

ORIGINAL

ORDINANCE NO. 2022- 38

AN ORDINANCE AMENDING ZONING MAPS WITHIN THE ZONING ORDINANCE
OF THE TOWN OF WHITESTOWN, INDIANA

Text Amendments
PC22-068-TA

WHEREAS, the Whitestown Plan Commission introduced a proposal to make certain text amendments to the Whitestown Unified Development Ordinance; and

WHEREAS, the proposed text amendments to the Whitestown Unified Development Ordinance in a redline format showing the proposed revisions is attached hereto as **Exhibit A** and a clean version of the revised Unified Development Ordinance incorporating the revisions proposed by the Plan Commission is attached hereto as **Exhibit B**; and

WHEREAS, pursuant to Indiana Code § 36-7-4-607, the Whitestown Plan Commission conducted a public hearing and determined its favorable recommendation on the proposed amendments, by a 5-0 vote, on October 10, 2022; and

WHEREAS, the Whitestown Plan Commission certified favorable recommendation to the Whitestown Town Council on October 10, 2022; and

WHEREAS, pursuant to Indiana Code § 36-7-4-607, the Town Council of the Town of Whitestown, having considered the proposals and the recommendation to the Whitestown Plan Commission, now adopts the proposal and approves the text amendments, all as hereinafter set out.

IT IS THEREFORE CONSIDERED, ORDAINED, AND ADOPTED as follows:

Section 1. The Whitestown Plan Commission seeks to amend the text of the Whitestown Unified Development Ordinance generally to make revisions to Chapters 2- 7 and 9 - 12. A redline showing the proposed text amendments is attached hereto as **Exhibit A** and incorporated herein by reference.

Section 2. That the Town Council of Whitestown has paid reasonable regard to the comprehensive plan; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth.

Section 3. That the Town Council hereby adopts the proposed amendments of the Whitestown Plan Commission as certified, and hereby adopt the revisions set forth in **Exhibit A** and incorporated into **Exhibit B** as text amendments to the Whitestown Unified Development Ordinance. All other provisions of

the Unified Development Ordinance not otherwise specifically amended in **Exhibit A** remain in full force and effect.

Section 4. The terms or provisions of other ordinances in conflict with the terms or provisions hereof, if any, are hereby superseded. The terms, paragraphs, sentences, words, and acts of this Ordinance and the UDO are separable, and if a court of competent jurisdiction hereof declares and portion of this Ordinance or UDO unconstitutional, invalid, and unenforceable for any reason, such declaration shall not affect the remaining portion or acts hereof and the court shall substitute such provisions or acts with a constitutional, valid, and enforceable provision or act as would be necessary to effectuate the enforceability of the applicable provision.


Section 5. This Ordinance shall be in full force and effect from and after its passage as provided by applicable law.

ALL OF WHICH IS ADOPTED this 9th day of November, 2022, by the Town Council of the Town of Whitestown, Indiana.

TOWN COUNCIL OF WHITESTOWN, INDIANA.

DocuSigned by:

0B79A571B1E34FA
Clinton Bohm, President


Eric Miller, Vice President

DocuSigned by:

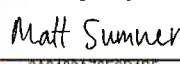
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Eric Nichols

DocuSigned by:

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Jeff Wishek

Susan Austin

ATTEST:

DocuSigned by:

0A9483A78E9B4B5
Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Jill Conniff, Planning Staff

Exhibit A

Ordinance Language to Amend

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

Unified Development Ordinance

Chapter 2- Zoning Districts

Chapter 2 – Zoning Districts

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2.1 Establishment of Districts

D. Mixed Use Districts.

MU-OSR	Mixed-Use – Open Space, Recreation
MU-COR	Mixed- Use – Commercial, Office, Residential
PUD	Planned Unit Development
<u>LC</u>	Legacy Core District

E. Overlay Districts

O1	I-65 Corridor Overlay
O2	Legacy Core Overlay

	R1	R2	R3	R4	MF
A. Lot Requirements					
Maximum Density (units/acre)	1.0	1.75	3.0	7.0	22.0
Minimum Lot Size (s.f.)	12,000	9,000	6,000	4,200	N/A
Single-Family Dwelling	N/A	4,500	3,000	2,000	1,800
Multi-Family Dwelling (s.f. per dwelling unit)				2,100	
Minimum Lot Width	90'	70'	50'	240'	100'
Minimum Lot Frontage/Street Frontage (1)	50'	50'	40'	2430'	80'
B. Building Requirements	<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>
Placement					
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'
C. Building Requirements					
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	(3)	(4)

Notes:

(1) Any lot without street frontage must have an unobstructed access easement at least 12' wide.

(2) The side yard setback between attached single-family units multi-family units within the same building is 0'.

~~(23)~~ 450 s.f. + 150 s.f. per bedroom

~~(34)~~ 400 s.f. + 150 s.f. per bedroom

USE	Use Limitation	R1	R2	R3	R4	MF
RESIDENTIAL PRIMARY USES						
Household Living						
Dwelling, Multifamily		NP	NP	NP	P	P
Dwelling, Single Family Detached		P	P	P	NP	NP
Dwelling, Single Family Attached		NP	NP	P	P	NP
Dwelling, Two Family		NP	NP	P	P	P
Dwelling, Townhome		NP	NP	NP	P	NP
Live/Work Dwelling	I	NP	NP	NP	NP	L
Manufactured Home Park	§3.7	L	L	L	NP	NP
Group Living						
Assisted Living		NP	NP	NP	NP	P
Fraternity, Sorority, or Student Housing		NP	NP	NP	NP	P
Group Residential Facility		NP	SE	P	P	P
Nursing Home, Hospice		NP	NP	NP	NP	P
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USES						
Basic Utilities						
Utility, Major Impact	2	SE	SE	SE	SE	SE
Utility, Minor Impact	3	P	P	P	P	P
Community/Public Services						
Community Center	4	L	L	L	L	L
Child Care Center	§3.5	NP	NP	NP	L	L
Hospital		NP	NP	NP	NP	P
Municipal & Government Buildings		SE	P	P	P	P
Cultural/Special Purpose/Public Parks & Open Space						
Cemetery	5	L	L	L	L	NP
Libraries		P	P	P	P	P
Publicly Owned Park or Recreational Facility	6	L	L	L	L	L

USE	Use Limitation	LB	PB	UB	GB	AB
Elementary & Secondary Schools		P	P	P	P	P
Trade or Business School		NP	P	NP	P	P
Public & Religious Assembly						
All Types	6	L	L	L	L-SE	NP
COMMERCIAL SALES, SERVICES, AND REPAIR PRIMARY USES						
Adult Business						
All Types	§3.3	NP	NP	NP	NP	L-SE
Arts, Recreation & Entertainment						
Arts, Recreation, Entertainment, Indoor		P	P	P	P	P
Arts, Recreation, Entertainment, Outdoor	7	NP	L	NP	L	L
Parking of Vehicles						
Parking Garage	8	NP	L	L	L	L
Parking Lot		P	NP	P	P	NP
Eating & Drinking Establishments						
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
Lodging Accommodations						
Bed & Breakfast		NP	NP	P	NP	P
Hotel or Motel		NP	NP	P	P	P
Office						
Dental/Medical Office or Clinic	9	L	L	NPL	L	NP
Office, All Others		P	P	P	P	P
Retail Sales, Service & Repair						
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
Landscape Contractor	15	L-SE	NP	NP	L	NP
Retail Sales, Service & Repair, Special Handling	24	NP	NP	NP	L-SE	NP
Retail Sales, Personal Service, & Repair	23	L	NP	L	L	L
Vehicle/Equipment Sales, Service & Repair						
Automobile Services, Light		P	NP	NP	P	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
Service Station, Local	16	SE	NP	NP	SE	L

USE	Use Limitations	MU-OSR	MU-COR
RESIDENTIAL PRIMARY USES			
Household Living			
Dwelling, Multifamily		NP	P
Dwelling, Single Family <u>Detached</u>		SE	P
Dwelling, Single Family Attached		NP	P
Dwelling, Two Family		NP	P
Dwelling, Townhome		NP	P
Live/Work Dwelling	1	NP	L
Group Living			
Assisted Living		NP	P
Fraternity, Sorority, or Student Housing		NP	P
Group Residential Facility		NP	P
Nursing Home, Hospice		NP	P
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USES			
Basic Utilities			
Utility, Major Impact	2	SE	SE
Utility, Minor Impact	3	P	P
Community/Public Services			

	MU-OSR	MU-COR
A. Building Requirements		
Building Height		
Residential Use	35'	45'
Nonresidential Use	50'	40'
Mixed Residential and Nonresidential Use	N/A	50'
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	(3)

USE	Use Limitation	I1	I2	I3	AG
RESIDENTIAL PRIMARY USES					
Household Living					
Dwelling, Single Family <u>Detached</u>		SE	SE	NP	SE
Dwelling, Two Family		SE	SE	NP	SE
Group Living					
Nursing Home, Hospice		P	NP	NP	NP
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USES					
Basic Utilities					
Utility, Major Impact	1	SE	SE	SE	SE
Utility, Minor Impact	2	P	P	P	P
Community/Public Services					
Community Center	3	NP	NP	NP	L
Correctional Institution		NP	SE	NP	NP
Child Care Center	§3.5	L	L	L	L
Fairgrounds	4	NP	L	NP	L
Municipal & Government Buildings		P	P	P	P
Cultural/Special Purpose/Public Parks & Open Space					
Cemetery	5	L	L	NP	L
Publicly Owned Park or Recreational Facility	6	L	L	L	L
Education					
Elementary & Secondary Schools		NP	NP	NP	P
Public & Religious Assembly					
All Types	7	NP	L-SE	NP	L
COMMERCIAL SALES, SERVICES, AND REPAIR PRIMARY USES					
Adult Business					
All Types	§3.3	NP	L-SE	NP	NP
Arts, Recreation & Entertainment					
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

USE	Use Limitation	I1	I2	I3	AG
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, Personal Services, & Repair	25	L	L	NP	NP
Vehicle/Equipment Sales, Service & Repair					
Automobile Services, Light		P	P	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
Service Station, Local	13	L	L	L	NP
INDUSTRIAL, MANUFACTURING, AND WHOLESALE PRIMARY USES					
Communications & Information					
Antennas Not Attached to a Tower	§3.4	NP	NP	NP	L-SE
Amateur Radio Antenna	§3.4	P	P	P	P
Communication Services	§3.4	L	L	L	NP
Telecommunication Towers	§3.4	NP	NP	NP	L-SE
Telecommunication Facilities – All Others	§3.4	NP	NP	NP	L-SE
Industrial Services					
Contractors, Special Trade – General	17	L	L	NP	NP
Contractors, Special Trade – Heavy/Contractor Yard	18	L-SE	L	L-SE	NP
Food Preparation and Sales, Commercial		PCU	L	NP	NP
Laboratory, Research, and Development Services	19	L	L	L	NP
Manufacturing & Extraction and Energy Producing Systems					
Manufacturing, Fabricating, & Assembly – General	18	L	L	L	NP
Manufacturing, Fabricating, & Assembly – Heavy	18	NP	L	NP	NP

Mining & Extraction and Energy Producing Systems					
Oil, Gas – Transmission Facility		NP	P	P	P
Mineral Extraction	20	L-SE	L-SE	L-SE	L-SE
Wind Energy Conversion System		NP	NP	NP	P-SE
USE	Use Limitation	I1	I2	I3	AG
Transportation Facilities					
Airport		NP	SE	NP	NP
Terminal Station/Service Facility for Passenger System	21	P	P	P	P
Waste Related Services					
Automobile Parts Recycling Business	22	NP	L-SE	NP	NP
Composting Facility		P	P	NP	P-SE
Junkyard		NP	NP	NP	NP
Recycling Center	18	NP	L	NP	NP
Recycling Collection Station	18	L	L	NP	NP
Recycling Plant, Scrap Processor	18	NP	L	NP	NP
Solid Waste Facility	18	NP	L-SE	NP	L-SE
Wholesale Storage, Warehouse & Distribution					
Automobile Towing Service Storage Yard	18	L	L	NP	NP
Mini-storage facility	23	P	P	NP	NP
Truck Freight Terminal/Wholesale Trade or Storage/Distribution Center	18	L-SE	L	NP	NP
Vehicle Storage, Commercial	18	P	P	NP	NP
Wholesale Trade or Storage, General	18	L-SE	L	NP	NP
Wholesale Trade or Storage, Light	-	P	P	NP	NP
AGRICULTURE PRIMARY USES					
Anhydrous Ammonia Storage & Distribution		P	P	P	P-SE
Aquaculture	24	L	L	L	P
Confined Feeding		NP	NP	NP	P
Farm		P	P	P	P
Garden, Urban		NP	NP	NP	P
Plant Nursery		L	L	L	P
Roadside Produce Stand		P	P	NP	P
Sale Barn for Livestock		NP	P	NP	P
Slaughterhouse		NP	P-SE	NP	P

2.8 Legacy Core ~~Overlay~~ District (LC)

Unless explicitly stated in this section, standards and processes should comply with applicable sections of the UDO.

- A. Purpose. This district is established to maintain the ~~character and~~ traditional compact form of Whitestown's historic core. The properties within this district are poised for change ranging from rehabilitation of existing homes to infill development to new construction. This district seeks to coordinate development activity for compatibility between uses and contribution of the building form to the urban fabric. This district seeks to promote mixed-use infill in a pedestrian-oriented pattern.
- B. Boundaries. ~~The Legacy Core Overlay boundaries are noted on the Zoning Map.~~ Potential boundaries of the Legacy Core District and sub-district areas, including the Core Area and Transition Area, are shown in Figure 1. The Core Area is characteristic of a mixed-use environment with higher densities to sustain the commercial components and foster pedestrian-oriented development. The Transition Area is less dense with a higher focus on connectivity to the Big 4 Trail and smaller niche commercial.

The Legacy Core District boundary is considered a baseline with the intent it may shift as parcels are rezoned and redeveloped. Parcels not denoted within the Legacy Core District may be rezoned to the LC District if they are located within 200 feet of an area zoned LC. If only a portion of the parcel to be rezoned is located within 200 feet the entirety of the parcel may be rezoned. At the time of the rezone, areas not designated as Core or Transition by Figure 1, will be classified as Transition Area.

- C. Uses. All uses permitted in the MU-COR underlying zoning district, subject to their limitations, are permitted except the following uses are prohibited within the Legacy Core ~~Overlay~~ District:
1. Buildings with a ground-floor footprint larger than 16,000 s.f.
 2. Drive-thru windows
 3. Confined feeding
 4. Junk yard
 5. Manufacture, use, or storage of explosives
 6. Slaughterhouses
 7. Sanitary landfill
 8. Restricted waste site
 9. Adult businesses
 10. ~~Any other use excluded by the underlying zoning district~~ Those uses listed under the Industrial, Manufacturing, and Wholesale Primary Uses section of the MU-COR Zone

Additional uses not listed in the MU-COR Zoning District that are permitted, include:

1. Roof-top patio
2. Private and public plazas and parks
3. Walk-up pickup windows

~~When considering a change in land use within the Legacy Core Overlay, the Plan Commission and Town Council should pay reasonable regard to Figure 2-17: Legacy Core Overlay District Proposed Land Use Map.~~

- D. Compatibility with Surrounding Development. In addition to the criteria identified in Section 11.78(E), Development Plans submitted within the Legacy Core ~~Overlay~~**District** are reviewed for compatibility of the proposed development with the surrounding neighborhood on the following criteria:

- ~~• Massing of the building form,~~
- ~~• Building scale,~~
- Location and treatment of entryways,
- Surface materials, finishes, and textures,
- Size of the building footprint,
- Eave heights,
- Building silhouette,
- Spacing between buildings,
- Setbacks from public rights-of-way,
- Proportions of windows, bays, doorways, etc.,
- Shadow patterns from massing and features, and
- Landscaping.

~~The WPC or Administrator may request in writing other information as deemed necessary to support a thorough review of the project. The Administrator may waive or relax any required documentation not relevant or deemed unnecessary for a thorough review of the application. Scaled drawings of proposed buildings must be filed in connection with the submission of a development plan and must include:~~

- ~~• Elevations of each building façade,~~
- ~~• Specification or sample of the type and color of exterior materials to be used for all wall, window, roof, and other architectural features,~~
- ~~• A separate true color rendering or other realistic depiction of the proposed building, including any areas designated for signage, and~~
- ~~• Details of any exterior architectural lighting.~~

- E. Site Design Standards. **Higher density residential and mixed commercial uses should be centered at the intersection of Main Street and Pierce Street. Small niche retail, live-work dwellings, and attached single-family is encouraged along the Big 4 Trail.**

1. Primary Building Orientation. The facades of all primary buildings located within the Legacy Core ~~Overlay~~**District** must face existing public streets or the Big-4 Rail Trail and must contain at least one main entrance as described in 2.78(EF)(4).
 - a. ~~Unless otherwise approved by the WPC, l~~**loading docks and**

residential garages must not be located on a façade facing any primary thoroughfare identified in the Comprehensive Plan or the Big 4 Trail.

- i. Developments within this district are exempt from the loading docks and loading berths quantity and size requirements in UDO Section 7.3.
2. ~~Accessory Buildings~~ **Uses and Structures.** All accessory buildings permitted in the underlying zoning district ~~are permitted.~~ Accessory buildings within the Legacy Core Overlay must have the same building proportions, architectural features, construction materials, and in general be architecturally compatible with the principal building with which it is associated. Accessory buildings larger than 12' x 12' are prohibited.
 - a. Public art is a permitted accessory use. Other accessory structures and outdoor storage are prohibited.
 - b. Dumpster enclosures shall be in compliance with UDO Section 4.1 I. When possible, dumpster enclosures shall be integral to the structure. Dumpster enclosures are prohibited between the primary structure and the right-of-way. Refer to UDO Section 5.8 for additional screening information.
 - c. Ground mechanical equipment may not be located in any front or side yard. Mechanical equipment located in the rear yard must be screened by a masonry wall of similar architecture to the primary structure. Refer to UDO Section 5.8 for additional screening information.
 - d. Outdoor dining shall be in compliance with UDO Section 3.9.
3. **Fencing.**
 - a. Outdoor dining areas may use fencing to designate seating areas.
 - b. Fences for outdoor dining areas may encroach into the right-of-way.
 - c. Permitted fence materials include wood, brick, stone, or decorative metal. Chain-link and barbed wire is prohibited.
4. ~~3-~~ **Building Form.** Building massing and the location of the building on the lot are key in maintaining and enhancing the character of the Legacy Core. ~~The following development standards apply based upon the type of building constructed as noted on Figure 2-17: Legacy Core Overlay District Proposed Land Use Map.~~

	<u>Core Area</u>	<u>Transition Area</u>
A. Lot Requirements		
<u>Maximum Density (units/acre)</u>	<u>No maximum</u>	<u>No maximum</u>
<u>Minimum Lot Size (s.f.)</u>		
<u>Single-Family Detached Dwelling</u>	<u>N/A</u>	<u>6,000</u>
<u>Single-Family Attached Dwelling, Townhome</u>	<u>No minimum</u>	<u>2,000</u>
<u>Multi-Family Dwelling (s.f. per dwelling unit)</u>	<u>No minimum</u>	<u>No minimum</u>
<u>Mixed Use Structure</u>	<u>No minimum</u>	<u>No minimum</u>
<u>Maximum Lot Size</u>	<u>2 acres</u>	<u>2 acres</u>
<u>Minimum Lot Width</u>	<u>24'</u>	<u>24'</u>
<u>Minimum Lot Frontage/Street Frontage</u>	<u>24'</u>	<u>24'</u>
B. Building Placement Requirements		
<u>Minimum Front Setback (min/max)</u>	<u>0' / 20'</u>	<u>10' / none</u>
<u>Minimum Street Side Setback (min/max)</u>	<u>0' / 20'</u>	<u>10' / none</u>
<u>Minimum Side Yard Setback (min/max)</u>	<u>0' / none</u>	<u>3' / none</u>
<u>Minimum Rear Setback (min/max)</u>	<u>10' / none</u>	<u>10' / none</u>
C. Building Requirements		
<u>Maximum Building Height (min/max)</u>	<u>2 / 4 stories</u>	<u>1 / 3 stories</u>
<u>Maximum Lot Coverage</u>	<u>100%</u>	<u>90%</u>
<u>Minimum Ground Floor Area (s.f.)</u>		
<u>1 Story Dwelling</u>		
<u>Residential Use</u>	<u>No min.</u>	<u>700'</u>
<u>Nonresidential Use</u>	<u>No min.</u>	<u>No Min.</u>
<u>Dwelling with more than 1 story</u>		
<u>Residential Use</u>	<u>400'</u>	<u>400'</u>
<u>Nonresidential Use</u>	<u>No Min.</u>	<u>No Min.</u>
<u>Min. Floor Area per D.U. for Multi-Family Dwellings</u>	<u>400+150sq ft per bedroom</u>	<u>450+150sq ft per bedroom</u>

Building Form Restrictions. Additional restrictions as stated below supersede building form listed in the above table.

1. **Building Height.**
 - a. The maximum reach of parapets, dormers, or other roof articulations can be extended a maximum of 10 feet above the top story of the structure.
 - b. Four-story buildings are not permitted within 100 feet of Pierce Street.
 - c. Structures adjacent to the Bridle Oaks Residential development are permitted a maximum height of two stories.
2. Swimming pool amenities shall be fully screened from the public right-of-way and the Big 4 Trail with a masonry wall, fence, vegetative screening, or combination.
3. For mixed-use commercial and residential structures, there is no maximum residential density for units located on upper floors. A maximum of 50% of the ground floor is permitted to be residential units when facing a public street or the Big 4 Trail. Live/Work dwellings on the ground floor do not have a maximum density.
 - a. Live/work dwellings are encouraged along the Big 4 Trail.

4. Structures within 100 feet of the intersection of Main Street and Pierce Street need to be setback at least 5 feet from the property line.
 5. For structures with a ground floor building footprint of 16,000 square feet or smaller and above stories that encompass a footprint greater than 16,000 square feet:
 - a. Pedestrian breezeways on the ground level must be a minimum of 10 feet wide.
 - b. For building facades greater than 180 feet, measured along the second story building elevation, a pedestrian breezeway should occur.
4. Building Types. Types of structures within this district include:
- a. Single Family Residential Detached Dwellings. Not permitted within the Core Area. ~~—The requirements of the underlying zoning district apply, except the maximum building height is three stories.~~
 - b. Single Family Residential Attached Dwellings / Townhomes. Encouraged along Peters Street and the Big 4 Trail. ~~The requirements of the underlying zoning district apply, except the maximum building height is three stories.~~
 - c. Multifamily Residential Dwellings. Basement dwelling units are not permitted. ~~—The front setback and street side setback is a minimum of 20'. The maximum building height is three stories.~~
 - d. Mixed-Use/ Commercial and Residential Uses ~~—The front setback and street side setback is a minimum of 20' and a maximum of 30' measured from the back of the curb to the building façade. The maximum building height is two stories.~~
 - e. Mixed-Use Commercial and Office Uses ~~—The front setback and street side setback is a minimum of 20' and a maximum of 30' measured from the back of the curb to the building façade. The maximum building height is two stories.~~
5. Parking
- a. Off-street parking is prohibited between the primary structure and the right-of-way of any primary thoroughfare identified within the Thoroughfare Plan in the front yard and street side setback of buildings, excluding single family residential detached uses. ~~Parking areas should be located behind the primary building. Where necessary, parking may be located in the side yard of the lot. Where a parking area abuts a public right-of-way other than an alley, the parking area must be screened in accordance with 5.5(A) Parking Lot Landscaping.~~
 - i. Single-family residential detached uses are excluded.
 - b. ~~The amount of parking required for each non-residential individual use within the project may be reduced by 50%. Minimum parking requirements for residential uses including multi-family must be met in accordance with UDO Section 7.10.~~
 - c. Minimum parking requirements for non-residential uses may be reduced as follows:
 - i. Restaurants/eateries/bakery use should comply with 1 parking stall per 4 chairs or 25% of max occupancy, whichever is less.

- ii. For all other commercial/retail/office uses, required parking may be reduced by 50% of UDO Section 7.10 requirements.
 - d. On-street parking and public parking within 600' of the use may be counted toward the minimum parking requirement.
 - e. Shared parking should comply with requirements in UDO Section 7.7 E.
 - f. Bicycle parking should comply with requirements in UDO Sections 7.9 and 7.10. Public bicycle parking spaces can be counted towards these requirements. Bicycle parking located within private residential garages can be counted towards these requirements. No bicycle parking is required for single-family detached and single-family attached including townhomes.
 - i. Bicycle parking is permitted to be located in the public right of way. If placed in the right-of-way, a 5 foot clearance is required to permit pedestrian traffic.
 - g. Tuck-under, activated, integrated, and stand-alone parking structures are permitted. Rooftop open-air parking shall be screened with a parapet of at least four feet in height. Individual parking spaces for structure parking facilities shall be a minimum of 8.5 feet in width and 16 feet in depth. Internal circulation and parking levels shall be oriented so that a horizontal, rather than sloped, plane faces the principal thoroughfare abutting the structure. On the ground level where vehicles are visible, decorative screening shall be used to conceal vehicles.
 - i. Tuck-under parking consists of a single row of covered parking spaces beneath a building. Stand-alone parking structures are freestanding structures and the sole use on a parcel. Activated structures are parking structures with commercial uses at the ground level. Integrated structures are parking structures located within an occupied building, fully or partially connected to a residential use.
6. Pedestrian Standards.
- a. All sidewalks adjacent to right-of-way shall be a minimum of 5 feet wide. Sidewalks located in the rear of structures or adjacent to off-street parking shall be a minimum of 5 feet.
 - b. A minimum of 5 feet clearance must be provided around all amenities and plantings within the pedestrian space.
 - c. Sidewalk connections are required to connect uses along the trail to access the Big 4 Trail.
 - d. All other standards in UDO Section 9.11 will apply.
7. Signs
- ~~a. On-Premise Signs. A sign plan must be submitted to the WPC as part of the Development Plan. Signs for each proposed use must be uniform in character as approved by the WPC. Should a sign plan be replaced with a new design, the amended sign plan must be approved by the WPC. Individual signs that conform to the Zoning Ordinance and the sign plan do not require approval by the WPC but do require a sign permit for each sign.~~
 - ~~b. Off-Premise Signs. Off premise signs are prohibited within the Legacy Core Overlay. Incidental signs located at the entrances to commercial or industrial subdivisions are~~

exempt from this requirement.

- a. Permanent ground monument signs are not permitted in this district. For all other sign regulations refer to UDO Chapter 8.

8. Landscaping

- a. Developments within this district are exempt from UDO Section 5.6 except when a development within the Legacy Core District abuts a different zoning district.
- b. Developments within this district are exempt from open space percentage requirements.
- c. Developments within this district are exempt from UDO Section 5.4. For landscaping requirements along street frontage, 1 street tree is required every 40 feet. It is permissible to allow 30-50 feet spacing on center if utilities and other infrastructure are present that may interfere with planting.
 - i. Plantings for street trees shall incorporate one of the following:
 1. Tree grates shall be a minimum of 5 x 5 feet. Trees planted within sidewalk shall include tree vaults to contain the roots. Tree grates shall be grey in color and contain a GFI outlet and irrigation.
 2. A raised landscape bed, a minimum of 6 inches high. Raised beds shall be a minimum of 5 x 5 feet.
 3. A road verge between the sidewalk surface and on-street parking. The landscaped area shall be a minimum of 5 feet wide.
 - ii. Street frontage landscaping, including trees, are prohibited within the on-street parking area.
 - iii. Street trees shall be maintained by the ownership association.
- d. Foundation plantings must be provided in accordance with the below:
 - i. Mixed-use, commercial, or office only structures in the Core Area are not required to provide foundation plantings.
 - ii. Structures with first floor residential in the Core Area, when facing a public or private street or the Big 4 Trail, are required to provide a minimum 5 foot wide landscape area.
 - iii. Any structure type within the Transition Area, when facing a public or private street or the Big 4 Trail, are required to provide a minimum 5 foot wide landscape area.
 - iv. For every 40 feet of building frontage, 8 shrubs shall be provided to satisfy these above requirements.
- e. Best Management Practices including bioswales and rain gardens are encouraged to improve stormwater management. If any are provided, they shall be maintained by the ownership association.
- f. For landscaping requirements within parking lots refer to UDO Section 5.5 B. For screening of facilities and equipment refer to UDO Section 5.8. Refer to UDO Section 5.10 for a list of approved trees and shrubs.

9. Lighting

- a. Developments within this district are exempt from UDO Section 6.6 F.
- b. For structures located within 5 feet of a property line, light emitted from wall sconce fixtures can exceed 0.3 foot-candles but cannot exceed 0.5 foot-candles at the property lines. Other regulations within UDO Section 6.6 B. will apply.
- c. All site lighting shall be coordinated throughout the district and be of uniform design,

color, and materials. Detail sheets of the approved light pole fixtures are on file at the Planning Department office.

- F. Architectural Design Standards. The development plan submittal must include the architectural design of buildings to be constructed in the development. In reviewing the architectural design, the WPC must consider the following factors:
1. Building Design. The appearance of a building is based upon the quality of its design and its relationship to the surroundings. New buildings are not required to imitate surrounding buildings but must incorporate their salient design features. Pre-existing buildings on adjoining parcels are not a factor in the design of new buildings unless they are consistent with the architectural objectives of this ~~Overlay~~**District**.
 2. Building Facades. To avoid long, monotonous, uninterrupted walls or roof planes, building facades must incorporate changes in pattern, texture, or color. Facades constructed with more than one material must only change material along a horizontal or vertical line (not a diagonal line). In the case of a change along a horizontal line, the heavier material must be placed beneath the lighter material. Front and side facades of buildings located on corner lots must have the same materials and architectural detailing.
 - a. **Exterior finishes shall be of high-quality and durability. Colors shall be muted tones, including shades of red, brown, tan, and grey. No fluorescent, neon, or other high intensity colors. Accent colors are permitted if used on less than 10% of façade.**
 - b. **Facades facing public streets and the Big 4 Trail shall have a minimum of 75% of permitted primary materials and a maximum of 25% of standard materials. Facades not facing public streets and the Big 4 Trail shall have a minimum of 50% of permitted primary materials and a maximum of 50% of standard materials.**
 - i. **The following are permitted primary building materials:**
 1. **Brick (not including thin brick or brick veneer),**
 2. **Glass,**
 3. **Natural stone or cultured stone that simulates natural stone or limestone**
 - ii. **The following are permitted standard building materials:**
 1. **Stucco (Portland cement plaster) with three coats over metal lath or wire fabric lath,**
 2. **Pre-cast concrete panel (tilt-wall) incorporating exposed aggregate, hammered, or sandblasted surfaces, or covered with a decorative cement based acrylic coating,**
 3. **Lap siding (wood, composite, or fiber cement siding)**
 4. **Pre-finished architectural metal panel, which may or may not include an embossed finish with an appearance of masonry or stucco**
 - iii. **Accent materials other than those listed above may be substituted on up to 10% of any street-facing façade.**
 - iv. **Recesses, such as upper story patios, windows, and residential garage doors are not included in the material percentage counts.**
 - c. **For every 90 feet of façade width, the structure must incorporate an offset. Offsets can project or recess. They must extend the entire vertical plane of the building façade and at least 10% of the overall building facade. The offset must be at least 2 feet in depth and be accented by an architectural element (e.g. arcades, columns,**

- piers, etc.).
3. Roofs. Flat roofs **are permitted and** must be edged by a railing or parapet **on all sides.**
 - a. Rooftop mechanical equipment must be camouflaged on all sides or visually integrated into the overall design of the building. Rooftop mechanical equipment must not be visible from adjoining ~~residential~~-districts or uses.
 - b. **For every 90 feet of façade width, the structure shall incorporate a change in roof height or roof feature of at least 2 feet or 5% of the overall building height, whichever is greater.**
 - c. **Green roofs are encouraged.**
 4. Entrances. Building entrances must be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the architectural style and detailing of the building. The location, orientation, proportion, and style of doors must reflect the architectural style of the building. ~~Building façades for industrial and warehouse uses must be designed with a main entrance and at least two window openings associated with the entry door.~~ **All commercial and multi-family entrances must be covered.**
 - a. **All structures with frontages on two public street shall be required to create a corner feature that addresses the corner as a focal point. This corner shall feature at least two of the following options:**
 - i. **Glass canopy extending at least eight feet from the façade**
 - ii. **Angled structure entry that addresses both streets**
 - iii. **Blade sign on 45 degree angle at the corner of the structure**
 - iv. **Decorative masonry on structure façade that highlights the corner uniquely**
 - b. **Residential unit access shall be separate from the commercial entrance in the event of mixed-use buildings. Residential only structure entrances shall feature at least one of the following options:**
 - i. **Covered front patio or porch**
 - ii. **Raised entrance, at least 36" above grade**
 5. Windows. All window design must be compatible with the style, materials, color, details, and proportion of the building. The number of panes, manner of opening, decorative trim, and use of shutters must be consistent with the architectural style of the building.
 - a. **For multi-family residential units, a building façade must incorporate a minimum of one window (a minimum of 15 square feet) per dwelling unit. Windows in a building façade of a masonry material must have a casing or sill of natural or masonry materials. Windows in a building façade of a non-masonry material must be trimmed to match the architectural style of the building.**
 6. ~~Awnings.~~**Encroachments and Projections.**
 - a. **Accessory uses including signs, outdoor amenities such as dining, awnings, and balconies may encroach into the public pedestrian right-of-way. However, they may not encroach into the street right-of-way.**
 - b. Fixed or retractable awnings are permitted if:

- i. ~~(a)~~ they complement the building's architectural style, materials, colors, and details;
- ii. ~~(b)~~ do not conceal architectural features (such as cornices, columns, pilasters, or decorative details);
- iii. ~~(c)~~ do not impair façade composition; and
- iv. ~~(d)~~ are designed as an integral part of the façade;
- v. **do not obstruct the pedestrian walkways.**

7. Storefronts. Storefronts must be integrally designed with the overall façade character. Ground floor retail, service, and restaurant uses should have large pane display windows, but the windows should not exceed 75% of the total ground floor façade area. Buildings with multiple storefronts must have a unified design through the use of common materials, architectural detailing, signage, and lighting consistent with the overall building style.

~~Figure 2-17: Legacy Core Overlay District Proposed Land Use Map~~

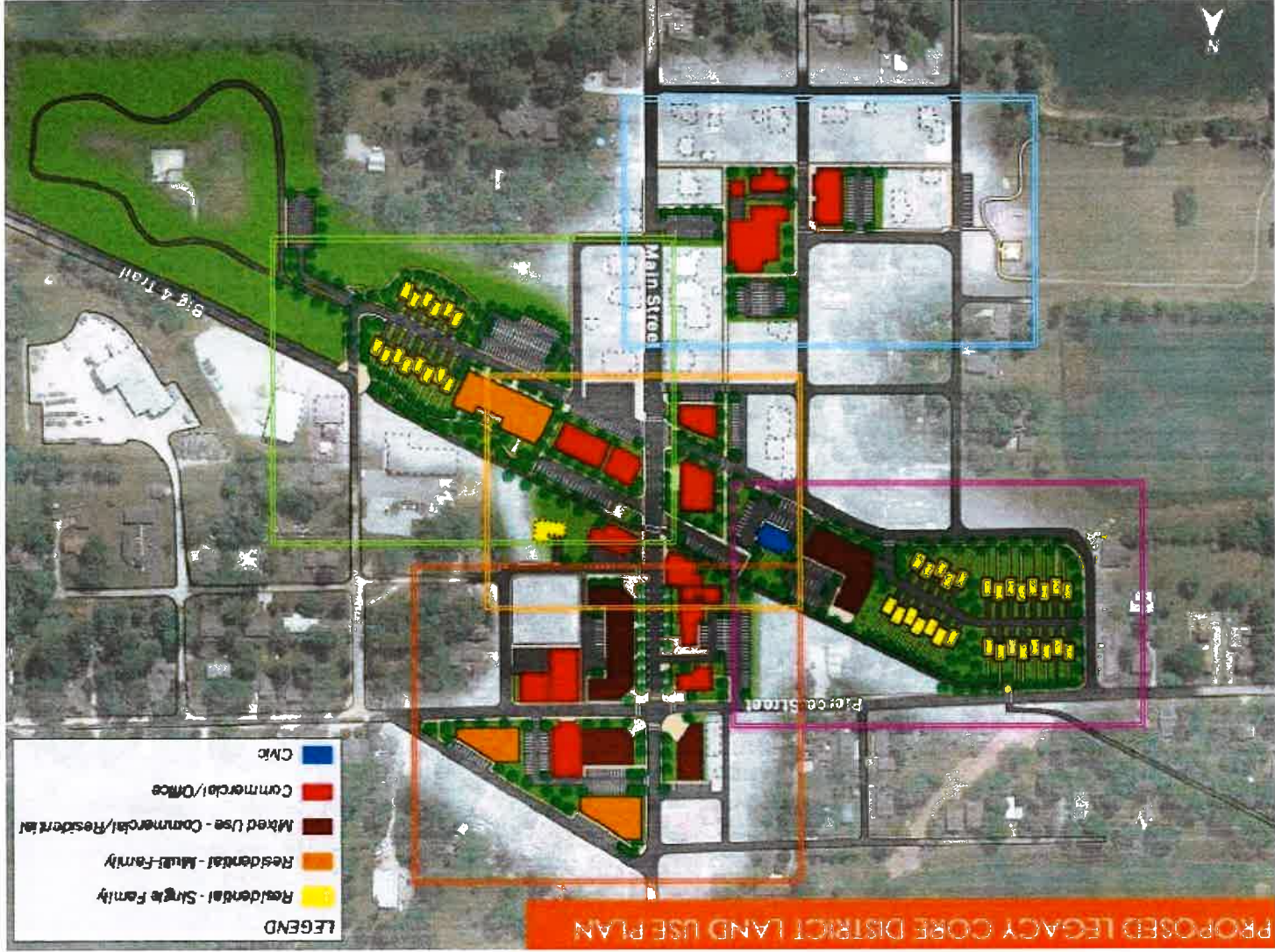
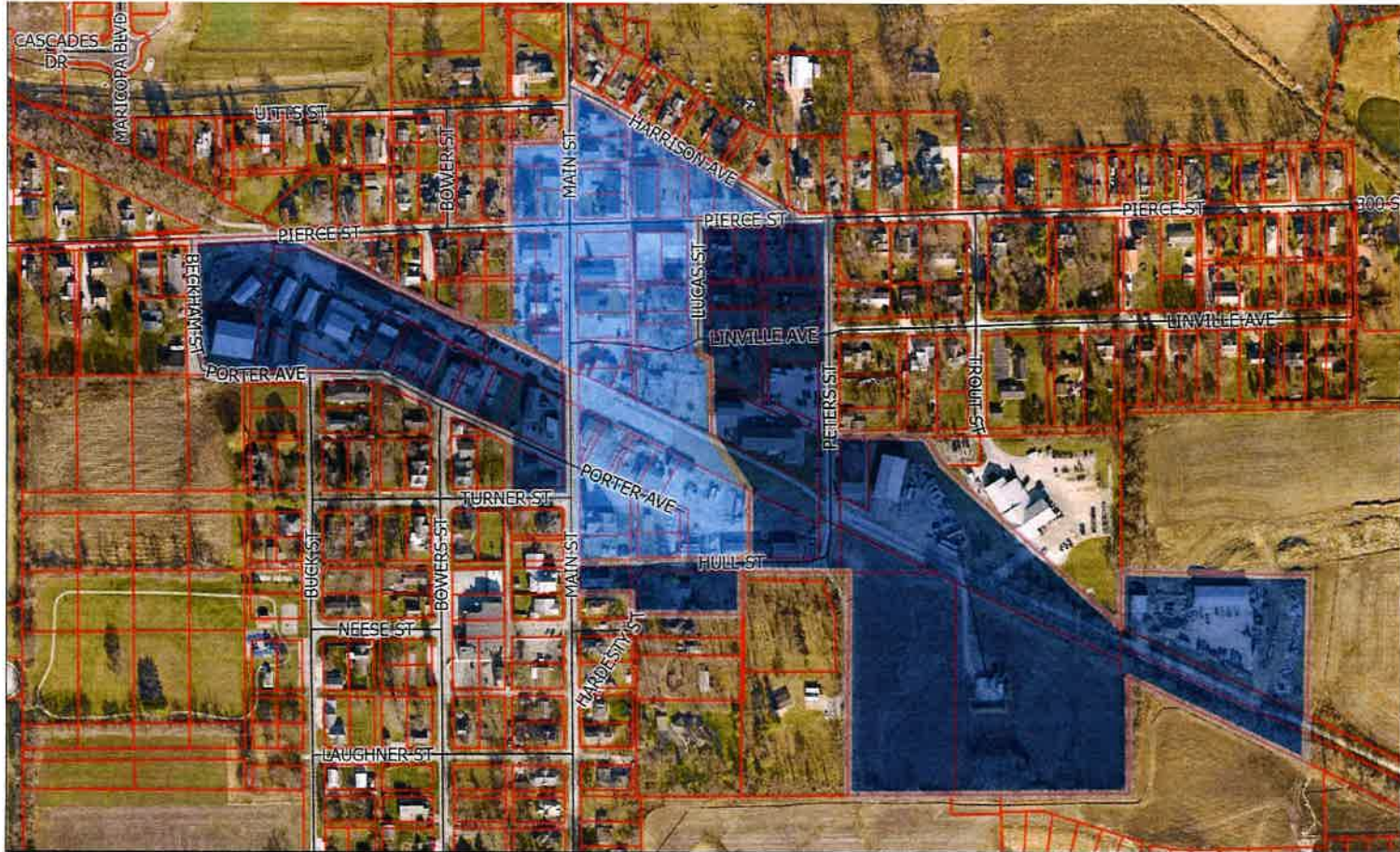


Figure 1. Legacy Core Form Districts



- | | |
|-----------------|-----------------------|
| Sub-districts | Parcel Boundaries |
| Core Area | Interstates, Highways |
| Transition Area | Streets, Roads |

Map information is believed to be accurate, but accuracy is not guaranteed, and the information contained is not to be construed as a legal survey of land. The Town of Whitestown makes no claims, no representations, and no warranties, express or implied, concerning the correctness, timeliness, reliability, or completeness of any GIS or website data, depictions, or information. Town departments reserve the right to reject applications based solely on GIS data.

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Chapter 3- Specific Uses

3.112 Images

Chapter 4- Design and Maintenance Standards

4.1 Accessory Structures

B. The maximum ground floor area of an accessory building is **less than** the ~~lesser of the~~ ground floor area of the principal building or 1,000 square feet, **whichever is less.**

- Accessory buildings located in the AG Zone and used for agriculture purposes are exempt from maximum floor area regulations.
- **Accessory structures larger than 1,000 square feet in residential zoning districts will need to seek a Variance through the Board of Zoning Appeals.**
- **Accessory structures larger than 1,000 square feet in non-residential zoning districts will need to seek approval through the Development Plan Amendment process.**

L. Public Art

- **Public art includes, but is not limited to sculptures, monuments, fountains, mosaic, and stained glass. Signage is not considered public art.**
- **Public Art shall, when part of an overall development be included in the Development Plan and approved administratively. Such incorporation of the public art shall be cohesive with the overall development.**
- **Public Art shall not contain characteristics that will distract drivers, pose a safety risk, or impact traffic flow.**
- **If public art is located on a building structure, it may extend a maximum of 30" from the face of the wall.**

Chapter 5- Landscaping Standards

5.4 Street Frontage Landscaping

A. The front yard must be landscaped with at least 1 shade tree per 35 feet of street frontage (see Figure 5-1). If overhead electric distribution lines are present, ornamental trees with a maximum mature height of 15 feet must be planted and the number of trees planted must be at least 1 ornamental tree per 20 feet of street frontage.

- Trees fulfilling this requirement must be planted within 25 feet of the right-of-way.
- **Trees located within the right-of-way between the sidewalk and the street should have a minimum 5 foot wide road verge within residential subdivisions.**

5.10 Appendix A – Approved Tree List

Approved Tree Species

Scientific Name	Common Name	Max. Height	Max. Spread	Native	Approved Street Tree	Use Under Utility Lines
<i>Abies concolor</i>	White Fir	70'	30'	No		
<i>Acer griseum</i>	Paperbark Maple	25'	35'	No	Yes	Yes
<i>Acer miyabei</i>	Miyabe Maple	40'	35'	No		
<i>Acer nigrum/saccharum</i> subsp. <i>nigrum</i>	Black Maple	90'	25'	Yes	Yes	
<i>Acer palmatum</i> 'Osakazuki'	Osakazuki Japanese Maple	25'	15'	No		
<i>Acer rubrum</i>	Red Maple	90'	70'	Yes	Yes	
<i>Acer saccharum</i>	Sugar Maple	75'	50'	Yes	Yes	
<i>Acer x freemanii</i>	Freeman Maple/Hybrid Red Maple	60'	40'	Yes	Yes	
<i>Aesculus flava</i>	Yellow Buckeye	75'	50'	Yes		
<i>Aesculus glabra</i>	Ohio Buckeye	40'	40'	Yes		
<i>Aesculus x carnea</i>	Red Horse Chestnut	40'	35'	No		
<i>Amelanchier arborea</i>	Downy Serviceberry	25'	20'	No	Yes	Yes
<i>Amelanchier laevis</i>	Allegheny Serviceberry	40'	40'	Yes		
<i>Amelanchier</i> spp.	Serviceberry	25'	20'	Yes		Yes
<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	25'	25'	No	Yes	Yes
<i>Asimina triloba</i>	Pawpaw	30'	25'	Yes		Yes
<i>Betula alleghaniensis</i>	Yellow Birch	75'	65'	Yes		
<i>Betula nigra</i>	River Birch	70'	60'	Yes	<u>Yes</u>	
<i>Betula populifolia</i>	Gray Birch	40'	20'	Yes		
<i>Carpinus betulus</i> 'Fastigiata'	Common Hornbeam	40'	30'	No	Yes	
<i>Carpinus caroliniana</i>	American Hornbeam	30'	30'	Yes	Yes	Yes
<i>Carya cordiformis</i>	Bitternut Hickory	80'	50'	Yes		

Approved Tree Species

Scientific Name	Common Name	Max. Height	Max. Spread	Native	Approved Street Tree	Use Under Utility Lines
Carya glabra	Pignut Hickory	80'	40'	Yes		
Carya illinoensis	Pecan	100'	70'	Yes		
Carya laciniosa	Shellbark Hickory	80'	60'	Yes		
Carya ovalis	Red Hickory	80'	70'	Yes		
Carya ovata	Shagbark Hickory	90'	70'	Yes		
Carya pallida	Sand Hickory	100'	70'	Yes		
Carya texana	Black Hickory	50'- 100'	45'	Yes		
Carya tomentosa	Mockernut Hickory	80'	60'	Yes		
Catalpa speciosa	Northern Catalpa	70'	50'	Yes		
Celtis laevigata	Sugarberry	70'	60'	Yes		
Celtis occidentalis	Hackberry	80'	60'	Yes	Yes	

Chapter 6- Lighting Standards

6.6 Multi-Family Residential, Business and Industrial Standards

B. Light meter readings must not exceed 0.1 foot-candle at the lot lines of any residential use and 0.3 foot-candles at the lot lines of any non-residential use.

- Readings along property lines of shared access drives are exempt from these regulations.

Chapter 7- Parking

7.9 A. The minimum number of bicycle parking spaces to be provided is shown on the Parking Requirements Table. ~~When no minimum bicycle spaces rate is provided on the table, bicycle spaces must be provided at a minimum rate of 1 bicycle parking space per 30 vehicular parking spaces. No more than 15 bicycle parking spaces are required for any principal building.~~

A. Parking Requirements Table

RESIDENTIAL PRIMARY USES	Vehicle Min	Vehicle Max	Bicycle Min
Household Living			
Dwelling, Multifamily	1.25/unit	2.0 25 /unit	1/5 units
Dwelling, Single Family <u>Detached</u>	2.0/unit	No max	No requirement
<u>Dwelling, Single Family Attached</u>	<u>1.25/unit</u>	<u>4.0/unit</u>	<u>No requirement</u>
Dwelling, Two Family	1.25/unit	4.0/unit	No requirement
<u>Dwelling, Townhome</u>	<u>1.25/unit</u>	<u>4.0/unit</u>	<u>No requirement</u>
Live/Work Dwelling	1.25/unit	2.0/unit	1/5 units
Mobile Home Park	1.5/unit	4.0/unit	1/5 units
Group Living			
Assisted Living	0.75/unit	2.0/unit	No requirement <u>1/30 vehicle stalls up to 15</u>
Fraternity, Sorority, Student Housing	1.25/unit	2.0/unit	1/5 units
Group Residential Facility	0.75/unit	1.5/unit	No requirement <u>1/30 vehicle stalls up to 15</u>
Nursing Home, Hospice	0.75/unit	2.0/unit	No requirement <u>1/30 vehicle stalls up to 15</u>
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USES			
Basic Utilities			
All Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Community/Public Service			
Community Center	0.5 2 /1,000 of GFA	<u>1</u> /1,000 of GFA	1/10,000 of GFA
Correctional Institution	0.5/1,000 of GFA	1/1,000 of GFA	No requirement <u>1/30 vehicle stalls up to 15</u>
Day Care Center	1/1,000 of GFA	1.5/1,000 of GFA	1/10,000 of GFA
Fairgrounds	No requirement	No requirement	No requirement <u>1/30 vehicle stalls up to 15</u>
Hospital	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA

Municipal & Government Buildings	1/1,000 of GFA	1.75/1,000 of GFA	1/10,000 of GFA
Cultural/Special Purpose/Public Parks & Open Space			
Cemetery	1/1,000 of GFA	2/1,000 of GFA	1/10,000 of GFA
Libraries	1/1,000 of GFA	1.75/1,000 of GFA	1/10,000 of GFA
Museum	1/1,000 of GFA	1.75/1,000 of GFA	1/10,000 of GFA
Publicly Owned Park or Recreational Facility	No requirement	No requirement	No requirement 1/30 vehicle stalls up to 15
Education			
Colleges & Universities	1/1,000 of GFA	1.5/1,000 of GFA	1/10,000 of GFA
Elementary Schools	2/1,000 of GFA	2.5/1,000 of GFA	1/10,000 of GFA
Secondary Schools	1/1,000 of GFA	1.5/1,000 of GFA	1/20,000 of GFA
Trade or Business School	1/1,000 of GFA	1.5/1,000 of GFA	1/10,000 of GFA
Public & Religious Assembly			
All Types	1/1,000 of GFA 1/4 permanent seats	1.5/1,000 of GFA No maximum	1/10,000 of GFA 1/30 vehicle stalls up to 15
COMMERCIAL SALES, SERVICES, AND REPAIR PRIMARY USES			
	Vehicle Min	Vehicle Max	Bicycle Min
Adult Business			
All Types	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Arts, Recreation & Entertainment			
Indoor – Art Studio	0.3/1,000 of GFA	1/1,000 of GFA	1/20,000 of GFA
Indoor – All Others	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Arts, Recreation & Entertainment - Outdoor	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Sports and/or Entertainment Arena or Stadium	1/1,000 of GFA	2/1,000 of GFA	1/20,000 of GFA
Parking of Vehicles			
All Types	No requirement	No requirement	No requirement
Eating & Drinking Establishments			
All Types	5/1,000 of GFA	7/1,000 of GFA	1/5,000 of GFA
Lodging Accommodations			
All Types	1/guest room	1.5/guest room	1/20,000 of GFA
Office			

All Types	2/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Retail Sales, Service & Repair			
Animal Sales and Services, Household Pets	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Animal Sales and Services, All Others	1.5/1,000 of GFA	2.5/1,000 of GFA	No requirement
Food Sales or Market	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Kennel, All Types	1.5/1,000 of GFA	2.5/1,000 of GFA	No requirement
Pawn Shop	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Retail Sales, Service & Repair	2.5/1,000 of GFA	4/1,000 of GFA	1/20,000 of GFA
Vehicle/Equipment Sales, Service & Repair			
<u>Service Station, Local</u>	<u>3.5/1,000 of GFA; parking spaces at pumps may be included in count up to 75% of required</u>	<u>No requirement</u>	<u>No requirement 1/30 vehicle stalls up to 15</u>
All <u>Other</u> Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement 1/30 vehicle stalls up to 15

INDUSTRIAL, MANUFACTURING, AND WHOLESALE PRIMARY USES	Vehicle Min	Vehicle Max	Bicycle Min
Communications & Information			
Antennas Not Attached to a Tower	No requirement	No requirement	No requirement
Communication Services	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Telecommunication Towers	No requirement	No requirement	No requirement
Telecommunication Facilities – All Others	No requirement	No requirement	No requirement
Industrial Services			
All Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Manufacturing & Extraction and Energy Producing Systems			
All Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Mining & Extraction and Energy Producing Systems			
All Types	No requirement	No requirement	No requirement
Transportation Facilities			

Terminal Station/Service Facility for Passenger System	0.5/1,000 of GFA	1/1,000 of GFA	No requirement 1/30 vehicle stalls up to 15
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Waste Related Services

All Types	No requirement	No requirement	No requirement
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Wholesale Storage, Warehouse & Distribution

Automobile Towing Service Storage Yard	All Types	All Types	All Types
Mini-Storage Facility	0.1/1,000 of GFA	0.3/1,000 of GFA	No requirement
Truck/Freight Terminal Wholesale Trade or Storage /Distribution Center	0.25/1,000 of GFA	0.5/1,000 of GFA	No requirement 1/30 vehicle stalls up to 15
Vehicle Storage, Commercial	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Wholesale Trade or Storage, All Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement

AGRICULTURE PRIMARY USES	Vehicle Min	Vehicle Max	Bicycle Min
Garden, Urban	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Sale Barn for Livestock	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Slaughterhouse	0.5/1,000 of GFA	2/1,000 of GFA	No requirement
All Others	All Types	All Types	All Types No requirement

7.3 Loading Berths

Off-street loading berths are subject to the requirements set by the Administrator according to the following guidelines. ~~Exceptions may be granted by the Administrator.~~ Additional berths may also be required to serve the needs of the proposed business or industry. Loading berths are not required for businesses demonstrating they do not ship or receive large quantities of goods by truck delivery.

- A. **Size.** A loading berth must be at least 12 feet wide and 35 feet long and 14 feet high.
- B. **Use Table.**

Use	Gross Floor Area	Minimum Required Loading Berths
<u>Business and professional offices, medical facilities, Schools, hotels, clubs, and similar business</u>	<u>100,000 sq. ft.</u>	<u>1</u>
<u>Industrial Manufacturing and warehousing uses.</u>	<u>40,000 sq. ft. or fraction thereof</u>	<u>1</u>
<u>Other business</u>	<u>(5,000 -10,000 sq. ft.)</u>	<u>1</u>

	or fraction thereof	
	(10,001-25,000 sq. ft.) or fraction thereof	2
	<u>Over 25,000 sq. ft</u>	<u>2 +1 additional loading berth for every 25,000 sq. ft. or fraction thereof</u>

C. **Space Allocated.** Space used for loading berths cannot be used to satisfy parking space requirements.

D. **Location.** Loading berths are prohibited on building facades facing public streets. They should be located on the rear of the building when possible.

Chapter 9 – Subdivision Regulations

Chapter 9 – Subdivision Regulations

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9.2 Subdivision Process

I. Secondary Plat Documentation and Supporting Information. A secondary plat application must include:

2. The following information must be shown on the secondary plat:

P. Plans and specifications for the improvements required in this Ordinance, if not otherwise detailed on the corresponding detailed development plan (Article 11.78 Development Plan Review).

Q. Plat certificates and deeds of dedication, as set forth in Article 9.179 Plat Certificates and Deed of Dedication.

9.3 Subdivision Plat Naming and Numbering Conventions

Standards. All subdivision plat and street names must be approved by the Town and meet specific requirements as outlined herein for logical and consistent plat identification.

A. Subdivision Plat Naming Conventions A proposed subdivision name shall meet the following criteria:

1. Responsible Party.

a. The applicant/developer shall propose a unique name for the whole subdivision within the development at the time of initial Primary Plat Application.

2. Use on Official Documents.

a. For the purposes of consistency and continuity, any processes, applied for with the Town (such as but not limited to Secondary Plat, Public Works, Utility Office, and/or Building Permit Applications) should reference this name and its appropriate section number, when required.

i. Failure to reference an approved Subdivision name and Section may result in delays and/or the need to revise the application to meet this standard.

3. The Subdivision Plat name parts.

a. A Unique Root Name, which shall not look or sound like any other plat name that has been previously approved.

i. This root name is used to identify the whole development at the time of Primary Plat Approval and then by all sub-sections contained therein.

ii. A Future development directly adjacent, or only separated by a perimeter street, to the original area contained within the original Primary Plat may make use of the original subdivision plat name with a cardinal direction suffix, a new name prefix or modified by a unique adjective following the original name expressions

b. A Sub-Section Unique Identifier, which shall only be permitted to describe individual sub-sections of the area approved within the Primary Plat. All following sub-sections of the original area contained within the Primary Plat shall then be numbered sequentially thenceforth.

4. The Subdivision Plat Name prohibited terms.

a. The use of the words "Phase" or "Tract."

b. The use of the article's "A", "An" or "The"

c. The use of hyphens and other non-alphabetic characters.

d. The use of Initials, first or middle names.

e. The use of Roman numerals.

5. Effects of Replating on the Subdivision Plat Name.

a. Combination of two or more lots, from the same sub-section into a single lot shall result in adoption of the original Subdivision Name and Section with the new lot's Lot number being the lowest number of the combined lots.

b. Combination of two or more lots, from the differing sub-sections into a single lot shall result in a modified Subdivision Name.

- c. Splitting one lot into two or more lots, of an existing platted subdivision shall require a new Primary Plat and associated unique Subdivision Plat Name.
 - B. Smallest Subdivided Areas Numbering Conventions A proposed subdivision's Smallest Subdivided Areas shall meet the following criteria:
 1. Smallest Subdivided Areas defined.
 - a. The smallest subdivided areas of a subdivision plat can be one of the following types: Lot, Tract, Common Area, or Right-of-Way (ROW).
 2. Required numbering conventions based on type.
 - a. Only Lots, Tracts, and Common Areas are subject to these requirements, Right-of-ways dedicated on a Subdivision Plat are not required to be numbered.
 - b. Lots shown on Subdivision Plats shall be sequentially numbered, based on their land use type, without major breaks or jumps in sequence between adjacent lots.
 - i. Lot numbers shall follow the same numbering sequence as the Primary Plat.
 - ii. Lot numbers shall not have a prefix or suffix.
 - iii. Lot numbers shall only represent positive whole integers and shall not be subdivided into parts or sub areas.
 - c. Tracts shown on Subdivision Plats shall be sequentially numbered.
 - i. Tract identifiers shall follow the same lettering/numbering sequence as the Primary Plat.
 - ii. Tracts shall be prefixed with "TR-"
 - iii. Tracts shall note the maximum number of lots, area or any other standard tied to the creation of additional lots proposed within the boundaries of a tract on both the Primary and Secondary Plat.
 - iv. Tract identifiers shall only represent a unique English alphabetic letter or a positive whole integer.
 - d. Common Areas shown on Subdivision Plats shall be sequentially numbered.
 - i. Common Area identifiers shall follow the same lettering/numbering sequence as the Primary Plat.
 - ii. Common Areas shall be prefixed with "CA-"
 - iii. Common Areas shall not be subdivided into parts or sub areas.
 - iv. Common Areas identifiers shall only represent a unique English alphabetic letter or a positive whole integer.
 - C. Street Naming Conventions A proposed subdivision's Street Names, public and private, shall meet the following criteria:
 1. Responsible Party:
 - a. The applicant/developer shall propose a unique name for each street within the development at the time of initial Primary Plat Application.
 - i. The Applicant shall consult the Town's Existing Street Names List, publicized on the Town's Website, prior to submitting any proposed street names.
 - ii. Along with the proposed street names, the Applicant shall provide a Georeferenced AutoCAD file with the following layers:
 - All lots, tracts, common areas and rights-of-way as enclosed polygons with their designated numbering/lettering identifiers included as attribute data.
 - A point at the geometric center of each lot and tract.
 - All street centerlines as continuous lines broken only at intersections with proposed street names included as attribute data.
 2. Required Criteria:
 - a. Extensions: Streets which are extensions, continuations, or in alignment with any existing street, platted right-of-way, or recorded access easement, can bear the name of the existing street.
 - b. Root Name: The root street name (e.g. Maple) shall not duplicate or be phonetically

- similar to any existing street name in the Town.
- c. Suffix Name: Deviations in suffix names (e.g. Street, Court, or Avenue) shall not constitute a unique name (for example, if Maple Street existed, the name Maple Court would not be permissible).
- d. Large Developments: Streets within a large development or separate developments within close proximity may be authorized to use the same root name by the Plan Commission.
- 3. Approval Authority: While street names proposed by the applicant shall be considered, the Plan Commission has authority to approve or deny any proposed street name or address number.
- 4. Renaming Authority:
 - a. Existing Street Names: Existing Street names that have been established or formerly approved by the Plan Commission shall not be changed without Plan Commission approval.
 - b. Proposed Street Names: The Plan Commission shall have authority to require a new unique name for any street if the name proposed by the applicant is unacceptable. If an acceptable and unique street name is not proposed by the applicant, the Plan Commission shall rename the street prior to final approval.

9.34 Principles and Standards of Design

C. The Plan Commission, in its discretion, may grant a waiver from standards required by Articles 9.75-9.178 of this Ordinance. Waivers must be entered into the minutes of the Plan Commission together with the reasoning for the departure from the required standards. As a condition of granting a waiver, a commitment may be made according to Article 11.5 Commitments. A waiver may only be granted upon finding:

9.45 Residential Architectural Standards

A. Architectural Standards for Single-Family Dwellings

Category #1 – Site Design and Building Massing (~~5~~2 points maximum ~~to qualify~~)

Category #2 – Main Roof Design (2 points maximum ~~to qualify~~)

Category #3 – Exterior Materials Exclusive of Trim (1 point maximum ~~to qualify~~)

Category #4 – Façade Projections of Recessions (3 points maximum ~~to qualify~~)

Category #5 – Windows (exclusive of doors) (2 points maximum ~~to qualify~~)

5. Corner Lot Enhancements. Corner lot side facades adjacent to the street must provide at least 5 points of design features listed in 9.14 (A)(3) above. Additionally, landscape plantings of at least 1 shade tree, 1 ornamental or evergreen tree, and 5 shrubs may be installed for 1 point toward this requirement.

9.56 Business and Mixed Use Architectural Standards

9.67 Industrial Architectural Standards

C. ~~Each building façade visible from a street or oriented to an adjoining residential district, must have at least 60% masonry materials on the building façade (exclusive of window and doors). A~~ minimum of three materials shall be used for building exteriors from the following list: stone, brick, architectural pre-cast (panels or detailing), structural concrete panels, exterior finish system, architectural metal panels, glass, and ornamental metal. Glass, if used, must be non-reflective.

D. Buildings with continuous facades in excess of 90 feet shall provide architectural details or relief in the façade that break up the monotony of the continuous façade in a fashion that provides good scale and provides harmonious conformance with permanent neighboring facilities. Utility features of the facility, such as loading docks, shall not be construed to be an architectural

~~feature providing this detail. Building facades 90 feet or greater in length, shall provide architectural details or relief in the façade must have offsets at intervals no greater than 60 feet apart. Offsets can project or recess. They must extend the entire vertical plane of the building façade. The offset must be at least 12 inches in depth and be at least 20% of the overall building faced length. Architectural elements (e.g. arcades, columns, pilasters, etc.) meeting the offset requirements may be used to fulfill this requirement.~~

9.78 Block Standards

9.89 Easement Standards

9.910 Monument and Marker Standards

9.101 Open Space and Amenity Standards

9.112 Pedestrian Network Standards

C. Internal Pedestrian Network Standards

1. Sidewalks must be at least 5 feet wide. When abutting a curb, sidewalks must be at least 6 feet wide **for residential uses.**

9.123 Storm Water Standards

9.134 Street and Right-of-Way Standards

E. Private Streets.

2. Private streets must be established within access easements complying with Article 9.79 Easement Standards.

3. When a private street easement appears on a secondary plat, a private streets certificate (Article 9.79 Easement Standards) must be printed on the plat. Unplatted easements for private streets must have the same language included on a recorded easement instrument.

4. Financial sureties are required according to Article 9.157 Surety Standards.

G. Improvement standards. Streets must conform to the following:

3. Cul-de-sac Design. Cul-de-sacs must conform to the following standards:

- a. The maximum length of a cul-de-sac is 600 feet, measured along the centerline from the center of the circle to the intersection of the nearest through street (see 9.1820 Images).
- e. The Plan Commission or Administrator may require a pathway or sidewalk to connect on cul-de-sac to an adjacent cul-de-sac or street to provide reasonably direct connection between likely pedestrian destinations. Such connection must be constructed according to Article 9.102 Pedestrian Network Standards and located within an easement or common area.

- J. Acceptance of Improvements. Before any financial surety (Article 9.157 Surety Standards) covering a street installation is released, the Plan Commission, Council, or Administrator may request core boring for thickness determination.

L. Driveways. There must be a minimum of 20 feet between the end of a radius of a street intersection and the beginning of a driveway curb cut as measured at the curb line.

9.145 Street Light Standards

9.156 Street Sign Standards

9.167 Surety Standards

9.178 Utility Standards

9.189 Plat Certificates and Deed of Dedication

~~A.~~ **Plan Commission Certificate:**

Under authority provided by IC 36-7, enacted by the general assembly of the State of Indiana, and all acts amendatory thereto, and an ordinance adopted by the Town Council of the Town of Whitestown, Boone County, Indiana, this plat was given approval by the Whitestown ~~Advisory~~ Plan Commission, as follows:

Approved by the Director of ~~Development Services~~ **Development Services** ~~the Planning and Community Development Department~~ of the Town of Whitestown, Boone County, Indiana, pursuant to the Whitestown Unified Development Ordinance, on the ____ day of _____, _____.

Whitestown Plan Commission

By: _____

(Name), Director ~~of Development Services~~ **of Development Services** ~~Planning and Community Development Department~~

By: _____

(Name), Plan Commission President

(SEAL)

~~B.~~ **Director of Public Works Certificate:**

This plat and the acceptance of any public rights of way dedicated herein is hereby approved on the ____ day of _____, 20__, by the Director of the Public Works Department of the Town of Whitestown, Indiana, on behalf of the Board of Public.

(Name), Member

(Name), Member

(Name), Member

~~C.~~ **B. Registered Land Surveyor's Certificate:**

~~D.~~ **C. Engineer's Certificate:**

~~E.~~ **D. Deed of Dedication:**

~~F.~~ **E. Easement Certificate:**

9.1920 Images

Chapter 10- Administration

10.1 General Administration

B. Fee Schedule: Filing fees for applications and petitions are set forth in the fee schedule. The fee schedule is established by ~~resolution of the Council~~ approval of the Plan Commission. Copies of the Fee Schedule are available in the office of the Department.

10.4 Director of the Department

A. Administrative Officer: It is the duty of the Director of Development Services or Designee ~~the Department of Planning and Community Development~~ (the "Director") to enforce and implement the provisions of this Ordinance, receive applications required by this Ordinance, issue permits, and furnish the prescribed certificates.

Chapter 11 – Process, Permits & Enforcement

11.7 Design Review

B. Applicability. The Design Review process is required as part of the development plan review process (see Article 11.78 Development Plan Review) unless otherwise waived in writing by the Administrator.

C. Approvals Required. Design Review is part of the process for approval of a development plan, as set forth in Article 11.78 Development Plan Review.

D. Design Review Criteria. In addition to the criteria identified in Article 11.78-Development Plan Review, development plans submitted as part of the design review process are reviewed by the Design Review Board for compatibility of the proposed development with the surrounding neighborhood on the following requirements:

11.8 Development Plan Review

A. Authority. A development plan review process is established to ensure adherence to the standards of this Ordinance.

C. Applicability. The development plan review process is required when: (i) more than one **primary** building is proposed on a site; ~~(ii) the site is 5 acres or larger;~~ (iii) expanding a building by more than 50,000 square feet; or, (iv) if required by a PUD ordinance.

1. Exception: Individual single-family dwellings do not require development plan approval according to this article. The Building permit review process (see also Article 11.89 Improvement Location Permit) serves as the development plan.

D. Approvals Required. The approval of a development plan is delegated to the Plan Commission. The approval of Development Plan Amendment is delegated to the Director.

F. Development Plan Amendment

1. Minor Amendments: Minor amendments to approved Development Plans which do not involve an increase in height, area, built or intensity of land uses; the designation of additional land uses; a reduction in yards; or a reduction in the amount of parking may be reviewed administratively by the Director without a public hearing if the requested minor amendments do not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Director shall be reported in writing to the Plan Commission at the next regular meeting.

i. Additions or expansion of any existing use or structure by less than 50,000 Square feet

Accessory structures

ii. Parking Spaces or paved surface parking areas of more than 20% of existing spaces.

2. Major Amendments: Any amendment that does not meet the criteria of a minor amendment will be required to follow the Development Plan Process and receive at a public hearing approval from the Plan Commission. The Director reserves the right to determine when a Development Plan Amendment may require a full Development Plan review by Plan Commission.

F. G. Approval Process

8. Surety Requirement: The applicant must provide financial sureties for all public improvements shown on the development plan according to Article 9.157 Surety Standards.

~~G.~~ H. Application Documentation and Supporting Information

Chapter 12- Definitions

Administrator. The Director of ~~Planning and Community Development~~ Development Services or a person to whom the Director delegates authority under this Ordinance.

Director. The Director of ~~Planning and Community Development~~ Development Services.

Common Area. An area held in common by an owners' association, not located in rights-of-way, and not located on individually owned private property. The area is designed and intended for the common use or enjoyment of the individual owners of the development. May include complementary structures and improvements.

Community Center: An establishment used as a place of meeting, recreation, or social activity. May provide religious, fraternal, social, veterans or recreational programs; and is generally open to the public.

Dwelling, Multi-Family. A ~~residential building, or portion thereof, or group of dwellings on one parcel~~ containing separate living units ~~designed for 3 or more families~~ having separate or joint entrances living independently of each other, ~~with the number of families not exceeding the number of dwelling units.~~

Dwelling, Single Family Detached. A detached residential dwelling designed for 1 family.

Dwelling, Single Family Attached. A single structure consisting of two dwelling units on individual lots and joined along a single lot line, each of which is separated by a common wall extending from ground to roof.

Dwelling. All or part of a building used primarily as a place of residence, not including a hotel, motel, lodging house, boarding house, bed and breakfast, or manufactured home park.

Dwelling, Townhome. A single structure consisting of not less than three dwelling units where each unit is on its own separate lot. The unit is attached to one or more other townhouse dwelling units by at least one common wall with no other dwelling or portion of other dwelling directly above or below.

Heavy Vehicle/Equipment Sales, Rentals, and Service. An establishment primarily engaged in the sale, rental, or servicing of semi-trucks, construction equipment, and similar industrial equipment.

Lot. A platted parcel or tract of land which meets minimum zoning requirements and provide such yard and other open spaces as required. For subdivision purposes, a lot is a contiguous parcel of land in identical ownership throughout, bounded by other lots or streets, and used or set aside and available for use as the site of one or more buildings or other definite purpose.

Masonry Material. Brick, limestone, natural stone, manufactured stone, or a combination of these materials, bonded together with a mortar to form a wall, buttress, or similar mass. For the purpose of this Ordinance, thin stone veneer, EIFS, stucco, thin brick veneer, and fiber cement siding are not masonry materials.

Public Art. Any visual work of art, accessible to public view, on public or private property. The work of art may include but is not limited to sculptures, monuments, and fountains.

Right-of-way. A strip of land occupied or intended to be occupied by transportation facilities, public utilities (including but not limited to water lines, sewer lines, power lines, and gas lines), or other special public uses. In no case shall a right-of-way be construed to mean an easement.

Tract. An area of land that is: 1. Under common fee simple ownership; 2. Contained within a continuous border; and 3. A separately identified parcel for property tax purposes. For subdivision purposes, a tract is a contiguous quantity of land, in the possession of or owned by or recorded as the property of the same claimant or person, which is set aside and allotted a finite number of allowed subdivisions therein as described on the Primary Plat and then ultimately subdivided by a Secondary Plat into lots of indeterminate size until development occurs.

Vehicle Storage, Commercial. An area where vehicles including but not limited to: RV, boats, standard vehicles, large trucks, company vehicles, delivery vehicles, semi-trucks, and trailers may be stored outdoors.

Wholesale Trade or Storage/Distribution Center. An establishment where goods are received, stored, transferred, loaded, and/or unloaded for delivery to the ultimate customer. The place of business may engage in selling and/or distributing merchandise to retailers, business users, or other wholesalers. This is not considered a general commercial use.

Exhibit B
