetlands) that utilize vegetation to enhance pollutant removal and restore the infiltrative capacity of the landscape.

Bicycle Parking, Long-Term: Bicycle parking spaces intended to be used for periods of time that are longer than two hours and are targeted to residents, employees and other long term users. Long term bicycle parking typically offers increased levels of security in lit, covered, and permanently anchored locations, which are proximate to employee or resident locations/entrances. Examples include storage lockers, locked rooms or enclosures, and parking areas internal or external to the building.

Bicycle Parking, Short-Term: Bicycle parking spaces intended to be used for periods of time that are two hours or less and are targeted to visitors, customers and other short-term users. Short-term bicycle parking typically includes bike racks near building entrances.

Block: A unit or property bounded by one or more streets and by streets and/or railroad rights-of-way, waterways or other barriers.

Block Frontage: Property having frontage on one (1) side of a street and lying between the two (2) nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, waterway or other barrier.

Board of Zoning Appeals: The City of Carmel Board of Zoning Appeals.

Bona Fide Servants Quarters: Living quarters, which may include kitchen facilities, that are either attached or detached from the principal residence, used as a residence by persons employed to provide domestic services to the occupants of the principal residence.

Borrow Pit: An area of land from which earth is removed for use on another site and a permanent or temporary irregular terrain is created.

Buffer or Screen, Solid Visual: May include, but not be limited to a minimum five-foot (5') high solid evergreen hedge; stone, brick or wood fence; earth mounding or other suitable material or any combination a minimum of five (5) feet in height. If a chain link fence (with or without screen slats) is used, a minimum of five-foot (5') high solid evergreen hedge shall be provided on the residential or commercial side of the fence.

Bufferyard: A landscaped area with setback widths extending along all perimeter property lines. Both the amount of land and the type and amount of plant material specified for each lettered bufferyard determination is specified and is designed to ameliorate nuisances between adjacent zoning districts and to ensure a desired character along public streets and roads.

Build-To Line: A line appearing on the development plan, stated as the setback dimension from the right-of-way along which a Building facade must be placed.

Building: Any structure used or intended for supporting or sheltering any use or occupancy. See also Structure. See also *Section 1.09(E): Building or Structure*.

Building, Accessory: A Building subordinate to another Structure or Use located on the same Lot which is not used for permanent human occupancy. An Accessory Building may also include electric distribution and secondary power lines; gas, water and sewer lines; their supports and poles, guy wires, small transformers, wire or cable and other incidental equipment and public telephone booths.

Building, Agricultural: Any building or structure customarily used in connection with a farm other than a dwelling.

Building Area: The maximum horizontal projected area of the Principal and Accessory Building, excluding open steps or terraces, unenclosed porches not exceeding one (1) story in height and architectural appurtenances projecting not more than the amounts specified herein.

Building, Commercial: Any structure used for business or non-residential activities, such as offices, retail, industrial, hospitality, educational, or healthcare facilities.

Building, Detached: A Building having no structural connection with another Building.

Building, Front Line of: The line of the face of the Building nearest the Front Lot Line, not counting patios, terraces, etc.

Building Frontage: See "Frontage, Building."

Building Height: See "Height, Building."

Building; Multi-Tenant, Ground Floor: A single level office or commercial Building, occupied by two (2) or more businesses.

Building; Multi-Tenant, Multi-Level: An office or commercial Building, occupied by two (2) or more businesses with two (2) or more occupiable floors.

Building; Multi-Tenant, Multi-Level, Mixed Use: A Building with two or more floors where the ground floor is generally reserved for retail and service uses and the upper stories are generally intended for residential uses.

Building, Municipal: A Building that is owned and/or operated by the City of Carmel and/or Clay Township.

Building, Principal: A Building in which is conducted the main or principal Use of the Lot on which said Building is situated. Where a substantial part of an Accessory Building is attached to the Principal Building in a substantial manner, as by a roof, such Accessory Building shall be counted as a part of the Principal Building.

Building Safety Official: A designee of the Director of Community Services authorized to carry out the City's building permit and inspection program as provided in *Article 1: Ordinance Foundation*.

Building Setback Line: (Sometimes called a Building Line.) The line nearest the front of and across a Lot establishing the minimum open space to be provided between the front line of a Building or Structure and the Front Lot Line.

Building, Single-Tenant: An office or commercial building in which all space is occupied by one (1) tenant.

Burning, Free: A rate of combustion described by a material which burns actively and easily supports combustion.

Burning, Intense: A rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly.

Burning, Moderate: A rate of combustion described by a material which supports combustion and is consumed slowly as it burns.

Burning, Slow, or Incombustible: Materials which do not in themselves constitute an active fuel for the spread of combustion. A material which will not ignite, nor actively support combustion, during an exposure for five (5) minutes to a temperature of 1,200 degrees Fahrenheit.

Business Day: A day other than a Saturday, a Sunday, or a legal holiday (as defined in *IC 1-1-9-1*).

Camp, Public: Any area or tract of land used or designed to accommodate two (2) or more camping parties, including cabins, tents or other camping outfits.

Campground: See "Camp, Public."

Canopy: A permanent shelter supported entirely from the exterior wall of a building and composed of rigid materials.

Car Wash: The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

Carnival, Fair, or Circus: A traveling or transportable group or aggregation of rides, shows, games or concessions or any combination thereof.

Catering Establishment: An establishment providing meals and/or refreshments for public or private entertainment for a fee.

Cemetery: Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Center Identification Ground Sign: See "Sign, Center Identification Ground."

Center, Art and Music: A structure or complex of structures for housing the visual and/or performing arts.

Center; Civic, Community, or Convention: A place, structure, area, or other facility used for and providing religious, fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

Center, Family or Child Advocacy: An establishment serving the physical, emotional, spiritual and legal needs of victims or at-risk individuals.

Center, Medical-Health: See "Clinic or Medical-Health Center."

Center, Surgery: An establishment that delivers surgical procedures on an outpatient basis and requiring less than a twenty-four-hour stay.

Center, Unified: A grouping of businesses or buildings designed to function as a unit including converted residential structures with more than one (1) occupant space.

Center, Urgent Care: An establishment that delivers generally non-surgical physician services on an emergency or immediate basis or without the requirement of an appointment for such services.

Centerline: A line lying midway between the sidelines of a street or alley right-of-way and/or pavement.

Certificate of Occupancy: A certificate signed by the Director of Community Services stating that the occupancy and Use of land or a Building or Structure referred to therein complies with the provisions of the Unified Development Ordinance.

Changeable Copy: See "Copy, Changeable."

Character Building: Character Buildings are those that have certain characteristics that are in keeping with historical construction in the Old Town District.

Charitable Institutions: See "Institutions, Religious or Charitable."

Child Advocacy Center: See "Center, Family or Child Advocacy."

Church, Temple, or Place of Worship: A Building, together with its Accessory Buildings and property, where persons regularly assemble for religious purposes and related social events and which Buildings, together with Accessory Buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

Circus: See "Carnival, Fair, or Circus."

City: The City of Carmel, Indiana.

City Engineer: The City of Carmel's City Engineer and/or his/her authorized representatives. The City Engineer is delegated the role of overseeing engineering related matters in the Unified Development Ordinance. The *City of Carmel Engineering Standards*, design-specific context, evaluation of safety issues, project-specific studies, classification of streets, condition of existing infrastructure, capacity of existing infrastructure, and the City's Transportation Plan are used as the basis for engineering decisions.

Civic, Community, or Convention Center: See "Center; Civic, Community, or Convention."

Civil Violation: See "Violation, Civil."

Clinic or Medical-Health Center: An establishment where human patients are admitted for special study and treatment by two or more licensed physicians or dentists, and their professional associates.

Club or Lodge, Private: An association organized and operated on a non-profit basis for persons who are bona fide members paying dues, which association owns or leases premises, the use of which premises is restricted to such members and their guests, and which manages the affairs of such association by and through a board of directors, executive committee or similar body chosen by the members. Food, meals and beverages may be served on such premises, provided adequate dining room space and kitchen facilities are available. This includes fraternities and sororities.

Coliseum: See "Stadium or Coliseum."

College or University: An Institution accredited at the college level by an agency or association recognized by the U.S. Secretary of Education and legally authorized to offer at least a one-year program of study creditable towards a degree.

Collocation: The placement or installation of Wireless Facilities on existing structures (not including a Utility Pole or an Electrical Transmission Tower) that include a Wireless Facility or Wireless Support Structure, including water towers, and other Buildings or Structures. The term includes the placement, replacement, or modification of Wireless Facilities within an approved Equipment Compound.

Commercial Recreational Enterprise or Facility: See "Recreational Enterprise or Facility, Commercial."

Commercial Use: Those uses identified in *Article 2: Zoning Districts* under the sub-heading of: Office Permitted Uses, Office Special Uses, Institutional Permitted Uses, Institutional Special Uses, Retail and Services Permitted Uses, Retail and Services Special Uses, Cultural/Entertainment Permitted Uses, Cultural/Entertainment Special Uses, Industrial Permitted Uses, and Industrial Special Uses.

Commission: See "Plan Commission."

Commitment: A covenant concerning the use or development of a parcel of real property which is made in writing by the owner of that parcel, either voluntarily or in accordance with an order or request of the Plan Commission.

Community Center: See "Center; Civic, Community, or Convention."

Community Development Director: See "Director of Community Services."

Condominium: One or more Structures, each Structure having two (2) or more Dwelling Units or other units for occupancy, wherein provisions have been made for separate ownership of each individual Dwelling Unit or occupancy unit. A type of ownership.

Construction, Commencement of: The point in time commemorating the breaking of ground for the construction of a development or Structure.

Construction Facility, Temporary: Temporary Buildings or Structures incidental to construction operations used during construction development.

Construction Fencing: Temporary fencing typically used for the purpose of concealing construction development.

Construction Site: A parcel of land that is under active development, for which an Improvement Location Permit has been issued.

Continuing Care Retirement Community (CCRC): A Health Care Facility that:

1. Provides independent living services and health facility services in a campus setting with common areas; and
2. Where three (3) or more levels of continued care are provided to senior citizens, including but not limited to: independent living, assisted living, and skilled nursing/memory care. Examples include a campus of independent apartments, detached or attached cottages, and nursing home rooms in a congregate building, as well as support services and facilities.

Convenience Market: See "Market, Convenience."

Convention Center: See "Center; Civic, Community, or Convention."

Cooperative: A type of ownership characterized by collective ownership of an object by an organization whose members share in the profits or other benefits of said collective ownership.

Copy: The wording on a sign surface either in permanent or removable letter form.

Copy, Changeable: Characters, letters or illustrations that can be changed or rearranged non-electrically or non-electronically without altering the face or surface of the sign.

Copy Area: The area in square feet of the smallest geometric figure(s) which describes the portion of the sign which encloses the actual Copy of the sign.

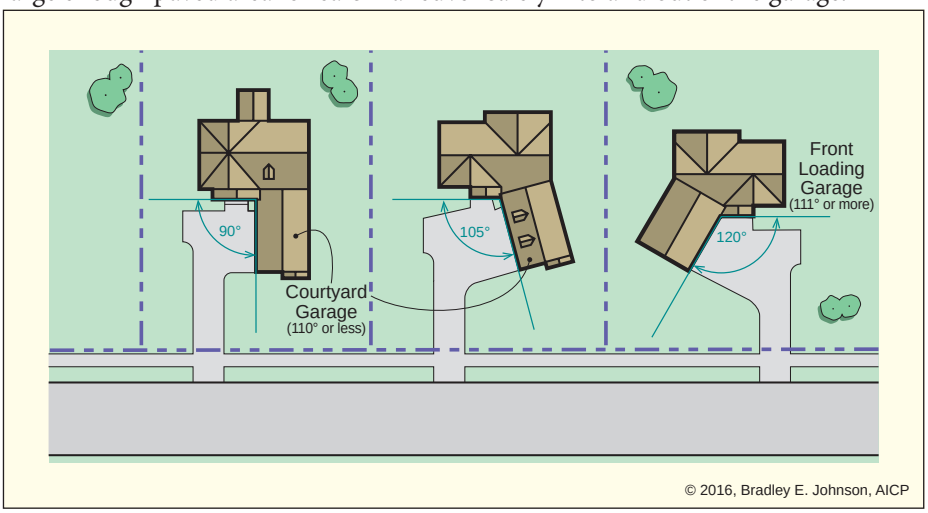
Council: The Common Council of the City of Carmel, Indiana.

County: Hamilton County, Indiana.

Country Club: A club with recreation facilities for members, their families and invited guests.

Court: See "Cul-De-Sac."

Courtyard Garage: A garage that faces a paved area in front of the house, typically perpendicular of the front facade. Courtyard garages must be within twenty degrees (20°) of perpendicular to be considered a courtyard garage and have a large enough paved area for cars maneuver safely into and out of the garage.



Crossway: A pedestrian mid-block walk located in an easement within the street.

Cul-De-Loop: A street that turns into and reconnects with its main axis, with the center or island used for parking or open space purposes.

Cul-De-Sac (Court or Dead End Street): A short street having one end open to a through street and being permanently terminated by a vehicle turn-around. The length of a cul-de-sac is measured from the center of the turn-around to the centerline of the first intersecting through street.

Cut: An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.

Data Processing and Analysis Facility: Facility where electronic data is processed by employees, including, without limitation, data entry, storage, conversion or analysis, subscription and credit card transaction processing, telephone sales and order collection, mail order and catalog sales, and mailing list preparation.

Day (or Day Care) Nursery: An organized group program for the care of preschool children away from their own residence for any part of a twenty-four (24) hour day, for compensation or otherwise.

DBH: See "Diameter at Breast Height."

Decibel: A unit of measurement of the intensity or loudness of sound. Sound level meters are used to measure such intensities and are calibrated in decibels.

Dedication: A gift, by the owner, of a right to use land for stated purposes. These property rights are transferred through a recorded written document.

Density, Gross: The total number of Dwelling Units divided by the Gross Area in acres.

Department: The Carmel Department of Community Services.

Development: Any man-made change to improved or unimproved real estate including but not limited to:

1. Construction, reconstruction, or placement of a building or any addition to a building;
2. Installing a Manufactured Home on a site, preparing a site for a Manufactured Home or installing a Recreational Vehicle on a site for more than 180 days;
3. Installing utilities, erection of walls or fences, construction of roads, or similar projects;
4. Construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
5. Mining, dredging, filling, grading, excavation, or drilling operations;

6. Construction and/or reconstruction or bridges or culverts;
7. Storage of materials, or;
8. Any other activity that might change the direction, height, or velocity of flood or surface waters. "Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

Development Requirements: Development standards, plus any additional requirements specified in the Unified Development Ordinance which must be satisfied in connection of the approval of a Subdivision or Development Plan.

Diameter at Breast Height (DBH): Diameter of a tree trunk measured at fifty-four (54) inches above grade.

Director of Community Services: The person who holds the position of Director of the Department of Community Services for the City of Carmel, or his/her designee.

Director of Parks: The person who holds the position of Director of the Carmel-Clay Parks, or his/her designee.

Dish: That part of the earth station shaped like a saucer or dish.

Display, Outdoor: The temporary showing of materials or products in an unroofed and/or unenclosed area for a period less than twelve (12) hours.

Disposal Facility: A site or plant where solid waste is subject to treatment, storage, recovery, incineration,grinding, composting, collection or covering by earth.

District: The zoning districts established in the Unified Development Ordinance.

Domestic Animal: See "Animal, Domestic."

Drainage Concentration: The diversion of the natural flow of water, directed to a point or an area, that creates a greater than natural flow at that point or area.

Driveway: That space or area of a Lot which is specifically designated and reserved for the movement of motor vehicles within the Lot or from the Lot to a public street.

Dry Cleaning With On-Site Plant: An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry with an on-site plant and the maintenance or operation of any laundry or dry cleaning equipment on the premises.

Dry Cleaning Without On-Site Plant: An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without an on-site plant and without the maintenance or operation of any laundry or dry cleaning equipment on the premises.

Dwelling: A Building, or portion thereof, used primarily as a place of abode for one or more Permanent Residents of the Dwelling, but not including Hotels or Motels, lodging or Boarding Houses, Bed and Breakfast Inns, or Tourist Homes.

Dwelling Unit: One or more rooms in a residential Building, or residential portion of a Building, which are arranged, designed, used or intended for use as a complete, independent living facility for one (1) Family and which includes permanent provisions for living, sleeping, eating, cooking and sanitation.

Dwelling, Accessory: A Dwelling that is attached to or located on the same Lot as a detached or attached Single family Dwelling, has an independent means of access and is owned by the owner of the Principal Building but occupied by another. Accessory Dwellings include Apartments integrated within or attached to a Single-family Dwelling, or located in detached Accessory Buildings located on the same Lot as the Single-family Dwelling.

Dwelling, Attached: A Townhouse, duplex, triplex, or quadruplex dwellings, developed side by side for sale as condominiums or fee-simple dwelling where land is sold with the Dwelling. Attached dwellings whether sold as condominiums or as individually deeded lots are excluded from the definition of apartments.

Dwelling, Multiple-Family: A residential Building containing three (3) or more Dwelling Units and occupied by three (3) or more families. Except as otherwise provided by state statute, a Group Home shall not be considered a Multiple-Family Dwelling and treated as such under the Unified Development Ordinance.

Dwelling, Single-Family: A residential Building containing only one (1) Dwelling Unit and not occupied by more than one (1) Family.

Dwelling, Two-Family: A residential Building containing two (2) Dwelling Units and not occupied by more than two (2) Families. Except as otherwise provided by state statute, a Group Home shall not be considered a Two-Family Dwelling and treated as such under the Unified Development Ordinance.

Easement: A grant by the property owner of the use of a strip of land by the public, a corporation, or persons, for specified purposes.

Electrical Transmission Tower: A structure that physically supports high voltage overhead power lines. The term does not include a Utility Pole.

Electronic Scrolling Numerals: In reference to signs, numbers that move electronically to change the display. Light may shine through the numeral; however, the numeral is not constructed of lights.

Engineering Standards, City of Carmel: Any Federal, State, or local rules or guidelines used to regulate the design and installation of streets, sidewalks, multiple-use trail, curb, sanitary sewer, storm sewer, water, swales, storm water collection, storm water detention, storm water quality structure, lighting, and any other facility in which the City has interest in quality design and installation. Best practice manuals, published engineering standards from engineering organizations, and research published by engineering or similar organizations may be used where applicable or appropriate to a proposed project.

Entryway Feature: Hardscaping utilized at the entrance of a development that portrays a development theme, or character complementary to the overall development and nearby developed area.

Equipment Compound: The area that:

1. Surrounds or is near the base of a Wireless Support Structure; and
2. Encloses Wireless Facilities.

Equipment Sales and Repair: The use of land, buildings or structures for the sale, storage or repair of equipment and machinery, which may include but is not limited to farm implement sales and repair and small engine sales and repair.

Erosion: The removal of surface materials by the action of natural elements.

Establish: In reference to signs, this term shall mean attach, alter, construct, paint, or move.

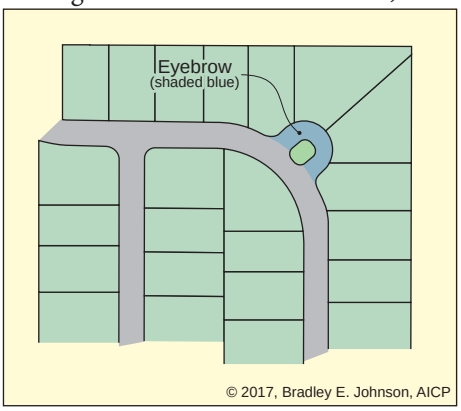
Excavation: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

Event, Special: See "Special Event, Outdoor."

Existing Manufactured Home Park or Subdivision: See "Manufactured Home Park or Subdivision, Existing."

Exotic Animal: See "Animal, Exotic."

Eyebrow Cul-de-sac: 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.



Facade: Any side of a Building.

Facade, Tenant: The exterior portion of a tenant's space.

Facility, Assisted Living: Housing wherein limited health care is provided for the aged.

Facility, Health and Fitness: A place to exercise although not necessarily under the supervision of a physical therapist, occupational therapist, exercise physiologist, or other similar health care provider.

Facility, Occupational Therapy: A place where therapy in which the principal element is some form of productive or creative activity is provided.

Facility, Physical Therapy: A place where treatment of disease and injury by mechanical means such as exercise, heat, light, and massage is provided.

Facility, Rehabilitation: A place used to assist humans to achieve or to restore good health or useful life through therapy, treatment and education.

Fair: See "Carnival, Fair, or Circus."

Family: One or more persons living as a single housekeeping unit, including up to five (5) unrelated persons, as distinguished from a group occupying a hotel, club, nursing home, fraternity or sorority house.

Family Advocacy Center: See "Center, Family or Child Advocacy."

Farm: A tract of land comprising an area of at least three (3) acres which is devoted to agricultural operations, such as forestry; the growing of crops; pasturage; the production of livestock and poultry; the growing of trees, shrubs and plants; and other recognized agricultural pursuits and including Accessory Buildings essential to the operation of the farm. Accessory Buildings may include barns; equipment and animal sheds; farm residences for the owner, operator or farm assistants; roadside sales Structure for the sale of products of the farm, not including industrial or commercial operations or Structures or feedlots.

Farm Animal: See "Animal, Farm".

Farm, Horse: A building or structure and/or land whose operator keeps equines primarily for breeding and boarding and which operation may or may not be incidental to the owner's primary occupation. A horse farm includes related equestrian trails and equestrian schools.

Fee, Re-review: When previously identified issues have not been corrected or plans are so poorly conceived and prepared that review cannot take place, a re-review will occur and Re-review Fee will be assessed.

Feed Store: An establishment engaged in the retail sale of supplies directly related to the day-to-day activities of agricultural production.

Feedlot: Any area, enclosed or unenclosed, used for the concentrated feeding of livestock, other than grazing.

Fees, Inspection Late: An Inspection Late Fee is assessed for a failure to request or call-in a required inspection or when a required inspection is missed indicated by construction that has progressed beyond a defined required inspection.

Fees, Permit Late: A Permit Late Fee is assessed for construction or site activity that occurred prior to obtaining a required permit.

FEMA: Federal Emergency Management Agency.

Fence: A freestanding device made of metal, masonry, composition or wood, or any combination thereof, resting on or partially buried in the ground, rising above ground level and used for confinement, screening protection or partition purposes, but does not include a pool cover.

Fence, Stockade: A fence constructed of vertical wood strips, with no intervening spaces, providing a complete visual barrier.

Fill: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include all conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade.

Financial Institution: See "Institution, Financial."

Fireworks, Legal: Legal fireworks shall refer to that term as defined by *IC 22-11-14-8*.

Fiscal Officer: See "Officer, Fiscal."

Flagpole: A pole used solely for flying a flag, which does not include any other structures or fixtures.

Flash Point: The lowest temperature at which a combustible liquid under prescribed conditions will give off a flammable vapor which will burn momentarily using the closed cup method.

Floor, Ground: The first level of a Building that provides outside access by a door.

Floor Area, Gross: The sum of the total horizontal areas of the several floors of all Buildings on a Lot, measured from the interior faces of exterior walls. The term Gross Floor Area shall include basement, elevator shafts and stairwells of each story, floor space used for mechanical equipment with structural headroom of six (6) feet six (6) inches or more, penthouses, attic space (whether or not a floor has actually been laid providing headroom of six (6) feet six (6) inches or more), interior balconies, and mezzanines.

Floor Area, Ground: The square foot area of a Building within its largest outside dimensions computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, attached garages, and exterior stairways.

Floor Area, Net: The sum of the total horizontal areas of the several floors of all Buildings on a Lot, measured from the interior faces of exterior walls and from the center line of walls separating two (2) or more Buildings. The term Net Floor Area shall include outdoor display areas for the sale, rental and display of recreational vehicles, boats and boating equipment; trailers; horticultural items, farm or garden equipment and other similar products; but shall exclude areas designed for permanent Uses such as toilets, utility closets, malls enclosed or not, truck tunnels, enclosed parking areas, meters, rooftop mechanical Structures, mechanical and equipment rooms, public and fire corridors, stairwells, elevators, escalators, and areas under a sloping ceiling where the headroom in fifty percent (50%) of such area is less than six (6) feet six (6) inches.

Floor Area Ratio (FAR): A figure expressing the total Gross Floor Area as a multiple of the area of a Lot or parcel. This figure is determined by dividing the Gross Floor Area of all Buildings including basements, but not covered parking on a Lot or parcel, by the area of that Lot or parcel.

Food Stand: A portable structure used for the display and retail sale of food products with no space for customers within the structure itself. Food items may require further preparation, or they may include items pre-prepared and ready for consumption.

Foot-candle: A unit of illumination. It is equivalent to the illumination at all points which are one (1) foot distant from a uniform source of one (1) candlepower.

Fossil Fuel: Liquid petroleum-based fuel or bio-fuel used mainly as an engine fuel in vehicles and yard maintenance equipment. Includes all liquid fossil fuels and bio-fuel blends such as E90 and E85. Does not include compressed fuels such as propane, natural gas or hydrogen.

Four-sided Architecture: A term of art meaning a building that has equal or very similar architectural embellishments that add character, positive aesthetic, and visual interest on all sides of the building. Embellishments include elements like: windows, window trim, shutters, mullions, lintels, doors, side lights, transoms, two (2) or more complementary siding or cladding materials, use of brick or stone facades, eaves, ornamental attic vents, multiple roof lines, stamped concrete foundation walls, and the like. Additionally, four-sided architecture includes using similar proportions of embellishments on each side of the building.

Fraternity: See "Club or Lodge, Private."

Freeway: Keystone Parkway, US 31 and Interstate 465.

Frontage: The distance of the Front Lot Line that abuts a Street right-of-way.

Frontage, Building: The linear length of the Building or segment thereof facing a street on which a sign may be established.

Frontage Place: A permanent public or private way situated parallel to an arterial street, boulevard street, or a collector street in order to provide access to private lots and to eliminate through traffic.

Frontage, Property: The length of property line of any one premises parallel to and along one (1) public and/or one (1) private street.

Frontage, Street: The linear length of the Facade of the Building or segment thereof facing a public street on which a sign may be established.

Frontage Road: A public way running parallel to a limited access highway or a railroad right-of-way located at sufficient distance from the highway or railroad that appropriate use can be made of the land between the highway or railroad and such streets. (adopted per Z-318)

Funeral Home or Mortuary: An establishment providing services such as preparing the human dead for burial and arranging and managing funeral, and may include limited caretaker facilities. This may also include crematoriums.

Gallery, Art: See "Art Gallery."

Garage, Private: An Accessory Building or portion of the Principal residential Building, commonly used for the shelter and storage of vehicles.

Garage, Public: Any Building, except those defined herein as a Private Garage, used for the storage or care of motor vehicles or where such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

General Agriculture: See "Agriculture, General."

General Office: See "Office, General."

General Personal Services: See "Personal Services, General."

General Retail: Enclosed establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Golf Course: A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course includes a clubhouse and shelters as accessory uses.

Grain Elevator: A building for elevating, storing, discharging, and sometimes processing grain.

Green Roof: A building feature allowing vegetation to grow on the roof for the purpose of stormwater storage, stormwater filtration, food gardens, flower gardens, heating and cooling benefits, aesthetics, and recreation.

Greenbelt: That portion of the Front Yard of the Lot which is immediately adjacent and parallel to the right-of-way of Keystone Parkway, US 31 or US 421 - Michigan Road, located within an Overlay District district boundary and having a minimum depth of thirty (30) feet.

Greenhouse: A Structure for the propagation of plant materials and for sale of same.

Greenhouse, Commercial: A Building used for the growing of plants, all or part of which are sold at retail or wholesale. This includes plant growing operations.

Gross Density: See "Density, Gross."

Ground Sign: See "Sign, Ground."

Group Home: See "Home, Group."

Guest House: See "House, Guest."

Habitation/Occupancy: The act, state or condition of being or becoming a tenant or of living in or taking up quarters or space in a Structure or on a land area.

Hardscape: Features incorporated into landscaping or outdoor living spaces for the purpose of aesthetic enhancement and human interaction. Features include: masonry knee-wall, masonry walls, sculpture, gazebo, decorative fences, boulders, waterfall features, monuments, bird baths, fountain structures, benches, and the like. Generally, hardscape features are permanently installed and are not inclusive of plant material.

Health and Fitness Facility: See "Facility, Health and Fitness."

Heavy Industrial: See "Industrial, Heavy."

Heavy Manufacturing: See "Manufacturing, Heavy."

Height of Ground Sign: See "Sign, Height of Ground."

Height, Building: The vertical distance from the lot ground level to the highest point of the roof for a flat roof, to the deck line of a mansard roof and to the mean height between eaves and ridges for gable, hip and gambrel roofs.

Helicopter Pad: A level surface designed to accommodate the landing and taking off of helicopters.

Heliport: A facility or land area with navigation devices for the takeoff and landing of helicopters with or without services available for aircraft.

Historic Site: A location set aside for no other purpose than to commemorate a historical event, activity, or person.

Home, Group: A residential Structure or facility where six (6) or more unrelated persons who are in need of care, support or supervision can live together, such as children or those who are elderly, disabled or mentally ill. Group Homes housing persons with developmental disabilities shall obtain, comply with, and maintain a license from the Indiana Division of Disability and Rehabilitative Services. Group Homes housing those living with psychiatric disorders or addictions shall obtain, comply with, and maintain a license from the Indiana Division of Mental Health and Addictions.

Home, Manufactured: *IC 36-7-4-1106* established a definition of a Manufactured Home to be a Dwelling Unit designed and built in a factory containing a seal certifying that the home was built in compliance with *Federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C., 5401 et seq.)* and applies to such homes that were built after January 1, 1981. Manufactured Homes which exceed 950 square feet may not be totally precluded by ordinance from being located in various areas zoned for housing.

Home, Mobile: (See "Mobile Home").

Home, Model: A finished, residential unit, including units in a multiple-family structure and mobile homes for which a certificate of occupancy could be obtained, located in a residentially zoned district but utilized as an example of a product offered for sale to purchasers (by a realtor, builder, developer, or contractor). The dwelling house may be furnished but not occupied as a residence while being used as a Model Home.

Home, Tourist: A Building, not occupied by a Permanent Resident, in which guest rooms are used to provide or offer overnight accommodations to transient guests for compensation.

Home Occupation: An Accessory Use conducted in a Single-, Two- or Multiple-family Dwelling which is clearly incidental and secondary to the Use of the Dwelling for dwelling purposes. (See also *Section 5.18: Home Occupation*)

Horizontal Visibility: A direct line of sight forty-eight inches high across a plane parallel to the plane of the horizon.

Horse Farm: See "Farm, Horse."

Hospice: An establishment that provides palliative care and attends to the emotional and spiritual needs of terminally ill patients.

Hospital: An establishment for humans providing physical or mental health services, in-patient or overnight accommodations, and medical or surgical care of the sick or injured. Hospital includes sanitariums.

Hospital, Veterinary, With Kennel: A facility for the practice of veterinary medicine with provisions for the boarding of animals.

Hospital, Veterinary, Without Kennel: A facility for the practice of veterinary medicine without provisions for the boarding of animals.

Hotel: Any Building or group of Buildings containing five (5) or more rooms without direct entrance to or from the outside, designed or intended to be occupied for sleeping purposes by guests for a fee, often with a common kitchen and dining room facilities provided within the Building or an Accessory Building, and which caters to the traveling public.

Hotel, Full Service: A commercial Building or Buildings with guest rooms for sleeping, a common kitchen, and a full service dining room to provide meals for paying guests, a twenty-four (24) hour reception desk, a lobby, and conference rooms with a minimum of forty (40) square feet of conference room per guest room. The rooms shall be primarily designed for and occupied by transients renting them on a daily basis and usually staying less than seven (7) days. Recreational amenities shall be included within the hotel, or within 300 feet (walking distance) of the hotel.

House, Boarding: A Building not open to transients, where lodging and/or meals are provided for three (3) or more, but not over thirty (30), persons regularly; a lodging house.

House, Guest: Living quarters within a detached accessory building located on the same premises with the main residence building for use by temporary guests of the occupants of the main residence building, and not rented or otherwise used as a separate Dwelling.

House Pad Elevation: The lowest outside finished ground elevation necessary to meet the minimum drainage requirements for the Ground Floor of a Structure.

Illumination: Artificial light which shall not be blinking, fluctuating, or moving. Light rays shall shine only upon the property within the premises and shall not spill over the property lines in any direction in excess of development standards of the Ordinance.

Impact Fee Review Board: The Carmel Clay Impact Fee Review Board established under *Section 1.30(J): Establishment of Review Board; Hearing of Appeals*.

Impact Fee Statute: The following provisions to the Indiana Code, as amended: *IC 36-7-4-1300* through *IC 36-7-4-1342*.

Improvement: Any change in Use, any major exterior remodeling of a Structure or grounds, any addition to a Structure or parking area, or any interior remodeling of over thirty percent (30%) of the gross square footage of a Structure.

Improvement, Substantial: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements of any alterations of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." The term does not include Substantial Modification of a Wireless Support Structure.

Improvement Location Permit: A permit signed by the Director of Community Services stating that a proposed improvement complies with the provisions of the Unified Development Ordinance and such other ordinances as may be applicable. For the purposes of the Impact Fee Statute, an Improvement Location Permit (issued under the Carmel Unified Development Ordinance) shall be considered a "structural building permit."

Incombustible: See "Burning, Slow, or Incombustible."

Indoor Storage: See "Storage, Indoor."

Industrial, Artisan: The production of goods by the shared or individual use of hand tools or small-scale, mechanical or electrical tools, which is conducted entirely within enclosed Buildings, does not use the open area around such Buildings for storage of raw materials or manufactured products, provides for enclosed loading and unloading berths and which is not discernible by reason of the emission of smoke, dust, fumes, gas, odors, noises or vibrations at or beyond the property line. Examples include woodworking, metal, glass or ceramic studios, robotics, jewelry manufacturing and similar types of arts and crafts, production of alcohol or food processing.

Industrial, Heavy: An industrial Use which requires both Building and open Area for manufacturing, fabricating, processing, repairing, dismantling, storage or disposal of raw materials, manufactured products or wastes which is not injurious to health or safety of humans or animals, or injurious to vegetation and which is not noxious or offensive by reason of the emission of smoke, dust, gas, fumes, odors, or vibrations beyond the limits established herein.

Industrial, Light: An industrial Use which creates a minimum amount of nuisance outside the plant, is conducted entirely within enclosed Buildings, does not use the open area around such Buildings for storage of raw materials or manufactured products or for any other industrial purpose other than transporting goods between Buildings, provides for enclosed loading and unloading berths and which is not noxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noises or vibrations beyond the limits established herein. This may include a machine shop, sign shop, welding shop, sheet metal shop, specialized contractor shop, or exterminating shop.

Infrastructure, Parks and Recreation: The capital improvements that comprise the parks and other recreational facilities that:

1. Are owned or leased by the Carmel-Clay Board of Parks and Recreation and/or the City solely for a public purpose, and
2. Are included in the *Zone Improvement Plan*.

Parks and Recreation Infrastructure includes the site improvements and interests in real property needed for such parks and other recreational facilities.

Institution: A non-profit organization established for public, charitable, educational or religious purposes such as church, college or university, hospital or school.

Institution, Financial: Any Building wherein the primary occupation is concerned with such Federal- or State regulated businesses as banking, savings and loans, loan companies and investment companies.

Institution, Penal or Correctional: The use of land for the confinement or safe custody of persons so confined as the result of legal process and includes attendance centers established for persons sentenced to serve periods of community service.

Institution, Religious or Charitable: Non-profit organizations that are supported primarily by charity and whose principal function is the performance of charitable works or religious activities. This definition shall include but not limited to churches, mosques, synagogues, or other religious institutions. Not included in this definition are social organizations or clubs.

Integral Sign: See "Sign, Integral."

Junk Yard: Any place at which personal property is or may be salvaged for reuse, resale or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or sorted, including, but not limited to used or salvaged base metal or metals, their compounds or combinations; used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property, except animal matter; and used motor vehicles, machinery or equipment which is used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

Jurisdiction: See "Planning Jurisdiction."

Kennel, Commercial: Any Lot on which four (4) or more dogs, or small animals, at least four months of age are kept.

Kennel, Residential: Any Lot on which three (3) or less dogs, or small animals, at least four months of age are kept.

Kindergarten (Pre-School): A school for children primarily between the ages of three and five, whose only function is providing preparation for elementary school. A Kindergarten (Pre-School will not provide daycare services.

Laboratory, Medical: A place for gathering, sampling, handling, processing, observing, and testing human tissue, blood, and other similar items.

Lake or Pond, Artificial: A man-made body of water of 1,000 square feet or greater in area.

Lake or Pond, Artificial, Non-Platted: A body of water created artificially that is either fed or not fed by a watercourse that is not a part of a plat.

Land Disturbance Permit: See "Permit, Land Disturbance."

Landscape: To make a plot of ground more attractive by adding plantings other than grass and which may include Mounding per the Unified Development Ordinance.

Landscaped Green Area: An area which includes live plantings other than grass. The size of planting at the time of installation shall be not less than a minimum of eighteen (18) inches width and height for shrubs, a minimum of four to five (4 - 5) feet in height for evergreen trees and a minimum of six to eight (6 - 8) feet in height for shade trees.

Landscaping: The improvement of a Lot with grass and mounding, shrubs, trees, other vegetation and/or ornamental objects. Landscaping may include pedestrian walks, flowerbeds, retention ponds, ornamental objects such as fountains, statues and other similar natural or artificial objects designed and arranged to produce an aesthetically pleasing effect.

Legal Non-Conforming Sign: See "Sign, Legal Non-Conforming."

Letter of Map Amendment (LOMA): An amendment to the currently effective FEMA map that establishes that a property is not located in a Special Flood Hazard Area (SFHA). A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR): An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Library: A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

Light Industrial: See "Industrial, Light."

Light Manufacturing: See "Manufacturing, Light."

Limited Access Highway: A street designed, planned and intended for through vehicular traffic, with full and partial control of access in conformance with the Comprehensive Plan, to which entrances and exists are provided only at controlled intersections and access is denied to abutting properties.

Livestock: Animals and especially farm animals, raised for use, profit or enjoyment including horses, ponies, cattle, sheep, goats and other similar domesticated animals.

Lodge: See "Club or Lodge, Private."

Lot: A portion of a Subdivision or other parcel of land intended as a unit for transfer of ownership or development and having its principal frontage on a street.

Lot, Corner: A Lot at the junction of, and having frontage on, two or more intersecting streets.

Lot Coverage: The percentage of the Lot or parcel which can be developed (Buildings, principal or accessory; storage areas; driveways, parking lots and other accessory Uses).

Lot, Depth of: The mean horizontal distance between the Front Lot Line and the Rear Lot Line, measured in the general direction of the Side Lot Lines.

Lot, Double Frontage: A Lot fronting on two (2) non-intersecting streets.

Lot Ground Level: For Buildings having walls adjoining one (1) street only, the elevation of the sidewalk or the established grade of the street at the Front Lot Line at the center of the wall adjoining the street; for Buildings having walls adjoining more than one street, the average of the elevation of the sidewalk or the established grade at the center of the walls adjoining the streets, and, for Buildings having no wall adjoining the street, the average level of the ground adjacent to the exterior walls of the Building. Any wall approximately parallel to and not more than five (5) feet from a street is to be considered as adjoining the street.

Lot, Improved: A Lot fronting on an improved or partial street that is open for public Use.

Lot, Interior: A Lot other than a Corner Lot or Through Lot.

Lot Line, Front: In the case of an Interior Lot, a line separating the Lot from the right-of-way of the street and, in the case of a Corner Lot, a line separating the narrowest frontage of the Lot from the street, except in cases where deed restrictions in effect specify another street right-of-way line as the Front Lot Line.

Lot, Reversed Interior: A Lot, other than a Corner Lot, which has frontage on a street perpendicular to, or at an angle with, the frontage street of the adjacent Lots.

Lot, Through: A Lot having frontage on two (2) parallel or approximately parallel streets.

Lot Line, Rear: A lot line which is opposite and most distant from the Front Lot Line and, in the case of an irregular or triangular-shaped Lot, a line ten (10) feet in length within the Lot, parallel to and at the maximum distance from the Front Lot Line.

Lot Line, Side: Any Lot boundary line not a Front Lot Line or a Rear Lot Line.

Lot Line, Zero: The placement of a Dwelling Unit on an individual Lot in which one or more of the walls of the Dwelling Unit are at one or more of the lot lines.

Lot of Record: A Lot which has been recorded prior to December 21, 1957.

Lot Width: The dimension of a Lot, measured between Side Lot Lines on the Building Line (or in the case of a curved Building Line, it is measured tangent to the arc).

Low Noise Amplified (LNA): A signal amplifying device situated within the earth station; the purpose of which is to magnify the electronic signals received and transfer them through the coaxial cable to the receiver.

Lumber or Building Materials Sales: See "Sales, Lumber or Building Materials."

Major Intersection: A street intersection where the intersecting streets are either: Two (2) arterial streets or one (1) arterial street and one (1) boulevard street.

Manufactured Home: A structure transportable in one or more sections which, in the traveling mode, is 8 body feet (2,438 body mm) or more in width or 40 body feet (12,192 body mm) or more in length or, when erected on site, is 320 or more square feet (30 m^2), and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the U.S. Department of Housing and Urban Development (HUD) and complies with the standards established under this title. The term "manufactured home" does not include a "recreational vehicle."

Manufactured Home Park or Subdivision, Existing: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the Manufactured Homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final grading or the pouring of concrete pads) is completed before the effective date of the Unified Development Ordinance.

Manufactured Home Park or Subdivision, Expansion to on Existing: The preparation of additional sites by the construction of facilities for servicing the lots on which the Manufactured Homes are to be affixed (including installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Manufactured Home Park or Subdivision, New: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the Manufactured Homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the Unified Development Ordinance.

Manufactured Housing Sales: See Sales, Manufactured Housing.

Manufacturing, Heavy: The manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic materials or explosive materials needed for the manufacturing process. These activities may include disposal of radioactive materials, fertilizer manufacturing, leather curing and tanning, lime, cement, asphalt, and gypsum refining and manufacturing, petroleum refining and manufacturing, reclaiming processes involving materials and/or chemicals that are considered dangerous to the health, safety and welfare of the general public as determined by the State of Indiana, Board of Health, or the City of Carmel, slaughtering, stock yards, wood preservatives refining and manufacturing, and the manufacture of flammable liquids or gases.

Manufacturing, Light: The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing. This may include a lithographing establishment.

Marginal Access Highway or Frontage Road: A minor street, generally parallel and adjacent to a limited access highway, providing access to land abutting upon said marginal access street.

Market, Convenience: An establishment, not exceeding 5,000 square feet of Gross Floor Area, serving a limited market area and engaged in retail sales or rental, from the premises, of food, beverages and other frequently or recurrently needed items for household use, excluding gasoline sales.

Mature Woodland: See "Woodland, Mature."

Medical-Health Center: See "Clinic or Medical-Health Center."

Medical Laboratory: See "Laboratory, Medical."

Meeting or Party Hall: A building designed for public assembly, containing at least one room having an area equivalent for 400 square feet per dwelling unit or 2,400 gross square feet, whichever is greater.

Mineral, Soil, or Gravel Extraction Operations: Any process used in obtaining, from the earth, naturally occurring substances.

Mobile Home: Any vehicle, including the equipment sold as a part of a vehicle, used as a conveyance upon streets by either self-propelled or non self-propelled means and which is designed, constructed, reconstructed or structurally altered in such a manner as will permit the occupancy thereof as a Dwelling and which is both used and occupied as a Dwelling but having no foundations other than wheels, jacks, skirting, or other temporary supports.

Mobile Home Park: An area of land upon which two or more Mobile Homes are harbored for the purpose of being occupied either free of charge or for revenue purposes, including any Building, Structure, vehicle or enclosure used or intended for use as a part of the equipment of such Mobile Home Park.

Mobile Home Stand or Pad: A stationary foundation designed for a Mobile Home providing support, water supply, waste disposal and electrical convenience.

Model Home: See "Home, Model."

Mortuary: See "Funeral Home or Mortuary."

Motel: Any Building or group of Buildings containing five (5) or more rooms with direct entrance to or from the outside, designed or intended to be occupied for sleeping purposes by guests for a fee.

Motor Bus or Railroad Station: See "Station, Motor Bus or Railroad."

Motor Vehicle: See "Vehicle, Motor."

Mounding: Slopes with a ratio in excess of 1 (vertical) : 10 (horizontal), 1:10 (10%) slopes require approval by the Plan Commission per ADLS review. Approval of mounding must be a part of the overall site landscaping plan.

Multi-Tenant, Multi-Level Building: See "Building, Multi-Tenant, Multi-Level."

Multi-Tenant, Ground Floor Building: See "Building, Multi-Tenant, Ground Floor."

Multi-Tenant Building Complex: Two (2) or more buildings designed to function as a unit including converted residential structures with more than one occupant space.

Multiple-Family Dwelling: See ""Dwelling, Multiple-Family"."

Museum: An Institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction or enjoyment, a collection of artifacts of historical interest.

Music Center: See "Center, Art and Music."

Natural Open Space: Natural Open Space includes all land areas set aside in a naturally occurring state, including priority conservation areas, used either:

1. For the purpose of passive neighborhood recreational use;
2. To protect scenic views; or
3. To minimize views of new development from existing roads.

Net Density: The number of dwelling units per acre in any segment of a subdivision.

New Manufactured Home Park or Subdivision: See "Manufactured Home Park or Subdivision, New."

Nightclub: See "Tavern or Nightclub."

Non-contributing Building: Non-contributing Buildings, usually built later, do not have many of these characteristics. The aim of the guidelines is to preserve or create contributing characteristics where it is possible to do so.

Notice of Violation: Written notification of non-compliance in accordance with *Section 10.01: Violations and Penalties*.

Nursing, Retirement or Convalescent Facility: A home for the aged or infirm in which three (3) or more persons not of the same immediate Family are housed and provided with food, and/or care for compensation in one (1) or more congregate buildings; but not including hospitals, clinics, or similar Institutions devoted primarily to the diagnosis and treatment of the sick or injured. Included are limited care apartments, suites for the elderly, hospice, and assisted living and nursing homes.

Occupancy: See "Habitation/Occupancy."

Occupational Therapy Facility: See "Facility, Occupational Therapy."

Occupied Space: The total area of earth horizontally covered by the Structure, excluding accessory buildings such as, but not limited to attached and detached garages, yard barns, swimming pools, patios and porches.

Octave Band: A term denoting all of the frequencies from one given frequency to a second. In sound octave bands, the second frequency is usually twice the first one.

Octave Band Filter: An electrical device which separates the sounds in each octave band and presents them to the sound level meter.

Office, General: A place of business used exclusively for office purposes where no product or commodity for retail sale is located or sold, including but not limited to sales offices, real estate offices, financial offices and Professional Offices. May also include data processing and analysis facilities, insurance offices, office buildings, office spaces, office uses, travel service bureaus, utility company business offices, and license bureaus.

Office Park: A multiple-lot development in which the primary use of each lot is office or similar uses.

Office, Professional: The office of a recognized profession maintained for the conduct of that profession. A profession is a vocation, calling, occupation, or employment requiring training in the liberal arts or sciences, or combination thereof, requiring advanced study in a specialized field; any occupation requiring licensing by the State and maintenance of professional standards applicable to the field.

Office Building: A Building or portion of a Building wherein services are performed involving predominantly administrative, professional or clerical operations not involving any equipment other than furniture and document processing and storage facilities.

Officer, Fiscal: The fiscal officer, as defined by state law, of the local government unit imposing an impact fee pursuant to the Parks and Recreation Impact Fees Ordinance, namely the Clerk-Treasurer of the City of Carmel.

Open Drive: See "Drive, Open."

Open Space: Land areas, free of Buildings, carefully designed and specialized in function, which act as neighborhood focal points, and allow for passive or active recreation Use. Open Space is not incidental, residual land between Buildings, but land areas which are integrated into an overall site or neighborhood design, are accessible visually as well as physically, and are functional for use by people for gathering or play.

Outdoor Storage: See "Storage and/or Warehousing, Outdoor."

Overlay District: An additional, secondary zoning classification which establishes additional restrictions on the Use of land.

Ownership, Type of: Refers to methods of ownership of any type of Dwelling Unit, or premises, including individual, corporate, Cooperative or Condominium form of ownership or rental.

Park, Public: A public space and supporting facilities designed and used for a variety of recreational activities, a greater part of which take place outside of any Structure.

Parking Area, Private: An area, paved with a hard surface in accordance with the current standards of the City of Carmel, other than a Street, Place or Alley, designed or used for the temporary parking of more than four (4) motor vehicles and available for public Use, whether free or for compensation, or as an accommodation for clients or customers.

Parking Area, Reserve: Parking areas provided by the developer as additional yard space which need not be paved or used as parking until needed by the related Use.

Parking Court: An aesthetically enframed, on-site surface parking lot designed for fifty (50) or less parking spaces defined by buildings, landscaping, and/or hardscaping. Parking courts may be interlinked with other parking courts when clearly preserving the character and intent of a parking courts. Parking courts are generally intended to be used in urban areas, off alleys, and/or in-between buildings.

Parking Lot, Commercial: Any area of land used or intended for off-street parking and operated for remuneration.

Parking, Off-Site: Parking spaces which are located within the platted area and within reasonable proximity to Dwelling Units and supportive Uses (club house, tennis courts, etc.) which they serve.

Parking, On-Site: Parking spaces which are located outside the garage or carport area and are located on the individual Driveway.

Parking, Podium: A building with a parking garage integrated into one (1) or more floors, but not the ground floor front elevation.

Parking Space: An area, unenclosed or enclosed in the main Building or in an Accessory Building, having a rectangular area of not less than 180 square feet and a minimum width of nine (9) feet inclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley. In parking structures one half of the area occupied by supporting columns may be included in determining the width and area of each adjacent parking space and the minimum height of such space shall be seven (7) feet.

Parks and Recreation Infrastructure: See "Infrastructure, Parks and Recreation."

Parks Board: The Carmel-Clay Board of Parks and Recreation, which is hereby identified as the "infrastructure agency" that is responsible for acquiring, constructing, or providing Parks and Recreation Infrastructure.

Particulate Matter: Finely divided liquid or solid material which is discharged and carried along in the air.

Party Wall or Common Wall: A single, un-pierced masonry wall that completely separates two (2) separate Dwelling Units.

Patio, Commercial: An enclosed or open-air outdoor area adjacent to or attached to a commercial building, often paved or decked, that is used for business-related activities such as dining, seating, or events.

Patio, Residential: A paved or hardscaped outdoor area, typically at ground level and adjacent to a residential dwelling and not enclosed by walls or a roof.

Patio, Sidewalk: An outdoor seating area located on a public sidewalk or right-of-way, adjacent to a commercial establishment, and used for serving food and/or beverages to customers.

Paved: A hard surface used for driving, parking and maneuvering motor vehicles; walking, biking, recreation, and the like. The hard surfaces include, asphalt, concrete, pavers, porous asphalt, porous concrete, structural grass pavers, and the like. See the definition for "Unpaved" for surfaces that do not qualify as paved.

Pavement Width: See "Width, Pavement."

Penal or Correctional Institution: See "Institution, Penal or Correctional."

Permanent Resident: See " Resident, Permanent."

Permit, Land Disturbance: An Improvement Location Permit (ILP) for activities involving Alternation of Real Estate that may or may not involve building construction, but shall not be required for agriculture uses and activities, nor for domestic gardening.

Person: A corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person, or persons.

Personal Services, General: An establishment or place of business primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty and barbershops, shoe repair shops, and tailor shops.

Petition For Review: A petition filed with the Director of Community Services to initiate an appeal of an impact fee calculation.

Phase: Any land area, whether platted or unplatted, Building or Buildings designated by the applicant in the Final Development Plan application.

Physical Therapy Facility: See "Facility, Physical Therapy."

Place: An open, unoccupied, officially designated space, other than a street or alley, permanently reserved for use as the principal means of access to abutting property.

Place of Worship: See "Church, Temple, or Place of Worship."

Plan, Architectural: A plan for the construction of any structure designed by a qualified registered architect.

Plan Commission: The City of Carmel Advisory Plan Commission, and its respective committees as established under their Rules of Procedure.

Plan, Comprehensive: The Comprehensive Plan (i.e. C3 Plan). Generally, a long-range plan for the development of public and private property for the City of Carmel, including a Land Classification Plan, Thoroughfare Plan, Bicycle and Pedestrian Plan, and Transit Plan.

Plan, Development: A specific plan for the development of real property, drawn to scale so that all text is legible for Plan Commission information, that is submitted for Plan Commission approval showing proposed facilities and structures. This plan review includes, but is not limited to: topography, vegetation, floodplains, marshes and wetlands, open spaces, general landscaping, walkways, parking, means of ingress and egress, centerlines of rights-of-way, dimensions, drainage, erosion control, utility services, signage, lighting, screening and Buildings information for a site. A development plan may include only parcels that are contiguous and not separated by the right-of-way of any highway in the state highway system.

Plan, Site: See "Plan, Development."

Plan, Zone Improvement: The *2025-2029 Zone Improvement Plan* for Parks and Recreation Infrastructure which was prepared by the Plan Commission in conjunction with the Comprehensive Plan and approved by the Council on or before July 1, 2024.

Planned District: The R5, B4 and M3 zoning districts, which require the submission and approval of a Development Plan.

Planned Unit Development District: A zoning district for which a PUD District Ordinance is adopted under *Section 9.05: Planned Unit Development*. Also known as Planned Developments.

Planning Administrator: A designee of the Director of Community Services authorized to act on behalf of the Plan Commission as indicated in the City of Carmel Unified Development Ordinance.

Planning Jurisdiction: The City of Carmel, Indiana. The jurisdiction of the Unified Development Ordinance, Carmel Board of Zoning Appeals and Carmel Advisory Plan Commission are identical.

Plant Nursery: The growing of plants outside of a structure, intended for wholesale or retail sale.

Planting Strip: A section of land not less than ten (10) feet in width intended to contain plant materials and for the purpose of creating a visual separation between Uses or activities.

Plat: A map or chart indicating the Subdivision or replat of land, intended to be filed for record.

Plat, Final: An application for secondary approval of a subdivision, within the meaning of *IC 36-7-4-700 et seq*. (adopted per Z-540-10)

Plat, Preliminary: An application for primary approval of a subdivision, within the meaning of *IC 36-7-4-700 et seq*. (adopted per Z-540-10)

Pond: A body of water either occurring naturally or artificially created and not fed by any watercourse. See also "Lake or Pond, Artificial or Lake or Pond, Artificial, Unplatted."

Porch Sign: See "Sign, Porch."

Portable Sign: See "Sign, Portable."

Post Office: Houses service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

Power Generating Plant: A complex of structures, machinery, and associated equipment for generating electric energy from another source of energy, such as nuclear reactions or a hydroelectric dam.

Pre-School: See "Kindergarten."

Premises: A tract or Lot together with all of the structures in that tract or Lot.

Premises Identification: The common street address of a building displayed in numerals.

Printing or Publishing Establishment: A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, and facsimile sending and receiving, and including offset printing. This may also include a newspaper publishing or printing plant, and a photography establishment.

Private Airplane/Helicopter Landing and/or Service Facility: Any landing area, runway or other facility designed, used or intended to be used privately by any person or persons for the landing or taking off of aircraft and including all necessary taxiways, aircraft storage, tie-down areas, hangars, and other necessary buildings and open spaces.

Private Recreational Facility: See "Recreational Facility, Private."

Private Swimming Pool: A Recreational Facility designed and intended for water contact activities that serves a Single-family Dwelling(s), Two-family Dwellings and/or Multiple-family Dwellings, or combinations thereof.

Professional Office: See "Office, Professional."

Projecting Sign: See "Sign, Projecting."

Property Frontage: See "Frontage, Property."

Public Access Entrance: An entrance to a building that is used daily by the general public, not an employee or private entrance.

Public Facility Improvements and Installations: Those facilities and installations which are intended to be accepted for maintenance by a governmental authority or public utility.

Public Service Facility: Those facilities and installations which are intended to be accepted for maintenance by a governmental authority or public utility.

Public Utility: A business or service, having an appropriate franchise from the state, which is engaged in regularly supplying the public with some commodity or service which is of public consequence and need such as electricity, gas, water, transportation or communications.

PUD District Ordinance: An ordinance that:

1. Designates a parcel of real property as a Planned Unit Development District;
2. Specifies uses or a range of uses permitted in the Planned Unit Development District;
3. Expresses in detailed terms the development requirements that apply in the Planned Unit Development District;
4. Specifies the plan documentation and supporting information that must be supplied before an Improvement Location Permit may be issued for development or real property in the Planned Unit Development District;
5. Specifies any limitation applicable to the Planned Unit Development District; and
6. Meets the requirements of *IC 36-7-4-1500* et seq.

Radio/Television Studio: See "Studio, Radio and/or Television."

Radio Transmission Antenna: See "Antenna, Radio or Television Transmission."

Railroad: All facilities owned and/or operated by a railroad, except switching facilities.

Raising and Breeding of Non-Farm Fowl and Animals: As establishment where animals are impregnated either naturally or by artificial insemination and the principal purpose of which is to propagate the species.

Recreation Vehicle: See Vehicle, Recreational.

Recreational Development or Facility, Private: Any land area and/or facilities used or intended for recreational purposes not open to the general public and operated with or without remuneration charges.

Recreational Facility, Commercial Indoor: Any area of land, Buildings and/or facilities used or intended for indoor recreational purposes and operated for remuneration. This may include amusement parks and arcades, billiard parlors, bowling alleys, dance halls, indoor skating rinks, health/fitness facilities, indoor sports facilities, and indoor tennis and racquetball facilities.

Recreational Facility, Commercial Outdoor: Any area of land, buildings and/or facilities used or intended for outdoor recreational purposes and operated for remuneration. This may include outdoor theaters, go cart or race tracks, miniature golf, and water slides.

Recreational Facility, Private: A private recreational facility for use solely by the residents and guests of a particular residential development, planned unit development, or residential neighborhood, including indoor and outdoor facilities. These facilities are usually proposed or planned in association with development and are usually located within or adjacent to such development.

Rehabilitation Facility: See "Facility, Rehabilitation."

Religious or Charitable Institutions: See "Institutions, Religious or Charitable."

Repair, Automobile or Truck: Any building, structure, improvements, or land used for full service or specialized repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles.

Repeated Civil Zoning Violation: See "Violation, Repeated Civil Zoning."

Research Laboratory or Facility: A Building for the accommodation of scientific research facilities such as electronic, engineering, chemical, medical and similar laboratories and planned and placed on its site in accordance with harmonious principles of architectural and landscape architectural design.

Reservation of Land: An obligation by the owner to keep a particular property free from development for a stated period of time.

Reserve Parking Area: See "Parking Area, Reserve."

Resident, Permanent: A natural person who occupies a Dwelling for at least sixty (60) consecutive days with intent to establish the Dwelling as his or her primary residence. A Permanent Resident may be an owner or a leasee.

Residential Complex: Building(s) for housing purposes combining any of the following: Attached, Multiple Family, Single Family or Two Family Dwellings.

Residential District: The S1, S2, R1, R2, R3, R4 and R5 zoning district classifications.

Responsible Party: Any person, firm or corporation, who uses property in violation of the Unified Development Ordinance or who knowingly permits another person, firm or corporation to do so.

Restaurant: An establishment which is primarily engaged in serving food and beverages which are consumed on its premises by its customers seated at tables and/or counters either inside or outside the building thereon, and, as an accessory use thereto, may be engaged in providing customers with take-out service of food and beverages for off-site consumption. This includes a delicatessen and a brewery or brew pub.

Restaurant With Drive-Thru and/or Walk-Up Food Sales: An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis. Customer orders and/or service may be by means of a walk-up counter or window designed to accommodate automobile traffic. Consumption may be either on or off the premises.

Restaurant, Drive-Thru or Drive-In: An establishment where food and/or beverages are sold in a form ready for consumption, where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the restaurant, and where ordering and pickup of food may take place from an automobile.

Resultant Displacement: The maximum amount of motion in any direction. It shall be determined by means of any three component (simultaneous) measuring systems approved by the Plan Commission.

Review Board: See "Impact Fee Review Board."

Riding Stable: Any stable for the housing of horses which is operated for remuneration, hire, sale, or stabling; or, any stable with a capacity of more than four (4) horses which is not related to the ordinary operation of a Farm, whether or not such stable is operated for remuneration, hire, sale or stabling.

Right-of-Way: An area of land permanently dedicated to provide light, air and access.

Ringelmann Number: The number of the area on the Ringelmann chart that most nearly matches the light obscuring capacity of smoke. The Ringelmann chart is described in the U.S. Bureau of Mines Information Circular 6888. On it are illustrated graduated shades of gray for use in estimating smoke density. Smoke below the density of Ringelmann No. 1 shall be considered no smoke or Ringelmann No. 0.

Road, Through: A drive, road, Street or other motor vehicle path having separate ingress to and egress from an easement, Greenbelt, Lot, parcel or other similarly established area.

Roadside Sale Stand: A temporary structure used for the sale of goods or produce made or grown on the same Lot.

Roadway Width: See "Width, Roadway."

Roof Sign: See "Sign, Roof."

ROW: See "Right-of-Way."

Runoff: The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

Runoff From a Fully Developed Area Upstream: The surface water runoff that can be reasonably anticipated upon maximum development of that area of the watershed located upstream from the subject tract, as permitted by prevailing zoning and the Township Comprehensive Plan.

Sales, Automobile or Boat: Any land, building, structure, or premises used for the sale or lease of new or used Motor Vehicles and/or boats. Automobile or Boat Sales may include automobile or boat repair and service.

Sales, Lumber or Building Materials: Retailing, wholesaling, or rental of building supplies or construction equipment within a completely enclosed structure, or within an outdoor area which is 100% fully screened with a solid fence or wall with a minimum height no less than that of the material being sold or rented. This classification includes lumberyards, home improvement sales and services, tool and equipment sales or rental establishments.

Sales, Manufactured Housing: Any land, building, structure, or premises used for the sale or lease of manufactured houses.

Sales, Mobile Home or Recreational Vehicle: Any land, building, structure, or premises used for the sale or lease of mobile homes or recreational vehicles.

Sales, Outdoor: The short-term outdoor display of products or merchandise in an unroofed and/or unenclosed area by a business permanently established on the premise of which the sale is located. This shall include, but is not limited to grand opening sales, sidewalk sales, food stands, kiosks, and specialty sales.

Sales, Seasonal Outdoor: The short-term sale of agricultural products that are seasonal in nature, including produce, nursery stock, Christmas trees, pumpkins, farmers' markets, and other similar products as qualified by the Director of Community Services.

Sales, Wholesale: An establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use. May include uses such as optician/optical supply, or orthopedic/medical appliance and supply sales.

Sanitary Landfill: A solid waste disposal facility which may include an incinerator, grinder, composting facility or other State Environmental Protection Agency approved facility other than an open dump or facility for storage of contained liquid or semi-solid waste or gas, including, but not limited to environmentally harmful chemicals or radioactive materials of any type.

School, Private: Private pre-primary, primary, grade, high or preparatory school or academy.

School, Trade or Business: Secretarial or business school or college when not publicly owned or not owned or conducted by or under the sponsorship of a religious, charitable or non-profit organization; or, a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering or hair dressing, drafting or for teaching industrial or technical arts, or culinary arts. May also include vocational or industrial training facilities, performing arts studios, art schools, business/commercial schools, and dancing academies.

School, Elementary or Secondary Education: Any public, parochial or Private school for any grades between first and twelfth that is either accredited by the Indiana Department of Public Instruction or recognized by and in good standing with the Indiana Department of Public Instruction for purposes of compulsory education requirements.

Screen, Solid Visual: See "Buffer or Screen, Solid Visual."

Scrub Woodland: See "Woodland, Scrub."

Sedimentation: The process by which mineral or organic matter is accumulated or deposited by wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment".

Self Service Laundry: A facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

Servants Quarters: Living quarters within a portion of a main Building, or in an Accessory Building located on the same Lot with the main Building, used for servants solely employed on the premises with such quarters not being rented or otherwise used as a separate Dwelling.

Setback: The least measured distance between a structure and the street right-of-way or proposed right-of-way as identified in the Thoroughfare Plan (whichever is greater), the Side Lot Line or the Rear Lot Line.

Setback Line, Building: See "Building Setback Line."

Sewage or Garbage Disposal Plant, Public or Commercial: A facility either publicly or privately owned and operated providing treatment for sewage and/or garbage disposal.

Sexually-Oriented Business: An establishment that has as a substantial portion of its stock-in-trade and offers for sale and/or for viewing, for any form of consideration, any one or more of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are characterized by an emphasis upon the depiction or description of sexual activities; or
2. Instruments, devices, or paraphernalia that are designed for use in connection with sexual activities. Also, a night-club, bar, restaurant, or similar establishment that regularly features live performances that are characterized by the exposure of less than completely and opaquely covered human genitals, pubic region, buttocks, anus, female breasts below a point immediately above the top of the areolae, or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Short-Term Rental; Non- Dwelling: Any outdoor or indoor pool, yard, patio, deck, accessory building, and other non-dwelling structure or facility that is rented or leased to transient guests by a Permanent Resident of the property where such non-dwelling rental is located.

Short-Term Residential Rental Unit: A Dwelling, or portion thereof, that is rented or leased to transient guests by a Permanent Resident of the Dwelling for a period of less than thirty (30) consecutive calendar days.

Definition - Sign, Portable

Sign: Any type of sign as further defined and regulated by *Section 5.39: Sign Standards.* Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or any interests.

Sign, Address: Address numbers identifying a building placed on any Façade of the building

Sign Area: The area of a sign shall be calculated by multiplying its maximum vertical dimension by its maximum horizontal dimension, excluding the structural support. The gross Sign Area of a Ground Sign or Projecting Sign with back-to-back identical Copy mounted on the same standard(s) shall be the total area on one (1) side of the sign.

Sign, Entrance: A ground sign located at the vehicular entrance to a Residential Complex or Multi-Tenant Building Complex.

Sign Face: The part of the sign area that is intended primarily for or can be utilized for communication purposes.

Sign Permit: A permit signed by the Director of Community Services stating that a proposed sign has met with general provisions of the Unified Development Ordinance.

Sign Plan: A package detailing all exterior signage proposed to be located within a development.

Sign Structure: Any structure which supports, has supported or is capable of supporting a sign, including decorative cover and planter boxes.

Sign, Address: Address numbers identifying a building may be placed on any Facade of the building.

Sign, Awning: Permanent Awnings attached to the Building shall be considered a part of the Structure, and signs established on Permanent Awnings shall be considered Wall Signs.

Sign, Blade: A sign attached to and supported by a building, which extends out at any angle therefrom and is vertically oriented on the building.

Sign, Canopy: A Sign located on a permanent roof-like structure or canopy of rigid materials extending from the building entrance. Permanent Canopies attached to the Building shall be considered a part of the Structure.

Sign, Construction Fence: Signage printed onto a mesh fabric or screen installed on Construction Fencing.

Sign, Electronic Message Board: Signs which contain, include or are illuminated by any flashing, intermittent, or moving light or lights, or signs which use various types of evolving technology such as lights, glow tubes, rotating slats, moving or static reflective discs, etc.

Sign, Entrance: A ground sign located at the vehicular entrance to a Residential Complex.

Sign, Flag: Any sign printed, painted, or sewn on cloth, plastic, canvas, or other like material attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

Sign, Government: A sign that is constructed, placed, or maintained by the federal, state, or local government or a sign that is required to be constructed, placed, or maintained by the federal, state, or local government either directly or to enforce a property owner's rights.

Sign, Ground: A sign supported by one or more uprights or braces placed in the ground, not attached to any building or structure.

Sign, Height of Ground: The vertical distance measured from the ground level upon which the sign is Established to the highest point of the Sign Structure.

Sign, Integral: A sign that is embedded, extruded or carved into the material of a building façade. A sign made of bronze, brushed stainless steel or aluminum, or similar material attached to the building façade.

Sign, Legal Non-Conforming: Any given sign which was lawfully established and maintained prior to the time that it came under the initial Sign Code of the City, May 23, 1973, and which has been continuously maintained since that time but fails to conform to all applicable regulations and restrictions of the Unified Development Ordinance, or a non-conforming sign for which a variance has been granted by the Board of Zoning Appeals and for which a sign permit has been issued.

Sign Masonry: Brick, stone, concrete, concrete masonry units (CMUs) or simulated/man-made stone used to construct the base of a Ground Sign.

Sign, Off Premise: Signs which advertise goods, products, services, facilities, an activity, business, project or service no longer conducted on the premises where the sign is located. Also includes signs which direct persons to a different location (or to a telephone number at a different location) from where the sign is installed.

Sign, Permanent: A sign that is approved and intended to be erected for more than one (1) year.

Sign, Porch: A sign attached to a porch or overhang. This type of sign shall be permitted only on residential structures that have been converted to businesses.

Sign, Portable: A sign not permanently anchored or secured to either a building or the ground.

Sign, Projecting: A sign attached to and supported by a building, which extends out at any angle therefrom and is horizontally oriented on the building.

Sign, Public Access Entrance: A sign located at a Public Access Entrance.

Sign, Roof: A sign established and maintained upon the roof of a building.

Sign, Secondary Projecting: A sign established under an Awning or Canopy or perpendicular from the wall on a smaller scale intended for pedestrian traffic. Secondary Projecting signs shall be considered Wall Signs.

Sign, Suspended: A Ground Sign suspended from and installed on an arm or spar attached to one (1) upright, decorative pole.

Sign, Temporary: A sign that is not intended for permanent installation.

Sign, Traffic Directional: Sign directing traffic movement onto and/or within a premise. Standard traffic directional signs, such as STOP and YIELD signs, shall comply with the "Uniform Manual for Traffic Control Devices."

Sign, Vehicle: A sign on a vehicle of any kind, provided the sign is painted or attached directly to the body of the original vehicle and does not project or extend beyond two (2) inches from the original manufactured body proper of the vehicle. The vehicle to which the sign is attached shall be in proper working order and shall bear a current license plate and shall not be permanently parked on a public street or street right-of-way.

Sign, Wall: A sign established on the wall of a building with the face in a parallel plane to the plane of the building wall.

Sign, Window: Any building sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside of and within two (2) feet of a window, or upon the window panes or glass.

Single-Family Dwelling: See "Dwelling, Single-Family."

Single-Tenant Building: See "Building, Single-Tenant."

Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

Small Cell Facility: Either:

1. A personal wireless service facility (as defined by the Federal Telecommunications Act of 1996 as in effect on July 1, 2015); or
2. A wireless service facility that satisfies the following requirements:
   a. Each Antenna, including exposed elements, has a volume of six (6) cubic feet or less.
   b. The primary equipment enclosure located with the Facility has a volume of twenty-eight (28) cubic feet or less. For purposes of clause b, the volume of the primary equipment enclosure does not include the following equipment that is located outside the primary equipment enclosure: electric meters; concealment equipment; telecommunications demarcation boxes; ground based enclosures; back up power systems; grounding equipment; power transfer switches; cut off switches.

Small Cell Network: A collection of interrelated Small Cell Facilities designed to deliver Wireless Communications Service.

Smoke: Small gas-borne particles resulting from incomplete combustion consisting predominantly of carbon and other incombustible material, but excluding metallurgical fume and dust, and present in sufficient quantity to be observable independently of the presence of other solids.

Smoke Unit: The number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation. Each reading is then multiplied by the time in minutes during which it is observed. The various products are then added together to give the total number of smoke units observed during the entire observation period.

Soil Map: A National Cooperative Soil Survey prepared by U.S.D.A. Soil Conservation Service in cooperation with Purdue Experiment Station and the Hamilton County Soil and Water Conservation District, showing soil types and composition of their locations.

Soil Stabilization: Chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise improve its engineering properties.

Soil Volume Replacement Technologies: The use of advanced technologies for ameliorating site limitations to improve plant growth and development. Examples: CU-Structural Soil ™, DeepRoot Silva Cell ™

Sorority: See "Club or Lodge, Private."

Sorority, Fraternity, or Student Cooperative: A Building providing sleeping and living accommodations for a number of usually unrelated persons and usually associated with an educational Institution.

Spandrel Panel: An opaque rectangular wall panel area in a facade filling the space between architectural elements, usually above and below windows or between building expansion joints.

Special Event, Outdoor: Short-term cultural, community and entertainment events that take place outdoors shall be considered special events, including but not limited to fund-raising activities by not-for-profit organizations, car washes, walks, runs and bike events, concerts, or festivals.

Stadium or Coliseum: An amphitheater, large theater or other such facility used for public meetings, sports, exhibitions, etc.

Station, Automobile Filling: Any place of business with pumps and underground storage tanks, having as its purpose the selling of motor vehicle fuels, Fossil Fuels and lubricants at retail.

Station, Automobile Service: Any place of business with or without pumps and underground storage tanks having as its purpose the retail servicing of Motor Vehicles with Fossil Fuels and lubricants, including oil change and lubrication, minor maintenance and inspections incidental thereto but not including Automobile or Truck Repair. May include Automobile Filling Stations.

Station, Motor Bus or Railroad: Improvements and facilities at selected points along motor bus or railroad routes for passenger pickup, drop off, and waiting. Facilities and improvements may include shelters, benches, signs, structures, and other improvements to provide security, protection from weather, and access to nearby services.

Storage: The existence of any stock, vehicles, equipment or materials enclosed or unenclosed for a period of more than seventy-two (72) hours and not for retail or wholesale display or sale, including the utilization or manufacture of explosive materials (not including explosive products), and flammable liquids or gases other than those used by the manufacturing establishments in their operational activity.

Storage or Distribution Facility: A facility where goods are received and/or stored for delivery to the ultimate customer at remote locations. This includes food products distributing stations, trucking terminals, and packaging facilities.

Storage or Sale of Petroleum Products: Retail or wholesale sales and storage of Fossil fuels, fuel, oil, or flammable liquid.

Storage and/or Warehousing, Indoor: An enclosed space or place where goods, materials, or personal property is placed and kept for more than 24 consecutive hours. This may include cold storage lockers, self storage or mini-warehouse facilities, commercial warehouse storage, and contractor storage facilities.

Storage and/or Warehousing, Outdoor: The keeping of any goods, junk, material, merchandise or vehicles in the same place, in an unroofed and/or unenclosed area, for more than twenty-four (24) hours.

Storage Warehouse: An enclosed Structure used as a place for Storage of goods and property.

Story: That part of any Building comprised between the level of one finished floor and the level of the next higher finished floor or, if there is no higher finished floor, that part of the Building comprised between the level of the highest finished floor and the top of the roof beams.

Street: A right-of-way, other than an Alley, dedicated and accepted, or otherwise legally established for public use, usually affording the principal means of access to abutting property.

Street, Arterial: A street designated for large volumes of traffic movement.

Street, Boulevard: A street, typically developed with a median, providing a park-like or scenic character.

Street, Feeder: A street planned to facilitate the collection of traffic from Local Streets, and to provide circulation within neighborhood areas and convenient ways for traffic to reach Arterial Streets.

Street, Local: A street designated primarily to provide access to abutting properties, usually residential. Certain Local Streets may be Marginal Access Highways or Frontage Roads parallel to Arterial Streets, which provide access to abutting property and ways for traffic to reach access points on Arterial Streets.

Street, Private: A Street which is not dedicated to or maintained by any public agency.

Structure: Anything constructed or installed or portable, the Use of which requires a location on a parcel of land. It includes a movable Structure which is located on land which can be used for housing, business, commercial, agricultural or office purposes, either temporarily or permanently. Structure also includes billboards, swimming pools, poles, pipelines, transmission lines, tracks and advertising signs, whether located on a rock, tree, separate Structure or part of another Structure. Also, a Structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated Building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Structure, Accessory: Structure which is on the same parcel of property as a Principal Building and the use of which is incidental and subordinate to the use of the Principal Building.

Structure, Class I: A Class I structure is any building or structure occupied by the public or used by one or more employees of another or is three or more residential units, or a site improvement that provides access to such buildings or structures for persons with disabilities. Includes all commercial and multi-family buildings.

Structure, Class II: A Class 2 structure is a townhouse or a building with one or two dwelling units, or improvements such as swimming pools, garages or barns that are accessory to a Primary Structure. Includes Single-family dwellings.

Structure, Type of: Refers to the physical arrangement of Dwelling Units such as a detached Single-family Dwelling, cluster Single-family Dwelling, duplex or Two-family Dwelling, Row House or Multiple-family Dwelling.

Studio, Radio and/or Television: Space in an outdoor or indoor area, building, part of a building, structure, or defined area, that is used primarily for the creation of film, television, music video, multi-media, or other related activities.

Subdivider: Any person or persons, firm or corporation engaged in developing or improving a tract of land that complies with the definition of a subdivision as defined in the Unified Development Ordinance.

Subdivision: Any of the following shall be considered the subdivision of land requiring plat approval by the Plan Commission:

1. The division of any parcel of land (recorded after January 21, 1980, and before January 1, 2000) into three (3) or more parcels, sites or Lots, when more than two (2) of the Lots are less than five (5) acres in area, for the purpose of transfer of ownership, or building development, excluding cemeteries; or,
2. The improvement (before January 1, 2000) of one (1) or more parcels of land for residential, commercial or industrial structures or groups of structures involving the subdivision and allocation of land as streets or other open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage, or other public utilities and facilities; or,
3. Any division (recorded after December 31, 1999) of a Lot or parcel of land where:
    a. The division results in two (2) or more smaller Lots or parcels, at least two (2) of which are less than five (5) acres in area;
    b. The division results in two (2) or more smaller Lots or parcels, any of which front on or utilize an easement of access; or,
    c. The division is for the purpose of building development (excluding cemeteries) and a street is to be dedicated, reserved, or otherwise platted.

All divisions of land recorded after a certain date, as specified in this definition, from a Lot or other parcel of land described on or before that date in the records of the Hamilton County Recorder shall be counted in determining the number of Lots or parcels for the purpose of this definition. The original Lot or parcel shall also be counted for this purpose.

Subdivision, Major: Any Subdivision that is not less than five (5) acres in area and that has five (5) or more Lots.

Subdivision, Minor: Any Subdivision that either has less than five (5) acres in area, or fewer than five (5) Lots.

Subdivision Plat: See "Plat."

Substantial Modification of a Wireless Support Structure: The mounting of a Wireless Facility on a Wireless Support Structure in a manner that either:

1. Increases the height of the Wireless Support Structure by ten percent (10%) of the original height of the Wireless Support Structure, or twenty (20) feet, whichever is greater;
2. Adds an appurtenance to the Wireless Support Structure that protrudes horizontally from the Wireless Support Structure more than twenty (20) feet, or the width of the Wireless Support Structure at the location of the appurtenance, whichever is greater; or
3. Increases the square footage of the Equipment Compound in which the Wireless Facility is located by more than 2,500 square feet. However, notwithstanding Subdivisions 1, 2, and 3, the term does not include any of the following:
    a. Increasing the height of a Wireless Support Structure to avoid interfering with an existing Antenna.
    b. Increasing the diameter or area of a Wireless Support Structure to shelter an Antenna from inclement weather, or to connect an Antenna to the Wireless Support Structure by cable.
    c. Any Modification of a Wireless Support Structure or Base Station that involves only Collocation, removal of transmission equipment, or replacement of transmission equipment.

Subsurface Drainage: The flow of water in man-made structures including storm drains, drain tile, culverts and tunnels, and the flow of water underground through natural passage to geologic formations.

Surface Drainage: In general, the flow of surface water over a given area to a natural or man-made waterway.

Surgery Center: See "Center, Surgery."

Suspended Sign: See "Sign, Suspended."

Swale: A low-lying stretch of land which gathers or carries surface water runoff.

Tenant Space: A portion of a Commercial Building or business property leased to a single tenant, typically with its own entrance and separated from other tenant spaces by walls

Tavern or Nightclub: A commercial establishment dispensing alcoholic beverages for consumption in the premises.

Television, Franchise or Cable: Any television distribution system designed to serve any residents within the planning jurisdiction authorized by any local, state or federal agency.

Television Transmission Antenna: See "Antenna, Radio or Television Transmission."

Temple: See "Church, Temple, or Place of Worship."

Temporary Use: See "Use, Temporary."

Theater, Indoor: A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances. Uses include but are not limited to a movie theater and a performing arts center.

Three-Component Measuring System: Instrumentation which can measure earth-borne vibrations in three directions, that is, vibration occurring in a horizontal as well as a vertical plane.

Thoroughfare Plan: A part of the Comprehensive Plan that sets forth the location, alignment, dimensions, identification and classification of existing and proposed streets, highways and other thoroughfares.

Topsoil: Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinary rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer, called the "A Horizon."

Tourist Home: See "Home, Tourist."

Tower: A ground or roof-mounted pole, spire, structure, or combination thereof taller than fifteen (15) feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting a meteorological device or other similar apparatus above grade. The term does not include:

1. A water tower that is owned by any public utility or municipally owned utility; or
2. Any pole, spire, structure, or combination thereof on which an amateur radio station antenna is mounted; or
3. A Wireless Support Structure.

Tower, Radio or Television Transmission: Any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, masts, intended primarily for the purpose of mounting a radio or television transmission antenna (other than an amateur radio station antenna) above ground.

Townhouse: One or more Single-family Dwellings with a minimal Front and Rear Yards, and no Side Yards, arranged side by side, separated by common walls between living areas, each having more than one story.

Tract, Parent: A tract of land described by metes and bounds, the description of which has been recorded in the office of the Hamilton County Recorder of Deeds and which existed prior to the date of adoption of the Unified Development Ordinance.

Transit Hub: A transit stop at which two (2) or more types of public and/or private mass transit operations utilize the facility; or two (2) or more public and/or private mass transit routes use the location for a transit stop; and the location has a physical shelter for departing or arriving passengers.

Traffic Directional Sign: See "Sign, Traffic Directional."

Tree Preservation Plan: A graphic illustration labeling existing trees or stands of trees while detailing how they will are protected and incorporated into the overall Landscape Plan design. Existing vegetation proposed to be removed and preserved shall be shown on the Tree Preservation Plan. Tree preservation details showing how existing trees to be preserved will be protected are required. (See City of Carmel's Tree Preservation Detail – Available from the Department of Community Services)

Truck Stop: A facility intended to provide services to the trucking industry, including but not limited to the following activities: dispensing of fuel, repair shops, automated washes, restaurants, and motels; all as part of the facility.

Turnaround: A space on private property that permits the turning around of any passenger vehicle without the necessity of using any public right-of-way to turn around.

Unified Center: See "Center, Unified."

Unified Development Ordinance: The City of Carmel Unified Development Ordinance which was created by merging the City's Zoning Ordinance and Subdivision Control Ordinance in 2017.

University: See "College or University."

Unpaved: A soft, often natural surface that cannot withstand, without damage, frequent vehicular traffic, parking, biking, walking and other uses. Soft surfaces include, but are not limited to turf grass, landscaping, dirt, gravel, mulch, and natural landscapes (e.g. prairie grasses). See the definition for "Paved" for surfaces that do not qualify as unpaved.

Urgent Care Center: See "Center, Urgent Care."

Use: The employment or occupation of a Building, Structure or land for a person's service, benefit or enjoyment.

Use, Accessory: A Use subordinate to the main Use, located on the same Lot or in the same Building as the main Use, and incidental to the main Use.

Use, Conforming: A Use of a Building, land or premises which does conform to all of the applicable provisions of the Unified Development Ordinance.

Use, Nonconforming Illegal: A Use of a Building, land or premises existing at the time of the passage of the Unified Development Ordinance which does not conform to all of the applicable provisions of the Unified Development Ordinance nor those of any ordinance superseded by the Unified Development Ordinance.

Use, Nonconforming Legal: A Use of a Building, land or premises existing at the time of the passage of the Unified Development Ordinance which does not conform to all of the applicable provisions of the Unified Development Ordinance but did conform to applicable provisions of any ordinance superseded by the Unified Development Ordinance.

Use, Temporary: Short-term or seasonal uses which may be associated with construction projects or which intend to sell or promote specific merchandise or products and shall include, but not be limited to, special events, outdoor displays, outdoor seasonal sales, temporary construction facilities, residential model homes, and temporary sales offices.

Utility Pole: A structure (other than a Wireless Support Structure or Electrical Transmission Tower) that is:

1. Owned or owned or operated by a public utility, a communications service provider, a political subdivision, an electric membership corporation, or a rural electric cooperative; and
2. Designed and used to carry lines, cables, or wires for telephony, cable television, or electricity, or to provide lighting, traffic control or signage.

Variance: A modification of the specific requirements of the Unified Development Ordinance granted by the Board of Zoning Appeals in accordance with the terms of the Unified Development Ordinance for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and district.

Vehicle Sign: See "Sign, Vehicle."

Vehicle, Commercial: Any vehicle used to generate income, and which, by appearance, is anything other than usual and customary personal family transportation. These may include school buses, buses used for public transportation, limousines, stake body trucks, trucks or tractors having dual rear wheels and more than two (2) axles, semi-trailer tractors, semi-trailers and trailers having an overall length of more than twelve (12) feet. Vehicles and trailers used for the transport of livestock or goods associated with and located upon the premises of a property used for farming or grazing shall not be construed as to meet the definition of a commercial vehicle.

Vehicle, Motor: An automobile, truck, motorcycle, Mobile Home or any other vehicle propelled or driven otherwise than by muscular power.

Vehicle, Recreational: A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use, including but not limited to travel trailers, camping trailers, truck campers, motor homes, boats and boat trailers.

Vehicular Entrance: An entrance into a development used primarily for passenger vehicles.

Vertical Visibility: A direct line of sight across a plane perpendicular to the plane of the horizon.

Veterinary Hospital With Kennel: See "Hospital, Veterinary With Kennel."

Veterinary Hospital Without Kennel: See "Hospital, Veterinary Without Kennel."

Vibration: Oscillatory motion transmitted through the ground.

Visible Light Source: Neon, LED or any other lighting types that may be Seen through a clear or translucent glass covering that may or may not be tinted/colored. The lighting source may also be directly exposed with no covering other than the casing around the light source.

Violation, Civil: The erection, alteration, enlargement, maintenance or use of any building, structure or land in violation of any provision of the Unified Development Ordinance, Sign Ordinance, Building Code applicable to such building, structure, or land in the Zoning District in which it is located.

Violation, Repeated Civil Zoning: A recurring violation of the Unified Development Ordinance at the same location; or a violation of the same section of the Unified Development Ordinance at a different location by the same Responsible Party.

Vision Clearance On Corner Lots: A triangular space at the street corner of a Corner Lot, free from any kind of obstruction to vision between the heights of three (3) and eight (8) feet above the established street grade. The street grade is measured at the intersection of the centerlines of the intersecting street pavement, and the triangular space is determined by a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the Lot corner along each property line at intersections of two (2) local streets or alleys, or twenty-five (25) feet at the intersection of any other types of Streets.

Wall: A structure, often times, constructed of masonry, wood or other structural material and used as an enclosure, boundary marker or as a means of retention for earth or other material.

Wall Sign: See "Sign, Wall."

Waste, Solid: All putrescible waste in a form other than a liquid, semi-solid or gaseous form, whether contained in any form or object, and which is not hazardous waste as defined in *IC 13-7-1-2* nor waste which contains any biological, chemical, bacteriological, radioactive or any other contaminant which may be harmful or injurious to the public health, safety or welfare of the domestic, commercial, industrial, agricultural, recreational or conservation concerns of the City of Carmel and/or Clay Township and its citizens. This definition is intended to specifically exclude human bodies and sewage.

Watercourse: A permanent stream, intermittent stream, river, brook, creek, channel or ditch for water whether natural or man-made.

Water Management Facility: A public or privately owned facility engaged in the distribution of raw or finished water. Uses may include water towers, pumping stations, above or below ground storage tanks, or water treatment facilities.

Wholesale Sales: See "Sales, Wholesale."

Wholesaling Facility: A facility primarily engaged in the selling and/or distributing of bulk merchandise to retailers, industrial, commercial, institutional, or professional business users, or to other wholesalers. This may include a transportation facility.

Width, Pavement: The actual width of a street surface that includes only the area that is drivable by vehicles, not including curbs.

Width, Roadway: The paved area of a Street measured from back of curb to back of curb.

Window Area: The total area of all windows along a Building Frontage.

Window Sign: See "Sign, Window."

Wireless Communications Service: Services, whether mobile or at a fixed location, that are provided using wireless facilities through licensed or unlicensed spectrum.

Wireless Facility: The set of equipment and network components that are owned and operated by a wireless communications provider and are necessary to provide Wireless Communications Service. The term does not include a Wireless Support Structure.

Wireless Support Structure: A freestanding structure that is designed to support or is capable of supporting Wireless Facilities. The term does not include a Utility Pole or Electrical Transmission Tower.

Woodland, Mature: An area of predominantly native plant material covering one-half (½) acre, or more, and consisting of twenty-five percent (25%) or more shade trees having a twelve (12) inch or greater caliper, or any grove consisting of seven (7) or more trees having an eighteen (18) inch or greater caliper.

Woodland, Young: An area of predominantly native plant material covering one-half (½) acre, or more, and consisting of twenty-five percent (25%) or more shade trees having a six (6) inch or greater caliper, or any grove consisting of seven (7) or more trees having a ten (10) inch or greater caliper.

Woodland, Scrub: An area of predominantly native plant material covering one-half (½) acre, or more, and consisting of seventy-five percent (75%) or more shade trees having a two and one-half inch (2½") or greater caliper, or any grove consisting of fifteen (15) or more trees having four-inch (4") or greater caliper.

Yard: A space on the same Lot with a Principal Building which is open, unoccupied and unobstructed by Structures, except as otherwise provided in the Unified Development Ordinance, which is a maintained green area composed of grass and/or live plant materials.

Yard, Front: A Yard extending across the full width of the Lot between the Building Setback Line and the Front Lot Line which is unoccupied other than by steps, walks, terraces, Driveways, lamp posts and similar Structures, the depth of which is the least distance between the Front Lot Line and the Building Setback Line. Any side of a lot adjacent to a street right-of-way.

Yard, Rear: A Yard extending across the full width of the Lot between the rear of the Principal Building and the Rear Lot Line which is unoccupied other than by Accessory Buildings, steps, walks, terraces, Driveways, lamp posts and similar Structures, the depth of which is the least distance between the Rear Lot Line and the rear of such Principal Building.

Yard, Side: A Yard extending from the Front Yard, or from the Front Lot Line where no Front Yard is required, to the Rear Yard between the Principal Building and the Side Lot Line. The width of the required Side Yard is measured horizontally, at ninety degrees (90°) with the Side Lot Line, from the nearest part of the Principal Building.

Young Woodland: See "Woodland, Young."

Zone Improvement Plan: See "Plan, Zone Improvement."

Zoning Administrator: See "Planning Administrator."

Zoning Official: See "Planning Administrator."

Zoning Ordinance: See "Unified Development Ordinance."

Appendix A

Land Use Matrix

City of Carmel
Unified Development
Ordinance

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GroundRules
website www.groundrulesinc.com

Land Use Matrix - Agricultural Uses

A.01 Agricultural Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Agricultural Uses																						
commercial greenhouse	-	SU*	SU*	-	-	-	-	-	-	-	-	-	-	SU*	-	-	-	-	-	-	P*	SU*
feed store	-	-	-	-	-	-	-	-	-	SU	P	-	-	-	-	-	-	-	-	-	-	-
general agriculture (farm)	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	-	-	-	-	P	P
grain elevator	-	-	-	-	-	-	-	-	-	SU	P	-	-	-	-	-	-	-	-	-	-	-
plant nursery	-	SU*	SU*	-	-	-	-	-	-	SU*	P*	P*	-	SU*	-	-	-	-	-	-	-	-
raising/breeding of non-farm or exotic animals	-	SU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Cultural and Entertainment Uses

A.02 Cultural and Entertainment Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Cultural and Entertainment Uses																						
art and music center	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	P	P	P	P	-
art gallery	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	P	P	P	P	-
carnival, fair, or circus	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	SU*	-	-	-	-	P*	-
catering establishment	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	P	P	P	P	P	-
hotel	-	-	-	-	-	-	-	-	-	SU	SU	SU	-	P	-	-	P	P	P	-	P	-
hotel (full service)	-	-	-	-	-	-	-	-	-	SU	SU	SU	-	P	-	-	P	P	P	P	P	-
hotel (upper floors only	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
indoor theater	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	P	P	P	P	P	P	-
meeting or party hall	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	P	P	P	P	P	P	-
museum	SU	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	P	P	P	P	-
outdoor theater	-	-	-	-	-	-	-	-	-	-	SU*	-	-	-	-	-	P*	P*	P*	-	P*	-
restaurant, with walk-up/drive-thru	-	-	-	-	-	-	-	-	-	P	P	P	-	SU	-	P	-	-	-	-	P	-
restaurant, without drive-thru food sales	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	P	P	-	P	P
restaurant, without drive-thru food sales (ground and top floor only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
restaurant, without drive-thru food sales (ground floor only)	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
stadium or coliseum	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	-	-	-	P*	P*	P*	-
tavern/night club	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	P	P	P	P	P	P	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Education Uses

A.03 Education Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Education Uses																						
any private or public education facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
college or university	-	SU	SU	-	-	-	-	-	-	SU	SU	SU	SU	P	-	-	-	-	-	-	-	-
day nursery/day care	-	-	-	-	-	-	-	-	-	-	P*	P*	-	SU*	P*	SU*	-	-	-	-	-	-
kindergarten/preschool	-	SU*	SU*	SU*	SU*	SU*	SU*	-	-	SU*	P*	P*	SU*	-	P*	-	-	-	-	-	-	-
school, elementary or secondary education	SU	SU	SU	SU	SU	SU	SU	-	-	-	-	-	SU	-	-	-	-	-	-	-	-	-
school, trade or business	-	-	-	-	-	-	-	-	-	P	P	SU	SU	P	P	SU	-	-	-	-	P	P

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Industrial Uses

A.04 Industrial Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Industrial Uses																						
artisan industrial	-	-	-	-	-	-	-	-	-	SU	P	-	-	-	-	-	P	P	P	-	P	P
borrow pit/top soil removal and storage	-	SU*	SU*	SU*	SU*	SU*	SU*	SU*	-	SU*	SU*	SU*	SU*	-	-	SU*	-	-	-	-	-	-
heavy industrial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
heavy manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
light industrial	-	-	-	-	-	-	-	-	-	SU	P	-	-	-	-	-	-	-	-	-	P	-
light manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	-	P	P
mineral/sand/gravel extraction operation	-	SU*	SU*	SU*	SU*	SU*	SU*	SU*	-	SU*	SU*	SU*	SU*	-	-	SU*	-	-	-	-	-	-
printing/publishing establishment	-	-	-	-	-	-	-	-	-	SU	P	P	-	SU	-	-	-	-	SU	SU	P	P
sanitary landfill, junk yard, salvage yard	-	-	-	-	-	-	-	-	-	-	SU*	-	-	-	-	-	-	-	-	-	SU*	-
storage and/or warehousing, indoor	-	-	-	-	-	-	-	-	-	SU	P	-	-	-	-	-	-	-	-	-	P	-
storage/distribution facility	-	-	-	-	-	-	-	-	-	SU	P	-	-	-	-	-	-	-	SU	SU	P	SU
storage or sale of petroleum products	-	-	-	-	-	-	-	-	-	SU	P	P	-	-	-	-	-	-	-	-	P	-
wholesaling facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Institutional Uses

A.05 Institutional Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Institutional Uses																						
church/temple/place of worship	SU	SU	SU	SU	SU	SU	SU	SU	-	SU	SU	SU	SU	SU	P	SU	-	-	-	-	-	-
commercial sewage or garbage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	-
hospital	-	-	-	-	-	-	-	-	-	P	P	P	SU	P	-	-	-	-	P	P	-	-
library	-	SU	SU	SU	SU	SU	SU	-	-	SU	SU	SU	-	-	-	SU	P	P	P	-	-	-
penal or correctional institution	-	-	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-	-	-	-	-
post office	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	-	-	P	-	-	-
power generating plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
public service facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
water management and use facility	-	SU	SU	SU	SU	SU	SU	SU	-	-	-	-	SU	-	P	SU	-	-	-	-	-	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Office Uses

A.06 Office Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Office Uses																						
clinic or medical health center	-	SU	SU	SU	SU	SU	SU	-	-	P	P	P	P	P	P	SU	-	-	P	P	P	-
general office	-	-	-	-	-	-	-	SU*	P*	P	P	P	-	P	P	P	P	P	P	P	P	P
general office (second floor only)	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-	-	-	-	-	-	-
professional office	-	-	-	-	-	-	-	SU*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P
professional office (second floor only)	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-	-	-	-	-	-	-
research laboratory/facility	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	P	P	P	P
training facility	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	P	-	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Recreational Uses

A.07 Recreational Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Recreational Uses																						
any public park facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
commercial recreational facility, indoor	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	P	P	P	P	P	P	-
commercial recreational facility, outdoor	-	-	-	-	-	-	-	-	-	SU	SU	SU	-	-	-	SU	P	-	-	-	-	-
community center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-
country club	P	SU	SU	SU	SU	SU	SU	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-
golf course	P	SU	SU	SU	SU	SU	SU	-	-	-	-	P	SU	-	-	-	-	-	-	-	-	-
park, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P
private club or lodge	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	SU	-	-	P	-	-	-
private recreational facility	-	SU*	SU*	SU*	SU*	SU*	SU*	P*	P*	SU*	SU*	SU*	SU*	-	-	SU*	-	-	-	-	-	-
public plaza	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
rooftop parks and gardens	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
riding stable	-	SU	SU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
shooting gallery	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	-	-	-	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Residential Uses

A.08 Residential Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residential	S2 - Residential	R1 - Residential	R2 - Residential	R3 - Residential	R4 - Residential	R5 - Residential	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Residential Uses																						
accessory dwelling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	SU*
attached dwelling	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	P	P	-	-	-	-
bed and breakfast inn (upper floors only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
bed and breakfast inn	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
boarding or lodging house	-	-	-	-	-	SU	SU	-	-	SU	SU	SU	SU	-	-	-	-	-	-	-	-	-
bona fide servants quarters	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
continuing care retirement community	-	-	-	-	-	-	SU	-	-	P	P	P	SU	P	P	P	-	-	-	-	-	-
dwelling, multiple family	-	-	-	-	-	-	SU	-	P	-	-	P	SU	-	P	-	P	P	-	-	-	SU*
dwelling, multiple family (first floor only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU*	-	-	-
dwelling, multiple family (upper floors only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
dwelling, single-family	-	P	P	P	P	P	P	P	-	-	-	-	P	P	-	-	P	P	-	-	-	SU*
dwelling, single-family (first floor only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU*	-	-	-
dwelling, single-family attached									P	-	-	-	-	-	-	-	-	-	-	-	-	-
dwelling, two-family	-	-	-	-	-	P	P	P	-	-	-	-	P	P	-	-	P	P	-	-	-	SU*
group home	-	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	-	-	P	P	P	P	-	-	-	-	-	-	-
guest house	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
home occupation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
mobile home park	-	-	-	-	-	-	SU*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
model home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-
non-dwelling short-term rental	-	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	-	-	-	-	-	-	-	-	-	-	-	-	-
nursing/retirement/convalescent facility	-	-	-	-	-	-	SU	-	-	P	P	P	SU	P	P	P	-	-	P	-	-	-
private swimming pool	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
residential kennel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
short-term residential rental	-	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	-	-	P	P	P	P	-	P	P	P	P	-	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Retail and Service Uses

A.09 Retail and Service Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Retail and Service Uses																						
automobile service station	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	P*	-	P*	-	-	-	-	P*	-
automobile/boat sales	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-	-	-	-	-	P	-
automobile/truck repair (indoor)	-	-	-	-	-	-	-	-	-	P	P	P	-	SU	-	-	-	-	-	-	P	-
car wash	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	-	-	P	-
commercial kennel	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	-
dry cleaning (with on-site plant)	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	-	-	P	-
dry cleaning (without on-site plant)	-	-	-	-	-	-	-	-	-	SU	P	P	-	-	P	P	P	P	-	-	P	-
equipment sales/repair (indoor)	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-	-	-	-	-	P	-
financial institution	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	P	-
financial institution (ground floor only)	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
food stand (ground floor only)	-	-	-	-	-	-	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	-
funeral home/mortuary/crematory	-	-	-	-	-	-	-	-	-	P	P	P	SU	P	-	SU	-	-	-	-	P	-
general retail	-	-	-	-	-	-	-	SU*	P*	P	P	P	P	SU	P	P	P	P	-	-	P	P*
general retail (ground floor only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	-	-
general service	-	-	-	-	-	-	-	-	P*	P	P	P	P	-	P	P	P	P	-	-	P	-
general service (ground floor only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	-	-
lumber/building materials sales (enclosed)	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-	-	-	-	-	P	-
manufactured housing sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
recreational vehicle/mobile home sales	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	-
roadside sales stand	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	SU*	-	-	-	-	-	-	-	-
self-service laundry	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	-	-	P	-
tattoo studio	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	-	-	P	-
veterinary hospital with commercial kennel	-	-	-	-	-	-	-	-	-	P	P	P	-	SU	-	-	-	-	-	-	P	-
veterinary hospital without commercial kennel	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-	-	P	-
wholesale sales	-	-	-	-	-	-	-	-	-	SU	P	P	-	-	P	P	P	P	-	-	P	P

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Miscellaneous Uses

A.10 Miscellaneous Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Miscellaneous Uses																						
artificial lake or pond (non-platted)	SU	SU	SU	SU	SU	SU	SU	SU	-	SU	SU	SU	SU	-	-	SU	-	-	-	-	SU	SU
cemetery	SU*	SU*	SU*	SU*	SU*	SU*	SU*	-	-	SU*	SU*	SU*	SU*	-	-	-	-	-	-	-	-	-
commercial parking lot	-	-	-	-	-	-	-	-	-	P	P	P	SU	P	-	P	-	-	-	-	P	-
historic site	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
motor bus or railroad passenger station	-	-	-	-	-	-	-	-	-	P	P	P	SU	-	-	P	-	-	P	P	-	-
private airplane landing/service facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU
private helicopter landing/service facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	-	SU
private parking area	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
radio/television studio	-	-	-	-	-	-	-	-	-	P	P	P	SU	P	-	P	-	-	-	-	-	-
radio/television transmission antenna	-	-	-	-	-	-	-	-	-	-	SU	SU	SU	SU	SU	SU	-	-	-	-	SU	SU
radio/television transmission tower	-	SU	SU	-	-	-	-	-	-	SU	P	P	-	-	-	-	-	-	-	-	-	-
truck stop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
wireless support structure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	-
wireless telecommunications antenna	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
wireless telecommunication service tower	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Temporary Uses

A.11 Temporary Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Temporary Uses																						
construction facility	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	-	P	P
firework sales+	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	P	P	P	P	P	P	P
food stand	P*	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	P*
model home	-	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	P	P	-	-	-	-
model home (upper floors only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
sales, outdoor	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	-	-	-	-	P	-
sales, seasonal outdoor	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	-	-	P	-
special event, outdoor	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	-	P	P
+ = Only if General Retail is a Permitted Use and firework sales is approved as a temporary use.																						

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Land Use Matrix - Accessory Uses

A.12 Accessory Uses

Primary Land Use (P - Permitted Use) (SE - Special Exception Use) (SU - Special Use)	P1 - Park and Recreation	S1 - Residence District	S2 - Residence	R1 - Residence	R2 - Residence	R3 - Residence	R4 - Residence	R5 - Residence	UR - Urban Residential	B1 - Business	B2 - Business	B3 - Business	B5 - Business	B6 - Business	B7 - Business	B8 - Business	C1 - Mixed-Use	C2 - Mixed-Use	UC - Urban Core	MC - Meridian Corridor	I1 - Industrial	M3 - Manufacturing
	P1	S1	S2	R1	R2	R3	R4	R5	UR	B1	B2	B3	B5	B6	B7	B8	C1	C2	UC	MC	I1	M3
Accessory Uses																						
athletic courts	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
automated teller machine (atm)	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	P	P	P	P	P	P	-
bona fide servants quarters	-	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-
community gardens	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
display, outdoor	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	P	-
fitness facility	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
guest house	-	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-
home occupation	-	P	P	P	P	P	P	P	P	-	-	P	P	P	P	-	P	P	P	P	P	-
outdoor dining	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P	P	-	-
storage and/or warehousing, indoor	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P
storage and/or warehousing, outdoor	-	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-	-	-	-	P	-
parking garage	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-	P	P	P	P	-	-
podium parking (first floor only)	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-	-	-	-	-	-	-
private parking area	P	-	-	-	-	P	P	P	-	P	P	P	P	P	P	P	P	P	P	P	P	P
private surface parking area	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
private swimming pool	-	P	P	P	P	P	P	P	P	-	-	-	P	P	-	-	P	P	P	P	-	-
residential kennel	-	P	P	P	P	P	P	P	-	-	-	P	P	P	P	-	P	P	-	-	P	-
sexually oriented business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-
urban agriculture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-

* See Use-Specific Standards in Article 5, Sections 5.47 through 5.74 for additional standards that apply

Appendix B

Range Line Road Overlay District Visual Guide

City of Carmel
Unified Development
Ordinance

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Range Line Road Overlay District Visual Guide

B.01 Intent

The intent of the Range Line Road Overlay District is to create an uptown business district that allows for a range of uses and activities; with mixed uses in multistory buildings; is pedestrian-oriented and supportive of multiple modes of transportation; and with buildings and streetscapes that are attractively and safely designed in order to enhance the overall livability of the City.

The City's intent in establishing the Range Line Road Overlay District is to provide a consistent urban design treatment throughout the Range Line Road Overlay District; provide additional opportunities for real estate investment and re-investment by mandating a higher intensity of development; minimize urban sprawl; minimize the community's infrastructure costs through efficient re-use of land; and provide controls for architecture and landscape design to establish continuity of design between projects and to improve the physical relationship between new buildings and the overall community.

The Range Line Road Overlay District strives to establish a district characterized by urban forms, a variety of high-quality materials; and site designs which accommodate pedestrians and cyclists as well as vehicles. This document will provide a visual architectural summary of the quality, design, and level of detail expected by the Range Line Road Overlay District, through examples of existing sites and structures.

B.02 Design Guidelines:

A. Principle buildings shall be finished on the front and sides with brick, stone, stucco, or similarly detailed pre-cast concrete, and trimmed in metal, stone, precast concrete, wood, stucco or brick.

B. Rear facades of buildings may vary, however, the material colors and composition must be coordinated with the front and side facades. Materials that have been used in the Range Line Road Overlay District include painted, split-face block and similar masonry materials with texture and color complimentary to the primary facade.

C. Ground and upper floors shall have transparent glass; ground floors must incorporate the transparent glass as a significant component.

D. Windows, storefronts, bays, and entryways, detailed with brick coursing, lintels, and pilasters, shall provide visual relief for the facades.

E. Windows on upper floors should align with windows and doors on lower floors, to provide for a coordinated composition.

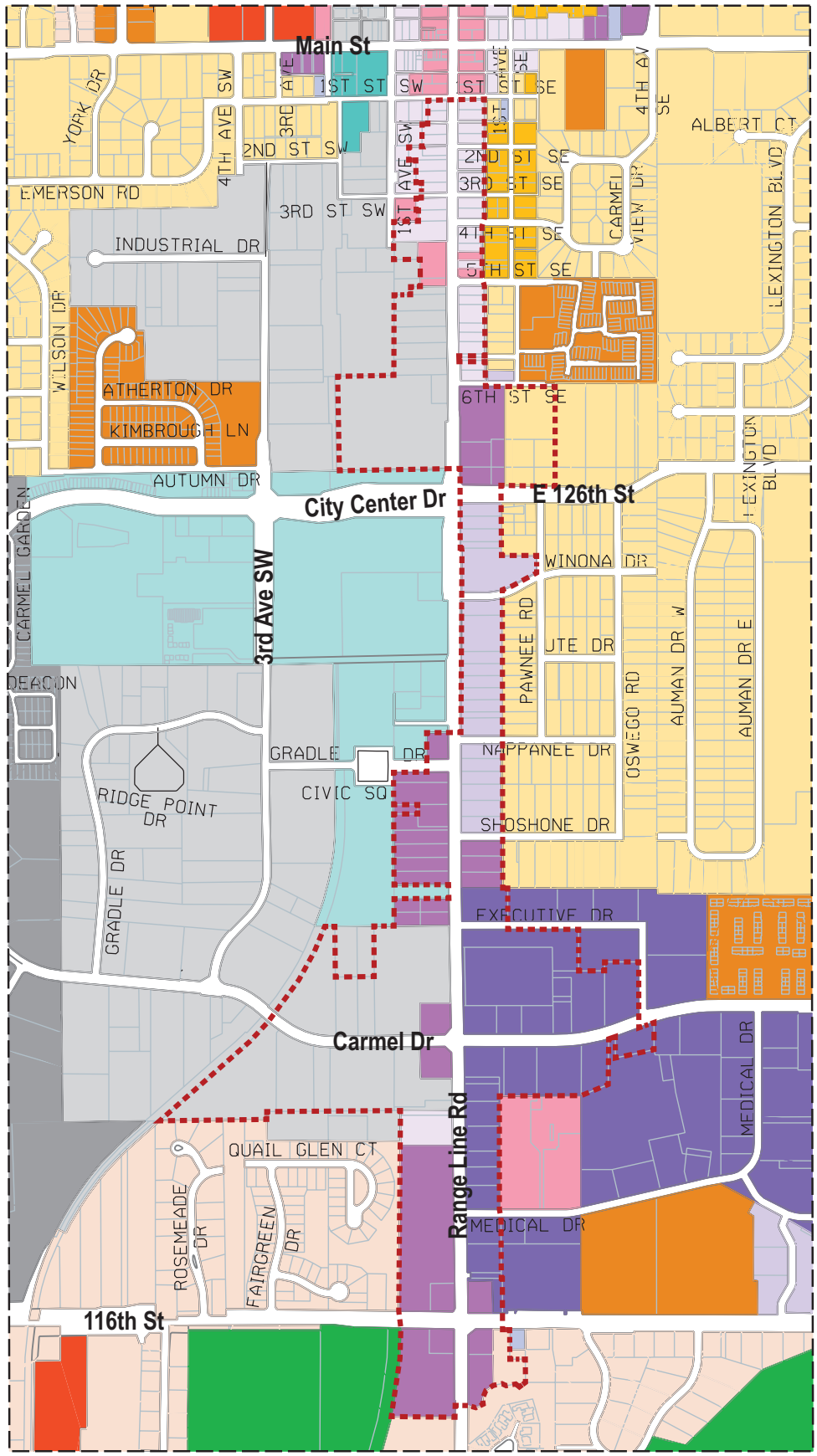
F. Awnings are permitted if they complement a building's style, materials, colors, and details, and do not conceal architectural features. They shall be designed as an integral part of the facade, and shall not be made of metal or aluminum.

G. Pedestrian-scale storefronts are encouraged. Entries should be oriented along the public street front of the building. Glass storefronts are encouraged, however, buildings shall not be constructed entirely of glass and metal curtain walls.

H. Buildings in the Range Line Road Overlay District shall have two occupiable floors. The second floor and higher floors of the building shall be at least 50% of the first floor footprint, and shall be oriented to the front of the building such that its front line is equal to that of the first floor.

I. The minimum height of buildings is 26 feet. The maximum height is 35 feet, or three stories, whichever is greater, if adjacent to a single-family residential district. If the project is not adjacent to a single-family district, the maximum height is 55 feet, or five stories, whichever is greater.

Carmel Drive/Range Line Road Overlay District Visual Guide



Appendix C

US 421-Michigan Road Overlay District Visual Guide

City of Carmel
Unified Development
Ordinance

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US 421-Michigan Road Overlay District Photo Samples

C.01 Intent

The intent of the US 421—Michigan Road Overlay District is to promote consistent and coordinated treatment of those properties bordering Michigan Road. This corridor helps form the western boundary of Carmel, and as a highly-traveled corridor, serves as one of the gateways into our community. The US 421—Michigan Road Overlay District Seeks to promote a sense of place through innovative and high-quality site, landscape, and architectural design, while encouraging efficient land use and multimodal transportation. To this end, a detailed set of requirements for sites, structures, and landscaping has been created. This document will provide a visual architectural summary of the quality, design, and level of detail expected by the US 421—Michigan Road Overlay District, through examples of existing sites and structures.

C.02 Design Guidelines

One of the primary elements of the US 421—Michigan Road Overlay District is the architectural style requirement. All buildings built in the US 421—Michigan Road Overlay District shall be consistent with or complementary to one of the following styles: Georgian; Federal; Italianate; or Greek Revival.

A. Permissible materials are red brick, stone, or split-face block that looks like stone or brick for the foundation; and red brick, stone, smooth cedar shingles, clapboard or beaded siding, or stucco for the facade walls.
B. Stucco, or EIFS, shall not exceed more than 20% of the overall non-window area.
C. Warehouse facilities may be built of red brick trimmed with split face block; split face aggregate block that resembles Indiana limestone; or pre-cast concrete walls that resemble either red brick or Indiana limestone. They shall also incorporate contrasting trim details; for example, a splitface block warehouse may be trimmed with red brick.

US 421-Michigan Road Overlay District Photo Samples

D. Buildings within the US 421—Michigan Road Overlay Zone should be designed to reflect a composition of related forms, as expressed by the Golden Section (1:16).

E. Buildings shall not include long, uninterrupted walls or roof planes. Windows, doors, and facade breaks should represent a rhythm of regulating lines.

F. Facades shall have a defined base, middle or modulated wall, and top. The top should be formed by a pitched roof or cornice, depending on the chosen style.

G. Buildings with continuous facades 90 feet or longer shall be articulated by offsets, either projecting or recessed, measuring no less than 8 feet deep, at intervals of no more than 60 feet. Material changes should occur horizontally, not vertically.

H. Buildings shall, at a minimum, be 20 feet tall at the roofline or parapet, and appear to be one and one-half stories tall. Two stories are preferable.

I. If the roof is pitched, the pitch shall be between 4:12 and 14:12.

J. Building entrances shall be well-defined, using such architectural elements as columns, pilasters, pediments, lintels, and other design elements as appropriate to the chosen style. The entrance's location, orientation, proportion, and door style shall also reflect the chosen style.

K. Windows, including the number, location, proportion, and style of framing and lights, shall also be appropriate to the chosen style of architecture.

L. Awnings are permissible if they complement the building's architectural style, materials, and colors, and do not conceal architectural features or impair the overall composition of the facade. Awnings which are made of metal or aluminum are not permitted.

M. Building storefronts shall be integrated with the overall style, character, and proportion of the building. While storefronts should have large expanses of glass, the total area of ground-floor level glass shall not exceed more than 75%. Buildings with multiple storefronts shall exhibit a unified design theme.

N. Drive-thru windows are permissible, provided they are integrated into the overall design of the building.

Appendix D

Recommended Tree List

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Unified Development
Ordinance

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Recommended Tree List

D.01 Tree Species Recommendation

This list is provided as a guide to the most appropriate species for tree plantings in urban areas. There is no single perfect tree; the most successful course is to match the planting site limitations with the right tree for that spot. Each site must be evaluated and possible restrictions of tree species noted. These restrictions include rooting space, soil texture, soil pH, drainage, exposure, overhead wires and surrounding building surfaces.

The trees appearing on this list have different requirements and tolerances. All of these species should do well in the urban forest environment of Carmel. Before selecting any particular species or variety further research should be done to ensure that the site would satisfy the specific requirements of the tree. Some of the species or cultivars listed here shall not be readily available at local nurseries, particularly in calipers large enough for planting in high traffic areas. Tree staking may provide limited protection.

A. Small Trees with Narrow Crowns: Suitable for tree lawns at least 5' wide and under power lines.
- Amelanchier species - Serviceberry
- Cornus kousa - Kousa Dogwood
- Prunus serrulata - 'Kwanzan' Cherry
- Syringa reticulata - Japanese Tree Lilac

B. Small Trees with Broad Crowns: Suitable for tree lawns at least 8' wide and under power lines.
- Carpinus caroliniana - American Hornbeam
- Cercis canadensis - Eastern Redbud
- Chionanthus virginicus - Fringetree
- Cornus alternifolia - Pagoda Dogwood
- Cotinus obovatus - American Smoketree
- Crategus crus-galli inermis - Thornless Cockspur Hawthorn
- Halesia carolina - Silverbell
- Koelreuteria paniculata - Goldenraintree
- Maackia amurensis - Amur Maackia
- Styrax japonica - Japanese Snowbell

C. Medium Trees: Suitable for tree lawns at least 6' wide, but not under power lines.
- Aesculus x carnea - 'Briotii' Rubyred Horsechestnut
- Alnus cordata - Italian Alder
- Alnus glutinosa - European Black Alder
- Carpinus betulus - European Hornbeam
- Cladrastis kentukea -Yellowwood
- Evodia danielii - Korean evodia (bebe tree)
- Fagus sylvatica - 'Roseo-marginata' Tricolor Beech
- Gleditsia triacanthos inermis - 'Impcole' Imperial Honeylocust
- Nyssa sylvatica - Sourgum / Blackgum
- Ostrya virginiana - American Hophornbeam
- Oxydendrum arboretum - Sorrel tree / Sourwood
- Parrotia persica - Persian Parrotia
- Phellodendron amurense - 'Macho' Amur Cork Tree (male only)
- Prunus virginiana - 'Canada Red' Chokecherry

D. Large Trees: Suitable for continuous tree lawns at least 5' wide, but not under power lines.
- Betula nigra - River Birch
- Celtis occidentalis - Hackberry
- Corylus colurna - Turkish Filbert
- Diospyros virginiana - Persimmon
- Fagus sylvatica - European Beech
- Eucommia ulmoides - Hardy Rubber Tree
- Ginkgo biloba - Ginkgo (male only)
- Gleditsia triacanthos inermis - Thornless Honeylocust
- Gymnoclanus dioica - Kentucky Coffeetree
- Liquidambar styraciflua - 'Rotundiloba' Sweetgum
- Liriodendron tulipifera - Tuliptree
- Magnolia acuminata - Cucumber Magnolia
- Metasequoia glyptostroboides - Dawn Redwood

- Platanus x acerifolia - London Planetree
- Quercus bicolor - Swamp White Oak
- Quercus coccinea - Scarlet Oak
- Quercus imbricaria - Shingle Oak
- Quercus macrocarpa - Bur Oak
- Quercus muehlenbergii - Chinkapin Oak
- Quercus robur - 'Fastigiata' English Oak
- Quercus rubra - Northern Red Oak
- Sophora japonica - Japanese Pagodatree
- Taxodium distichum - Common Baldcypress
- Tilia tomentosa - Silver Linden
- Ulmus species - Elm cultivars
- Zelkova serrata - Japanese Zelkova

E. Additional Trees for Open Space/Yard:

- Aesculus species - Ohio buckeye/Chestnut
- Carya species - Hickory/Pecan
- Catalpa speciosa - Northern Catalpa
- Cercidiphyllum japonicum - Katsuratree
- Fagus grandifolia - American Beech
- Juglans species - Black Walnut
- Juniperus virginiana - Eastern Redcedar
- Magnolia species - Magnolia
- Malus species - Crabapple/Apple
- Picea species - Norway Spruce
- Pinus species - White Pine
- Populus deltoides - Cottonwood
- Pseudotsuga menziesii - Douglas Fir
- Thuja occidentalis - White Cedar
- Tsuga species - Hemlock

D.02 Undesirable Trees and Comments

- Acer negundo - Boxelder: pervasive, shallow roots, weak wood
- Acer rubrum - Red Maple: shallow roots, easily damaged, chlorotic
- Acer saccharinum - Silver Maple: pervasive, shallow roots, weak wood
- Acer species: Asian longhorned beetle
- Ailanthus altissima -Tree of Heaven: Seeds, suckers, weak wood
- Betula papyrifera - Paper Birch: insects
- Betula pendula - Euorpean White Birch: insects
- Elaeagnus angustifolia - Russian Olive: form, disease, thorns
- Fraxinus species - Ash: Emerald ash borer
- Ginkgo biloba - Female Ginkgo: fruit (odor)
- Morus species - Mulberry: fruit, shallow roots
- Paulownia tomentosa - Paulownia: weak wood, prolific Seeds
- Picea or Pinus species - Spruce or Pine: shallow roots, low branches, salt spray
- Pyrus calleryana - Pear: weak branching, low branches
- Populus alba - White Poplar: suckers, shallow roots, weak wood
- Populus deltoides - Cottonwood: weak wood, shallow roots, Seeds
- Populus nigra - Lombardy Poplar: insects, disease, short-lived
- Quercus palustris - Pin Oak: soil problems, yellowing, low branches
- Salix species - Willow: weak wood, shallow roots
- Sorbus species - Mountain Ash: insect, disease
- Tilia species - Linden: Japanese beetle
- Ulmus americana -American Elm: insects, disease
- Ulmus pumila - Siberian Elm: weak wood, Seeds

Appendix E

Amendment Tracking Table

City of Carmel
Unified Development
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Amendment Tracking Table

E.01 Amendment Tracking Table

- Ordinance# - Docket # - Short Title	Plan Commission/ City Council Approval Date	Effective Date	Sections Affected	Pages Changed	Brief Description of Changes	Date Codified
• Z-625-17 • 17030006 UDO • Adopted New UDO		01/01/2018			• Established the City of Carmel Unified Development Ordinance (UDO);	
• Z-629-17 • 17100033 OA • Short-Term Residential Rental	12/19/2017 PC 01/08/2018 CC	01/08/2018	2.03, 2.05, 2.07, 2.09, 2.11, 2.13, 2.15, 2.17, 2.23, 2.25, 2.27, 2.29, 2.33, 2.35, 2.37, 2.39, 5.72 (new), 9.08 (new), 11.02	2-4, 2-6, 2-8, 2-10, 2-12, 2-14, 2-16, 2-18, 2-24, 2-26, 2-28, 2-30, 2-34, 2-36, 2-38, 2-40, 5-69, 9-19 to 9-20, 11-3, 11-8, 11-12, 11-21	• Article 2: Added "Short-Term Residential Rental" as a Special Exception to S1, S2, R1, R2, R3, R4, R5, and UR. • Article 2: Added "Short-Term Residential Rental" as a Permitted Use to B3, B5, B6, B7, C1, C2, UC and MC. • Article 5: Added a new Use-Specific Standards section to establish eligibility, required information for application, limitation of the use, and suspension of regulation for special events. • Article 9: Added a new process section for "Special Exception" specific to Short-Term Residential Rental. • Article 11: Added/Amended 5 definitions: "Bed and Breakfast Inn", "Dwelling", "Home, Tourist", "Resident, Permanent", "Short-Term Residential Rental Unit".	01/26/18
• Z-634-18 • 18050014 • OA: Owners' Association & Definitions	07/17/18 PC 09/17/18 CC	09/17/18	7.20, 11.02	7-29, 7-30, 11-14, 11-15, 11-17	• Article 7: Added new "Common Area Inspection" subsection (D) (1-4). • Article 7: Modified "Required Language" subsection, changing hierarchy from D to E; removing "non-approved street lights"; and revising the remaining street light standards to include "maintenance and replacement", making it the responsibility of the owners' association. • Article 11: Modified "Kindergarten (Pre-School)" to clarify that daycare services are not included when the term is used. • Article 11: Modified "Major Intersection" to strike "major collector" and replace it with "collector. • Article 11: Deleted the definition "Office, Medical".	10/04/18
• Z-640-18 • 18100007 OA • UDO Patch Amendments	12/18/18 PC 03/04/19 CC	03/19/19	2.05, 2.07, 2.09, 2.11, 2.13, 2.18, 3.65, 3.66, 3.69, 3.101, 5.03, 5.09, 5.16, 5.19, 5.20, 5.28, 5.29, 5.30, 5.78, 7.17, 9.03, 9.05, 9.17, 11.02	1-10, 2-6, 2-8, 2-10, 2-12, 2-14, 2-19, 3-34, 3-38, 3-39, 3-52, 5-5, 5-13, 5-18, 5-21, 5-24, 5-28, 5-33, 5-34, 5-35, 5-38, 5-77, 7-24, 9-8, 9-14, 9-42, 11-29	• Article 2: Modified the District Intent language in the S2, R1, R2, R3, and R4 to correspond with C3 Plan Land Classifications. • Article 2: Added a rear yard setback in the UR. • Article 3: Removed language in the RL-OL which refers to the Overlay as a temporary regulation, and restores an exemption for additions of less than 50% from Development Plan requirements. • Article 3: Removed a conflicting paragraph which explains the boundary of the 116-OL. • Article 5: Modified the Non-Residential Accessory Buildings & Use Standards to clarify that Improvement Location Permits are required and that the standards do not apply to C1 and C2. • Article 5: Modified the Fence and Wall Standards regarding fence heights on corner lots, the 25% visibility requirement, and allowing taller fences along Keystone Parkway. • Article 5: Modified the Commercial Landscaping Standards to clarify their applicability to Special Use or Use Variance requests and to simplify the "Parking Lot Planting" subsection. • Article 5: Modified the planting tables in both the Commercial Landscaping Standards and Bufferyard Standards to reduce the number of Ornamental and Shrub plantings and make only minor adjustments to Shade or Evergreen plantings. • Article 5: Modified the General Parking Standards to exempt C1 and C2, and to make corrections to labels in the "Required Parking Dimensions Table" and diagram. • Article 5: Modified the Bicycle Parking Standards regarding Office uses. • Article 5: Added new short-term and long-term bicycle parking standards for Hotels. • Article 5: Modified the Amount of Parking Spaces Standards to exempt C1 and C2 and to correct the Minimum Parking Spaces Required table heading. • Article 5: Modified the General Yard Standards to include window wells as a feature allowed to project into a required yard. • Article 7: Added a prerequisite Lot Establishment standard that requires all lots to have direct access to a street. • Article 9: Added Development Plan and ADLS Submission and Review Procedures for the C1 and C2. • Article 9: Modified the "Applicability" subsection to clarify that Waivers of Development Standard are applicable to both zoning districts and overlay districts. • Article 11: Modified the definition of "Vision Clearance on Corner Lots" to apply to alley intersections.	04/25/19

Amendment Tracking Table

- Ordinance# - Docket # - Short Title	Plan Commission/ City Council Approval Date	Effective Date	Sections Affected	Pages Changed	Brief Description of Changes	Date Codified
• 2019 Fees, Per UDO and Based on Consumer Price Index		01/02/19 for Zoning and Development Fees; and 04/01/19 for all other filing fees	1.29	1-10 through 1-13	• Article 1: Updated the filing fee schedule to reflect increase in consumer price index.	04/25/19
• Z-644-19 • 19040008 • Parks Impact Fee	08/20/19 PC 11/18/19 CC	06/01/20	1.30 and 11.02	1-14 through 1-18	• Article 1: Updated the Parks & Recreation Impact Fee ordinance for the years 2020-2025. • Article 11: Modified the definition of "Infrastructure, Parks and Recreation" to reference the 2020-2025 Zone Improvement Plan. • Article 11: Modified the definition of "Plan, Zone Improvement" to reference the 2020-2025 Zone Improvement Plan. • Article 11: Modified the definition of "Planning Jurisdiction" to reflect that there is no longer unincorporated territory.	01/12/20
• 2020 Fees, Per UDO and Based on Consumer Price Index		01/02/20 for Zoning and Development Fees; and 04/01/20 for all other filing fees	1.29	1-10 through 1-13	• Article 1: Updated the filing fee schedule to reflect increase in consumer price index.	01/09/20
• Z-649-19 • 19100001 OA • C1 & C2 District Amendments	11/19/19 PC 02/03/20 CC	02/03/20	2.33, 2.35, 5.21, 5.39, 5.78, 5.80	2-34, 2-36, 5-29, 5-49, 5-50, 5-79, 5.80 Note: All page numbers in Article 5 increased by 1 from page 5-56 through the end of the article.	• Article 2: Added "Day Nursery/Day Care", "Kindergarten/ Preschool", "School, Trade or Business", "Clinic or Medical Health Center", "Research Facility/Laboratory", "Private Club or Lodge", "Public Plaza", "Rooftop Parks and Gardens" as Permitted Uses in C1 and C2. • Article 5: Modified the C2 Bufferyard Standards into C1 and C2 Landscaping Standards and to remove specific references to City Center. • Article 5: Added a new sign standard section, Section 5.39(L): Permanent Signs in a C1 and C2 District. Changed two cross references on page 5-49, Section 5.39(D)(6), to reflect subsection letter changes. • Article 5: Struck C1 and C2 from the icons listed in Section 5.78: General Yard Standards, exempting them from the standard. • Article 5: Struck C1 and C2 from the icons listed in Section 5.80: Non-Residential Yard Standards, exempting them from the standard. • Article 2: Modified the Blue Box cross references for C1 and C2 District to reflect the changes to Section 5.21, Section 5.78 and Section 5.80.	05/07/20
• Z-655-20 • PZ-2020-00068 OA • Beekeeping Standards	• 07/07/20 PC • 08/17/20 CC	• 08/18/20	5.02	5-4	• Article 5: Established standards for personal beekeeping in residential districts.	09/01/20
• 2021 Fees, Per UDO and Based on Consumer Price Index		01/04/21 for Zoning and Development Fees; and 04/01/21 for all other filing fees	1.29	1-10 through 1-13	• Article 1: Updated the filing fee schedule to reflect increase in consumer price index.	02/23/21
• Z-658-20 • 19090013a OA • Group Home Amendments	• 09/15/20 • 12/07/20	• 01/01/21	1.29, 2.03 through 2.18, 2.23 through 2.30, 5.72 (new), 9.08, 11.02 Note: All section numbers in Article 5 increased by 1 from Section 5.73 on.	1-11, 2-4 through 2-19, 2-24 through 2-31, 5-72, 9-21, 9-22, 11-8, 11-9, 11-12 Note: All page numbers in Article 5 increased by 1 from page 5-72 through the end of the article	• Article 1: Added a Special Exception Fee for Group Homes. • Article 2: Added "Group Home" as a Residential Special Exception to S1, S2, R1, R2, R3, R4, R5, and UR. • Article 2: Added "Group Home" as a Permitted Use to B3, B5, B6, and B7. • Article 5: Added a new Use-Specific Standards section to establish eligibility, required information, limitation, and reasonable accommodation for Group Homes. • Article 9: Added new processes specific to Group Homes in the Special Exception section. • Article 11: Amended 3 definitions: "Dwelling, Single-Family", "Family", "Home, Group". • Added SU-26 (Group Home Standards Cross Reference) to blue boxes for S1, S2, R1, R2, R3, R4, R5, UR, B3, B5, B6 and B7. • Changed previously known SU-26 (short-term residential rental) references to SU-27 in applicable blue boxes and elsewhere in the document.	02/23/21

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• Z-665-21 • PZ-2020-00119 OA • Sign Standards	• 02/16/21 PC • 04/19/21 CC	• 04/20/21	1.29, 5.18, 5.39, 5.66, 7.11, 7.12, 11.02	1-11, 5-22, 5-49 through 5-63, 5-72, 7-16, 7-17, 11-5, 11-6, 11-9, 11-20, 11-23, 11-24, 11-28 Note: All page numbers in Article 5 increased by 3 from page 5-61 through the end of the article	• Article 1: Added a new filing fee. • Article 5: Referred Home Occupation sign related provisions to Section 5.39 Sign Standards. • Article 5: Added new sign types, standards, and provisions to Section 5.39 Sign Standards. • Article 5: Added a new sign standard section, Section 5.39(S): Temporary Signs in a C1 & C2 District. • Article 5: Referred Food Stand Use sign related provisions to Section 5.39 Sign Standards. • Article 7: Amended Entryway Feature Standards to refer to Section 5.39 Sign Standards and only act as an option for signage. • Article 11: Added new definitions (“Canopy”, “Construction Fencing”, “Entryway Feature”, “Sign, Construction Fence”, “Sign, Canopy”, “Sign, Flag”, and “Vehicular Entrance”) and amended definitions (“Residential Complex”, “Sign, Blade”, “Sign, Entrance”, “Sign, Projecting”, “Sign, Secondary Projecting”, & “Spandrel Panel”).	06/09/21
• Z-669-21 • PZ-2021-00062 OA • Gas Station Setback & Standards Amendment	• 07/20/21 PC • 09/20/21 CC	• 09/21/21	5.65, 11.02	5-72, 11-6, 11-11, 11-20, 11-24, 11-25	• Article 5: Modified Section 5.65 Automobile Service Station; Automobile Filling Station – Use Specific Standards to increase the minimum setback from 80' to 500' from residentially zoned or used property, added a new 500' setback for vent pipes for underground storage tanks, and added standards for under-canopy lighting. • Article 11: Added the definition “Fossil Fuel”, amended definitions “Repair Indoor, Automobile or Truck,”, “Station, Automobile Filling”, “Station, Automobile Service”, “Storage or Sale of Petroleum Products”, deleted the definition “Store, Convenience (With or Without Gas Sales”.	11/19/21
• 2022 Fees, Per UDO and Based on Consumer Price Index		01/01/22 for Zoning and Development Fees; and 04/01/22 for all other filing fees	1.29	1-10 through 1-13	• Article 1: Updated the filing fee schedule to reflect increase in consumer price index.	04/29/22
• Z-678-22 • PZ-2022-00188 OA • Street Typology Amendments	• 10/18/22 PC • 11/21/22 CC	11/21/22	2.40, 3.17, 3.98, 5.05, 5.06, 5.07, 5.09, 5.19, 5.20, 5.75, 6.06, 6.09, 6.11, 6.12, 6.15, 7.25, 7.29, 11.02	2-41, 3-6, 3-49, 5-8, 5-9, 5-11, 5-12, 5-14, 5-26, 5-29, 5-31, 5-78, 6-5, 6-7, 6-8, 6-9, 6-11, 7-37 to 7-39, 7-44, 11-11, 11-14, 11-15, 11-25	• General: Update street type references to align with street types on the revised Thoroughfare Plan Map and Comprehensive Plan. • Article 2: Modified street type reference in the MC. • Article 3: Modified street type references in the HP-OL and 421-OL. • Article 5: Modified street type references in the UR, UC and MC Architectural Standards, Fence and Wall Standards, General Lot Standards, and Vision Clearance Standards. • Article 5: Modified street type references the planting tables in both the Commercial Landscaping Standards and Bufferyard Standards. • Article 6: Modified street type references in the Conservation Subdivision, Residential Subdivision, Townhouse Subdivision, and Commercial Subdivision Design Standards. • Article 7: Modified street type references in the General Street Standards and Non-Residential Access Standards. • Article 11: Modified definitions “Frontage Place”, “Limited Access Highway”, “Major Intersection”, “Street, Arterial”, “Street, Feeder”, “Street, Boulevard”, “Street, Local”.	01/25/23
• 2023 Fees, Per UDO and Based on Consumer Price Index		01/01/23 for Zoning and Development Fees; and 04/01/23 for all other filing fees	1.29	1-10 through 1-13	• Article 1: Updated the filing fee schedule to reflect increase in consumer price index.	01/25/23
• Z-686-23 • PZ-2023-00166 OA • HOA Rental Restriction Amendment	• 10/17/23 PC • 11/20/23 CC	• 11/20/23	7.20	7-29	• Article 7: Added new “Amendment of Covenants” subsection (B)(7).	2/18/24
• 2024 Fees, Per UDO and Based on Consumer Price Index		01/01/24 for Zoning and Development Fees; and 04/01/24 for all other filing fees	1.29	1-10 through 1-13	• Article 1: Updated the filing fee schedule to reflect increase in consumer price index.	2/18/24

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• Z-688-24 • PZ-2024-00034 OA • PRIF Credit Process Amendment	• 04/16/24 PC • 05/20/24 CC	05/20/24	1.30	1-15, 1-17	• Article 1: Revised the PRIF Ordinance regarding the issuance of credits, the Impact Fee Fund, and the use of impact fees.	8/26/24
• Z-690-24 • PZ-2024-00041 OA • Non-Dwelling Short-Term Rental Amendment	• 05/21/24 PC • 07/15/24 CC	07/15/24	1.29, 2.03 through 2.18, 5.74 (new), 9.08, 11.02, A.08 Note: All section numbers in Article 5 increased by 1 from Section 5.74 on	1-11, 2-4 through 2-19, 5-77, 5-78, 9-21, 9-23, 11-22, A-09 Note: All page numbers in Article 5 increased by 2 from page 5-77 on Note: All page numbers in Article 9 increase by 1 from page 9-23 on	• Article 2: Added "Short-Term Residential Rental, Non-Dwelling" as a Residential Special Exception to S1, S2, R1, R2, R3, R4, R5, and UR. • Article 5: Added a new Use-Specific Standards section to establish eligibility, required information, and limitations. • Article 9: Added new processes specific to Non-Dwelling Short-Term Rentals in the Special Exception section. • Article 11: Added the definition "Short-Term Residential Rental, Non-Dwelling." • Added SU-28 (Non-Dwelling Short-Term Rental Standards Cross Reference) to blue boxes for S1, S2, R1, R2, R3, R4, R5, and UR.	8/26/24
• Z-689-24 • PZ-2024-00039 OA • PRIF Ordinance	• 04/16/24 PC • 06/03/24 CC	01/01/25	1.30 and 11.02	1-15, 1-16, 1-18, 11-19	• Article 1: Updated the Parks & Recreation Impact fee ordinance for the years 2025-2029. • Article 11: Modified the definition of "Plan, Zone Improvement" to reference the 2025-2029 Zone Improvement Plan.	12/26/24
• 2025 Fees, Per UDO and Based on Consumer Price Index		• 01/01/25 for Zoning and Dev. Fees; and 04/01/25 for all other filing fees	1.29	1-10 through 1-13	• Article 1: Updated the filing fee schedule to reflect increase in consumer price index.	12/26/24
• Z-698-25 • PZ-2025-00103 OA • DP/ADLS Amendment	• 06/17/25 PC • 07/21/25 CC	• 07/21/25	2.20, 2.21, and 9.03	2-21, 2-23, 9-4 through 9-11	• Article 2: Added Development Plan and ADLS approval requirements to B1 and B2. • Article 9: Revised the Development Requirements and Plan Documentation and Supporting Information sections of the Development Plan process better differentiate the requirements of a DP vs. ADLS. • Article 9: Revised the Development Requirements and Plan Documentation and Supporting Information sections of the ADLS process to better differentiate the requirements of ADLS vs. DP. • Article 9: Revised the Procedures for Submission and Review for DP and ADLS to reflect current electronic submittal and approval process.	12/18/25
• Z-699-25 • PZ-2025-00101 OA • Group Homes Amendment	• 07/01/25 PC • 07/21/25 CC	• 07/21/25	5.72, 9.08, and 11.02	5-75, 9-21 through 9-23, 11-8, 11-12	• Article 5: Revises the Group Home Use-Specific Standards to require licensing or certification for certain types of Group Homes, also adds a limitation of 8 unrelated persons. • Article 9: Requires Special Exception approvals for Group Homes and Short-Term Rentals be made by the full BZA rather than a Hearing Officer. Short-Term Rental renewal approvals may still be approved by a Hearing Officer. • Article 9: Added proximity and number of other Group Homes as a basis of review. • Article 11: Amended definitions of "Home, Group" and "Dwelling, Two-Family".	12/18/25
• Z-700-25 • PZ-2025-00104 OA • Certificate of Occupancy, Change in Occupancy Amendment	• 07/01/25 PC • 07/21/25 CC	• 07/21/25	9.02 and 11.02	9-3, 11-4, 11-26	• Article 9: Adds a "Change in Occupancy" permit requirement for existing Commercial Buildings or Tenant Spaces. • Article 9: Revised the Inspection requirements to reflect current practices and to reflect Indiana Code provisions to allow for inspections by private providers. • Article 11: Added 3 definitions: "Building, Commercial", Building Safety Official", "Tenant Space".	12/18/25
• Z-701-25 • PZ-2025-00161 OA • Article 1 cleanup	• 08/19/25 PC • 09/15/25 CC	• 09/15/25	1.01 through 1.28, and 1.32	1-2 through 1-10, 1-20	• Article 1: Revise throughout for simplification, user-friendliness, or to replace outdated terminology. • Article 1: Add a list of petition types in Section 1.07 that would not need to comply with the requirements of the Thoroughfare Plan.	12/18/25

Amendment Tracking Table

- Ordinance# - Docket # - Short Title	Plan Commission/ City Council Approval Date	Effective Date	Sections Affected	Pages Changed	Brief Description of Changes	Date Codified
• Z-702-25 • PZ-2025-00205 OA • 2026 Fees	11/18/25 PC 01/05/25 CC	• 01/05/26 for Zoning and Development, Residential Rental Registration Fees; and 04/27/26 for Permit and Inspection Fees	1.29 and 11.02	1-10 through 1-14, 11-10, 11-18, and 11-26	• Article 1: Comprehensive update to filing fees. • Article 11: Added new definitions “Fee, Re-review”, “Fees, Inspection Late”, “Fees, Permit Late”, “Patio, Residential”, “Patio, Commercial”, “Patio Sidewalk”, “Structure, Class I”, “Structure, Class II”	2/12/26