

## Exhibit A

### Ordinance Language to Amend

Language to be deleted is ~~[stricken through]~~. Language to be added is [underlined].

#### Unified Development Ordinance

##### Chapter 2 Districts

##### 2.3 Residential Development Standards and Use

	R1	R2	R3	R4	MF
<b>A. Lot Requirements</b>					
Maximum Density (units/acre)	1.0	1.75	3.0	7.0	22.0
Minimum Lot Size (s.f.)					
Single-Family Dwelling	12,000	9,000	6,000	4,200	N/A
Multi-Family Dwelling (s.f. per dwelling unit)	N/A	4,500	3,000	2,100	1,800
Minimum Lot Width	90'	70'	50'	40'	100'
Minimum Lot Frontage/Street Frontage (1)	50'	50'	40'	30'	80'
<b>B. Building Requirements</b>	<u>See Fig. 2-1</u>	<u>See Fig. 2-2</u>	<u>See Fig. 2-3</u>	<u>See Fig. 2-4</u>	<u>See Fig. 2-5</u>
<b>Placement</b>					
Minimum Front Setback	30'	25'	20'	10'	25'
Minimum Street Side Setback	20'	15'	10'	7'	15'
Minimum Side Yard Setback (2)	10'	7'	5'	5'	10'
Minimum Rear Setback	20'	20'	10'	10'	10'
Min. Separation of Primary and Accessory Buildings	10'	10'	6'	6'	10'
Garage Along Street Setback	30'	25'	20'	20'	20'
<b>C. Building Requirements</b>					
Maximum Building Height	35'	35'	35'	45'	50'
Maximum Lot Coverage	50%	50%	60%	80%	70%
Minimum Ground Floor Area (s.f.)					
1 Story Dwelling	1,200	1,200	960	700	N/A
Dwelling with more than 1 story	900	850	750	400	N/A
Min. Floor Area per D.U. for Multi-Family Dwellings	N/A	N/A	N/A	<del>(2)</del> (3)	<del>(3)</del> (4)

Notes:

- (1) Any lot without street frontage must have an unobstructed access easement at least 12' wide.
- (2) ~~(4)~~ The side yard setback between attached single family units and multi-family units within the same building is 0'
- (3) ~~(2)~~ 450 s.f. + 150 s.f. per bedroom
- (4) ~~(3)~~ 400 s.f. + 150 s.f. per bedroom

## 2.4 Business Development Standards and Use

### A. Purpose

2. PB Professional Business – This district is established as a buffer between commercial and residential districts. This district allows selected business and professional uses having limited contact with the public. Development in this district requires connection to public water and public sewers and development plan approval.

5. AB Accommodation Business – This district is established ~~as a buffer between commercial and residential districts. This district allows selected business and professional uses having limited contact with the public.~~ for commercial uses commonly found along interstate and highway corridors and promote coordinated quality development in these areas. Uses in this district may range in scale and intensity but are closely related to the needs of the traveling public. Development in this district requires connection to public water and public sewers and development plan approval.

	LB	PB	UB	GB	AB
<b>A. Lot Requirements</b>					
Minimum Lot Size	No min.	No min.	No min.	No min.	No min.
Minimum Lot Width	No min.	No min.	No min.	No min.	No min.
Minimum Lot Frontage/Street Frontage (1)	No min.	No min.	No min.	No min.	No min.
<b>B. Building Requirements</b>	<b>Placement</b>	<a href="#">See Fig. 2-6</a>	<a href="#">See Fig. 2-7</a>	<a href="#">See Fig. 2-8</a>	<a href="#">See Fig. 2-9</a>
Minimum Front Setback					
Where abutting a residential district	20'	20'	10'	20'	20'
All others	20'	20'	0'	20'	20'
Minimum Street Side Setback					
Where abutting a residential district	15'	15'	7'	15'	15'
All others	0'	0'	0'	15'	15'
Minimum Side Setback					
Where abutting a residential district	10'	10'	5'	10'	10'
All others	0'	0'	0'	10'	10'
Minimum Rear Setback					
Where abutting a residential district	10'	10'	10'	10'	10'

All others	0'	0'	0'	10'	10'
Min. Separation of Primary and Accessory Buildings	10'	10'	6'	10'	10'

Garage Along Street Setback					
Where abutting a residential district	20'	20'	20'	20'	20'
All others	0'	0'	0'	10'	10'

### C. Building Requirements

Building Height	35'	35'	75'	75'	35'
Lot Coverage	50%	50%	90%	75%	50%

USE	Use Limitation	LB	PB	UB	GB	AB
<b>COMMERCIAL SALES, SERVICES, AND REPAIR PRIMARY USES</b>						
<b>Adult Business</b>						
All Types	§3.3	NP	NP	NP	L-SE NP	NP L- SE
<b>Arts, Recreation &amp; Entertainment</b>						
Arts, Recreation, Entertainment, Indoor		P	P	P	P	P
Arts, Recreation, Entertainment, Outdoor	7	NP	L	NP	L	L
<b>Parking of Vehicles</b>						
Parking Garage	8	NP	L	L	L	L
Parking Lot		P	NP	P	P	NP
<b>Eating &amp; Drinking Establishments</b>						
Restaurant, Class A		P	P	P	P	P
Restaurant, Class B		P-SE	P	P	P	P
Taverns & Lounges		P-SE	P	P	P	P
<b>Lodging Accommodations</b>						
Bed & Breakfast		NP	NP	P	NP	P
Hotel or Motel		NP	NP	P	P	P
<b>Office</b>						
Dental/Medical Office or Clinic	9	L	NP L	L NP	L	NP
Office, All Others		P	P	P	P	P
<b>Retail Sales, Service &amp; Repair</b>						
Animal Sales and Services, Household Pets	10	NP	NP	L	L	NP
Animal Sales and Services, All Others	11	NP	NP	NP	L	NP
Food Sales or Market	12	L	NP	L	L	NP

Kennel, Small	13	L-SE	NP	NP	L-SE	NP
Liquor Store		P-SE	NP	P-SE	P-SE	NP
Pawn Shop	14	L-SE	NP	L	NP	NP
<del>Retail Sales, Service &amp; Repair, Outdoor Landscape Contractor</del>	15	L-SE	NP	NP	L	NP
Retail Sales, Service & Repair, Special Handling	<u>24</u>	NP	NP	NP	L-SE	NP
Retail Sales, <u>Personal Services</u> , & Repair, <del>All Others</del>	<u>23</u>	L	<del>L-NP</del>	L	L	L
<b>Vehicle/Equipment Sales, Service &amp; Repair</b>						
Automobile Services, Light	<del>16</del>	<del>L-P</del>	NP	NP	<del>L-P</del>	NP
Automobile Services, Heavy	17	NP	NP	NP	L-SE	NP
Auto/Motorcycle/Boat/Light Truck Sales or Rentals	18	NP	NP	NP	L	NP
<u>Service Station, Local</u>	<u>16</u>	<u>SE</u>	<u>NP</u>	<u>NP</u>	<u>SE</u>	<u>L</u>
<u>Service Station, Truck Stop</u>		<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>

#### Business Use Limitation Notes

15. ~~Retail Sales, Service, and Repair—Outdoor Landscape Contractor~~. In all ~~Mixed-Use Business~~ Districts where permitted with limitations, only outdoor retail sales are permitted, and outdoor ~~retail-repair~~ or service uses ~~are prohibited~~ must take place indoors.

16. ~~Automobile Services—Light Service Station~~. In all Zoning Districts, where Service Stations ~~Automobile Services—Light~~ are permitted with limitations, automobile wash, laundry, detail or polishing shops are permitted subject to compliance with the following standards:

- The structure housing the primary use must be setback at least 8 feet from a residential district
- Adequate landscaping and solid fencing must be installed to control the effects of noise when a bay is located adjacent to a residential use or a residential district.
- If the use abuts a residential district, the hours of operation are limited to 7:00 a.m. to 10:00 p.m.
- In addition to any other required off-street parking, the use must provide for each washing stall, sufficient hard-surfaced and dustfree space on the lot to accommodate at least 3 vehicles waiting to be washed.

23. Retail Sales, Personal Services, & Repair. In all Business Districts where permitted with limitations, retail sales and personal services are permitted outright except for Massage Establishments. Massage Establishments are only permitted with a Special Exception from the Board of Zoning Appeals.

24. Retail Sales, Service & Repair, Special Handling. In all Business Districts where permitted with limitations and requires a Special Exception from the Board of Zoning Appeals, Special Handling establishments must provide proof of license to sell and compliance with state requirements.

	I1	I2	I3	AG
<b>A. Lot Requirements</b>				
Maximum Density (units/acre)	N/A	N/A	N/A	0.5
Minimum Lot Size (s.f.)	20,000	30,000	20,000	15,000
Minimum Lot Width	100'	120'	100'	200'
Minimum Lot Frontage/Street Frontage	45'	60'	45'	50'
<b>B. Building Placement Requirements</b>	<a href="#">See Fig. 2-11</a>	<a href="#">See Fig. 2-12</a>	<a href="#">See Fig. 2-13</a>	<a href="#">See Fig. 2-14</a>
Minimum Front Setback				
Residential Uses	N/A	N/A	N/A	50'
Nonresidential Uses	20'	30'	25'	20'
Minimum Street Side Setback				
Residential Uses	N/A	N/A	N/A	25'
Nonresidential Uses	15'	20'	15'	15'
Minimum Side Setback				
Residential Uses	N/A	N/A	N/A	10'
Nonresidential Uses	10'	10'	10'	10'
Minimum Rear Setback				
Residential Uses	N/A	N/A	N/A	40'
Nonresidential Uses	10'	20'	20'	10'
Min. Separation of Primary and Accessory Buildings	10'	10'	10'	10'
Garage Along Street Setback	20'	20'	20'	20'
<b>C. Building Requirements</b>				
Maximum Building Height	75'	75'	75'	35'
Maximum Lot Coverage	<del>75%-N/A</del>	<del>50%-N/A</del>	<del>75%-N/A</del>	50%
Minimum Ground Floor Area (s.f.)				
1 Story Dwelling	N/A	N/A	N/A	1,200
Dwelling with more than 1 story	N/A	N/A	N/A	900

USE	Use Limitation	I1	I2	I3	AG
<b>COMMERCIAL SALES, SERVICES, AND REPAIR PRIMARY USES</b>					
<b>Adult Business</b>					
All Types	§3.3	NP	L-SE	NP	NP
<b>Arts, Recreation &amp; Entertainment</b>					
Arts, Recreation, Entertainment, Indoor		NP	NP	NP	P
Arts, Recreation, Entertainment, Outdoor	8	NP	NP	NP	L
Sports and/or Entertainment Arena or Stadium	9	NP	L-SE	L-SE	NP
Shooting Range	26	NP	NP	NP	L-SE

Parking of Vehicles					
Parking Garage	10	L	L	L	NP
Parking Lot		P	P	P	NP
Eating & Drinking Establishments					
Restaurant, Class B		P-SE	NP	NP	NP
Lodging Accommodations					
Bed & Breakfast		NP	NP	NP	P-SE
Office					
Office, All Others		P	NP	P	NP
Retail Sales, Service & Repair					
Animal Sales and Services, All Others	11	L	NP	NP	NP
Kennel, Medium or Large	12	L-SE	L-SE	NP	L
Retail Sales, <u>Personal Services</u> , & Repair, <del>All Others</del>	<u>25</u>	L	L	NP	NP
Vehicle/Equipment Sales, Service & Repair					
Automobile Services, Light	<del>13</del>	<del>L</del>	<del>P</del>	NP	NP
Automobile Services, Heavy	14	L-SE	L	NP	NP
Auto/Motorcycle/Boat/Light Truck Sales or Rentals	15	L	L	NP	NP
Heavy Vehicle/Equipment Sales, Rentals & Service	16	NP	L	NP	NP
<u>Service Station, Local</u>	<u>13</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>NP</u>

#### Industrial Use Limitation Notes

~~13. Automobile Services-Light~~ Service Station, Local. In all Zoning Districts, where Service Stations ~~Automobile Services-Light~~ are permitted with limitations, automobile wash, laundry, detail or polishing shops are permitted subject to compliance with the following standards:

- The structure housing the primary use must be setback at least 8 feet from a residential district
- Adequate landscaping and solid fencing must be installed to control the effects of noise when a bay is located adjacent to a residential use or a residential district.
- If the use abuts a residential district, the hours of operation are limited to 7:00 a.m. to 10:00 p.m.
- In addition to any other required off-street parking, the use must provide for each washing stall, sufficient hard-surfaced and dustfree space on the lot to accommodate at least 3 vehicles waiting to be washed.

25. Retail Sales, Personal Services, & Repair. In all Industrial Districts where permitted with limitations, retail sales and personal services are permitted subject to compliance with the following standards:

- Uses are outright permitted except for Massage Establishments. Massage Establishments are only permitted with a Special Exception from the Board of Zoning Appeals.
- Retail sales and services is limited to 20% or up to 5,000 square feet, whichever is less, of the overall gross square footage of the building.

26. Shooting Range. In all districts where permitted with limitations, outdoor shooting ranges are subject to compliance with the following standards:

- a. Facilities shall be designed to minimize safety concerns for nearby properties. Each facility must utilize a safe backstop and/or conducted shooting in a safe direction as determined by the Whitestown Police Department and must contain all of the bullets, shot, or any other debris on the range facility.
- b. All shooting stations shall be located at least 1,000 feet from any existing residential structure within any jurisdiction.
- c. All shooting stations shall be at least 200 feet from any property line.
- d. Warning signs identifying the presence of the shooting range shall be posted at 100-foot intervals along the entire perimeter of the shooting range facility property boundary.

## 2.6 Mixed-Use Development Standards and Uses

	MU-OSR	MU-COR
<b>A. Lot Requirements</b>		
Maximum Density (units/acre)	1.0	15.0
Minimum Lot Size		
Residential Use (per dwelling unit)	6,000	1,800
Nonresidential Use	No min.	No min.
Minimum Lot Width		
Residential Use	50'	40'
Nonresidential Use	No min.	No min.
Minimum Lot Frontage/Street Frontage (1)		
Residential Use	40'	30'
Nonresidential Use	No min.	No min.
<b>B. Building Placement Requirements</b>		
	<a href="#">See Fig. 2-15</a>	<a href="#">See Fig. 2-15</a>
Minimum Front Setback		
Residential Use	20'	10'
Nonresidential Use	20'	0'
Minimum Street Side Setback		
Residential Use	10'	7'
Nonresidential Use	7'	0'
Minimum Side Setback		
Residential Use <u>(2)</u>	5'	5'
Nonresidential Use	5'	0'
Minimum Rear Setback		
Residential Use	20'	10'
Nonresidential Use	10'	0'
Min. Separation of Primary and Accessory Buildings		
Residential Use	6'	6'
Nonresidential Use	6'	10'
Garage Along Street Setback		
Residential Use	20'	20'
Nonresidential Use	0'	0'

	MU-OSR	MU-COR
<b>C. Building Requirements</b>		
Building Height		
Residential Use	35'	45'
Nonresidential Use	50'	40'
Lot Coverage		
Residential Use	60%	80%
Nonresidential Use	80%	80%
Ground Floor Area (s.f.)		
1 Story Dwelling		
Residential Use	960	700
Nonresidential Use	No min.	No min.
Dwelling with more than 1 story		
Residential Use	750	400
Nonresidential Use	No min.	No min.
Min. Floor Area per D.U. for Multi-Family Dwellings	N/A	<del>(2)</del> (3)

Notes:

- (1) Any lot without street frontage must have an unobstructed access easement at least 25' wide.
- (2) The side yard setback between attached single family units and multi-family units within the same building is 0'
- (3) ~~(2)~~ 450 s.f. + 150 s.f. per bedroom

USE	Use Limitations	MU-OSR	MU-COR
<b>COMMERCIAL SALES, SERVICES, AND REPAIR PRIMARY USES</b>			
<b>Arts, Recreation &amp; Entertainment</b>			
Arts, Recreation, Entertainment, Indoor	9	P	L
Arts, Recreation, Entertainment, Outdoor	10	L	L
Sports and/or Entertainment Arena or Stadium	11	L-SE	NP
<b>Parking of Vehicles</b>			
Parking Garage	12	NP	L
<b>Eating &amp; Drinking Establishments</b>			
Restaurant, Class A		NP	P
Restaurant, Class B		NP	P
Taverns & Lounges		NP	P
<b>Lodging Accommodations</b>			
Bed & Breakfast		P-SE	P
Hotel or Motel		NP	P
<b>Office</b>			

Dental/Medical Office or Clinic	13	NP	L
Office, All Others		NP	P
<b>Retail Sales, Service &amp; Repair</b>			
Animal Sales and Services, Household Pets	14	NP	L
Food Sales or Market	15	NP	L
Liquor Store		NP	SE
<del>Retail Sales, Service &amp; Repair, Outdoor Landscape Contractor</del>	16	NP	L
Retail Sales, <u>Personal Services</u> , & Repair, <del>All Others</del>	<u>28</u>	NP	L
<b>Vehicle/Equipment Sales, Service &amp; Repair</b>			
Automobile Services, Light	<del>17</del>	NP	<del>L</del> <u>P</u>
Auto/Motorcycle/Boat/Light Truck Sales or Rentals	18	NP	L
<u>Service Station, Local</u>	<u>17</u>	<u>NP</u>	<u>SE</u>

#### Mixed-Use District Limitation Notes

16. ~~Retail Sales, Service, and Repair – Outdoor. Landscape Contractor.~~ In all Mixed-Use Districts where permitted with limitations, only outdoor retail sales are permitted, and outdoor ~~retail~~ repair or service uses ~~are prohibited~~ must take place indoors.

17. ~~Automobile Services-Light~~ Service Station, Local. In all Zoning Districts, where Service Stations ~~Automobile Services-Light~~ are permitted with limitations, automobile wash, laundry, detail or polishing shops are permitted subject to compliance with the following standards:

- The structure housing the primary use must be setback at least 8 feet from a residential district
- Adequate landscaping and solid fencing must be installed to control the effects of noise when a bay is located adjacent to a residential use or a residential district.
- If the use abuts a residential district, the hours of operation are limited to 7:00 a.m. to 10:00 p.m.
- In addition to any other required off-street parking, the use must provide for each washing stall, sufficient hard-surfaced and dustfree space on the lot to accommodate at least 3 vehicles waiting to be washed.

28. Retail Sales, Personal Services, & Repair. In all Mixed Use Districts where permitted with limitations, retail sales and personal services are permitted outright except for Massage Establishments. Massage Establishments are only permitted with a Special Exception from the Board of Zoning Appeals.

## 2.7 I-65 Corridor Overlay

### D. Site Design Standards

3. Building Height. Principal buildings for residential uses must have a minimum height of 20 feet.

Principal buildings for non-residential uses must ~~have a minimum height of two stories.~~ comply with the underlying zoning district.

## Chapter 3 Specific Uses

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### **3.4 Cell Towers and Wireless Communications Facilities**

E. The following provisions apply to all applications submitted under this chapter:

8. If an application is approved and after final action has occurred, the applicant will record with Boone County provisions for the removal of the cell tower or wireless communication facility as outlined in Section 3.4. G.

F. These design standards apply to all cell towers and wireless communication facilities, except small cell towers.

1. All cell towers and wireless communications facilities shall be constructed as a monopole structure.
2. All cables and wires shall be installed inside the monopole structure.
3. Unless required by state and/or federal regulations, all cell towers and communications facilities shall be uniform grey or black in color.
4. All structures, except fences, shall be located a minimum distance from the property line or lease line of any adjoining property that is equal to one-half (1/2) the height of the tower, but not less than 50 feet.
5. A cell tower or wireless communication facility may be a maximum height of 200 feet regardless of the maximum height requirements listed in the specific zoning district. This also applies to the any tower taller than 10 feet constructed on top of another building or structure, with the height being the overall height of the building/structure and tower together.
6. Cell towers and wireless communications facilities shall not be illuminated, except in accordance with state or federal regulations.
7. The communications tower base and all accessory equipment shall be enclosed by a fence at least 8 feet in height with an access gate that remains locked except when attended by authorized personnel. In addition, the enclosure shall be screened on all sides. The security fence shall be opaque and shall be of colors that are compatible with the natural and built environment. The use of barbed wire and sharp pointed fences shall be prohibited.

G. Removal.

1. If a cell tower or wireless communication facility is not used for a period of one year, it shall be the duty and obligation of the party then in possession and control of the site to have the unused antenna support structure and any other unused cell site apparatus completely dismantled and removed from the site.

### **3.11 Solar Energy Systems**

All Solar Energy Systems must comply with this chapter.

A Solar Energy System is permitted when incidental to the primary use of the site. Solar Energy Systems must not adversely affect the character of the district or interfere with the reasonable enjoyment of adjacent properties.

Concept and Development approval through the Plan Commission is required for proposed Ground-mounted Solar Energy Systems. Approval for Roof-mounted Solar Energy Systems is reviewed administratively. The Administrator reviews the completeness of applications and compliance with this chapter to construct or modify Solar Energy Systems. Solar Energy Systems shall comply with all applicable building and electric codes and are not exempt from any such inspections and permits.

A. Ground-mounted Solar Energy Systems

1. Not permitted in residential zoning districts, adjacent to residential zoning districts, or on a

site primarily used for residential use.

2. Setbacks. Solar Energy Systems shall not be located in any front yard or street side yard, and when oriented at minimum and maximum design tilt must comply with the side and rear setbacks as outlined in the applicable zoning district.
3. Maximum Size. Systems shall not exceed the footprint of the principal building or structure served.
4. Height. Solar Energy Systems shall not exceed 20 feet in height at maximum tilt.
5. Lot Coverage. Ground-mounted systems shall be exempt from the lot coverage restrictions for the zoning district when the soil under the solar collector is maintained in vegetation and not compacted.

B. Roof or Building-mounted Solar Energy Systems, Residential

1. Setbacks. No part of the system shall extend into any required side or rear yard as outlined in the applicable zoning district.
2. Wall mounting. In the case of wall mounting, no part of the system shall project more than 5 feet from the building. Wall mounting is not permitted on the front wall.
3. Height. Systems shall not exceed the maximum height in the zone, with the height being the overall height of the building/structure and solar system together. Additionally, systems shall be mounted parallel to the pitch of the roof and be no higher than 6 inches from the roof surface.

C. Roof or Building-mounted Solar Energy Systems, Non-Residential

1. Setbacks. No part of the system shall extend into any required yard as outlined in the applicable zoning district.
2. Wall mounting. In the case of wall mounting, no part of the system shall project more than 5 feet from the wall.
3. Height. No part of the system shall exceed the maximum height permitted in the applicable zoning district. For roof mounting, no part of the system shall project more than 10 feet from the roof surface. For wall mounting, no part of the system shall project more than 10 feet above the top of wall, if a parapet wall is used then no part of the system shall project above the parapet wall.

## Chapter 4 Design and Maintenance Standards

### 4.1 Accessory Structures

- A. Accessory buildings are permitted in all Zoning Districts. No more than one accessory building, including a detached private garage, is permitted on any attached or detached single-family dwelling lot.
- B. The maximum ground floor area of an accessory building is the lesser of the ground floor area of the principal building or 1,000 square feet.
- Accessory buildings located in the AG Zone and used for agriculture purposes are exempt from maximum floor area regulations.
- ~~C.~~ B. Accessory buildings must be constructed on the same lot as their principal building.
- ~~D.~~ C. Accessory buildings for residential uses must be setback at least 10 feet behind the front facade of the principal building.
- ~~E.~~ D. An accessory building 200 square feet or smaller must be a minimum of 3 feet from the side and rear lot lines and located outside of all easements. An accessory building over 200 square feet must meet the minimum side, street side, and rear yard building setback lines of the Zoning District, except as otherwise established by this chapter.
- ~~F.~~ E. Accessory buildings must not be constructed until the construction of the principal building on the same lot has begun. Accessory buildings cannot be occupied or utilized unless the principal building is first legally occupied for a permitted use within the applicable Zoning District. The construction of an accessory building must be completed:
1. Within one year of the issuance of a building permit, if such permit is obtained individually; or
  2. Within one year of the completion of construction of the principal building, if the accessory building's building permit is obtained as part of the building permit for the principal building.
  3. The standards of this Ordinance do not prevent the use of a temporary construction building to be utilized for the storage of tools, materials, and other equipment during the period of construction.
- ~~G.~~ F. Property owners should refer to any applicable Declaration of Covenants, Conditions, and Restrictions which may impose greater restrictions than are found in this Ordinance. This ordinance does not abrogate any private covenants that may apply to property. Likewise, approval of any addition or improvement pursuant to private covenants does not act as a waiver of any requirements contained in this ordinance.
- ~~H.~~ G. Swimming pools must be constructed on the same parcel as the principal building to which they are accessory. Swimming pools cannot be constructed in the established front yard. Swimming pools are required to meet the same minimum building setback line as their principal building. Access to residential pools must be restricted in accordance with I.A.C., Title 675, Article 20.
- ~~I.~~ H. Screening of Receptacles and Loading Areas: These standards apply to all garbage containers, trash receptacles, pallet storage areas, trash compactors, recycling areas and other similar facilities in for commercial, industrial, and multi-family uses. ~~all Zoning Districts; however, these standards do not apply to single-family dwellings:~~
1. Garbage containers, trash receptacles, pallet storage areas, trash compactors, recycling areas, loading areas and other similar facilities must be completely and permanently screened from view of rights-of-way and where possible, adjoining properties.
  2. Enclosures cannot be in an established front yard or in any required side or rear yard.
  3. The enclosure must be solid on all sides and not less than 6 feet in height above grade

or 2 feet above the receptacle, whichever is greater.

4. Enclosures must be constructed of materials that match or complement the principal building.
  5. Enclosures must have opaque gates. The gates cannot be oriented towards residential properties or rights-of-way, where possible.
  6. Trash enclosures should provide convenient pedestrian access for daily waste disposal. Such access should be provided without swinging or moveable doors.
  7. Gates and doors on enclosures must be kept closed when not in use.
  8. Landscaping must be provided around enclosures in accordance with 5.3 General Landscaping Standards.
- J. ~~I.~~ Large ground microwave antenna dishes are not permitted in an established front yard or an established side yard; however, a satellite receiver antenna 2 feet in diameter or less may be installed in any location in accordance with the provisions of IC 36-7-4-201.1.
- K. ~~J.~~ ~~The standards of this Ordinance do not prevent the use of a temporary construction building to be utilized for the storage of tools, materials, and other equipment during the period of construction.~~
- L. K. Carports must be consistent in design, appearance, and materials with the principal building.

#### **4.8 Setback Standards**

A. The measurement of any building setback line ~~or building separation~~ is the shortest distance between the building façade and the lot line ~~or right-of-way line, whichever is closest. Where there is no right-of-way line, the building setback line is measured from the building façade to the edge of pavement or the access easement line, whichever is closest.~~ The front yard setback for ~~m~~new lots is measured from the lot line or right-of-way line, whichever is closest, abutting the open space to the building façade.

## Chapter 5 Landscaping Standards

### 5.6 Landscape Buffer Areas

B. Commercial, ~~Institutional~~ or Mixed-Use Abutting Residential. Where a commercial ~~district~~ or mixed-use district, building, or project abuts a residential district, building, or project, a landscape buffer must be provided using either Option 1 or Option 2 below (see Figure 5-7).

1. Option 1. A landscape buffer area at least 15 feet wide must be provided by the proposed development along the shared border. The buffer area must consist of natural landscape materials such as grasses, ground cover, shrubs, and trees. Parking or impervious surfaces are prohibited in the buffer area. One shade or evergreen tree and 3 large shrubs must be provided for every 25 linear feet of lot line. Plant spacing should be designed to minimize sound, light, and noise impacts on residential uses.
2. Option 2. An opaque wall, berm, fence or dense (at least 75% opacity) vegetative screen at least 6 feet tall must be provided for every 35 linear feet of lot line. If a fence or wall is provided, the side facing away from the commercial or institutional use must be at least as finished in appearance as the side facing the commercial or institutional use. The fence or wall must be placed at least 3 feet inside the property line of the proposed development and 3 small shrubs per 25 linear feet of lot line must be provided between the fence or wall and the property line. If a vegetative screen is proposed, it must be at least 6 ft. in height at the time of planting.

D. Industrial Abutting Commercial ~~or Institutional~~. Where an industrial district, building, or project abuts a commercial district, building, or project ~~or industrial use~~, a landscape buffer must be provided by using either Option 1 or Option 2 below (see Figure 5-9).

1. Option 1. A landscape buffer area of at least 10 feet wide must be provided by the proposed development along the shared border. The buffer area must consist of natural landscape materials such as grasses, ground cover, shrubs and trees. Parking or impervious surface areas are prohibited in the buffer area. One shade or evergreen tree and 4 large shrubs must be provided for every 30 linear feet of lot line. Plant spacing should be designed to minimize sound, light and noise impacts.
2. Option 2. An opaque wall, berm, fence or dense (50% opacity) vegetative screen at least 6 feet tall must be provided with 1 shade tree provided for every 40 linear feet of lot line. If a fence or wall is provided, the side facing away from the industrial use must be at least as finished in appearance as the side facing the industrial use. The fence or wall must be placed at least 3 feet inside the property line of the proposed development and 3 small shrubs per 25 linear feet of lot line must be provided between the fence and wall and the property line. If a vegetative screen is proposed, it must be at least 6 feet in height at the time of planting.

## Chapter 6 Lighting Standards

### **6.5 General Lighting Standards**

D. Light pole height must not exceed 25 feet. Wall mounted light fixtures must not exceed 30 feet. Light fixtures in parking facilities must be designed and located to confine emitted light to the parking facility.

## Chapter 8 Sign Regulations

### 8.3 Prohibited Signs

The following signs are prohibited unless protected by state statute, otherwise allowed in this chapter:

- Abandoned signs.
- Animated signs.
- Balloon signs.
- Billboards.
- Blinking signs.
- Flashing signs.
- Inflatable signs.
- Intermittent signs.
- Manual changeable copy, temporary, signs.
- Moving signs.
- ~~Offsite commercial signs.~~
- Pole signs.
- Pennant banner.
- Reflective signs.
- Rotating signs.
- Scrolling signs.
- Signs attached to or painted on trees or natural features.
- Signs within the right-of-way.
- Signs installed, attached to, or painted on fences.
- Signs or sign support structures obstructing to a means of egress, including any fire escape, window, door opening, stairway, exit, walkway, any utility access or fire department connection.
- Signs interfering with any opening required for ventilation.
- Signs resembling traffic control device signs.
- Signs with exposed raceways.
- Snipe or bandit signs.
- Unlawful vehicle signs.

### 8.7. Temporary Signs

H. Temporary Residential Subdivision Signs. Temporary residential subdivision signs are permitted in single-family residential districts for each builder in a recorded subdivision plat. Temporary residential subdivision signs must meet the criteria and limitations set forth in the Table 8.23: Temporary Signs.

### 8.8 Permanent Sign Lighting and Changing Message Displays

D. Electronic Changing Message Displays. The entire sign face of a freestanding monument, and tower sign, ~~and freeway sign~~ may be an electronic changing message display if located within a Zoning District where allowed and subject to the following operational limitations.

For non-residential uses in residential districts, 1/2 of the sign face of a freestanding monument sign may be an electronic changing message display, subject to the following operation limitations.

### 8.9 Permanent Sign Types

D. Wall Signs in Non-Residential Uses

8. Wall Sign Area: Buildings Three or More Stories in Height. Wall signs located on buildings 3 or more stories in height are limited to the first floor and top floor and must conform to the following criteria.

- a. The sign area for a wall sign on the top floor is not counted against the sign allowance area of a wall sign on the first floor. Wall signs located on the top floor are limited to either: (a) 1 building sign and 1 tenant sign, or (b) 2 tenant signs. A wall sign located on the top floor must adhere to the criteria contained in Table 8.4: Top Floor Sign Area and Height Standards for On-Premise Wall Signs for Buildings Three-Stories or Greater. The maximum sign area for a wall sign on the top floor cannot be increased through a comprehensive sign program or master sign plan.

E. Wall Signs for Non-Residential Uses in Residential Zoning Districts

6. Wall Sign Area: Buildings One or More Stories in Height. Wall signs must only be located on one floor of a single-story or multistory building and must meet the following criteria.

- e. If the top floor of a multi-story building is chosen for the allowable wall signs, the top floor wall signs are limited to either (i) 1 building sign and 1 tenant sign, or (ii) 2 tenant signs. A wall sign on the top floor must adhere to the criteria contained in Table 8.4: Top Floor Sign Area and Height Standards for On-Premise Wall Signs for Buildings Three-Stories or Greater. The maximum sign area for a wall sign on the top floor cannot be increased through a comprehensive sign program or master sign plan

Q. Freestanding Sign: Monument Signs.

- a. For a nonresidential use in a residential district, one onsite monument sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. ~~One additional monument sign is permitted for each additional 300 feet of street frontage.~~ The maximum size of a monument sign is ~~32~~ 6 square feet and ~~8~~ 6 feet high. Monument signs must be set back at least 3 feet from the right-of-way.
- b. In Business, Industrial, and Mixed-use Zoning Districts, one onsite monument sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. One additional monument sign is permitted for each additional 300 feet of street frontage. The height of a monument sign must be no greater than 12 feet to the top of design embellishments, and the sign face must be located between 2 feet and 10 feet above grade with design embellishments added to the top, sides, or bottom of the sign. The maximum area of a monument sign is 60 square feet. Monument signs must be set back a minimum of 3 feet from the right-of-way. Monument signs maintain a minimum spacing of 100 feet from any other monument sign on the same street frontage.
- c. ~~In Business, Industrial, and Mixed-use Zoning Districts, one onsite monument sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. One additional monument sign is permitted for each additional 300 feet of street frontage. The height of a monument sign must be no greater than 12 feet to the top of design embellishments, and the sign face must be located between 2 feet and 10 feet above grade with design embellishments added to the top, sides, or bottom of the sign. The maximum area of a monument sign is 60 square feet. Monument signs must be set back a minimum of 3 feet from the right-of-way. Monument signs maintain a minimum spacing of 100 feet from any other monument sign on the same street frontage.~~

T. Freestanding Sign: Residential Subdivision Entry Signs. A residential subdivision entry sign at the principal entries to residential subdivisions may have one entry sign on each side of the street. The maximum sign area of the residential subdivision entry sign is 25 square feet and the maximum height is 8 feet. The residential subdivision entry sign must be set back a minimum of 3 feet behind the right-of-way. A residential subdivision entry sign may be internally or indirectly illuminated. The residential subdivision entry sign must be incorporated into the design of an entry wall, which must be

architecturally compatible with other subdivision improvements. ~~Residential subdivision entry sign structures require approval by the Design Review Board as part of the subdivision development plan.~~ Residential subdivision entry sign structures added following the initial development of the subdivision require administrative design review approval.

## 8.14 Sign Regulation Tables

A. Table 8.1 – Temporary Signs: General Criteria and Limitations

Standard	Residential Districts	Non-Residential Districts
Maximum Number of Signs Per Parcel	4 <sup>±</sup>	4
Maximum Sign Area	6 sq. ft.	32 sq. ft.
Sign Height Maximum for a Freestanding Sign <sup>2,1</sup>	4 ft.	6 8 ft.
Sign Height Maximum for a Wall Sign (inclusive of a Window Sign <sup>3</sup> )	6 ft.	15 ft.
Minimum Setback/ Distance from Right of Way <sup>4,3</sup>	10 ft.	10 ft.
Minimum Spacing from any Other Sign (temporary sign or permanent sign) <sup>1,2</sup>	15 ft.	15 ft.
Permit Required	No	No
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No	No
Permission of Owner Required	Yes	Yes
Allowed within a Sight Visibility Triangle	No	No
Allowed on Public Sidewalk / Right of Way <sup>5,4</sup>	No	No
Duration Allowed After Conclusion of an Event if Sign Pertained to an Event	3 days	3 days <sup>6,5</sup>
Lighting or Illumination Allowed	No	No
Movement Allowed	No	No

### Notes:

~~1. In Single-Family Residential Districts, each Single-Family Residential Use with at least one principal structure may place up to 6 offsite temporary signs on private property for the purpose of directing the public to a residential activity (e.g. real estate open house, garage/yard sale, estate sale). The signs must be displayed only during the hours the single-family residence is open for public inspection.~~

~~2. 1.~~ Not applicable to signs displayed on flagpoles.

~~3. 2.~~ Window Signs cannot cover more than 25% of the first-floor window area.

~~4. 3.~~ Minimum sign setbacks are measured from the edge of the property line. Setbacks do not apply to wall signs or signs affixed to a temporary construction fence.

~~5. 4.~~ Government signs displaying government speech are exempt from regulation under this chapter.

~~6. 5.~~ Temporary signs advertising the grand opening of a business or other enterprise may be placed no more than two weeks prior to the date of the grand opening and must be removed within two weeks of the grand opening.

B. Table 8.2 Temporary Signs

Standard	A-Frame and T-Frame Signs	Banner Signs	Flying Banner Signs
Maximum Number of Signs	4 per business <sup>1</sup>	1	4 per business <sup>1</sup>
Maximum Sign Area	N/A	40 SF per side for occupancies up to 5,000 SF; 80 SF per side for occupancies 5,000 SF to 15,000 SF; 120 SF per side for occupancies 15,000 SF to 50,000 SF; or 180 SF per side for occupancies greater than 50,000 SF	12 SF
Maximum Width	31 inches	N/A	N/A
Maximum Height	45 inches	8 feet <del>if displayed as a freestanding sign</del>	15 feet
Minimum Setback/ Distance from Roadway <sup>3</sup>	5 feet	3 feet <del>if displayed as a ground sign</del>	4 feet from edge of curb or a distance equal to the height of the sign, whichever is greater
Maximum Width of Public Sidewalk the Sign May Obstruct	No more than 1/3 of the width of a public sidewalk and must provide at least 4 feet of sidewalk clearance	0 feet	No more than 1/3 of the width of a public sidewalk and must provide at least 4 feet of sidewalk clearance
Maximum Distance of Sign from Premises <sup>2</sup>	10 feet	N/A	N/A
Minimum Distance from an Access Drive or Street Intersection	N/A	N/A	30 feet
Minimum Spacing from any Other Sign (temporary sign or permanent sign) <sup>4</sup>	20 feet	15 feet	20 feet
Duration	Only during hours when business is open	<u>30 day periods and not</u> No more than 120 days per year, aggregate	Only during hours when business is open
Allowed on Public Sidewalk / Right-of-Way	Yes	No	<del>Yes</del> No
Permission of Owner Required	Yes	Yes	Yes
Allowed within a Sight Visibility Triangle	No	No	No
Lighting or Illumination Allowed	No	No	No
Permit Required	No	<del>Yes</del> No	No
Movement Allowed	No	No	Yes
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No	No	No

**D. Table 8.4: Top Floor Sign Area and Height Standards for On-Premise Wall Signs for Buildings Three-Stories or Greater**

Facing Street Type	Sign Height (Feet) from Finish Floor Level to Top of Sign*	Maximum Allowable Size of Sign Face (Sq. Ft.)	Maximum Letter Height (Inches)
Local/Collector	40+	Per Code; or 1% of the area of the elevation to which it is attached, whichever is greater	12
Arterial	40+	Per Code; or 1% of the area of the elevation to which it is attached, whichever is greater	15
Freeway	40+	Per Code; or 1% of the area of the elevation to which it is attached, whichever is greater	21

\*Unless approved signage spans floor plates

**E. Table 8.5: Permitted Permanent Signs by Zoning District**

Sign Type	Nonresidential Uses in				
	Residential Districts	Residential Districts	Business Districts	Industrial Districts	Mixed-Use Districts
1. Street Address Signs	Yes	Yes	Yes	Yes	Yes
2. Unit and Building Identification Signs	Yes	Yes	Yes	Yes	Yes
3. Wall Signs at Entrances to Dwelling Units	Yes	Yes	Yes	Yes	Yes
4. Painted Wall Signs	No	No	Yes	No	Yes
5. Wall Signs at Entrances to Non-residential Tenant Offices and Suites	No	No	Yes	Yes	Yes
6. Wall Signs at Entrances to Restaurants	No	No	Yes	Yes	Yes
7. Wall Signs at Service and Delivery Entrances	No	No	Yes	Yes	Yes
8. Window Signs	No	Yes	Yes	Yes	Yes
9. Door Signs	Yes	Yes	Yes	Yes	Yes
10. Wall-Mounted Cabinet Signs	No	No	Yes	Yes	Yes
11. Projecting Signs	No	No	Yes	No	Yes
12. Projecting Roof Signs	No	No	Yes	No	No
13. Suspended Signs	No	No	Yes	No	Yes
14. Drive-Through Lane Signs	No	No	Yes	Yes	Yes
15. Freestanding Sign: Monument Signs	No	Yes	Yes	Yes	Yes
16. Freestanding Sign: Tower Signs	No	No	Yes	Yes	Yes
17. Freestanding Sign: Freeway Signs	No	No	Yes	Yes	Yes
18. Freestanding Sign: Onsite Traffic Signs	No	No	Yes	Yes	Yes
19. Freestanding Sign: Residential Subdivision Entry Signs	Yes	No	No	No	No
20. Freestanding Sign: Multi-Family Complex Entry Signs	Yes	No	Yes	No	No
21. Freestanding Sign: Directory Signs	No	No	Yes	Yes	Yes
22. Awning Signs	No	No	Yes	No	Yes
23. Umbrella Signs	No	No	Yes	No	Yes
24. Canopy Signs for Service Islands	No	No	Yes	Yes	Yes
25. Historic Markers	Yes	Yes	Yes	Yes	Yes

Yes = Allowed

No = Prohibited



## Legend

ID	Description	ID	Description
1	Street address signs	14	Drive-through lane signs
2	Unit & building identification signs	15	Monument signs
3	Wall signs at entrances to dwelling units	16	Tower signs
4	Painted wall signs	17	<del>Freeway signs</del> Sign type has been removed.
5	Wall signs at entrances to non-residential tenant offices and suites	18	Onsite traffic signs
6	Wall signs at entrances to restaurants	19	Residential subdivision entry signs
7	Wall signs at service and delivery entrances	20	Multifamily complex entry signs
8	Window signs	21	Directory signs
9	Door signs	22	Awning signs
10	Wall-mounted cabinet signs	23	Umbrella signs
11	Projecting signs	24	Canopy signs for service islands
12	Projecting roof signs	25	Historic markers
13	Suspended signs		

Figure 8-3: Sign Types

## Chapter 9 Subdivision Regulations

### 9.2 Subdivision Process

#### B. Requirement for Development Plan

~~Primary plat Development Plan~~ approval will not be granted unless an overall Secondary Plat development plan is approved prior to or simultaneously with the ~~primary plat Development Plan~~.  
~~Secondary plat approval will not be granted unless a detailed development plan is approved prior to or simultaneously with the secondary plat.~~

#### F. Secondary Plat Amendments (“replats”).

1. Major Aamendments to a recorded secondary plat are processed and reviewed in the same manner as a secondary plat application.
2. Minor amendments to a recorded secondary plat are processed and reviewed administratively by the Director. Amendments authorized by this section require the Applicant to submit an amended secondary plat application.
  - a. The following amendments to a secondary plat shall be considered minor amendments:
    - i. Housekeeping revisions such as corrections of a misspelling, bearing, distance, curve data, and street names,
    - ii. Modification of the function of an easement to increase the use of the easement,
    - iii. The combination of two or more lots to create one or more lots that are all larger than the original lots being joined, demonstrating a decrease in lot density.
    - iv. Shifting or adjusting parcel lines while maintaining the density, use, and intent of the site.

### 9.4 Residential Architectural Standards

#### A. Architectural Standards for Single-Family Dwellings

6. ~~Building Materials Aesthetics.~~ In order to create variation and interest in the built environment, the following aesthetic standards apply to roofing and siding on all building façades.

- ~~a. Masonry materials extending to the exterior corners of the front façade must wrap the corner and extend down the side façade a minimum of 4 feet.~~
- ~~b. Masonry materials extending to the exterior corners of the rear façade must wrap the corner and extend down the side façade a minimum of 4 feet.~~
- ~~c. a. Rolled roofing or tar paper, as the visible final layer of roofing materials, is prohibited.~~
- ~~d. b. Vinyl materials and installation shall meet or exceed the minimum requirements of the current Indiana Building Code. siding used on residential dwellings must meet the following aesthetic specifications:~~
  1. Material Requirements Siding Aesthetics
    - Vinyl must shall have a minimum thickness of 0.044 and a minimum butt or panel projection of  $\frac{3}{4}$  inch.
    - Heavy duty lock extended return leg is required shall be used.

- ~~A full rollover/double nail hem or approved hammer stop is shall be required if the vinyl is less than 0.048 inches thick.~~
  - ~~The maximum panel width between butts is 5 inches, except for panels with foam backing.~~
2. ~~Sheathing Requirements Aesthetics~~
- ~~Use of 7/16 inch minimum thickness OSB or plywood is aesthetically preferred.~~
  - ~~Rigid foam insulation boards must have a minimum thickness of ½ inch, have a reinforced plastic membrane surface on both sides, and a minimum compression strength of 15 PSI.~~
  - ~~All sheathing materials must have a weather resistant barrier.~~
3. ~~Construction/Installation Requirements Aesthetics~~
- ~~Exterior wall stud spacing must not exceed 16" on center.~~
  - ~~Manufactured I joists abutting outer walls must have a band board wrap to provide a flush nailing surface.~~
  - ~~Shutters, downspouts, utility connections and other attachments must be connected to the building in a manner that does not restrict the movement of the vinyl siding. All attachment hardware must pass through the siding into substrate with nail holding strength. All penetrations in the siding must be properly sealed to prevent moisture infiltration.~~
  - ~~All wall penetrations must be properly flashed according to the manufacturer's instructions.~~
  - ~~Installers must be certified by the Vinyl Siding Institute.~~

## 9.8 Easement Standards

### G. Shared Driveway Easements

#### 2. Shared Driveway Easement Certificate:

- a. When a secondary plat is being recorded, the applicant may print the following shared driveway easement certification on the plan: "There are shown on this instrument areas designated as 'Shared Driveway Easement' or abbreviated as 'S.D.E.' Such easements are hereby established in favor of the adjoining property owners ('grantee') and grant the grantee the right to enter the easement for purposes of maneuvering vehicles. The easement prohibits 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 where they are located. The grantee or the Town may enforce the provisions of the easement. [\_\_\_\_\_] is also entitled to enforce the provisions of the easement. The easement may only be modified or vacated in the manner stipulated in the Whitestown Unified Development Ordinance, or its successor ordinance."
- b. The dedication and acceptance of easements shown on a recordable instrument must be accomplished via a Certificate of Dedication signed by the property owner, and a Certificate of Acceptance signed by the grantee or its agent.

If a Declaration of Covenants, Conditions, and Restrictions is included on the secondary plat, then the shared driveway easement certificate must not be incorporated into the Declaration of Covenants, Conditions, and Restrictions and must be clearly separate from the Declaration of Covenants, Conditions, and Restrictions.

## Chapter 11 Process, Permits and Enforcement

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## 11.5 Commitments

### F. Modification of Commitments.

A commitment may be modified or terminated only by a decision of the Plan Commission or WBZA to which the commitment was made. The decision is made at a public hearing by the Plan Commission or WBZA after notice has been provided according to the Rules of Procedure. If the proposed modification is to a commitment originally made with a change of zoning application, an introductory presentation is sent digitally to the Council prior to the Plan Commission hearing, the Plan Commission will make a recommendation on the modification, and then Town Council will make a final decision at a Public Hearing. ~~to the Council occurs before the public hearing.~~ The modification or termination of the commitments is not effective until: (i) written in a form approved by the Town Attorney; (ii) approved by the Plan Commission or WBZA; (iii) executed by the current property owner of the real estate; and, (iv) recorded in the Office of the Recorder of Boone County, Indiana.

## 11.6 Land Development Process

### A. Single-Family Residential Uses

1. For applications developing a single-family, attached or detached, development the Applicant shall submit for a Primary Plat to be heard by Plan Commission. If approved, the Applicant shall submit for a Secondary Plat to be approved administratively.
2. An approved Secondary Plat must be recorded with the Boone County office prior to the Applicant applying for building permits.

### B. Planned Unit Developments

1. For applications developing a PUD following the ordinance approval by the Town Council, the Applicant shall submit for a Primary Plat to be heard by Plan Commission. A Concept Plan, if applicable, can be heard by Plan Commission simultaneously or following the Primary Plat. If approved, the Applicant shall submit a Secondary Plat to be approved administratively. The Applicant shall submit for a Development Plan, if applicable, to be heard by Plan Commission simultaneously or following Secondary Plat approval.

2. An approved Secondary Plat must be recorded with the Boone County office prior to the Applicant applying for building permits.
- C. Multi-Family, Commercial, Industrial, and Mixed-Use Uses
  1. For applications developing a Multi-family, Commercial, or Mixed-Use development, the Applicant shall submit for a Primary Plat to be heard by Plan Commission. The Concept Plan can be heard by Plan Commission simultaneously or following the Primary Plat. If approved, the Applicant shall submit a Secondary Plat to be approved administratively. The Applicant shall submit for a Development Plan, if applicable, to be heard by Plan Commission simultaneously or following Secondary Plat approval.
  2. An approved Secondary Plat must be recorded with the Boone County office prior to the Applicant applying for building permits.

#### **11.67 Design Review**

#### **11.78 Development Plan Review**

G. Application Documentation and Supporting Information. All applications for development plan approval must include the required documentation and supporting information. Other information for a thorough review of the project may be requested by the Plan Commission or Administrator. The Administrator in writing may waive or relax any of the documentation required which is considered irrelevant or unnecessary for a thorough review of the development.

3. Primary or Secondary Plat: If a property is being subdivided, a ~~primary~~ secondary plat must be submitted prior to or in conjunction with the development plan. A primary plat must be approved prior to a secondary plat.

11.89 Improvement Location Permit

11.910 Planned Unit Developments

11.1011 Short-Term Rentals

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## Chapter 12 Definitions

**Adult Business.** An adult bookstore, adult cabaret, adult drive-in theater, adult live entertainment arcade, adult mini-motion picture theater, adult motion picture arcade, adult motion picture theater, or adult service establishment, or massage establishment.

**Ground-mounted Solar Energy System.** A device, array or devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting or water heating. The system is mounted on a rack or pole that rests or is attached to the ground.

**Landscape Contractor.** An establishment primarily engaged in the decorative and functional alteration, planting and maintenance of grounds.

**Lot Coverage.** The total ground area within the lot or project covered by the primary structure, ~~plus~~ accessory structures, and impervious surfaces (e.g. decks, driveways, sidewalks, parking lots, patios, swimming pools, garages, carports, and storage sheds), excluding driveways, sidewalks, fences, and walls not attached to a roof.

**Office, all others.** A room or group of rooms used for conducting the affairs of a business, profession, service industry, or government.

**Plant Nursery.** Any structure or land used primarily for the storage, cultivation, or transplanting of live trees, shrubs, or plants offered for retail or wholesale sale.

**Retail Sales, Personal Services, & Repair.** An establishment primarily engaged in the selling of goods, wares, or merchandise; or providing recurrently needed services to the general public. Specific uses and services include but are not limited to antique shop, apparel shop, bicycle shop, bookstore, barber and beauty shops, nail salons, and diet counseling services.

**Retail Sales, Service & Repair, Special Handling.** An establishment primarily engaged in selling products that require special handling due to risks to public safety. Specific uses include gun sales and CBD stores.

**Roof-mounted Solar Energy System.** A device, array or devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or colling, daylight for interior lighting or water hearing. The system is mounted on a rack that is fastened to or ballasted on a structure roof.

**Service Station, Local.** Any structure or land use primarily for the dispensing or sale of fuels, including electric charging stations, to the local public to propel motor vehicles. Service stations include convenience stores on site.

**Service Station, Truck Stop.** Any structure or land use primarily for the dispensing or sale of fuels, including electric charging stations, or parking of tractor trucks or similar heavy commercial vehicles. Service stations include convenience stores on site and may also include overnight accommodations, showers, or restaurant facilities.

**Shooting Range.** An outdoor establishment primarily used for discharging firearms safely and engaged in

providing qualifications, training, or practice services.

Solar Collector. A device, structure, or a part of such for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy. The collector does not include frames, supports, or mounting hardware.

Subdivision, Major ~~Residential~~. The division of a lot, tract, or parcel of land into 5 or more ~~residential~~ lots, tracts, parcels, or other divisions of land for sale, development, or lease. The parent lot, tract, or parcel of land counts as 1 of the subdivided lots, tracts, parcels, or other subdivisions of land for the purpose of determining whether the application for approval is to be treated as a major or minor ~~residential~~ subdivision.

Subdivision, Minor ~~Residential~~. The division of a lot, tract, or parcel of land into 2 to 4 ~~residential~~ lots, tracts, parcels, or other divisions of land for sale, development, or lease. The parent lot, tract, or parcel of land counts as 1 of the subdivided lots, tracts, parcels, or other subdivisions of land for the purpose of determining whether the application for approval is to be treated as a major or minor ~~residential~~ subdivision.

Yard, Front. A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, parking lots, landscaping, lampposts, and similar structures, the depth of which is the perpendicular distance between the street right-of-way and the front setback line.

Yard, Side. A yard extending across the full length of the lot, unoccupied other than by steps, walks, terraces, driveways, parking lots, landscaping, lampposts, and similar structures, the depth of which is the perpendicular distance between the side lot line and the side setback line.

Yard, Street Side. A yard extending across the full length of the lot, unoccupied other than by steps, walks, terraces, driveways, parking lots, landscaping, lampposts, and similar structures, the depth of which is the perpendicular distance between the side lot line abutting a street right-of-way and the side setback line.