

Chapter 7: Development Standards

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7 7.1 Application

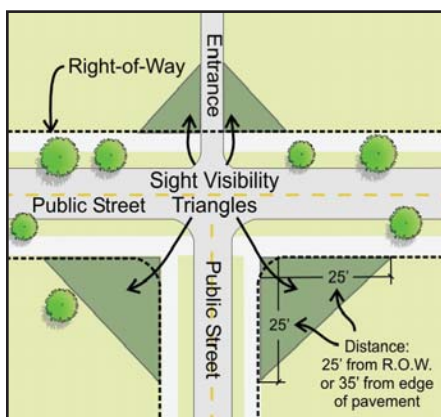
7.1 APPLICATION

- A. APPLICABILITY.** All structures, land uses, land use changes, structural alterations, structural relocations, structural additions, and structural enlargements that are constructed, created, established, or occur after the effective date of this ordinance (except as may otherwise be provided within this ordinance) shall be subject to all Development Standards and regulations applicable to the zoning district in which they are located. All projects approved prior to the effective date of this ordinance shall adhere to the terms and conditions of approval and/or written commitments made under the zoning ordinance that was in place at the time of filing.
- B. EXPANSION OR MODIFICATION OF EXISTING USES AND STRUCTURES.** No structure, parking area, or other site feature regulated by this ordinance shall be enlarged, altered, or expanded unless the minimum improvements required by this Article are provided on the property in a manner equal to the extent of its alteration or expansion.

7.2 SIGHT VISIBILITY TRIANGLE

- A. SIGHT VISIBILITY TRIANGLE.** All properties, with the exception of those in the Commercial Core of the Central Business District (CB), shall maintain a clear area (the "sight visibility triangle") at every intersection of an adjoining street with other streets and entrance drives.
- 1. Clearance.** The sight visibility triangle shall be free of structures, vegetation, signs (other than street signs), and other opaque or partially opaque objects between a height of three (3) feet and eight (8) feet as measured from the nearest top-of-curb (or edge of pavement where curbs are not present).
 - 2. Dimensions.** The triangle is determined by a diagonal line connecting two points measured twenty-five (25) feet from the intersection of the projected rights-of-way lines. In cases where the edge of pavement is coincidental with the right-of-way, the points shall be measured thirty-five (35) feet from the intersection of the edges of pavement.
 - 3. Public Signs and Signals.** The above provisions shall not apply to official warning signs or signals necessary to the public safety.

Sight Visibility Triangle



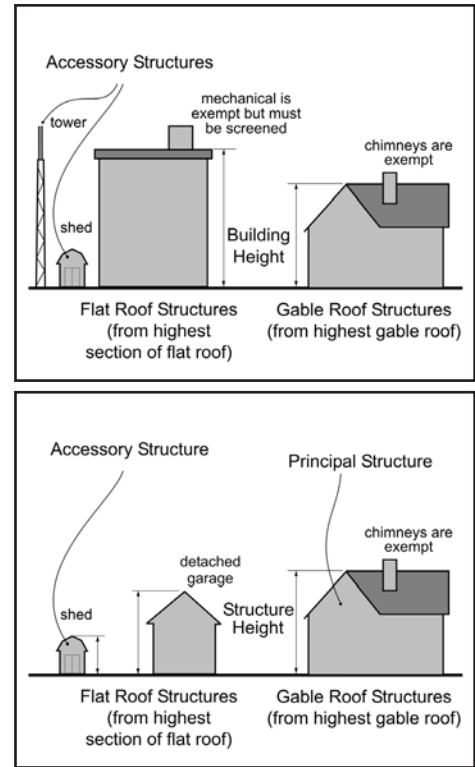
7.3 HEIGHT STANDARDS

A. HEIGHT REQUIREMENTS. The maximum height permitted shall be as described in [Table 4.2: Residential Districts Lot Standards](#), subject to the exceptions listed in this section.

1. Measuring Height. In all instances, the height of a structure shall be measured from adjacent grade level to the highest point of the structure, excluding the necessary appurtenances such as chimneys, church spires, steeples, clock or bell towers, cooling towers, elevator bulkheads, fire towers, penthouses, stacks, tanks, water towers, transmission towers, or essential mechanical equipment not prohibited by other laws or further provisions of this ordinance.
2. Additional Residential Limitations. No accessory structure located in a residential zoning district may exceed the height of the principal structure on the property.

B. HEIGHT EXCEPTIONS. No structure may be erected or changed so as to make its height greater than specified in the applicable zoning district, except as noted below. For the purposes of this section, the height of church steeples, chimneys, and other structures which are attached or otherwise a part of another structure shall be measured from grade level.

1. General Exceptions. The following structures may exceed the permitted height regulations by twofold (x2):
 - a. Church steeples;
 - b. Spires, belfries, and cupolas; and
 - c. Industrial related storage tanks, mechanical equipment, and smokestacks.
2. Height Of Residential Structures. In the districts limiting the height of single-family residential structures to thirty-five (35) feet, a dwelling may be increased in height not to exceed forty (40) feet provided the required side yards are increased two (2) additional feet for each foot such structure exceeds thirty-five (35) feet in height.
3. Telecommunications Towers and Antenna. The height of telecommunication towers and antenna shall meet the requirements of [Section 7.16 Telecommunications Facilities](#).
4. Amateur Radio Towers. Amateur radio towers shall meet the



Height Illustration

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requirements of [Section 7.10 Accessory Uses and Structures](#).

5. [Necessary Appurtenances](#). The following structural elements may exceed the permitted height standards for the zoning district in which they are located by up to ten (10) feet:
 - a. Necessary mechanical appurtenances;
 - b. Utility substations and related essential facilities;
 - c. Water tanks;
 - d. Chimneys;
 - e. Fire towers;
 - f. Stair towers;
 - g. Stage bulkheads; and
 - h. Elevator bulkheads.
6. [Water towers](#). Water towers may exceed the permitted height standards for the zoning district in which they are located and may be erected to a maximum height of two hundred (200) feet.

C. FAA REQUIREMENTS. Nothing in this ordinance, including the exceptions listed above shall be interpreted as waiving any height regulations related to air travel. All applicable Federal Aviation Administration (FAA) restrictions and regulations shall apply to all structures.

7.4 LOT STANDARDS

A. REQUIRED SETBACKS

1. [Minimums](#). Minimum required setbacks shall be as set forth in each district [Table 4.2: Residential Districts Lot Standards](#) and [Table 4.3: Non-Residential Districts Lot Standards](#). The required setback shall be measured from the existing right-of-way or the proposed right-of-way as set forth in the Center Township Thoroughfare Plan, whichever is greater.
2. [Through Lots](#). Any lot having a frontage on two approximately parallel streets or abutting more than one street, shall be considered to have two or more front yards and shall conform to the minimum setbacks as specified for each district in [Chapter 4: Zoning Districts](#).
3. [Corner Lots](#). Any lot having a frontage on two approximately perpendicular streets shall be considered to have two or more front yards.

4. Alley Abutting Rear Or Side Yard. Principal structures shall be setback as specified in Chapter 4: Zoning Districts. Accessory structures on the rear or side of a lot abutting an alley shall be set back a minimum of five (5) feet from the right-of-way (not the edge of pavement).
5. Obstruction. Minimum required yards or building setback distances shall be unobstructed and open to the sky, except for customary projections and signs, in accordance with Chapter 4: Zoning Districts of this ordinance.

B. PERMITTED ENCROACHMENTS IN REQUIRED YARDS. No structure or part thereof shall encroach upon any required yard. However, the following shall not be considered encroachments when located within such required yards except in areas required for vision clearance at intersections.

1. Permitted Encroachments In Required Front Yards
 - a. An eave, cornice, overhang, awning, porch, balcony or bay window not exceeding four (4) feet, provided, however, that in no event shall said encroachment protrude closer than twenty (20) feet to a front lot line. However, in the Central Business (CB) District, such encroachments may be permitted subject to the standards of the Downtown Overlay District, provided they do not interfere with intersection visibility as set for in Section 7.2 Sight Visibility Triangle or with the Board of Public Works and Safety requirements for sidewalk clearance.
 - b. The ordinary projection of belt courses, sills, lintels, chimneys, and other similar ornamental and architectural features not exceeding two (2) feet.
 - c. Unenclosed, uncovered steps, entrance platforms, terraces or landings not over eighteen (18) inches above grade level and not to project a distance in excess of ten (10) feet.
 - d. Accessory uses such as public utility installations, walks, driveways, curbs, mail boxes, name plates, lamp posts, bird baths and structures of a like nature in any required front, side or rear yard.
 - e. Fences that are at least fifty percent (50%) open, walls, and hedges not to exceed forty-two (42) inches in height.
 - f. Plants including trees, shrubs, and perennials.
2. Permitted Encroachments In Required Side And Rear Yards
 - a. An eave, cornice overhang, awning, canopy, or balcony not exceeding four (4) feet, provided, however, that said encroachment shall not protrude closer than fifty percent (50%) of the required

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distance to any side or rear lot line.

- b. The ordinary projection of belt courses, sills, lintels, chimneys, and other similar ornamental and architectural features not exceeding two (2) feet, provided, however, that said encroachment shall not protrude closer than fifty percent (50%) of the required distance to the rear lot line.
 - c. Unenclosed, uncovered steps, entrance platforms, terraces or landings not over eighteen (18) inches above grade level and shall not encroach more than fifty percent (50%) into said yard.
 - d. Accessory uses such as public utility installations, walks, driveways, curbs, retaining walls, mail boxes, name plates, lamp posts, bird baths and structures of a like nature.
 - e. Fences, latticework, screens, hedges or walls not more than six (6) feet in height.
 - f. Plants including trees, shrubs, and perennials.
 - g. Open, off-street parking spaces, according to the provisions set forth in [Section 7.5 Parking Standards](#).
 - h. Balconies, breezeways, and open porches and decks provided, however, that said encroachment shall not protrude closer than fifty percent (50%) of the required distance to the side and rear lot line.
3. Agricultural Use. Nothing contained in this subsection shall be deemed to prohibit the erection or maintenance of an open fence in connection with an agricultural use.
 4. Setback Distance Exceptions. Any yard or setback line so placed or oriented that none of the specific terms in this ordinance are applicable shall necessitate a determination by the Planning and Zoning Administrator of suitable dimensions generally required for a similar situation in the zoning district.

C. PLACEMENT OF STRUCTURES

1. Lot Access And Frontage. Every building hereafter erected or moved shall be located on a lot with frontage and access on a public street; or with frontage and access to an approved private street, and all buildings shall be so located on lots as to provide for safe and convenient access, fire protection, and required off-street parking.
2. Lot Dimensions. Every building hereafter erected shall be located on a lot which meets the minimum zoning requirements for the district in which it is located unless otherwise specified for planned unit

developments or as specified in [Chapter 6: Overlay Districts](#).

3. [Relocation Of Structures](#). No buildings or structures shall be moved from one lot or premises to another unless such building shall thereupon conform to all the regulations of the zoning district to which such building shall be moved.
4. [One Principal Building Per Lot](#). In no case shall there be more than one principal structure and associated accessory structure located on one lot; except that principal structures designated and platted as a single unit under single ownership and control, such as multifamily developments, shopping centers, and combined industrial operations may be permitted on one lot in accordance with the provisions of this ordinance.
5. [Placing Structures Over Utility Easements](#). No building or structure shall be placed or erected over utility easements, except for lot line fences which shall be subject to the paramount right of the utility or municipality to install, repair, maintain or replace its installation.

See Also:

*I.C. 32-25 for
Condominium
property law*

D. EXCEPTIONS TO DISTRICT REQUIREMENTS

1. [Infill Development; Front Setback](#). The front setback shall be as required in [Table 4.2: Residential Districts Lot Standards](#) and [Table 4.3: Non-Residential Districts Lot Standards](#). Except in areas where fifty percent (50%) or more of the lots in a block are developed, the average of the existing front setbacks of structures for one hundred fifty (150) feet on either side may be used as the minimum front setback.
2. No part of a required setback (yard), open space, off-street parking, loading space or bufferyard shall be included as part of a required yard, open space, or off-street parking or loading space similarly required for any other building, unless specified elsewhere in this ordinance.

7.5 PARKING STANDARDS

A. INTENT. The regulations of this section are designed to alleviate or prevent congestion of the public streets by establishing minimum requirements for off-street parking of motor vehicles, in accordance with the use on the property as specified in [Table 7.4: Schedule of Parking Standards](#).

B. GENERAL PROVISIONS

1. Parking spaces shall be located on the lot with the uses for which they are required. Exceptions are for off-site and shared parking.
2. When the requirement spaces for an unspecified use is unclear, the number of parking spaces shall be determined by the Planning and

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Zoning Administrator on the basis of similar requirement, the number of persons served or employed, and the capability of adequately serving the visiting public. Such determination may be appealed to the Plan Commission. A variance request from the requirement can be heard by the BZA, [Section 2.4 Board of Zoning Appeals](#).

3. When the intensity of use of any building, structure or premises shall be expanded through the addition of dwelling units, floor area, beds, seating capacity, or other unit of measurement, parking and loading facilities shall be provided for such increase in intensity of use.
4. Whenever the existing use of a building, structure or premises shall hereafter be changed or converted to a new use permitted by this ordinance, parking and loading facilities shall be provided as required for such new use.

C. LAYOUT AND DESIGN

1. All off-street parking areas shall be constructed using a paved surface of concrete, asphalt, brick pavers, approved pervious concrete or pavers, or the like. Single- and two-family dwellings in the SF, Single-family District, on a minimum two (2) acre parcel, and agricultural uses shall be permitted parking areas of gravel. All parking areas shall be clearly painted to show each parking space.
2. All required parking spaces shall be designed to provide direct access for vehicles. In no case may parking areas which do not have direct access be considered a parking space meeting the requirement of this ordinance. Except in all single-family districts (SF, SF1, SF2, SF3, TR) and the Central Business District (CB), if a parked vehicle prevents direct access to a required parking space (double-stacked), it shall not be considered, nor count toward the required minimum parking.
3. All parking areas for nonresidential uses shall be completely curbed. Complete curbing may not be required if, innovative drainage techniques or stormwater best management practices (BMPs) are employed, and in the written opinion of Lebanon Utilities, the drainage system for the property and surrounding environment shall be best served if curbs were not present.
 - a. Curbing must meet the general parking requirements of [Subsection 7.8\(J\)\(1\)](#).
4. Individual spaces shall be designed so that no part of the parked vehicle will extend beyond the boundary of the established parking area into any minimum required yard or onto adjoining

A swale situated between two parking lot edges with curb cuts to allow natural water filtration.



property.

5. Parking spaces are unobstructed and have access to an aisle or driveway so that any automobile may be moved without moving another, and so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public right-of-way or walkway.
6. Off-street parking spaces may be open to the sky or enclosed in a building. In any instance, when a building is constructed or used for parking facilities on the lot, said building shall be treated as any major structure and subject to all requirements thereof.
7. Parking areas may be provided with a one story shelter building or guard building which shall not exceed one hundred (100) square feet of gross floor area and shall conform to all the structural requirements of the district.
8. All parking lots shall be subject to the landscaping and screening requirements for such parking lots as set forth in [Section 7.8 Landscaping](#).
9. Any lighting facilities used to illuminate off-street parking areas shall be so located, shielded and directed upon the parking area in such a manner that they do not reflect or cause glare onto adjacent properties or interfere with street traffic. Refer to [Section 7.15 Exterior Lighting Standards](#) for standards.
10. Trash and recycling dumpsters shall not be located in required parking spaces.
11. All parking areas shall provide means of pedestrian circulation to the use and between the use and the street.
12. Parking space size shall be a minimum of one hundred eighty (180) square feet and dimensions shall conform to [Table 7.1a: Parking Dimensions](#) and [Table 7.1b: Parking Dimensions](#). In no instance shall

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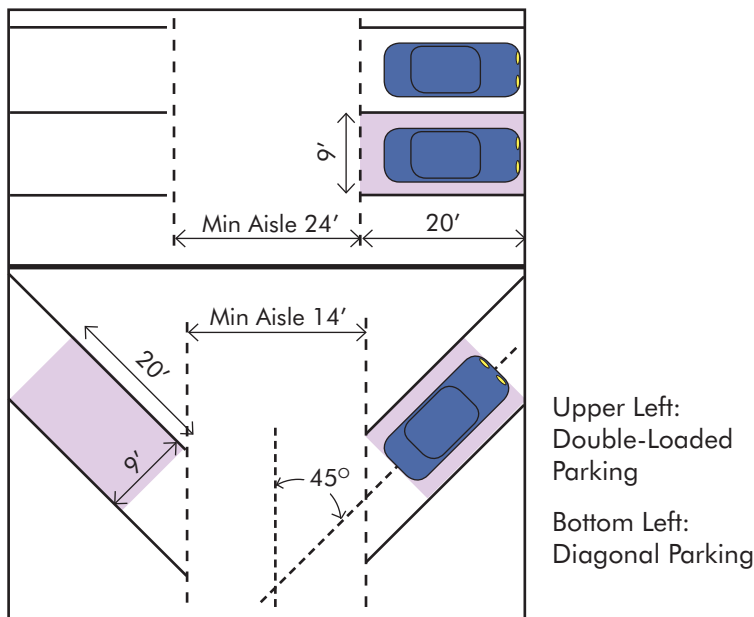
the overhang of a vehicle be considered as part of the required parking space area.

Table 7.1a: Parking Dimensions

Angle of Parking	Minimum Parking Space Size		Minimum Aisle Width
	Width	Length	
Parallel	8 feet	22 feet	on-street
90 Degree*	9 feet	20 feet	24 feet
60 Degree	9 feet	20 feet	18 feet (for one way)
45 Degree	9 feet	20 feet	14 feet (for one way)
Disabled	(refer to ADA guidelines)		

* Recommended Size 10' x 20'

Table 7.1b: Parking Dimensions



13. All parking spaces shall be provided with adequate maneuvering space into which vehicles can back for the purpose of exiting the parking space.

D. ENTRANCE AND DRIVE STANDARDS

1. Driveway entrances or exits at the right-of-way line shall be no closer

than twenty-five (25) feet to an adjoining residential property line or ten (10) feet to an adjoining nonresidential property line.

2. No driveway with two way traffic at the right-of-way shall exceed a width of thirty (30) feet with the exception of a boulevard entrance with two one-way drive with a median divider. The minimum width of each drive shall be as specified in the Thoroughfare Plan.

E. PARKING SPACES ACCESSIBLE TO THE DISABLED. In conformance with the Americans with Disabilities Act (ADA) of 1990, accessible parking shall be provided for all development per this ordinance and any further requirements hereafter adopted by federal, state, or local law.

1. Required Spaces. Accessible parking spaces shall be provided at a rate listed in Table 7.2: Parking Spaces Accessible to the Disabled. Accessible spaces shall count towards the required total number of parking spaces.
2. Design And Layout Of Accessible Parking Lots. Access aisles and accessible routes for the mobility impaired shall be provided pursuant to ADA requirements, as amended. Accessible spaces must be a minimum of eight (8) feet wide with a five (5) foot access aisle. One of every eight (8) spaces, however, must have an access aisle of eight (8) feet wide and be designated "van accessible".
3. Passenger Loading Zones. Passenger loading zones shall provide an access aisle of a minimum of twenty (20) feet in length, adjacent and parallel to the vehicle pull up space. If there are curbs between the access aisle and the vehicle pull up space, then a curb ramp shall be provided.
4. Signage And Marking. All accessible spaces shall be designated by the international access symbol. Van accessible spaces will be labeled by both the international access symbol and an additional sign indicating that the space is accessible for vans. Signs shall be a minimum of five and one-half (5.5) feet above ground level so as not to be obscured by



Symbol of International Access

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parked vehicles. The mobility impaired symbol shall also be painted on the ground to the rear of the parking space.

Table 7.2: Parking Spaces Accessible to the Disabled

Total Number of Parking Spaces in Lot	Minimum Number of Accessible Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20, plus 1 for each 100 over 1,000

F. PARKING STANDARDS BY USE

1. Residential Uses. Residential parking standards applicable to the Single-family Residential, Multifamily Residential and Manufactured Home Park zoning districts:

a. Single-family Dwellings. Parking spaces for Single-family zoning districts shall be provided on the same lot as the dwelling unit for which they are required and shall meet the following standards:

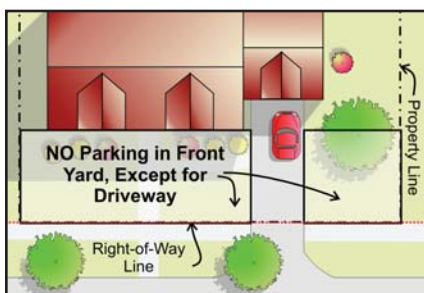
1) Spaces Requirements. A minimum of two (2) off-street paved spaces, are required for each dwelling unit.

a) Exception. Parcels two (2) acre or more in area that are not part of a platted subdivision and are being used solely for a single-family dwelling may utilize a gravel driveway for parking, so long as a concrete apron is provided between the street and the right-of-way line.

b) Unenclosed Vehicles. A maximum of four (4) operable vehicles owned or leased by the residents are permitted outside in an unenclosed area. Inoperable vehicles are not permitted in the front yard.

b. Manufactured Home Park Dwellings. Parking spaces for dwellings in the MH zoning district shall be provided on the same site as

A residential parking illustration.



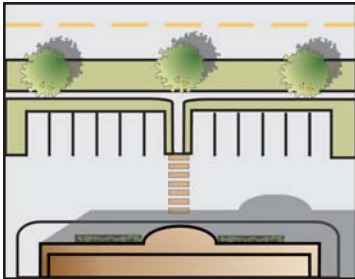
the dwelling unit for which they are required and shall meet the following standards:

- 1) Space Requirements. A minimum of two (2) off-street parking spaces are required for each dwelling unit. In addition, parking spaces for management offices, sales facilities, self-service laundries, and other accessory uses shall be equal to one-half (1/2) of the requirements for those uses established in the nonresidential section of this chapter.
 - a) A maximum of two (2) operable vehicles owned or leased by the residents are permitted outside in an unenclosed area. Inoperable vehicles are not permitted in the front yard.
 - 2) Access/Location Standards. Parking areas must be designed to prevent vehicles from having to back into or maneuver in public streets (excluding all alleys and any streets that are internal to the development).
- c. Multifamily Dwellings. Parking spaces for dwellings in the Multifamily (MF) zoning district shall meet the following standards:
- 1) Space Requirements. Parking shall be required for each dwelling unit (rounded up to the nearest complete space) according to Table 7.4: Schedule of Parking Standards. In addition, parking spaces for management offices, sales facilities, self-service laundries, and other accessory uses shall be equal to 1/2 of the requirements for those uses.
 - 2) Parking of the Disabled. The required spaces shall include parking for the disabled meeting the requirements of Subsection 7.5(E) above. The minimum number of disabled spaces provided shall either be as specified in the Disabled Space Standards table or equal one (1) space for every handicap-accessible dwelling unit, whichever is greater.
2. Nonresidential Uses. Nonresidential parking standards applicable to the Commercial, Industrial, and Institutional zoning districts or uses, except where otherwise noted:
- a. General Standards. Parking spaces shall be located on the lot with the use(s) for which they are required. All parking spaces and interior drives shall meet the following requirements.
 - b. Minimum Required Spaces. The minimum number of parking spaces required per property shall be determined by the sum of spaces required for each applicable use in Table 7.4: Schedule of

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See Also:

Parking Lot Interior Landscaping, Subsection 7.8(J)(2)



Parking lot with a special pavement pedestrian pathway.

Parking Standards.

- c. Exceeding the Minimum Requirements. A parking lot that exceeds the minimum parking space requirements by more than ten percent (10%) shall also increase the required interior parking lot landscaping for the entire site by ten percent (10%).
 - 1. A fifteen percent (15%) increase in required parking may be permitted without restriction and above the set maximum if the developer constructs all additional parking spaces with pervious pavement or employs the use of Best Management Practices (BMP's) for stormwater filtration as approved by the Administrator.
- d. Cross-Access Requirement. Cross access easements shall be established when a parcel abuts another parcel similarly zoned to reduce congestion on public streets. The easements shall:
 - (1) not be less than twenty (20) feet in width and
 - (2) not exceed thirty (30) feet in width.
- e. Pedestrian Considerations. Safe connections shall be provided within parking lots which connect to the on-site businesses. The use of special pavement materials to distinguish between pedestrian and vehicular areas is encouraged, unless required by the zoning or overlay district.
- f. Employee and Customer Parking. Adequate employee and customer off-street parking areas shall be provided, including such areas incidental to display, servicing and repair. No such parking shall be permitted on driveway approaches, landscaped areas, adjacent alleys or streets, on any public right-of-way, or in such a manner as to restrict motorists' visibility.
- g. Use of Parking Facilities. Off-street parking facilities shall be utilized solely for the parking of passenger automobiles or light trucks of less than one (1) ton capacity, belonging to patrons, occupants or employees of specified uses. Said parking facilities shall not be used for the storage, display, sale, repair, dismantling or wrecking of any vehicle, equipment or material, unless such facilities are enclosed in a building and otherwise permitted in the district.
- h. Advertisements. No business signs or advertisements shall be permitted in parking areas without a permit, except directional and identification signs as permitted in accordance with Section 7.7 Sign Regulations.
- i. Parking Facility Location. Off-street parking areas including spaces,

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drive aisles and other maneuvering shall be permitted within the required setback subject to the following conditions and, except where noted.

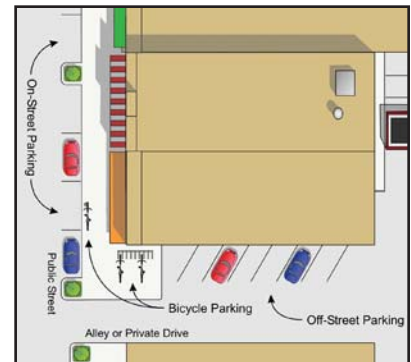
- 1) No paved portion of the parking area shall be located within ten (10) feet of the right-of-way in any designated front yard or of a required buffer or planting area.
 - 2) No paved portions of the parking area shall be located within five (5) feet of any side or rear yard property line nor within a required buffer or planting area.
- j. Buffers and Perimeter Landscaping. All applicable requirements for buffers and perimeter landscaping shall be met per Section 7.8 Landscaping.
- k. Cart Corrals. Cart Corrals shall be provided for commercial retail businesses over 35,000 square feet. The cart corrals shall not be located in required parking spaces, nor displace required landscape areas.



Cart Corral

G. CENTRAL BUSINESS DISTRICT (CB) AND DOWNTOWN OVERLAY DISTRICT:

1. In order to accommodate the unique built environment of the downtown, minimum off-street parking standards shall be provided at one-half (1/2) of those required in Table 7.4: Schedule of Parking Standards.
2. On-street parking of one (1) space per twenty-two (22) feet of street frontage may be counted towards required parking. On-street parallel parking shall be allowed.
3. Parking spaces accessible to the disabled (whether off-street or on-street) will still be required at a rate of one (1) space per twenty-five (25) spaces with a minimum of one (1) space.
4. Required off-street loading and unloading spaces shall not be construed as being part of the required off-street parking spaces.
5. No part of any alley shall be used to meet the minimum parking requirements of this ordinance.



On-street, off-street, and bicycle parking in the CB district.

H. DRIVE-THROUGH STACKING. Drive through establishments shall provide stacking space for the queuing of vehicles awaiting service in accordance with the standards in Table 7.4: Schedule of Parking Standards and the following provisions:

1. Each stacking space shall be twenty (20) feet long, and a minimum of

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nine (9) feet wide.

2. Lane widths should be delineated with pavement markings. However, individual spaces within the lane need not be marked.
3. Any drive-through use not listed in [Table 7.4: Schedule of Parking Standards](#) shall be required to provide at least four (4) stacking spaces per drive-through window.
4. Stacking spaces shall be in addition to the required parking spaces and must not be located within a required driveway, internal circulation system, or parking aisle.

I. OFF-SITE AND SHARED PARKING.

1. Off-Site Parking. Off-site parking may be allowed on another lot that is within five hundred (500) feet of the lot occupied by the use(s) for which it is required.
2. Shared Parking. Two or more uses for which the normal hours of operation do not substantially overlap may share parking either on or off-site (example: a church may share its parking lot with a business, or with apartments located on upper-floors of adjacent businesses). The Planning and Zoning Administrator may grant a maximum 20% reduction in required parking.
 - a. Applicability. In order to reduce the total required parking in large mixed-use facilities in which uses operate at different times from one another, the following shared parking schedule may be substituted for required parking ratios in such facilities. However, the total number of parking spaces required per [Table 7.4: Schedule of Parking Standards](#), shall not be reduced by more than twenty percent (20%).
 - b. How To Use The Schedule Of Shared Parking. Calculate the number of spaces required for each use if it were free-standing (refer to [Table 7.4: Schedule of Parking Standards](#)). Applying the applicable general land use category to each proposed site, use the percentages to calculate the number of spaces required for each time period, [six (6) time periods per use]. Add the number of spaces required for all applicable land uses to obtain a total parking requirement for each time period. Select the time period with the highest total parking requirement and use the total as the

mixed-use parking requirement.

Table 7.3: Schedule of Shared Parking Calculations

General Land Use Classifications	Weekdays			Weekends		
	Midnight-7am	7am-6pm	6pm-Midnight	Midnight-7am	7am-6pm	6pm-Midnight
Office & Industrial	5%	100%	5%	0%	60%	10%
Retail	0%	100%	80%	0%	100%	60%
Residential	100%	55%	85%	100%	65%	75%
Restaurant	50%	70%	100%	45%	70%	100%
Hotel	100%	65%	90%	100%	65%	80%
Cinema/Theater	0%	70%	100%	5%	70%	100%

3. Approval Requirements. All off-site and shared parking space arrangements are subject to the approval of the Administrator. Approvals shall be based on the determination that the use of off-site and/or shared parking will not provide hardships for pedestrians, will not result in potentiality hazardous traffic conditions, and will provide an adequate number of parking spaces for the uses involved. The parking needs of possible future uses of the property shall also be considered by the Administrator.
4. Required Documentation. A permanent documentation of any off-site and/or shared parking agreement must be signed by all involved property owners. The permanent written agreement shall include, but is not limited to the following items: maintenance, snow removal, ownership, and liability. The agreement shall be reviewed and approved by the Administrator and the City Attorney. A copy of the agreement shall be retained for the files of the Plan Commission. Cross-access easements shall be provided and recorded by each property owner to enable the sharing of parking facilities. Amendments to the agreement shall be subject to Administrator approval and be duly recorded with the Boone County Recorder.

J. VEHICLE STORAGE REQUIREMENTS

1. General Provisions. No vehicle may be parked or stored on any surface other than a paved driveway or enclosed within a structure.
2. Unregistered and Inoperable Vehicles. Unregistered and inoperable vehicles, including recreational, commercial, or trailers of any type without current license plates and inspection sticker, or in an inoperable condition so as to be deemed dead storage, shall be prohibited in residential districts, unless located completely enclosed buildings, and shall not be parked or stored in any zoning district unless specifically

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authorized under the terms of this ordinance.

3. Vehicle Storage. Except on property where a parking lot or or parking garage is the permitted principal use, no vehicle, including recreational and commercial vehicles, shall be parked, stored, or allowed to remain on a lot or parcel of land that does not contain a principal structure.
4. Stored Vehicles to be Salvaged / Repaired. The outdoor storage of such vehicles associated with permitted auto repair or salvage facilities shall be consistent with the following requirements:
 - a. All such vehicles, including antique vehicles, shall be stored within the rear or side yard. In no case shall such vehicles be stored in any front yard between the front building facade and the street, or within any buffer yard, required landscape area, or required setback area.
 - b. All storage areas for such vehicles shall be completely enclosed with an eight (8) foot tall, opaque wood, stone, or masonry fence. Chain link fences may be permitted if supplemented by plant material that forms a continuous landscape screen composed of evergreens and a minimum of six-feet high. Gates allowing access to the storage areas shall be closed when not in use, and shall be a minimum of eight (8) feet in height and one hundred percent (100%) opaque.
5. Recreational Vehicle Storage. The storage or parking of recreational vehicles (including travel-trailers, boats, snowmobile or motorcycle trailers, etc.) in residential zoning districts and associated with residential uses is subject to the following requirements:
 - a. A recreational vehicle may be stored on a residential property provided the vehicle is fully enclosed by an opaque fence a minimum of six (6) feet in height.
 - b. A recreational vehicle may be parked in the front yard on a residential lot, outside of an enclosed structure only, for a period not to exceed a total of 48 hours in any one (1) week period.
 - c. No more than one (1) recreational vehicles may be parked outdoors on a residential parcel at any one time.
 - d. At no time shall a recreational vehicle be occupied or used for living, sleeping, or housekeeping purpose.
 - e. The Planning and Zoning Administrator may require a land owner to verify that the vehicle is licensed and operational.
6. Commercial Vehicles In Residential Areas. The storage or parking of a commercial vehicle in residential zoning districts or primarily

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residential PUD's or commercial districts shall be subject to the following requirements:

- a. The parking of such a vehicle shall be limited to one (1) standard size vehicle including cars, SUV's and pick-up trucks.
- b. Such vehicle is parked in, and fully enclosed in a permitted structure such as garage, accessory building or rear yard and is used by an occupant of the premises.
- c. Large trucks, vehicular machinery, semi-trailers or tractors, or similar vehicles are prohibited from parking on local streets and in residential areas.
- d. The regulation shall not be interpreted to apply to commercial vehicles used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed during the time of parking such vehicles, or to commercial vehicles in the process of temporarily loading or unloading deliverable goods.

7. Commercial Vehicle Storage. Any commercial vehicle may be stored within an enclosed structure.

- a. This regulation shall not be interpreted to apply to commercial vehicles used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed during the time of parking such vehicles, or to commercial vehicles in the process of temporarily loading or unloading deliverable goods.

K. BICYCLE PARKING. All nonresidential uses shall provide one designated bicycle parking area for every twenty-five (25) vehicle parking spaces required by this ordinance, with a minimum provision for two (2) bicycle spaces. Each bicycle area shall provide adequate facilities for securing the parked bicycles.

See Also:

Subsection 8.1(D)(5)(a) for additional semi-truck parking standards

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Table 7.4: Schedule of Parking Standards

TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
AGRICULTURAL USES		
Customary General Farming Uses	2 space per Dwelling unit	
Farm Equipment Sales & Service	1 spaces per 500 square feet of enclosed sales area; plus 1 space per 2500 square feet of open sales area; plus 1 space per employee	
Greenhouse or Plant Nursery	1 space per 300 square feet of interior sales ; plus 1 space per 1000 square feet for outdoor operations; plus 1 space per employee on largest shift	
Horse Stable	1 space per 4 stalls; plus 1 space per employee	
Raising of Non-Farm Fowl and Animals commercially, except a kennel (Animal Breeding)	1 space per employee on largest shift	
Truck Garden or Produce Stand	4 spaces per stand	
RESIDENTIAL USES		
Accessory Apartments	1 space per dwelling unit	
Boarding or Lodging House, including Bed and Breakfast (homeowner must live on-premises)	1 space per guest room; plus 2 for the resident owner or manager	No non-guest dining permitted
Group Home	1 space per 5 residents; plus 1 space per employee on largest shift	
Nursing Home or Congregate Housing	1 per 4 beds; plus 1 per employee on largest shift	
Residential, Multi Family		
Studio or 1 bedroom	1 space per unit	
2 bedroom	1.6 spaces per unit	
3 bedroom	1.8 spaces per unit	
4 bedroom	2 spaces per unit	
each bedroom after 4	add 0.5 spaces per additional bedroom	
Residential, Single-family	2 spaces per dwelling unit	
Residential, Two-family	2 spaces per dwelling unit	
Senior Housing/Assisted Living	0.8 spaces per unit	

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TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
INSTITUTIONAL USES		
Active Park	1 space per acre; plus 20 spaces per field or court; plus 1 space per 100 square feet of water surface	
Airport (General Aviation)	1 space for every 5 tie-down or hangar spaces at air port or heliport; plus 1 space per employee;	
Cemetery	1 space per employee plus provision of space for parking along internal drives	
Church or Synagogue	1 space per 4 seats in the largest assembly room	
Community Center	1 space per 3 persons	
Day Care (Adult, Child)	1 space per 4 persons at maximum capacity	
Facility for Development Disabled / Mentally Ill	1 space per employee; plus 1 space per 3 clients	
Heliport	1 space per employee; plus 1 space per passenger	
Hospital	2 spaces per bed	
Jail	1 space per employee on largest shift plus 1 space per 8 cells	
Library (public), Art Gallery, or Museum	1 space per 800 square feet	
Municipal, County or Governmental Building	1 space per 300 square feet	
Penal or Correctional Institution	1 space per employee on largest shift; plus one space per 20 inmates	
Police	1 space per 300 square feet, plus 1 space per company vehicle	
Fire Station	1 space per full-time employee plus 1 space per 3 volunteers on a normal shift plus space to accommodate all vehicles for this use	
Post Office	1 space per employee on largest shift; plus 1 space per 250 square feet of floor area open to the public	
Public Park or Outdoor Recreational Facilities	Spaces equivalent to 1% of the total land area (parking along park roads may be used to fill this requirement); plus additional parking provided for major facilities	
Radio and Television Studios	1 space for each 2 employees	
Sanitary Fill (public or commercial)	1 space per employee on largest shift	

7 7.5 Parking Standards

TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
INSTITUTIONAL USES (cont.)		
School: public, private, parochial, or special		
Nursery School, Kindergarten	1 space per employee; plus 1 space per 5 attendees	
K-8	2.5 spaces per classroom	
9-12	1 space per 5 students; plus one space per employee	Additional Parking may be required during the Conditional Use approval process
University/College	1 space per 3 students	
Trade or Business School, College, or University	1 space per 200 square feet of gross floor area; plus 1 space per employee	
Sewage Treatment or Disposal Plant	1 space per employee on largest shift plus 1 space for each company vehicle	
Utility Service Facility (excluding offices)	1 space per employee on largest shift plus spaces for operational vehicles	
Utility Company Business Office	1 space per employee on largest shift; plus one space per company vehicle parked on the premises; plus one space per 1000 square feet of floor area open to the public	
Veterinary Hospital for Small Animals	4 spaces per treatment room	No long-term boarding
PROFESSIONAL SERVICES / OFFICE		
Bank and Other Financial Institutions	1 space per 300 square feet; plus 1 space per employee on the largest shift	
With Drive Through	plus 4 stacking spaces per window	
With Automatic Teller Machine	no additional spaces provided that drive-through machines be provided with 4 stacking spaces each	
Medical Office: Medical, Dental Clinic or Laboratory	3 spaces per examination chair/table/room depending on use	
Office - General, Financial Services, Law, Insurance, Travel, Design	1 space per 300 square feet	

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TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
RETAIL AND SERVICES		
Adult Entertainment	1 space per 200 square feet (net floor area)	
Assembly, Reception, or Exhibit Hall	1 space per 4 seats	
Adult Bookstore *	1 space per 250 square feet	
Amphitheater	1 space per 3 seats, plus 1 space for every 25 square feet of open seating area; plus 1 space per employee on the largest shift	
Antique Shop *	1 space per 300 square feet	
Apparel Shop / Boutique	1 space per 300 square feet	
Athletic Fields	20 spaces per field or court	
Automobile, Truck or Trailer Rental	2 space per employee on the largest shift	
Automobile and Truck Repair	1 space per service bay; plus one space per employee on largest shift	
Automotive Parts and Accessories Store	1 space per 300 square feet gross floor area	
Bait Sales	1 space per 500 square feet	
Bakery (Retail)	1 space per 250 square feet	
Banquet Hall	1 space per 150 square feet of seating and display area	
Barber Shop or Beauty Parlor	1.5 spaces per chair; plus 1 space per employees	
Billiard Room	2.5 spaces per table	
Bingo Parlor	1 space per 3 seats based on design capacity	
Boat or Marine Equipment Sales	1 space per 500 square feet of enclosed sales area; plus 1 space per 2500 square feet of open sales area; plus 1 space per employee	
Bookstore *	1 space per 300 square feet	
Bowling Alley	4 spaces per lane	
Car Wash	1 space per employee on largest shift; plus 1 drying and 4 stacking spaces per washing space (washing spaces shall not be counted toward the requirements)	
Check Cashing Facility	1 space per 200 square feet	
Coffee Shop or Refreshment Stand	1 space per 2.5 seats; and 1 space per employee on largest shift	
If no indoor seating	Minimum 10 spaces	

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TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
RETAIL AND SERVICES (cont.)		
Convenience Store		
Without pumps	1 space per 300 square feet	
With pumps	See "Gas Filling Station"	
Cellular Phone Store	1 space per 200 square feet	
Country Club	Space to accommodate 50% of the active membership at one space per 3 members	
Crematorium	1 space per employee; plus 1 space per 4 seats in the chapel (if applicable)	
Dance, Gymnastics, Martial Arts Studios or Similar	1 space per 250 square feet of usable floor area; plus 1 space per employee; plus safe and convenient loading and unloading of attendees	
Dancing, Aerobics, or Gymnastics Studio or Martial Arts	1 space per 250 square feet of studio floor area	
Delicatessen	1 space per 250 square feet	
Department Store ***		
<50,000 square feet gross leasable area	1 space per 350 square feet	
between 50,001-100,000 sq ft gross leasable area	1 space per 300 square feet Maximum: 1 space per 250 square feet	
between 100,001-250,000 sq ft gross leasable area	1 space per 350 square feet	
>250,000 sq ft gross leasable area	1 space 400 square feet	
Drive-In Movie Theater	1 space per vehicle at maximum capacity plus 3 spaces	
Drug Store *	1 space per 250 square feet	
Dry Cleaning Establishment or Laundry Service	1 space 300 square feet of gross floor area	
Electric Appliance, Radio, Satellite Dish or Television Sales or Repair Shop	1 space per 400 square feet; plus 1 space per employee on the largest shift	Repair is primary operation
Exterminator	1.25 spaces per 1000 square feet of gloss floor area	
Fitness Center	1 space per 300 square feet	
Flea Market	1 space per 300 square feet of vendor area	

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TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
RETAIL AND SERVICES (cont.)		
Flower Shop *	1 space per 300 square feet	
Funeral Home or Mortuary	1 space per 2 employees; plus 1 space per 4 seats in the chapel	
Furniture Store *	1.5 spaces per 1000 square feet of gross floor area	
Gas Filling Station	1.5 spaces per fuel nozzle	
With convenience store	1 space per 300 square feet of enclosed area	
With repair	1 space per service bay	
Golf Course	1 space per 2 employees; plus 3 spaces per hole	
Golf, Driving Range	1 space per tee; plus 1 space per employee on largest shift	
Golf, Miniature	1 space per hole	
Guns Store *	1 space per 300 square feet	
Hardware or Paint Store *	1 space per 400 square feet	
Health Spa	1 space per 300 square feet	
Highway Maintenance Garage	1 space per employee; plus one space for each company vehicle parked on the premises	
Hotel or Motel	1 space per room, plus 1 space per employee on largest shift, plus 1 space per 500 square feet of meeting space	
Ice Cream Parlor	1 space per 3 seats of indoor seating; plus 1 space per 5 seats of outdoor seating	
Indoor Theater	1 space per 4 seats, plus 1 per employee on largest shift	
Jewelry Store *	1 space per 300 square feet	
Kennel	1 space per 300 square feet	
Laundry Agency (pick up)	1 space per employee	
Liquor Store *	1 space per 250 square feet	
Machinery Sales	1 space per 400 square feet of enclosed sales area; plus 1 space per 2500 square feet of open sales area; plus 1 space per employee	
Manufactured Housing or Semi-tractor/trailer sales	1 space per 500 square feet; plus 1 space per 20 units displayed	

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TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
RETAIL AND SERVICES (cont.)		
Meat Market	1 space per 300 square feet of	
Motor Bus or Light Railroad Commuter Station	1 space per seat capacity of the largest vehicle	
Motor Vehicle Sales	1 space per 500 square feet of enclosed sales floor area; plus 1 space per 2500 square feet of open sales area; plus one space per employee on largest shift	
With repair	plus 1 space per service bay	
Music Store	1 space per 300 square feet	
Nail Salon	1 space per 300 square feet	
Newsdealer *	1 space per 300 square feet	
Oil Change Station	2 space per service bay; plus one space per employee on largest shift	
Optician or Optical Goods Store	3 spaces per doctor; plus one space per employee; if no doctor on premises	
Pet Shop *	1 space per 300 square feet	
Photography Studio	1 space per 500 square feet	
Plumbing or Heating Supply	1 space per 1000 square feet of gross floor area; plus 1 space per employee	
Private Club or Lodge	1 space per 4 persons at maximum occupancy	
Private Recreational Development (indoor)	1 space per 4 persons at maximum occupancy	
Resale / Used Merchandise (other than antiques or flea market)	1 space per 400 square feet	
Restaurant	1 space per 3 seats; plus 1 space per employee on largest shift	
Restaurant, Fast Food	1 space per 2.5 seats; and 1 space per 2 employees on largest shift	
With Drive-Through	plus 7 stacking spaces per window	
If no indoor seating	10 spaces	
Rifle Range	1 space per firing position	
Self Service Laundry or Self Service Dry Cleaning	1 space per 3 washing machines	
Shoe Repair Shop	1 spaces per 400 square feet	
Shoe Store *	1 space per 300 square feet	

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TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
RETAIL AND SERVICES (cont.)		
Shopping Center ***		
< 100,000 square feet of gross leasable area	3 spaces per 1000 square feet of gross floor area Maximum: 5 spaces per 1000 square feet of gross floor area	
>100,000 square feet gross leasable area	4 spaces per 1000 square feet of gross floor area Maximum: 5 spaces per 1000 square feet of gross floor area	
Skating Rink (Roller/Ice)	4 spaces per 1000 square feet of skating area	
Sporting Goods Store *	1 space per 300 square feet	
Stationary *	1 spaces per 300 square feet	
Supermarket	1 space per 250 square feet up to 5000; then 1 space per 300 square feet up to 50,000 sf	
Swimming Pool (public)	1 space per 75 square feet for recreational activity and area devoted to spectators	
Swimming Pool	1 space per 300 sq. ft. of enclosed space; 1 space per 75 sq. ft. of water surface of competition pools; 1 space per 250 sq. ft. of water surface for non-competition pools	
Tailor and Pressing Shop	1 space per 300 square feet	
Tanning Salon or Massage Therapy Business	2 spaces per tanning bed or massage table;	
Tavern or Night Club or Bar	1 space per 4 seats	
Video Store	1 space per 200 square feet	
All other retail uses not specified herein *	1 space per 300 square feet of gross floor area	
WHOLESALE, WAREHOUSING & INDUSTRIAL USES		
Junk Yard	1 space per employee on largest shift; plus 2 spaces per acre of storage space	
Lumber Yard	1 space per employee on largest shift; plus 1 space per 500 square feet of enclosed sales area open to the public	
Manufacturing	1 space per employee on the largest shift; plus 1 space per 10 employees	
Mineral Extraction, Borrow Pit, Topsoil Removal and Storage Areas	1 space per employee on largest shift; plus one space per vehicle used in the operation of the warehouse	

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TYPE OF USE	MINIMUM NUMBER OF SPACES REQUIRED**	NOTES
WHOLESALE, WAREHOUSING & INDUSTRIAL USES (cont.)		
Printing, Lithographing, and Publishing Establishments	1 space per 2 employees; plus 2 spaces per 1000 square feet of floor area used for offices or open to the public	
Recycling Center - Collection (Public)	1 space per employee; plus 1 space per bin	
Recycling (Sorting/Distribution)	1 space per employee on largest shift	
Research and Development Facilities	4 spaces per 1000 square feet of floor area up to 20,000 square feet; plus 2 spaces per 1000 square feet of floor area greater than 20,000 square feet	
Self Storage Facility	3 spaces; plus 1 space for each 75 units	
Slaughter House	1 space per employee on largest shift	
Warehouse / Distribution Center	1 space per employee on largest shift; plus one space per vehicle used in the operation of the warehouse	
Wholesale Establishment	1 space per employee on largest shift; plus 1 spaces per 300 square feet of sales floor open to the public	
All other wholesale, warehousing, and industrial uses not specified herein	1 space per employee on largest shift; plus one space per vehicle used in the operation of the industry	

* If stand-alone store size exceeds 50,000 square feet, "Department Store (Big Box)" standards apply

** If use is located in the CB district, the minimum number of required spaces shall be reduced by one-half (1/2).

*** If the amount of parking exceeds the minimum requirement as shown, additional landscaping will be required in accordance with [Subsection 7.5\(F\)\(2\)\(c\)](#).

7.6 LOADING STANDARDS

A. LOADING REQUIREMENTS

1. Loading Berths Required. Adequate off-street loading berths and areas shall be provided in accordance with the following table for any building or structure which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles:

Table 7.5: Required Number of Loading Spaces

Use Description	Floor Area in Square Feet	Number of Loading Spaces Required
Manufacturing, distribution, wholesaling, storage, and similar uses	5,000 - 25,000	1
	25,001 - 60,000	2
	60,001 - 100,000	3
	Each 50,000 above 100,000	1
Office buildings, hotels and motels, retail sales, hospitals, institutions, and similar uses	5,000 - 60,000	1
	60,001 - 100,000	2
	Each 50,000 above 100,000	1

2. Location Relative to Structure and Right-of-Way. Off-street loading berths may be provided either within or outside of structures on the property.
 - a. There shall be no maneuvering within any street right-of-way. In no case shall a loading berth be located in such a manner as to require loading/unloading vehicles to back into a public right-of-way or overhang adjacent property.
 - b. Space provided for use as any off-street loading berth shall not be used to satisfy any off-street parking space requirements of [Section 7.5 Parking Standards](#).
3. Location. All required off-street loading berths shall be located on the same lot as the use to be served, and no portion of the vehicle shall project into a street or alley. Off-street loading berths in all districts except for the CB District:
 - a. shall not be located within seventy-five (75) feet of the nearest point of intersection of any two streets.
 - b. shall not be located in a required front yard or the area between the front lot line and the front line of the principal building.

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- c. shall not be located in a minimum required side or rear yard or landscape buffer.
 - d. shall not be located in the side yard adjoining a residential use or district.
4. Size. Each berth shall be as follows:
- a. For local pick-up and delivery trucks: twelve (12) feet in width by thirty (30) feet in length with a forty-five (45) foot maneuvering apron, and a twelve (12) foot height clearance.
 - b. For over-the-road tractor-trailers: fourteen (14) feet in width by sixty (60) feet in length with a sixty (60) foot maneuvering apron, and a fifteen (15) foot height clearance.
5. Surfacing Requirements. All off-street loading berths shall be paved with concrete or other appropriate material meeting the durability requirements and as approved by the Planning and Zoning Administrator.
6. Screening. All loading berths on any lot abutting a residential zoning district or separated by an alley from a residential zoning district or adjacent to or in view from a public right-of-way shall be enclosed within a building or sufficiently screened and landscaped to conceal the doors of the loading berths and any vehicles that access the loading berths from view from the residential zoning district or right-of-way. Screening may consist of:
- a. a wing wall that is incorporated into or is an extension of the architecture; or
 - b. landscaping in accordance with Type D buffer as per [Table 7.9: Landscape Buffer Types](#) in [Section 7.8 Landscaping](#). Landscaping must serve as an effective screen within no more than three (3) years time.
7. Semi-truck Parking. Semi-truck parking and/or semi-truck turn-around areas shall be designated by the use of signs and pavement markings. These areas shall be separated from parking and access areas used by automobiles or pedestrian traffic. Public streets shall not be used for semi-truck parking, standing or backing. The overnight parking of semi-trucks shall not occur between the hours of 10 p.m. and 7 a.m. except in designated areas of semi-truck travel centers (truck stops).

7.7 SIGN REGULATIONS

A. INTENT. The intent of this section is to encourage signage which is compatible with and complements the architecture and scale of buildings and eliminates potential hazards to motorists and pedestrians.

B. GENERAL REQUIREMENTS

1. Sign Permit

- a. Permit. Except where noted in this ordinance, the erection, construction, enlargement, movement or conversion of all permanent and temporary signs, banners, exterior graphic displays and sign structures shall require a sign permit to be obtained from the Planning and Building Department in accordance with the provisions of this section.
 - b. Application. An application for a sign permit shall be filed with the Planning and Zoning Administrator and shall be accompanied by any information the Administrator determines is necessary to assure compliance with this Ordinance, including but not limited to:
 - 1) Clear and legible drawings with descriptions showing the location of the sign which is the subject of the permit.
 - 2) An indication of all existing and anticipated signs on the property.
 - 3) A dimensioned drawing showing the size of the sign area and the height of the sign.
 - 4) Description of sign materials and colors.
 - 5) Type of illumination.
 - 6) Mounting details.
 - c. Effect of Sign Permit Issuance. A sign permit issued under the provisions of this section shall not be deemed to constitute permission or authorization to maintain an unlawful sign nor shall it be deemed as a defense in an action to remove an unlawful sign.
 - d. Expiration. A sign permit shall become null and void if work has not been started within thirty (30) days of the date the permit is issued or completed within 180 days of the date the permit is issued.
2. Determining Sign Area. The area of a sign shall be determined by multiplying the maximum vertical dimension of the copy by the maximum horizontal dimension of the copy including the extreme limits

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A. Intent. (pg 144)

B. General Requirements (pg 145)

C. Exempt Signs. (pg 148)

D. Incidental Signs. (pg 149)

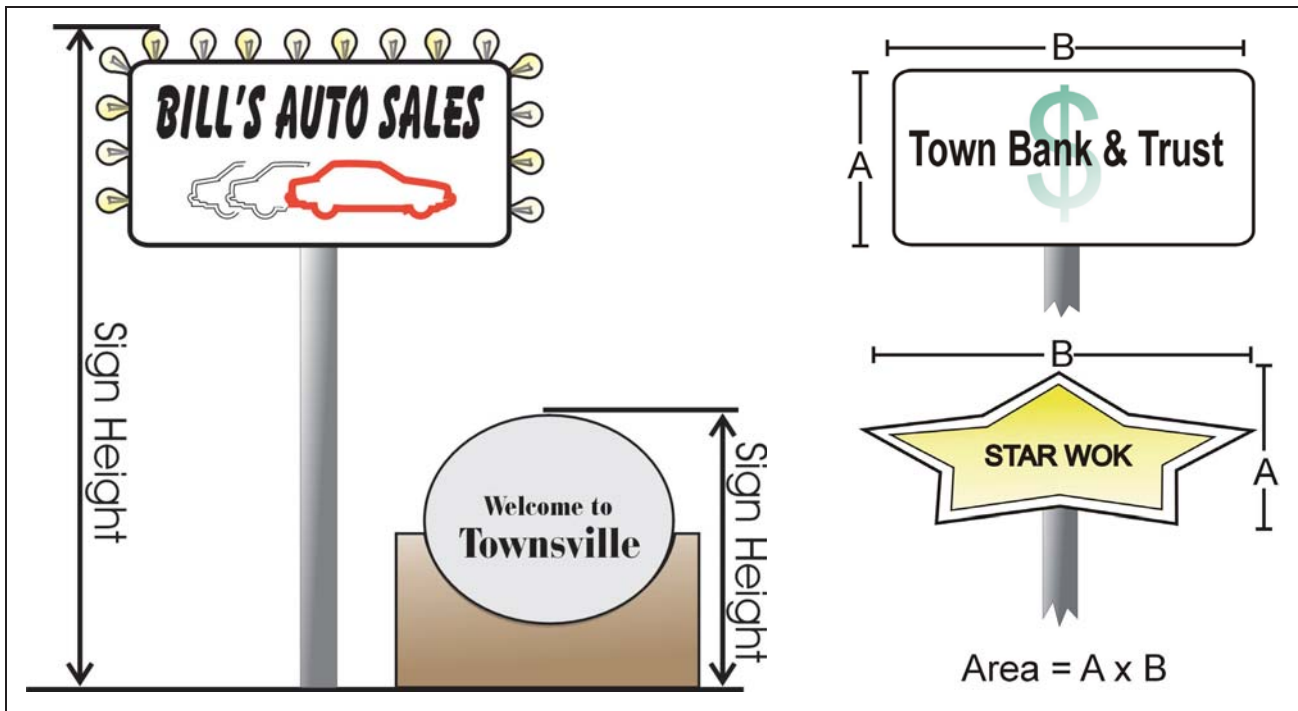
E. Temporary Signs. (pg 150)

F. Prohibited Signs. (pg 152)

G. Residential Sign Standards (pg 153)

H. Nonresidential Sign Standards (pg 154)

7 7.7 Sign Regulations



Calculating sign height and area.

of characters, lettering, or figures to the smallest circle, triangle, or rectangle that can be used to enclose the extreme limits of characters, lettering or figures. Supporting members that bear no messages shall not be included when determining the sign's area.

3. Determining the Height of a Sign. The sign height shall be measured from the grade at the edge of the adjacent right-of-way to the highest point of the sign, and include any poles or other supports unless otherwise specified in this article. In no case shall sign height be measured from the top of any berm or other artificial grade.
4. Double-Faced Signs. For all signs permitted by this chapter, a double-faced sign may be erected. Only the sign area of one (1) of the two (2) sides shall be considered the sign area. However, the two sides shall be identical and shall be placed back-to-back, and the maximum distance between the two (2) sides shall not exceed two (2) feet at any point.
5. Aggregate Sign Area. The maximum aggregate sign area shall be determined by adding together the sign area of each sign.
6. Inspection. Signs for which a permit is required may be inspected periodically by the Administrator for compliance with this chapter.
7. Removal of Sign. The Administrator may order the removal of any

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sign erected or maintained in violation of this chapter, at the cost of the property owner, consistent with the provisions of [Chapter 10: Enforcement and Penalties](#).

8. **Maintenance.** All signs and their components shall be kept in good repair and in safe, neat, clean, attractive, and structurally sound condition. Owners shall patch and paint damaged areas when signs are removed within thirty (30) days.
9. **Abandoned Sign Structures.** A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove it the Administrator shall give the owner ten (10) days written notice to remove it. Upon failure to comply with this notice, the administrator or his duly authorized representative may remove the sign at the cost of the owner. The Administrator has the authority to attach a lien to the property to recover costs incurred by the City.
10. **Illumination.** Signs may be internally or externally illuminated unless prohibited elsewhere in this ordinance or through other commitments. All illuminated signs must meet the Exterior Lighting Standards of this section.
11. **Sign Material.** Ground/Monument signs shall be constructed of wood, ornamental metal, stone, masonry or other permanent material.
12. **Enforcement.** The enforcement of violations of the provisions of this chapter shall be as provided by [Chapter 10: Enforcement and Penalties](#).
13. **Landscaping.** A minimum of two (2) square feet of landscaping per one (1) square foot of sign area shall be placed around the base of the sign. The landscape area shall consist of shrubs, groundcover and perennial plant material. Turf shall not be used to satisfy this requirement.
14. **Signs And Public Safety**
 - a. No sign or sign structure shall be placed on private or public property without the written consent of the owner or agent thereof, except for exempt signs.
 - b. No sign or sign structure, other than official (INDOT, County or City) highway signs, shall be placed upon, over or in any street or highway right-of-way or any sidewalk, except where specifically allowed within this section.
 - 1) Awning, suspended, and projecting signs permitted in the CB

See Also:

[Chapter 10: Enforcement and Penalties for Abandoned Signs](#)

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7.7 Sign Regulations

district shall require a permit and shall provide proof of insurance and attachment details prepared by an licensed engineer. These signs shall be no lower than nine feet above the finished grade.

- c. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- d. No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection or the intersection of a street or highway with a railroad grade crossing. See also Section 7.2 Sight Visibility Triangle.

15. Removal

- a. Any legally established non-conforming sign shall be permitted without alteration in size or location, unless movable or unattached, in accordance with Section 3.3 Nonconforming Signs of this ordinance. If such sign is damaged or dilapidated to an extent of more than fifty per cent (50%) of its replacement cost at time of damage or repair, it shall not be rebuilt, provided, however, that nothing herein shall prevent maintenance, repainting or normal repair of legally established non-conforming signs.
- b. Whenever any movable or unattached sign is erected or maintained in violation of this ordinance, said sign may be removed at the cost of the owner of such sign by action of the Planning and Zoning Administrator after due notice is given to the person in interest.
- c. Signs illegally located in the right-of-way, may be removed immediately by action of the Planning and Zoning Administrator without notice and may be stored in a location for a period of seven (7) days for retrieval by the owner.

C. EXEMPT SIGNS. The following signs shall not require a sign permit, shall be subject to the conditions specified, and shall not be subject to any other sign standards. These signs may not be illuminated, flashing or animated:

- 1. Signs not exceeding one square foot in area and bearing only property numbers, address numbers, names of occupants of premises, or other identification of premises not denoting commercial activity.
- 2. Legal notices, identification, informational, warning, trespassing, or directional signs erected or required by governmental units.
- 3. Memorial plaques, historical markers, integral decorative or architectural features of buildings, except trademarks, moving parts or

7.7 Sign Regulations **7**

moving lights.

4. Sponsorship signs, such as those located inside little league ball diamonds and at other athletic and community facilities, provided such signs are, in the opinion of the Administrator, oriented to those visiting and using the facility.
5. Window Signs that do not exceed twenty percent (20%) of the window area. Window Signs that exceed this size shall be subject to the additional requirements herein and counted as part of aggregate sign area.
6. Residential temporary signs, or Yard Cards, that do not exceed twelve (12) square feet in area and are erected for less than three (3) days.
7. Sports spirit pennants that are less than two and one-half (2.5) square feet mounted on the facade of a dwelling indicating support of a middle, high school, or college student participating in organized school activities.
8. Flags, including flags of the United States, the State, the City, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such flag shall not exceed twenty-four (24) square feet in area and shall not be flown from a pole the top of which is more than thirty (30) feet in height. These flags must be flown in accordance with the protocol established by the Congress of the United States for the "Stars and Stripes." Any flag not meeting any one or more of these conditions shall be considered a sign and shall be subject to regulation as such.

D. INCIDENTAL SIGNS. The following incidental signs shall be permitted subject to the requirements of this section. Such signs may be internally illuminated but not flashing or animated. Such signs shall conform to all the requirements of the District in which they are located, with the exception of (1) and (2) below which may encroach into the required setback distance, but not be located closer than fifteen (15) feet from any adjoining property line. A sign permit is required.

1. Wayfinding Signs. Signs directing and guiding traffic, pedestrian or other control to specific non-commercial locations such as downtown or historic districts, parks, large public arenas, or similar destinations within the City or Lebanon or Boone County. They shall meet Indiana Department of Transportation standards if located on a State controlled road. Wayfinding signage shall not incorporate corporate branding.
2. Directional Sign. Signs designating entrances or exits to or from a parking or loading area on private property, limited to one (1) such signs for each entrance or exit. Such signs shall not exceed four (4)



Wayfinding Sign

7 7.7 Sign Regulations



Directional Sign

square feet in sign area each and shall be no higher than three (3) feet above the grade of the adjacent right-of-way.

E. TEMPORARY SIGNS.

1. Construction Signs

a. Conforming nonresidential uses and multifamily complexes with at least fifteen (15) dwelling units are permitted to display temporary signage as follows:

1. The sign shall not be located in the right-of-way.
2. One sign per street frontage of lot under construction, demolition, remodeling or rebuilding, which sign announces the character of the building enterprise, including names of architects, engineers or contractors or financiers, for a maximum of two (2) signs per lot.
3. The maximum sign area shall not exceed thirty-two (32) square feet.

b. All construction signs shall be removed when a Certificate of Occupancy is obtained.

2. Real Estate Signs. Real estate signs do not require a sign permit, and shall be subject to the following standards:

a. Commercial. Signs advertising the sale or lease of a commercial property or the sale of a multifamily. One real estate sign shall be allowed for each lot frontage, not to exceed six (6) square feet in area and four (4) feet in height, indicating the sale, rental or lease of the premises on which it is displayed. A sold sign may be attached to such real estate sign. Both signs shall be removed within seven (7) days from the time the premises were sold, rented or leased.

b. Individual Homes. One real estate sign shall be allowed for each lot frontage, not to exceed six (6) square feet in area and three (3) feet in height, indicating the sale, rental or lease of the premises on which it is displayed. A sold sign may be attached to such real estate sign. Both signs shall be removed within seven (7) days from the time the premises were sold, rented or leased.

c. Subdivision Advertising Signs. One temporary sign per entrance with more than two hundred (200) feet of frontage is permitted to advertise the sale, rental or lease of real property. Such sign shall not exceed thirty-two (32) square feet of surface area, shall not be erected until the subdivision has been approved and recorded,



Real Estate Signs

7.7 Sign Regulations **7**

and shall be removed when fifty percent (50%) of the planned subdivision has been occupied.

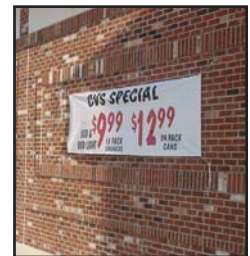
d. Open House Signage

- 1) Individual open house signs shall not exceed five (5) square feet.
- 2) Signage must be placed with the owner's permission.
- 3) Signs shall be placed outside of the right-of-way and only at corner locations.
- 4) All open house signage shall be removed the same day that the event ends.

3. Temporary Advertising / Special Events

a. Banners

- 1) The banner shall not be displayed without first obtaining a temporary Sign Permit.
- 2) The banner shall not exceed twenty-four (24) square feet in area.
- 3) The banner shall be affixed by all four (4) corners to the building (excluding the roof) where the use associated with the banner is located.
- 4) The banners shall not be permitted in the right-of-way.
- 5) Signs shall not be placed on a property unless permission is granted by the property owner.
- 6) One (1) banner shall be permitted per business per year. The banner shall be permitted for a thirty (30) day period and may be renewed one (1) time for an additional thirty (30) day period within three hundred sixty-five (365) consecutive days. In no case, shall banners be erected for more than sixty (60) days per year.



Temporary Banner

b. Pennants and Balloons

- 1) Retail businesses are permitted additional signage, in the form of flag pennants and balloons, for special events. The additional signage shall require a temporary Sign Permit per Section 9.6 Sign Permit. The signage shall be displayed for no more than ten (10) consecutive days and for no more than two (2) special events during a one (1)-year period.

7 7.7 Sign Regulations



Political Sign

4. Political Signs. Political Signs do not require a sign permit. Political Signs shall not exceed six (6) square feet in area per side. Political Signs may be erected no more than thirty (30) days prior to the election and are to be removed within one (1) day after the election. They shall not be allowed within the public right-of-way.
5. Garage Sale / Yard Sale Signs. Garage Sale / Yard Sale Signs shall be no more than six (6) square feet in surface area and are no higher than three (3) feet above adjacent grade. Signs may be erected no more than ten (10) days prior to the event and are to be removed within five (5) days after the event. They do not require a sign permit.

F. PROHIBITED SIGNS. It shall be unlawful to erect and maintain in any zoning district:

1. Any sign which is not included under the types of signs permitted in this ordinance or which does not conform to the provisions of this ordinance.
2. Any portable or movable sign, or any such sign which was designed to be portable or movable, including any sign with attached or attachable wheels.
3. Any sign or sign structure affixed to a roof top or known as a roof top sign, which superstructure extends above the highest point of the roof.
4. Inflatable signs or inflatable characters.
5. Beacons.
6. Banners that are not allowed under Subsection 7.7(E) of this ordinance.
7. Animated signs that utilize any motion picture, laser, or visual projection of images or copy in conjunction with any business or advertisement.
8. A sign may not have exposed neon tube, bare bulb or flashing illumination.
9. Signs that emit audible sound, odor or visible matter.
10. Signs that imitate emergency vehicles, including signs that may be construed as a light of an emergency or road equipment vehicle.
11. Signs that obstruct any door, fire escape, stairway, or any opening intended to provide entrance or exit for any structure.
12. Signs placed on vehicles or trailers parked on public or private property primarily for the purpose of displaying the sign. Prohibited signs do not include those displayed on vehicles parked for the purpose of lawfully making deliveries or random sales or service. Prohibited signs do not include vehicles which are customarily used for transporting persons or



Portable/Movable Sign

7.7 Sign Regulations 7

properties, and vehicles parked at a driver's place of residence during non-business hours or for incidental purposes.

13. Posters, placards and other similar signs attached to light poles, gas station canopy supports, gas station pumps, trees, and elsewhere outdoors that are not included as permitted temporary or permanent signs as described by this Article.
14. No rotating beam, beacon rotating inanimate objects including automotive vehicles (whether operative or inoperative), or flashing illumination resembling any emergency lights shall be used in connection with any sign display, nor shall any sign make use of the words "Stop", "Slow", "Caution", "Warning", "Look", "Danger", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.
15. No amplification of radio music or other audio-advertising shall be permitted on the premises.
16. Corrugated cardboard yard cards of any size, on the property of any use other than residential. Residential yard cards are exempt in accordance with the conditions of [Subsection 7.7\(C\)](#).



Poster Sign

G. RESIDENTIAL SIGN STANDARDS



1. Provisions. The following provisions shall apply to residential uses located within the SF, SF1, SF2, SF3, TR, MF, and MH Districts and residential uses within the CB and NB Districts. Signs in residential districts shall be allowed only if:
 - a. The sum of the area of all signs on the lot conforms with the maximum permitted sign area as determined in this subsection.
 - b. The size, location, and number of signs on the lot conform with the requirements of this subsection.
 - c. Provisions for maintenance shall be made for permanent residential subdivision identification signs.
 - d. Exempt signs in residential districts that do not require a permit include political signs, real estate signs, yard cards, and sports team participants plaques.
2. Subdivision Entry. Subdivision entry signs shall identify the subdivision and enhance the character of the entrance.
 - a. One double-sided or two single-sided sign structures identifying



Subdivision Entry Sign

7 7.7 Sign Regulations

- a residential subdivision or multifamily development shall be permitted per entrance.
 - b. The maximum size sign area shall not exceed thirty-two (32) square feet in sign area.
 - c. The sign structure shall not exceed a maximum height of six (6) feet measured from the adjacent ground level. In no case may mounding or other alterations of the natural ground level be used as a point of reference for measuring sign height.
 - d. Internal illumination shall not be permitted for signs in residential districts.
 - e. The sign structure shall be set back a minimum of five (5) feet from the right-of-way and shall be located outside of the Sight Visibility Triangle per [Section 7.2 Sight Visibility Triangle](#). Entry signs placed in the right-of-way of a public street, such as in the median of a boulevard, shall be prohibited unless approved by the Lebanon Street Department and the Planning and Zoning Administrator.
 - f. Signs for multi family developments shall indicate only the name and address of the building, development, or use, and the name and address of the management thereof. Such signs shall not include promotional information.
3. Home Occupation. Displays, signs, and/or advertisements associated with a Home Occupation shall be permitted. Sign area shall not exceed one (1) square feet, and only one (1) sign shall be allowed per residence. Signs shall not be illuminated. Signs shall require a sign permit.
4. Model Home/Temporary Sales Facility Signs. Wall, awning, or ground signs shall be permitted on the lot of the sales facility and limited to an aggregate square footage not exceeding thirty-two (32) square feet of sign area. See also [Section 7.11 Temporary Uses](#). In addition, individual model homes may have one (1) sign not to exceed four (4) square feet. Such signs shall be placed a minimum of ten (10) feet from the right-of-way and ten (10) feet from adjacent property lines, and in a manner consistent with the Sight Visibility Standards of this ordinance.

See Also:

[Subsection 6.1\(L\)](#)
[\(7\) Signs for additional sign standards within the Thoroughfare Overlay District.](#)

H. NONRESIDENTIAL SIGN STANDARDS

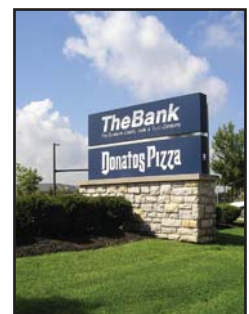


1. General Provisions. The following provisions shall apply to all signs located within the CB, NB, PBC, PBO, PBI, ID, and IN Districts of

7.7 Sign Regulations **7**

Lebanon.

- a. Multiple Frontages. If a commercial use is located on a lot with multiple frontages the primary frontage shall be determined by the highest classification of the adjacent roadway. If adjacent roadways are equal in designation, the primary frontage shall be the longest frontage.
 - b. Size. No individual sign may exceed the size limits for its sign type as set forth in Subsection 7.7(H)(2) and Table 7.6: Permitted Signs.
 - c. Aggregate Maximum Area. The sign area maximum represents an aggregate amount of all signs listed below on a lot or per tenant, except for ground signs.
 - d. Illumination. Signs may be internally or externally illuminated. Externally lit signs, lights or reflectors shall not extend more than two (2) feet from the face of the sign. Where a sign is illuminated by light reflected upon it, direct rays of light shall not beam upon any part of adjoining property.
 - e. Setback. The minimum setback for all nonresidential signs shall be five (5) feet from the right-of-way. This includes the leading edge of any sign structure.
2. Sign Types. The sign area, number, and overall size of nonresidential signs for uses permitted in nonresidential districts shall be as follows:
- a. Monument/Ground Signs
 - 1) Individual. One (1) monument / ground sign shall be permitted per street frontage.
 - a) The ground sign area shall not exceed thirty-two (32) square feet.
 - b) The maximum height shall be eight (8) feet.
 - c) The sign area of an ground sign shall not count toward the maximum sign area allowed per lot.
 - d) No ground sign may be located within one hundred (100) feet of another ground sign.
 - 2) Multi-tenant Shopping Centers. The sign area for a multi-tenant development may exceed the maximum sign area by fifty percent (50%) for a maximum of forty-eight (48) square feet if three or more tenants are displayed. Occupants / tenants within the shopping center may not display other monument / ground signs. The height may be increased to twelve (12) feet.



Multi-tenant
Monument/Ground
Sign

7 7.7 Sign Regulations

- 3) Second Entry. Frontages greater than three hundred (300) feet and with a second entry shall be permitted a secondary ground sign. The maximum area of a secondary ground sign shall be twenty-four (24) square feet and a maximum height of six (6) feet. In no case shall the total number of such signs exceed two (2) signs per frontage
 - 4) Materials. Sign structures shall be constructed of decorative materials such as brick, stone, or other masonry, wood or metal.
 - 5) Landscaping. Landscaping shall be as stated in Section 7.8 Landscaping of this chapter.
 - 6) Location. Monument / ground signs, including any part of the sign structure, shall be located no closer that five (5) feet from the right-of-way.
- b. Pole Signs (Freestanding). Pole signs shall be allowed by Conditional Use in the PBC, PBI, and ID districts under the following conditions:
 - 1) Pole signs shall only be located within one thousand (1000) feet of an interstate interchange.
 - 2) Pole mounted signs shall not exceed sixty (60) feet in height.
 - 3) The maximum sign area shall not exceed two hundred (200) square feet per side.
 - c. Electronic Message Board Sign. A changing display / message composed of a series of lights incorporated with freestanding or wall signage that may be changed through electronic means of no less than twenty (20) seconds. Sign area shall not exceed twenty-five percent (25%) of the aggregate allowable sign area. Sign shall be permitted in association with another allowable sign type for district in question.
 - d. Off-Premise Signs. Off-premise shall be permitted only by Conditional Use, and only in the ID District. Off premise signs shall be located within one thousand (1000) feet of an interstate interchange. Off-Premise signs shall not exceed forty (40) feet in height and three hundred (300) square feet in sign area.
 - e. Wall Signs
 - 1) One (1) wall sign shall be permitted per tenant per frontage. The sign area shall not exceed two (2) square feet per one (1) linear foot of building with the exception of the CB District.
 - 2) Wall mounted sign or sign structures, excluding projecting



Wall Sign

7.7 Sign Regulations **7**

- signs, shall not extend more than twelve (12) inches horizontally from such wall.
- 3) The maximum sign area shall not exceed three hundred (300) square feet. Refer to [Subsection 7.7\(H\)\(3\)](#) for CB District maximum.
 - 4) Secondary frontage sign shall not exceed fifty (50) square feet.
 - 5) Wall signs shall not occupy more than thirty percent (30%) of the wall surface on which it is mounted to be in scale with the facade.
- f. Marquee and Canopy Signs. Marquee and signs may project from the structure surface a maximum of four (4) feet and may extend vertically to the roof line or up eighteen (18) feet, whichever is lower.
- g. Awning Signs. Signs located on awnings shall be:
- 1) affixed flat to, or painted upon the surface of opaque vinyl or canvas awnings,
 - 2) shall not extend vertically or horizontally beyond the limits of said awning,
 - 3) shall not cover more than fifty percent (50%) of the principal face of the awning, and
 - 4) if internally lit, only the sign area (copy) shall be illuminated.
- h. Projecting Signs. One projecting sign attached to the face of a structure shall be permitted for each qualifying street frontage. The sign area shall not exceed sixteen (16) square feet per face. In no case shall the sign structure extend more than four (4) feet from or beyond its supporting building. No projecting sign shall be at its lowest point less than nine (9) feet above grade level. Proof of insurance may be required.
- i. Off-Site Directional Signs. Off-site directional signage for a permitted business use may be permitted by the Plan Commission in any business district, subject to a documentation of need on the part of the business owner. Such signs shall not exceed sixteen (16) square feet in area and shall display only the name of the use and directional information.
- j. Suspended Signs. Suspended signs shall not be greater than four (4) square feet in area and may display only the name and/or property number of the use. Where a suspended sign hangs over



Marquee Sign

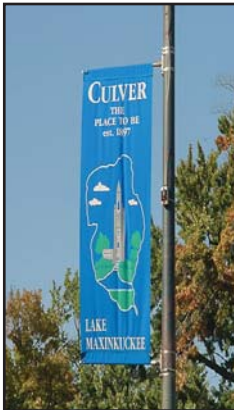


Projecting Sign

7 7.7 Sign Regulations

a sidewalk or other pedestrian path, there shall remain a vertical clearance of nine (9) feet. Proof of insurance may be required.

- k. Window Signs. Window signs displayed on the ground floor shall not exceed twenty percent (20%) of the ground floor window area. Window signs displayed above the first floor shall be limited to one sign per frontage, not to exceed twenty-five percent (25%) of such floor's window area.
- l. Flags. Any flag not considered an exempt sign by [Subsection 7.7\(C\)\(8\)](#) above shall be subject to regulation as the closest applicable sign type as determined by the Administrator.
- m. Ornamental Banners. Banners of cloth, canvas, or flexible plastic affixed to light standards shall be permitted along streets within the downtown or thoroughfare overlay districts. The banners shall not exceed twelve (12) square feet in area. The banners should be considered decorative in design utilizing a variety of images or colors of an ornamental nature that displays no on-premise or off-premise commercial advertising copy.
- n. Post Signs. Post signs, as defined by this ordinance, are encouraged in the CB and NB zoning districts for businesses located adjacent to residential property, or within a converted residential building. Signs shall be a maximum of six (6) feet in height and shall have a sign area of no more than twenty (20) square feet.
- o. Signs for Gas/Service Stations. Due to the differing characteristics of filling /gas station sign requirements, the following sign provisions shall apply for filling stations.



Ornamental Banner



Post Signs

- 1) The lot shall be permitted the maximum signage for all structures as stated for commercial businesses in non-residential districts. The total signage for the canopy, convenience store, car wash or other accessory or incidental uses including signs on pumps, canopy supports, pump handles and the like, shall not exceed that permitted for the district and shall be based on the linear feet of the building, not canopy.
- 2) Signs such as "self serve", "full serve", and pump numbers shall be permitted, provided the letters and numbers are no larger than six (6) inches in height.
- 3) Filling stations shall be permitted one set of gasoline prices (one price per fuel product) with letters and numbers no greater than eighteen (18) inches in height, visible from each direction of traffic from each street frontage.

7.7 Sign Regulations **7**

3. Central Business District (CB). Due to the unique character of the CB District, the following additional provisions shall apply to signs. Additional sign standards for the CB District may be found in the Section 6.3 Downtown Overlay District of this ordinance. Where these regulations are in conflict with other sign standards, the provisions of this subsection shall apply.

- a. Each sign shall be so designed as to match and/or complement the building style of the use to which it is accessory. Varied sign types are encouraged.
- b. Only the sign types set forth in Subsection 7.7(H)(3) and Table 7.6: Permitted Signs shall be permitted in the CB District. The following development standards shall apply to such signs.
- c. Aggregate sign area maximums (based on building frontage) shall not exceed one hundred fifty (150) square feet. Individual sign maximums are as stated below:

<u>Signage / Ratio</u>	<u>Maximum sign area</u>
Wall sign only / 1 lf. : 1.5 sf.	100 sq. ft.
Projecting sign only	16 sq. ft. per face
Awning / 1 lf. : 1.5 sf.	50 sq. ft.
Combination of signs / 1.5 lf. : 1 sf.	50 sq. ft. (Bonus)
Post sign	20 sq. ft. per face

- d. Sign area calculations for CB District uses.
 - 1) Wall Signs. Sign area shall be one and one-half (1.5) square feet per one (1) linear foot of the structure.
 - a) Maximum permitted wall sign area shall not exceed one hundred (100) square feet.
 - b) Wall signs on the secondary frontage shall not exceed fifty feet (50) square feet.
 - c) Wall signs shall not cover more than fifty percent (50%) of the wall surface on which they are mounted.
 - 2) Post Signs. Post signs are encouraged in the CB and NB districts and should be appropriately scaled. The maximum sign area shall be twenty (20) square feet per side.
 - 2) Window Signs. Window signs shall not cover more than twenty percent (20%) of any window.
 - 3) Sandwich / "A" Frame. Each building shall be permitted one

See Also:

Section 6.3
Downtown
Overlay District
for additional sign standards.

7 7.7 Sign Regulations



Sandwich / "A"
Frame Sign



Awning Signs



Externally
illuminated sign
using gooseneck
lamps

sandwich board which will not be counted toward aggregate sign area. In a multi-tenant building all tenants shall share the sign. The sign board, A-frame, or sandwich board shall not exceed three and one-half (3.5) feet in height, two (2) feet in width, or six (6) square feet in area. The sign may be placed on a public sidewalk, provided it meets the following regulations:

- a) The tenant shall be responsible for the placement and maintenance of such signs.
 - b) The sign shall not impede pedestrian traffic. A minimum sidewalk clearance of forty-two (42) inches shall be maintained and shall be approved by the Board of Public Works and Safety.
 - c) The sign board shall be used only during business hours and must be removed from the public sidewalk and stored indoors when the business is not open for business.
 - d) Each sign must be located within ten (10) feet of the main entrance of the business for which it is established.
- 4) Awning Signs. Awning signs are encouraged and shall be as specified in [Subsection 7.7\(H\)\(2\)](#).
 - 5) Projecting Signs. Projecting signs shall be permitted in the CB District and shall be as specified in [Subsection 7.7\(H\)\(2\)](#).
 - 6) Marquee. Refer to [Subsection 7.7\(H\)\(2\)](#).
 - 7) Secondary Entrances. Signs for secondary entrances from rear parking lots shall be permitted. Maximum sign area shall be six (6) square feet.
 - 8) Lighting and Animation. Signs in the CB District may not be animated, flashing or internally lit. Externally lit signs are permitted, provided, however, light reflectors shall not extend more than two (2) feet from the face of the sign, and direct rays of light shall not beam upon any part of adjoining property.
 - 9) Painted Signs. Painted signs may be permitted as part of an artistic concept upon review and approval by the Plan Commission.
- e. Residential uses located within the CB district shall be subject to the regulations for residential uses within [Subsection 7.7\(G\)](#).

Table 7.6: Permitted Signs

		Zoning District									
		Residential (SF's, TR, ME, MH)	CB/DT-OL	NB/CO-OL	PBC	PBO	IN	PBI	ID		
All signs require a permit											
P = Permitted											
C = Conditional Use											
Step 1: Sign Area Calculations by District											
Building Frontage / Wall Sign Size Ratio (the total sign area permitted per use)	Subdivision Entry	1.5 feet per 1 linear foot of building frontage	1.5 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage	2 feet per 1 linear foot of building frontage
Aggregate Sign Area - Maximum *	32 sf	150 sf	150 sf	300 sf	300 sf	300 sf	300 sf	300 sf	300 sf	300 sf	300 sf
Step 2: Identify Permitted Sign Types											
Awning, Marquee, and Canopy Sign		P		P	Amended: 03/21/2014						
Changeable Copy Sign			C		C						
Ground/Monument Sign	P (1 per entry)	P / 20 sf.	P	P	P	P	P	P	P	P	P
Home Occupation	P	P	P	P	P	P	P	P	P	P	P
Off-Premise Sign (Billboard)											C
Pole Sign (within 1000' of an interstate interchange)				C						C	C
Projecting or Suspended Sign (limited to 1 per business use)		P	P	P	P	P	P	P	P	P	P
Post		P	P	P	P	P	P	P	P	P	P
Sandwich / "A" Frame Sign		P	P	P	P	P	P	P	P	P	P
Multi-Tenant Ground Sign			P	P	P	P	P	P	P	P	P
Temporary Sign	C	C	C	C	C	C	C	C	C	C	C
Electronic Message Board - LED		C	C	C	C	C	C	C	C	C	C
Wall Sign **		P	C**	P	P	P	P	P	P	P	P
Window Sign		P	P	P	P	P	P	P	P	P	P
Gas / Service Station - as per 7.7(H)(2)(n)		C	C	P	P	P	P	P	P	P	P
Step 3: Review the General Sign Standards											
Maximum Wall Sign Size		100 sf	100 sf	300 sf	300 sf	300 sf	300 sf	300 sf	300 sf	300 sf	300 sf
Maximum Projecting Sign Size		16 sf	16 sf	16 sf	16 sf	16 sf	16 sf	16 sf	16 sf	16 sf	16 sf
Maximum Ground / Monument Sign Height	6 feet	5 feet	8 feet	8 feet	8 feet	8 feet	8 feet	8 feet	8 feet	8 feet	8 feet
Maximum Free-Standing / Pole Sign Area											200 sf per side
Maximum Free-Standing / Pole Sign Height				12 feet							60 feet
Maximum Multi-Tenant Sign Area and Height Bonus Increase				+ 50%	+ 50%	+ 50%	+ 50%	+ 50%	+ 50%	+ 50%	+ 50%
Maximum Window Sign Area Coverage		20%	20%	20% Ground Floor 25% Upper Floor	20%	20%	20%	20%	20%	20%	20%

* Aggregate Sign Area - The total area from all sign types on the premises.
 ** Wall signs in the Neighborhood Business District adjacent to residential uses are subject to additional review.

7 7.8 Landscaping

7.8 LANDSCAPING

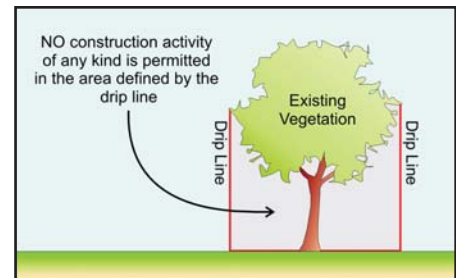
A. INTENT. The intent of this section is to establish minimum standards for the provision, installation, and maintenance of landscaped areas to:

1. Improve the overall aesthetics and enhance the appearance of the City,
2. Increase the compatibility of development with adjacent development and the natural environment,
3. Provide physical and psychological benefits to citizens,
4. Improve environmental quality by reducing noise, glare, stormwater run-off, and heat buildup, and
5. Protect and enhance property values.

B. GENERAL PROVISIONS

1. Applicability. This Section shall apply to all public, private, and institutional development, except that previously approved development need not comply (Section 1.5 Transition Rules) unless new site development approval is being sought.
2. Compliance. All development requiring a Development Plan or Final Detailed Plan shall submit a detailed landscape plan as part of the construction set. A conceptual landscaping plan shall accompany Concept Plans, Preliminary plans and Primary Plats.
3. Visibility. Where the rigid enforcement of these standards creates a conflict with the site visibility triangle (Section 7.2 Sight Visibility Triangle), the site visibility triangle shall take precedence, and the landscape requirements may be relocated or reduced to the extent necessary to alleviate the conflict upon approval of the Planning and Zoning Administrator.
4. Preservation Of Existing Features. Existing trees and shrubs shall be preserved wherever feasible.
 - a. When existing healthy trees or significant natural landscape features impede strict compliance with the standards, the submittal of an alternative landscape plan which incorporates such existing features into the overall site design is encouraged.
 - b. Existing trees may be used to fulfill tree planting requirements if such trees are in a healthy and growing condition and not included in Table 7.18: Non-Qualifying Trees. The Planning and Zoning Administrator may approve existing trees which are not included on the plant lists.

- c. Existing trees which fulfill tree planting requirements shall be protected from construction activities through the use of construction fences, barricades, or other applicable methods during site preparation and construction. Protection measures shall be placed outside of the drip line of the plant material to be retained. These barricades shall remain in place during construction, and no vehicle, machinery, tools, chemicals, construction materials, or temporary soil deposits may be permitted within the barriers, nor may any notice or other object be nailed or stapled to protected trees. This information shall also be shown on the Site Grading and Demolition Plans.
- d. A minimum of seventy-five percent (75%) of the protected area shall be maintained as permanent permeable landscape area at grades existing prior to site development.
- e. Tree wells, tree walls, or specialized fill and pavement designs shall be required in cut and fill situations and shall be fully detailed on the Landscape Plan.



Construction is not permitted within the drip line.

C. CONTENT OF LANDSCAPE PLAN. When required, a landscape plan shall conform to the following standards:

1. A landscape plan is required for each proposed development. The landscape plan may be prepared by a landscape professional or nurseryman experienced in landscape design and the installation and care of plant materials, but shall be sealed by a licensed landscape architect.
2. All landscape plans submitted for approval as a component of a required development plan shall be prepared to scale on 24" x 36" sheets and shall contain the following information:
 - a. The location and dimensions of all existing and proposed structures, parking lots and drives, roadways and right-of-way, sidewalks, refuse disposal areas, utility lines and easements, freestanding structural features, signs, and other landscape improvements, such as earth berms, walls, fences, screens and paved areas;
 - b. The name and address of the owner, developer, and who prepared the plan, the date the plan was prepared, scale, and north arrow;
 - c. The location, quantity, size, and name - both botanical and common - of all proposed planting materials;
 - d. The location, size, and common name of existing trees and individual shrubs, areas of dense trees or shrubs, and other natural

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features, indicating which are to be preserved and which are to be removed;

- e. The location of barriers to be placed at or beyond the drip line of any trees to be preserved, and the type of material to be used for the barrier;
- f. Details indicating specific grading measures or other protective devices where trees are to be preserved in areas of cut and fill; and
- g. Planting and installation details as necessary to ensure conformance with all required standards.

D. INSTALLATION

- 1. Plant materials shall conform to the requirements described in the latest edition of the American Standard for Nursery Stock, which is published by the American Association of Nurserymen. Plants shall be nursery grown.
- 2. Plants shall conform to the measurements specified below:
 - a. Caliper measurements shall be taken six inches above grade for trees under four inches in diameter and twelve (12) inches above grade for trees four inches or larger in diameter.
 - b. Minimum branching height for all shade trees shall be four feet.
 - c. Minimum size for shade trees shall be two and one-half (2.5) inches in caliper.
 - d. Minimum size for ornamental trees shall be one and one half (1.5) inches in caliper.
 - e. Minimum size for evergreen trees shall be six (6) feet high.
 - f. The Minimum size for required screening shrubs is twenty-four (24) inches. Species selected shall attain the required minimum mature height of thirty-six (36) inches within 2 years.
 - g. The Plan Commission may impose a condition at the time of site or development plan approval, that plants be larger at the time of installation.

E. MAINTENANCE

- 1. Maintenance Requirements. Trees, vegetation, irrigation systems, fences, walls and other landscape elements are considered elements of a project in the same manner as parking and other site details. The owner of the property shall be responsible for the continuous proper maintenance of all landscaping materials, and shall keep them free

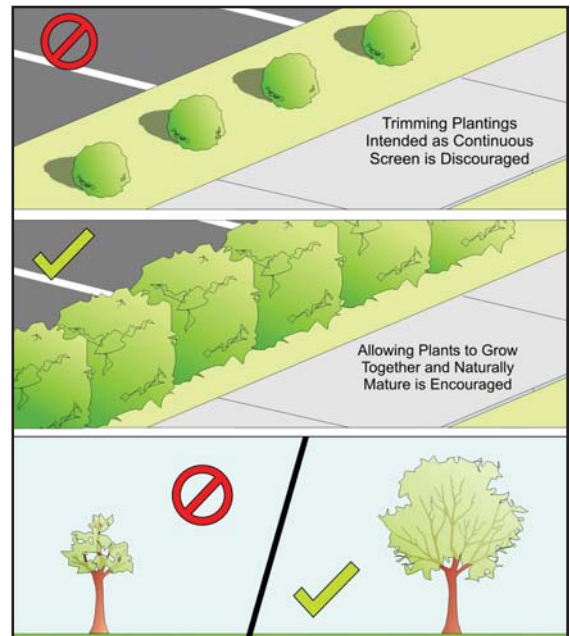
from refuse and debris and in good repair at all times.

- a. Replacing Landscaping Materials: All plant material which dies shall be replaced with plant material of the required size within thirty (30) days of the plant material’s death. This period may be extended if weather conditions inhibit installation of new plant materials.
- b. Trimming Plant Material: Landscape materials are intended to grow, spread and mature over time. Landscaping materials used to fulfill requirements of this chapter may not be pruned or otherwise treated so as to reduce overall height or level of opacity. Pruning, limbing-up, topping, and other inhibiting measures including removal may only be practiced to insure the public safety or to preserve the relative health of the material involved (e.g. parking lot screen plantings shall not be lower than thirty-six (36) inches three (3) years past installation). Where a continuous solid screen is required, the frequency of the planting shall accomplish the formation of a solid visual screen within three (3) years of the date of planting.

F. APPROVED PLANT MATERIALS

- 1. Tables 7.11 through 7.17 contains approved trees, shrubs, and ground cover to be used to meet the landscaping and buffering requirements of this ordinance. Species native to Indiana are encouraged. The lists are not inclusive of all available plant material. Unlisted plant material may count toward requirements upon review and approval by the Planning and Zoning Administrator or his/her designee.
- 2. The tables of plant materials included in this ordinance are classified by type. Trees are grouped into three categories: shade trees, ornamental trees; and evergreens. Shrubs are grouped by height: small shrubs (<3 feet), medium shrubs (3-6 feet), and large shrubs (>6 feet). Plant materials not listed on the tables will be assigned a classification based on height, spread, and/or crown at maturity, using the best available resources to determine mature characteristics.
 - a. Trees proposed for streets, parking lots and similar shall be broadleaf, deciduous species as listed in Tables 7.11 through 7.13.
 - b. Trees proposed to meet landscaped buffer/

Trimming of plant materials intended for screening or buffering is discouraged.



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screen requirements shall include evergreens and may be from either Table 7.11: Trees for Planting on Streets, Highways, and Parking Lots (generally with high canopies, shade producing, hardy) or Table 7.12: Trees for Planting on Streets and Highways that Minimize Conflict With Overhead Utilities in this section.

- c. Shrubs are divided by size to suit their particular function and may come from Tables 7.14 through 7.16 of this section.
 - d. Grasses used in designated common areas or usable open spaces should be native plantings and cool season grasses to limit the necessity for pesticides, fertilizers, or other chemicals, and to reduce mowing frequency.
3. For design flexibility, plant substitutions may be made on the following basis upon approval by the Planning and Zoning Administrator, unless otherwise noted:
- a. one (1) ornamental tree = one (1) evergreen tree
 - b. one (1) large shrub = two (2) medium shrubs or four (4) small shrubs
 - c. one (1) medium shrub = two (2) small shrubs
4. Earthen berms and/or opaque fences or walls may be used in combination with the plant materials specified above, provided they meet the following requirements.
- a. Earthen berms shall have a maximum slope of 3:1, shall be a minimum of three (3) feet and a maximum of six (6) feet in height, and must be entirely vegetated with lawn or ground cover within two (2) years of the date of planting.
 - b. Opaque fences or walls shall be constructed of wood, brick, masonry or other material approved by the Administrator.
5. Non-Qualifying Plant Material: In no instance shall any tree listed in Table 7.18: Non-Qualifying Trees be used to meet any landscaping requirements of this ordinance.

G. UTILITY EASEMENT CONFLICTS. Plant material shall be located in areas in areas exclusive of drainage and utility easements and overhead utilities. Plant material shall not be placed in the road/street right-of-way without permission from the Lebanon Streets Department or INDOT.

H. COMPLETION. A final Certificate of Occupancy shall not be issued until all landscaping shown on the landscape plan has been installed. A temporary certificate of occupancy may be issued for the property for a period of up to six (6) months as weather conditions permit landscape

installation, provided that the developer shall submit a financial guarantee in the amount of one hundred twenty-five percent (125%) of the installed cost of landscaping when planting has to be delayed.

I. ENFORCEMENT. Failure to implement the approved landscape plan, including preservation of existing features, or to maintain the landscaping in accordance with the provisions of this section shall be a violation of this ordinance subject to the penalties outlined in [Chapter 10: Enforcement and Penalties](#).

J. PARKING

1. General

a. All landscape areas shall be separated from vehicular use areas by concrete curbing. Roll curbs may not be used for this separation if within fifteen (15) feet of a pedestrian use area.

1) A partial curb separation will be allowed if landscaping is intended to filter stormwater as part of approved innovative stormwater drainage solutions (Best Management Practices).

b. All landscaped areas at the front line of off-street parking spaces shall be protected from encroachment or intrusion of vehicles through the use of concretewheel stops. Wheel stops shall have a minimum height of six inches above the finish surface of the parking area, be properly anchored, and continuously maintained in good condition. Wheel stops shall not be placed in locations of anticipated intense pedestrian traffic. As an alternative, curbing can be extended to serve the same purpose, if approved by the Administrator. Wheel stops constructed of plastic are prohibited.

c. Plant materials required for landscaping and screening may be arranged and clustered throughout the site for uses or for areas along a lot's perimeter where a continuous screen is not required.

2. Parking Lot Interior Landscaping. A minimum of five percent (5%) of the gross area of the interior vehicular use area of a parking lot shall be landscaped. Required perimeter parking lot landscaping and/or buffering shall not be included toward satisfying this requirement.

a. If the amount of parking provided exceeds the required minimum by more than ten (10) percent, an additional ten (10) percent of interior landscaping shall be required. Some of the landscaping requirements for excess parking may be waived if either pervious pavement or landscape islands that function as swales and provide stormwater filtration are used.

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- b. Landscaped areas should be evenly distributed throughout the parking lot in the form of landscaped islands in order to reduce the visual impact of long rows of parked cars. Shade trees shall be spaced a maximum of one hundred (100) feet apart in the interior vehicular use area, with the intent to equally distribute the trees throughout the area.
 - c. One hundred percent (100%) of said landscaping area shall be planted with living ground cover.
 - d. Appropriate ground cover may include shade trees, ornamental trees, shrubbery, hedges, and grasses. However, at least one shade tree shall be provided for every one hundred eighty (180) square feet of required interior landscaped area. See [Subsection 7.8\(F\)](#) above for suitable plant types.
3. Parking Lot Perimeter Landscaping. All on- or off-street parking regulated by this section shall have a perimeter landscaped area at least five (5) feet wide. Such perimeter landscaping shall extend the full perimeter of the parking lot. Development within the Thoroughfare and Interstate Overlay Districts require an additional corridor or interstate buffer as per [Chapter 6: Overlay Districts](#).
- a. One hundred percent (100%) of said landscaping area shall be planted with living ground cover.
 - b. A Type C buffer ([Table 7.9: Landscape Buffer Types](#)) shall be planted on the perimeter of a parking area. However, if shade trees already exist in the right-of-way adjacent to the parking area, such trees may be counted to satisfy this requirement. When determining the number of trees required, fractions shall be rounded to the nearest whole number. See [Subsection 7.8\(F\)](#) above for suitable plant types.
 - c. A minimum three (3) foot high continuous screen consisting of small shrubs planted along the parking lot perimeter where the parking lot is adjacent to any residential district or a public street. Shrubs shall be at least fifty percent (50%) evergreen species.
 - 1) An exception may be made for car or other large vehicle sales where uninterrupted views of merchandise are needed. In this case, the plant material required per one hundred (100) linear feet shall be four (4) shade trees and nine (9) shrubs. All non-merchandise parking areas, including but not limited to customer and employee parking, shall be subject to the regular parking lot perimeter landscaping requirements.

K. STREETS

1. Residential Streets
 - a. One (1) canopy tree shall be required per forty-five (45) linear feet. Refer to [Tables 7.11 and 7.12](#) for suitable tree types.
 - b. Street trees shall be located in a planting strip between the street and the sidewalk. If this is not possible due to lack of right-of-way, narrow existing planting strip, or other reason as deemed appropriate by the Administrator, street trees shall be planted at the back of sidewalk but no greater than ten (10) feet from the right-of-way.
 - c. To minimize conflicts with overhead and underground utilities, street trees where such infrastructure exists shall come from [Table 7.12: Trees for Planting on Streets and Highways that Minimize Conflict With Overhead Utilities](#) which includes trees with non-invasive root structures and trees of appropriate height. In addition, root barriers should be utilized to shield infrastructure from tree roots.
2. Nonresidential Streets. This section applies to all commercial, institutional, industrial, or other nonresidential land uses.
 - a. Corridor Buffer. The streetscape shall be landscaped with the Type B buffer. The streetscape landscaping shall be in addition to the required parking lot perimeter plantings if it is adjacent to that use.
 - b. Tree Locations. All required trees may be located in clusters or dispersed throughout the yard.
 - c. Lot Plantings. Additional planting shall be required on lots according to [Table 7.7: Lot Planting Requirements](#). For the purposes of this section, the yard shall mean all areas of the property not covered with structures, parking areas, or other hard surfaces. Other landscape areas required by this chapter and required Buffer Yards shall not be included in the calculation of yard area.

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Table 7.7: Lot Planting Requirements

For this land use type...	...1 broadleaf / deciduous tree or evergreen conifer shall be required for every...
Multiple Family Residential and Manufactured Home Park	1,000 square feet of yard area
Commercial	1,000 square feet of yard area
Institutional	1,000 square feet of yard area
Industrial	1,000 square feet of yard area

L. RESIDENTIAL SUBDIVISION LANDSCAPING

1. Landscaping. Landscaping as stated below shall be required for all single-family, multifamily and manufactured home park subdivision development prior to the issuance of a Certificate of Occupancy. Extensions of up to one hundred twenty (120) days may be granted to take advantage of optimal planting conditions. Individually or custom constructed residences shall provide landscaping within one hundred eighty (180) days after the certificate of occupancy is issued.
2. Subdivision Perimeter Landscaping
 - a. Perimeter Plant Material. Perimeter plant material shall be provided on the perimeter of subdivision development when adjacent to a public or private street as follows:
 - 1) A twenty (20) foot wide landscaping area adjacent to the road or right-of-way. The landscaping shall be located in an area designated as "common area". All attempts should be made to avoid conflicts with drainage and utility easements that would prevent the installation of landscape materials in accordance with the ordinance.
 - 2) Trees shall be provided at a minimum rate of six (6) trees per one hundred (100) linear feet of perimeter planting. Perimeter plantings shall be a roughly equal mix of deciduous canopy trees and evergreen trees.
 - 3) Shrubs shall be provided at a minimum rate of ten (10) per one hundred (100) linear feet of perimeter planting.

- 4) The required number of trees and shrubs shall be prorated and rounded up to the nearest whole number for every foot over the initial one hundred (100) feet.
 - 5) It is suggested that the required trees and shrubs be planted in clusters or irregular patterns; and shall be combined with fences, walls, or mounds.
- b. Perimeter Fences / Walls / Mounds. One of the following landscaping options shall be required in addition to the plant material.
- 1) Decorative perimeter fences/walls shall be combined with plant material and shall be constructed of masonry, stone, wood, or decorative metal. Fences/walls constructed of synthetic materials that simulate natural materials will also be considered. Fences/walls shall be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height. Fencing/walls may only be provided by the developer and only located in the area designated as "common area" or "landscape easement". Landscaping shall be placed on the right-of-way side of the fence/wall.
 - 2) Mounds shall be combined with plant material, as described above, and may include fencing. Mounds shall be located in an area designated as "Common Area" or "landscape easement." Mounds shall be a minimum of six (6) feet in height. Maximum side slope shall not exceed a three to one (3:1) ratio. Engineering design requirements shall determine the setback from the right-of-way line of a public or private street and from the property line of an adjoining property. Continuous mounds (levee look) are not permitted.
3. Individual Residential Lots. The minimum landscape package for front and side yards shall be consistent with the table at right and the following:
- a. The minimum number of shrubs required is a total for the side and front yard combined, not for each yard individually.
 - b. Lots that have existing trees in the front yard that meet the required minimum shall not be required to plant additional trees. In order for the existing trees to qualify as an existing tree it must be a minimum size of two (2) inch caliper measured six (6) inches above the existing ground elevation at the base of the tree and be part of the finish landscape package upon completion of the residence

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and the final lot grading.

- c. In addition to the above requirements, landscape packages for corner lots shall include a street sideyard (which shall be defined as the yard fronting the street on the side of the house that does not face the street) planting of one evergreen tree and eight (8) shrubs. The street-side yard shall be sodded or covered with other living loam substitute for all developments designated SF1, SF2, SF3, TR, and NB Districts.
- d. All trees shall be planted such that upon maturation the branches and limbs shall not interfere with the adjacent property use. Any tree becoming such a nuisance shall be trimmed or cut back to eliminate the nuisance by the property owner.
- e. Plant material shall be placed out of the Sight Visibility Triangle ([Section 7.2 Sight Visibility Triangle](#)). There should be a clear visibility zone between thirty-six (36) inches and eight (8) feet maintained by the property owner.

Table 7.8: Residential Lot Landscaping Requirements

Zoning District	# of trees	Minimum # of shrubs	Front Yard Sod
SF	3	8	no
SF1, SF2, SF3	2	8	yes
TR, NB	1	8	yes

M. RETENTION POND LANDSCAPING

- 1. Shrubs and emergent vegetation are encouraged to be planted on pond perimeters. These plants may be exempt from minimum required plant sizes set forth in [Subsection 7.8\(D\)](#). The use of this plant material is more desirable than non-native manicured turf in order to provide color, filter runoff, limit waterfowl, and improve water quality.
 - a. Choose plant material that is native to Indiana.
 - b. Pond edge seed mixes are available from local suppliers. Pond edge landscaping may also be established from seed.
 - c. Maintenance shall be consistent as it may take up to three (3) years to mature.

N. SIGN LANDSCAPING

1. Landscaped area shall be required around the base of a sign at the rate of two (2) square feet per one (1) square foot of sign area.

O. LANDSCAPED BUFFER AND SCREEN REQUIREMENTS

1. Determination Of Landscape Buffer Requirements. Buffering and screening standards are employed to minimize the appearance of service and utilitarian areas of a site and to lessen the potential conflicts between dissimilar uses located in adjacent districts. The potential degree of conflict between the zoning districts determines the extent of the buffer required. The buffer width is in addition to the required setbacks of the district.
2. Buffer Types. Buffer types A through F and their descriptions can be found in Table 7.9: Landscape Buffer Types.
3. Buffer yard Location. All required buffer yard areas shall be located on the exterior of all required building setback lines. Amended: 03/21/2014

The buffer yard standards only apply along the property lines where the two dissimilar zoning districts meet as specified in the Table 7.10: Landscape Buffer Requirements. The required buffer yards shall be installed despite the presence of streets, alleys, and other features. Existing mature vegetation (such as streams and fence rows) may be credited towards required buffering. The required buffer yards shall meet the following minimum standards:

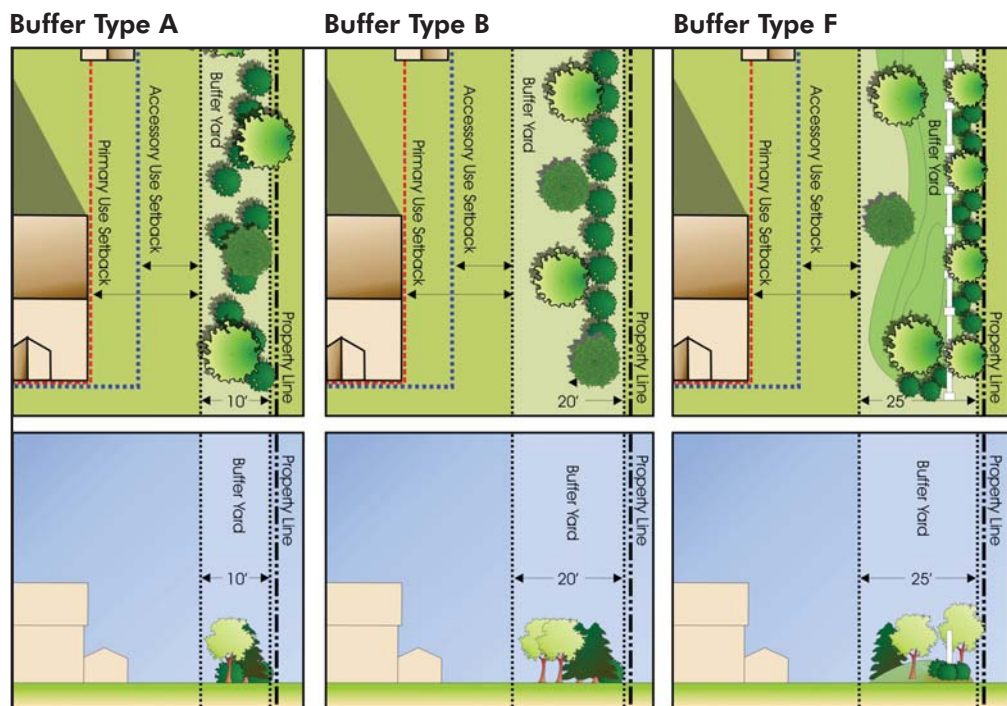
- a. Responsibility. The developer or owner of the property being developed or otherwise changed in use is responsible for installing the buffer yard at the time of that development or change. The adjacent property owner shall not have to participate in installing the buffer yard.
- b. Planting Location. Required bufferyard trees may be placed either at regular intervals or in irregular patterns representing a natural landscape providing the screen is continuous and effective. However, no two (2) buffer yard trees (excluding evergreen trees) shall be placed within ten (10) feet of one another. No buffer yard or required landscape materials shall be placed within any easement, right-of-way, or septic field. Evergreens shall be distributed throughout the bufferyard in such a manner as to ensure that a screen is still visible during the fall, winter, and spring seasons.
- c. Plant Types. All required plant material for screening purposes shall be a minimum of fifty percent (50%) evergreen.
- d. Groundcover. All portions of the buffer yard not planted with trees,

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shrubs or other landscaped materials shall be covered with grass or other groundcover vegetation. Landscaping stone or other non-vegetative surfaces may not be substituted for groundcover unless otherwise approved by the Administrator.

4. Loading Area Screening Standards. Vehicle loading areas shall be screened from public and private roads and adjacent residential districts or uses. A Type D buffer shall be used ([Table 7.9: Landscape Buffer Types](#)).
5. Dumpster Screening. Nonresidential and multi family refuse, grease and recycling disposal dumpsters shall be screened on three sides by the construction of permanent opaque wooden, brick, or masonry screens. Such screening shall be a minimum of six (6) feet in height and a maximum of eight (8) feet in height. The fourth side which provides access to the dumpster for refuse collectors shall be gated and situated so that the container is not visible at an angle greater than forty-five degrees (45°) from adjacent public streets.
6. Outdoor Storage Screening. All nonresidential manufacturing, assembling, construction, repairing, maintenance, and storage which takes place outdoors within view of a public street or a residential zoning district shall require a landscape buffer of Type D or E as described in [Table 7.9: Landscape Buffer Types](#) and as determined by the Administrator or the Plan Commission.

Example of some buffer types.



- a. All other storage shall be completely enclosed by a eight (8) foot high screen consisting of a solid fence, masonry wall, dense plant material, or any combination thereof. (See [Table 7.9: Landscape Buffer Types](#) Types E and F). In instances where a non-opaque or open fence is used (chainlink), landscaping consisting of evergreen plantings shall be provided around the exterior perimeter of the required fencing planted at a rate to form a screen a minimum of six (6) feet high.
7. Roof-, Ground-, And Building Mounted Equipment. All roof-top and ground-mounted mechanical equipment, such as HVAC units, shall be screened from the view of all public streets by parapets, dormers, or other screens. The material of all such screens shall be consistent with the exterior materials used on the facade of the structure.

Table 7.9: Landscape Buffer Types

TYPE	MINIMUM WIDTH	MINIMUM HEIGHT	LANDSCAPING REQUIRED PER 100 LINEAR FEET OF BUFFER*
A	10 feet	6 feet - trees 3 feet - shrubs	4 trees* and 10 large shrubs
B	20 feet	6 feet - trees 3 feet - shrubs	6 trees and 15 large shrubs
C	5 feet	3 feet; continuous shrub screen	3 shade trees and 10 shrubs, maximum spacing 3-5 feet on center depending on species, provided the treatment creates a continuous visual screen
D	25 feet	6 feet	8 trees and 15 shrubs supplemented by a 3-6 foot earthen berm or 6 foot opaque fence
E	None	8 feet	Fence or wall shall be opaque.
F	25 feet	8 feet	8 foot fence, 6 foot berm with 8 trees and 15 shrubs

* At least fifty percent (50%) of all required screen trees and shrubs, unless otherwise specified shall be evergreen species.

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Table 7.10: Landscape Buffer Requirements

Subject Zoning / Use	Adjacent Zoning or Similar Use													
	SF	SF1	SF2	SF3	TR	MF	MH	CB	NB	PBC	PBO	PBI	GI	IN
SF						B	B	D	B	D	D	D	F	B
SF1						B	B	D	B	D	D	D	F	B
SF2						B	B	D	B	D	D	D	F	B
SF3						B	B	D	B	D	D	D	F	B
TR	A	A	A	A		B	B	C	A	B	D	D	F	B
MF	B	B	B	B	A		A	D	A	B	B	D	F	B
MH	B	B	B	B	B	A		D	A	B	B	D	F	B
CB	C	C	C	C	C	C	C		C	C	C	D	C/E	C/E
NB	B	B	B	B	A	A	A	C		B	B	B	D	B
PBC	D	D	D	D	B	B	B	D	A/B		A	B	D	A
PBO	D	D	D	D	B	B	B	C	B	A		B	D	A
PBI	D	D	D	D	D	D	D	D	B	B	B		B	F
GI	F	F	F	F	F	F	F	C/E	D	D	D	B		F
IN	B	B	B	B	B	B	B	C/E	B	A	A	F	F	
Special Uses														
Airport	D													
Artificial Lake Of 3 Acres Or More	A													
Cemetery	A													
Penal Or Correctional Institution	E/F													
Sanitary Fill	E/F													
Junk Yard	E/F													
Wireless Communication Facilities	See Section 7.16 Telecommunications Facilities													

See [Table 7.9: Landscape Buffer Types](#) for explanation of Buffer types A, B, C, D, E, and F.

Table 7.11: Trees for Planting on Streets, Highways, and Parking Lots (generally with high canopies, shade producing, hardy)

Botanic Name	Common Name	Type	Height	Tree Category
<i>Acer campestre</i>	Hedge Maple	D	30'-40'	Ornamental
<i>Acer Freemanii</i>	Freeman Maple	D	50-60'	Shade
<i>Acer rubrum</i>	Red Maple	D	40-60'	Shade
<i>Acer saccharum</i>	Sugar Maple	D	50-70'	Shade
<i>Carpinus betulas 'Fastigiata'</i>	Upright European Hornbeam	D	30-40'	Ornamental
<i>Carpinus caroliniana</i>	American Hornbeam	D	25-30'	Ornamental
<i>Celtis occidentalis</i>	Hackberry	D	50-75'	Shade
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	D	25-30'	Ornamental
<i>Ginkgo biloba (male only)</i>	Ginkgo	D	40-60'	Shade
<i>Gleditzia tricanthos inermis</i>	Thornless Honeylocust	D	30-60'	Shade
<i>Gleditzia tricanthos 'Imperial'</i>	Imperial Honeylocust	D	30'-60'	Shade
<i>Koelreuteria paniculata</i>	Golden Rain Tree	D	30-40'	Ornamental
<i>Liquidamber styraciflua</i>	American Sweet Gum	D	40-60'	Shade
<i>Liriodendron tulipifera</i>	Tulip Tree	D	70'80'	Shade
<i>Pyrus calleryana 'Aristocrat'</i>	Aristocrat Pear	D	35'-45'	Shade
<i>Quercus alba</i>	White Oak	D	60-80'	Shade
<i>Quercus bicolor</i>	Swamp White Oak	D	40-50'	Shade
<i>Quercus coccinea</i>	Scarlet Oak	D	60-80'	Shade
<i>Quercus palustris</i>	Pin Oak	D	50-80'	Shade
<i>Quercus phellos</i>	Willow Oak	D	50-70'	Shade
<i>Quercus robur</i>	English Oak	D	50-70'	Shade
<i>Quercus rubra</i>	Red Oak	D	40-60'	Shade
<i>Sorbus alnifolia</i>	Korean Mountain Ash	D	20-30'	Ornamental
<i>Sorbus 'Aria'</i>	White Beam Mountain Ash	D	25-40'	Ornamental
<i>Tillia americana</i>	Basswood Linden	D	40-60'	Shade
<i>Tillia cordata 'Green Spine'</i>	Little-Leaf Linden	D	40-50'	Shade
<i>Tillia tomentosa</i>	Silver Linden	D	40-50'	Shade
<i>Zelkova serrata 'Village Green'</i>	Village Green Zelkova	D	40-60'	Shade

D = Deciduous E = Evergreen

Note: Several varieties of each species may be available and may substituted upon approval by the Administrator.

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Table 7.12: Trees for Planting on Streets and Highways that Minimize Conflict With Overhead Utilities

Botanic Name	Common Name	Type	Height	Tree Category
<i>Acer campestre</i>	Hedge Maple	D	30'-40'	Ornamental
<i>Carpinus caroliniana</i>	American Hornbeam	D	25-30'	Ornamental
<i>Cercis canadensis</i>	Eastern Redbud	D	20-25'	Ornamental
<i>Crataegus crus-galli</i>	Cockspur Hawthorn	D	15-25'	Ornamental
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	D	20-25'	Ornamental
<i>Malus hybrids</i>	Flowering Crabapple	D	15-30'	Ornamental
<i>Prunus 'Newport'</i>	Newport Plum	D	15-20'	Ornamental
<i>Prunus maackii</i>	Amur Chokecherry	D	25-30'	Ornamental
<i>Prunus virginiana</i>	Chokecherry	D	20-25'	Ornamental
<i>Sorbus alnifolia</i>	Korean Mountain Ash	D	20-30'	Ornamental
<i>Sorbus "Aria"</i>	White Beam Mountain Ash	D	25-40'	Ornamental

D = Deciduous E = Evergreen

Table 7.13: Trees for Use within the Interior of a Site

Ornamental Trees

Botanic Name	Common Name	Type	Height	Tree Category
<i>Amelanchier canadensis</i>	Juneberry	D	30-35'	Ornamental
<i>Amelanchier grandiflora</i>	Apple Serviceberry	D	25-30'	Ornamental
<i>Amelanchier laevis</i>	Allegheny Serviceberry	D	25-30'	Ornamental
<i>Betula nigra</i>	River Birch	D	40-60'	Ornamental
<i>Betula papyrifera</i>	Paper Birch	D	40-60'	Ornamental
<i>Cercidiphyllum japonicum</i>	Katsura Tree	D	25-40'	Ornamental
<i>Cercis Canadensis</i>	Eastern Redbud	D	20-30'	Ornamental
<i>Salix matsudana 'Tortuosa'</i>	Corkscrew Willow	D	25-30'	Ornamental

Ornamental Accent Trees

Botanic Name	Common Name	Type	Height	Tree Category
<i>Acer ginalla</i>	Amur Maple	D	15-20'	Ornamental
<i>Acer palmatum</i>	Japanese Maple	D	15-20'	Ornamental
<i>Cornus kousa</i>	Japanese Dogwood	D	20-25'	Ornamental
<i>Cotinus coggyria</i>	Smoke Tree	D	15-20'	Ornamental
<i>Magnolia loebneri</i>	Magnolia	D	12-15'	Ornamental
<i>Magnolia soulangiana</i>	Saucer Magnolia	D	15-20'	Ornamental
<i>Magnolia stellata</i>	Star Magnolia	D	10-15'	Ornamental

Evergreen Trees

Botanic Name	Common Name	Type	Height	Tree Category
<i>Abies Concolor</i>	White Fir	E	30-50'	Evergreen
<i>Cupressocyparis Leylandii</i>	Leyland Cypress	E	60-70'	Evergreen
<i>Picea abies</i>	Norway Spruce	E	50-60'	Evergreen
<i>Picea glauca densata</i>	Black Hills Spruce	E	50-60'	Evergreen
<i>Picea omorika</i>	Serbian Spruce	E	50-60'	Evergreen
<i>Picea pungens</i>	Colorado Spruce	E	60-75'	Evergreen
<i>Picea pungens 'Glauca'</i>	Colorada Blue Spruce	E	60-75'	Evergreen
<i>Pinus nigra</i>	Austrian Pine	E	30-60'	Evergreen
<i>Pinus ponderosa</i>	Ponderosa Pine	E	40-50'	Evergreen
<i>Pinus strobus</i>	Eastern White Pine	E	50-100'	Evergreen
<i>Tsuga canadensis</i>	Canada Hemlock	E	60-75'	Evergreen

Table 7.14: Small Shrubs Approved for Screens, Hedges, and Specimen Planting

Botanic Name	Common Name	Type	Height
<i>Aronia melanocarpa</i>	Black Chokeberry	D	4-6'
<i>Berberis thunbergii</i> Hybrids	Japanese Barberry	D	3-5'
<i>Buxus microphylla 'Koreana'</i>	Korean Boxwood	E	2-3'
<i>Chaenomeles species</i>	Flowering Quince	D	2-6'
<i>Cotoneaster divaricata</i>	Spreading Cotoneaster	D	5-6'
<i>Euonymus fortunei</i>	Euonymous	E	4-6'
<i>Hydrangea macrophylla 'Nikko Blue' spp.</i>	Nikko blue Hydrangea	D	3-4'
<i>Ilex crenata</i>	Japanese Holly	E	3-5'
<i>Mahonia aquifolium</i>	Oregon Grape	E	3-6'
<i>Physocarpus opulifolius intermedius</i>	Dwarf Ninebark	D	4-5'
<i>Prunus glandulosa</i>	Dwarf Flowering Almond	D	4-6'
<i>Rhus aromatica</i>	Fragment Sumac	D	4-6'
<i>Symphoricarpos alba</i>	White Snowberry	D	5-6'
<i>Weigela florida</i>	Flowering Weigela	D	4-5'
<i>Weigela vaniceki</i>	Cardinal Shrub	D	4-5'

D = Deciduous E = Evergreen

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Table 7.15: Large Shrubs Approved for Screens, Hedges, and Specimen Planting

Botanic Name	Common Name	Type	Height
<i>Caragana arborescens</i>	Siberian Peashrub	D	12-15'
<i>Cornus alba</i> , 'Elegantissima'	Variegated Dogwood	D	6-10'
<i>Cornus alternifolia</i>	Pagoda Dogwood	D	15-20'
<i>Cornus sericea baileyi</i>	Redtwig Dogwood	D	8-10'
<i>Cotinus coggygria</i>	Smoke Tree	D	8-10'
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	D	4-8'
<i>Euonymus alatus</i> 'compactus'	Burning Bush	D	7-10'
<i>Forsythia intermedia</i> Hybrids	Hybrid Forsythia	D	7-10'
<i>Forsythia suspensa</i>	Weeping Forsythia	D	8-10'
<i>Hamamelis virginiana</i>	Common Witch Hazel	D	10-15'
<i>Hibiscus syriacus</i>	Rose of Sharon	D	4-12'
<i>Hydrangea arborescens</i> 'Annabelle'	Annabelle Hydrangea	D	4-15'
<i>Hydrangea paniculata</i> 'Grandiflora'	Peegee Hydrangea	D	6-10'
<i>Ilex meserveae</i>	Blue Holly	E	6-8'
<i>Ilex opaca</i>	American Holly	E	8-15'
<i>Juniperus chinensis</i>	Chinese Juniper	E	6-15'
<i>Juniperus scopulorum</i>	Rocky Mountain Juniper	E	6-15'
<i>Ligustrum amurense</i>	Amur Privet	D	4-8'
<i>Ligustrum</i> 'Vicary'	Golden Vicary Privet	D	4-12'
<i>Myrica pennsylvanica</i>	Northern Bayberry	D	5-10'
<i>Philadelphus coronarius</i>	Sweet Mockorange	D	8-10'
<i>Philadelphus virginialis</i>	Minnesota Snowflake	D	6-8'
<i>Picea glauca</i> 'Conica'	Dwarf Alberta Spruce	E	6-10'
<i>Prunus cistena</i>	Cistena Plum	D	6-8'
<i>Prunus triloba</i>	Flowering Almond	D	8-10'
<i>Rhamnus frangula</i>	Alder Buckthorn	D	12-15'
<i>Rhus glabra</i>	Smooth Sumac	D	8-10'
<i>Rhus typhina</i>	Staghorn Sumac	D	8-12'
<i>Salix caprea</i>	French Pussy Willow	D	15-20'
<i>Sambucus canadensis</i>	American Elderberry	D	6-8'
<i>Shepherdia argentea</i>	Silver Buffaloberry	D	5-8'
<i>Sorbaria sorbifolia</i>	Flase Spiraea	D	6-8'
<i>Syringa chinensis</i>	Chinese Lilac	D	6-8'
<i>Syringa hyacinthiflora</i> Hybrids	Hybrid Canadian Lilac	D	8-12'
<i>Syringa vulgaris</i>	Common Lilac	D	8-12'
<i>Syringa vulgaris</i> Hybrids	Hybrid French Lilac	D	8-12'
<i>Taxus cuspidata</i> 'Capitata'	Upright Japanese Yew	E	10-25'
<i>Taxus</i> 'Hicksi'	Hick's Yew	E	10-12'
<i>Thuja occidentalis</i> Hybrids	American Arbovitae	E	4-15'
<i>Viburnum dentatum</i>	Arrowwood Viburnum	D	10-15'
<i>Viburnum lantana</i>	Wayfaring Tree	D	8-15'

<i>Viburnum lantago</i>	Nannyberry	D	8-15'
<i>Viburnum opulus</i>	European Cranberry Bush	D	10-12'
<i>Viburnum placatum tomentosum</i>	Doublefile Viburnum	D	8-10'
<i>Viburnum prunifolium</i>	Black Haw Viburnum	D	10-12'
<i>Viburnum rhytidophyllum</i>	Leatherleaf Viburnum	D	6-15'
<i>Viburnum trilobum</i>	American Cranberry Bush	D	8-12'

D = Deciduous E = Evergreen

Table 7.16: Low Spreading Shrubs Approved for Borders, Parking Islands, and Groundcover

Botanic Name	Common Name	Type	Height
<i>Berberis mentorensis</i>	Mentor Barberry	E	3-4'
<i>Berberis thunbergii</i> Hybrids	Japanese Barberry	D	2-4'
<i>Berberis verruculosa</i>	Warty Barberry	E	2-3'
<i>Buxus sempervirens</i>	Boxwood	E	2-3'
<i>Cotoneaster apiculata</i>	Cranberry Cotoneaster	D	2-3'
<i>Cotoneaster horizontalis</i>	Rockspray Cotoneaster	D	1-3'
<i>Daphne burkwoodii</i>	Burkwood Daphne	D	3-4'
<i>Duetzia gracilis</i>	Slender Duetzia	D	2-3'
<i>Euonymus fortunei</i> 'Sarcoxie'	Sarcoxie Euonymus	E	3-4'
<i>Forsythia viridissima</i> 'Bronxensis'	Dwarf Forsythia	D	1-2'
<i>Hypericon patulum</i>	St. John's Wort	D	2-3'
<i>Juniperus</i> (spreading varieties)	Juniper	E	1-3'
<i>Mahonia aquifolium</i> 'Compacta'	Dwarf Oregon Grape	E	2'
<i>Microbiota decussata</i>	Siberian Cypress	E	1'
<i>Philadelphus virginialis</i>	Miniature Snowflake	D	2-3'
<i>Picea abies</i> 'Nidiformis'	Birdnest Spruce	E	2'
<i>Picea abies</i> 'Pumila'	Dwarf Norway Spruce	E	2-3'
<i>Picea pungens</i> 'Globosa'	Blue Globe Spruce	E	3-4'
<i>Pinus mugo</i>	Mugho Pine	D	3-4'
<i>Potentilla fruticosa</i> Hybrids	Bush Cinqufoil	D	2-3'
<i>Rhus aromatica</i> 'Low Grow'	Low Grow Fragment Sumac	D	1-2'
<i>Ribes alpinum</i>	Alpine Currant	D	3-5'
<i>Spiraea bumalda</i>	Spiraea	D	2-3'
<i>Spiraea japonica</i>	Japanese Spiraea	D	2-3'
<i>Spiraea nipponica</i>	Nippon Spiraea	D	2-3'
<i>Symphoricarpos orbiculatus</i>	Coral Berry	D	3-4'
<i>Syringa patula</i> 'Miss Kim'	Dwarf Korean Lilac	D	3-5'
<i>Taxus cupidata</i> 'Nana'	Dwarf Japanese Yew	E	2-3'
<i>Taxus media</i>	Spreading Yew	E	2-4'
<i>Thuja occidentalis</i> 'Hetzii Midget'	Hetz Midget Arborvitae	E	2-3'
<i>Viburnum opulus</i> 'Nana'	European Cranberry Bush	D	1-2'

D = Deciduous E = Evergreen

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Table 7.17: Vines for Walls and Fences

Botanic Name	Common Name	Type
<i>Aristolochia durior</i>	Dutchmans's Pipe	D
<i>Campsis radicans</i>	Trumpetvine	D
<i>Celastrus scandens</i>	American Bittersweet	D
<i>Clematis jackmanii</i>	Clematis Hybrids	D
<i>Clematis laguninos</i>	Clematis Hybrids	D
<i>Lonicera brownii</i>	Dropmore Scarlet Honeysuckle	D
<i>Lonicera hechrottii</i>	Everblooming Honeysuckle	D
<i>Parthenocissus quinquefolia</i>	Virginia Creeper	D
<i>Parthenocissus tricuspidata</i>	Boston Ivy	D

D = Deciduous E = Evergreen

Table 7.18: Non-Qualifying Trees

Common Name	Botanical Name	Negative Feature(s)
Boxelder	<i>Acer negundo</i>	Aggressive, Shallow roots, Weak wood
Norway Maple	<i>Acer platanoides</i>	Invasive
Silver Maple	<i>Acer saccharinum</i>	Aggressive, Shallow roots, Weak wood
Tree of Heaven	<i>Ailanthus altissima</i>	Seeds, Suckers, Weak wood, Invasive
Mimosa	<i>Albizia julibrissin</i>	Invasive
European White Birch	<i>Betula pendula</i>	Insect prone, Invasive
Hackberry	<i>Celtis occidentalis</i> L.	Disease prone
Camphor Tree	<i>Cinnamomum camphora</i>	Invasive
Russian Olive	<i>Elaeagnus angustifolia</i>	Poor form, Disease prone, Invasive
Ash	<i>Fraxinus</i> spp.	Disease
Ginkgo (Female)	<i>Ginkgo biloba</i> - Female	Fruits
White Lead Tree	<i>Leucaena leucocephala</i>	Invasive
Chinaberry Tree	<i>Melia azedarach</i>	Invasive
Mulberry	<i>Morus</i> species	Fruits, Shallow roots, Invasive
Princess Tree	<i>Paulownia tomentosa</i>	Invasive
Senegal Date Palm	<i>Phoenix reclinata</i>	Invasive
White Poplar	<i>Populus alba</i>	Suckers, Shallow roots, Weak wood, Invasive
Cottonwood	<i>Populus deltoides</i>	Weak wood, Shallow roots, Seeds
Lombardy Poplar	<i>Populus nigra</i> 'Italica'	Insects, Disease, Short-lived
(Wild) Black Cherry	<i>Prunus serotina</i>	Disease prone
Bradford Pear	<i>Pyrus calleryana</i> 'Bradford'	Weak branching, Low branches
Brazilian Pepper Tree	<i>Schinus terebinthifolius</i>	Invasive
Tallow Tree	<i>Triadica sebifera</i>	Invasive
American Elm*	<i>Ulmus americana</i> *	Insects, Disease
Siberian Elm	<i>Ulmus pumila</i>	Weak wood, Seeds

* Note that suitable disease resistant cultivars and hybrids exist as substitutes for this species

7.9 ENVIRONMENTAL STANDARDS

A. THE FOLLOWING GENERAL ENVIRONMENTAL STANDARDS SHALL BE APPLICABLE TO ALL ZONING DISTRICTS.

1. Land Suitability. No land should be used, or structure erected where the land is unsuitable for such use or structure due to slopes, adverse soil or rock formations, erosion susceptibility, or any other feature determined by the Planning and Zoning Administrator, County Surveyor, or Plan Commission as likely to be harmful to the health, safety, and general welfare of the community.
2. Preservation of Natural Features. Existing natural features such as mature trees, streams, lakes, wetlands, streamside riparian areas, floodplains, and similar assets should be preserved through harmonious and careful design. Land to be developed shall be designed and improved as far as practical in conformity to existing topography in order to minimize storm water runoff and conserve the natural cover and soil.
 - a. Wetlands. Wetland areas shall be protected and managed consistent with all applicable standards of the U.S. Army Corps of Engineers, the Indiana Department of Environmental Management, U.S. Department of Agriculture, and other appropriate agencies. Wetlands are critical to reducing pollutants.
 - b. Streamside Forests (Riparian Areas). All structures shall be set back a minimum of twenty-five (25) feet from the top-of-bank, as determined by the Ordinance. Within this required setback, preservation of native vegetation is encouraged and construction activity should be limited. Banks and uplands shall be stabilized.
 - c. Floodplains. Floodplains shall be managed consistent with the City of Lebanon Utilities and Stormwater Board. Refer to the Lebanon Stormwater Ordinance, as amended.
 - d. Stormwater Runoff. Other NPDES Phase II Best Management practices (BMPs) including vegetated swales and retention basin, bioretention facilities and rain gardens should be used to channel and contain stormwater runoff.
 - e. Trees. When the preservation of existing trees is specified by the requirements of this ordinance and/or by conditions placed on the approval of an application the following standards shall be met:
 - 1) Construction Activity. No construction activity damaging to the existing trees including the driving of construction vehicles and storage of construction materials shall occur within the

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drip-line of any tree to be preserved. Signs and construction fencing shall be used to demarcate the preservation areas and this information shall be shown on Demolition, Grading and Landscaping Plans.

- 2) Tree Maintenance. All trees to be preserved shall be included in an easement which prohibits the removal of healthy trees. Trees that are removed due to poor health, disease, or act of nature shall be replaced by the property owner prior to the conclusion of the next planting season (spring or fall, whichever is sooner).
- f. Waste Stored Outdoors. No waste materials such as, but not limited to, garbage, rubbish, household appliances, inoperable vehicles, furniture designed for interior use, gasoline, oil, flammables, soils, tars, chemicals, greases, dead plant material, noxious weeds, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature so as to contaminate, pollute, or harm water bodies or ground water, provide a habitat for disease carrying animals and insects, or represent a public safety hazard shall be deposited, located, stored, or discharged outside on any lot.
- g. Waste Stored in Structures. Waste shall not be allowed to accumulate within structures in a manner that is inconsistent with applicable regulations for the storage of such materials.
- h. Open Dumping. Open dumping shall not be permitted in any zoning district.

B. SOIL SURVEY, DRAINAGE, EROSION, AND SEDIMENT CONTROL

1. Basic Requirements. Before granting an Improvement Location Permit or a Land Disturbance / Grading permit, the Planning and Zoning Administrator shall be satisfied that the proposed development meets the applicable criteria set forth herein for the tract of land concerning types of soils involved, and the conditions which are requisite to assure proper execution of erosion and sediment control and proper drainage. The Administrator shall be guided by the information set forth in the findings in the NATIONAL COOPERATIVE SOIL SURVEY prepared by the United States Department of Agriculture (USDA) Soil Conservation Service (now Natural Resources Conservation Service – NRCS) in cooperation with the Purdue Experiment Station and the Indiana Department of Natural Resources, Soil and Water Conservation District as well as the specifications set forth herein. The Administrator may also be guided by advice from the USDA NRCS, Boone County Soil and Water Conservation District, Boone County

Drainage Board, Indiana Department of Natural Resources Division of Water, Indiana Department of Environmental Management, and other agencies or officials offering technical assistance on the subjects of soils, drainage, erosion and sediment control. The applicant shall provide the information, report or plan required for his application; and any expense necessary to ensure adequate information, report or plan shall be met by the applicant.

2. General

- a. Minimizing Erosion and Sedimentation. No changes shall be made in the contour of the land; and no grading, excavating, removal or destruction of the top soil, trees or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been reviewed by the Administrator, or there has been a determination by the Administrator that such plans are not necessary.
- b. Prerequisites For Issuance Of An Improvement Location Permit. No Improvement Location Permit or Permit to alter land shall be issued unless:
 - 1) There has been a plan approved by the Administrator that provides for drainage and minimizing erosion and sedimentation consistent with this section, and an improvement bond or other acceptable securities are deposited with the City in the form of an escrow guarantee satisfactory for the planning, which will ensure installation and completion of the required improvements; or
 - 2) There has been a determination by the Administrator that a plan for drainage and minimizing erosion and sedimentation is not necessary.

3. Excavations And Fills. The type of fill shall be approved by the Administrator.

- a. Cut and fill slopes shall not be steeper than 2:1 unless stabilized by a retaining wall or cribbing or as approved by the Administrator when handled under special conditions.
- b. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills by installation of temporary or permanent drainage across or above these areas but site hydrology shall not change.
- c. Cut and fills shall not endanger adjoining property.
- d. Fill shall be placed and compacted so as to minimize sliding or

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erosion of the soil.

- e. Fills shall not encroach on natural watercourses or constructed channels.
 - f. Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.
 - g. Grading will not be done in such a way so as to divert water onto the property of another land owner without the expressed consent of the Administrator.
 - h. During grading operations, necessary measures for dust control will be exercised.
 - i. Grading equipment will not be allowed to cross live streams. Provision will be made for the installation of temporary or permanent culverts or bridges.
4. Erosion Control Plan. Where required by this ordinance, the erosion control plan shall be in conformance with the standards set forth in the Lebanon Stormwater Ordinance, as amended. The submittal standards are available in the Lebanon Planning and Building Department offices.
- a. All land, regardless of slope, from which structures or vegetative cover has been removed or destroyed, shall be appropriately graded and seeded within fifteen (15) days after removal to prevent erosion.
5. Responsibility
- a. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the applicant, person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible.
 - b. Maintenance of all driveways, parking areas, drainage facilities and watercourses within any development area is the responsibility of the applicant, or owner developer.
 - c. It is the responsibility of the applicant and any person, corporation, or other entity doing any act on or across a communal stream, watercourse, or swale or upon the floodplain or right-of-way during the pendency of the activity to return it to its original or equal condition after such activity is completed.
 - d. The applicant or owner will assume the responsibility for maintaining

an open and free flowing condition in all major and minor streams, watercourses and drainage systems, constructed or improved in accordance with City and County design criteria.

- 1) No applicant or person, corporation, or other entity shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the Boone County Drainage Board or the Indiana Department of Natural Resources, Division of Water, whichever is applicable.
- 2) Where a development area is traversed by a watercourse, the total development of the watercourse shall be considered. There shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse, and of such width as will be adequate to preserve natural drainage to the satisfaction of the Administrator.

6. Compliance With Regulations And Procedures

- a. The design, installation, and maintenance of the required drainage facilities and erosion and sediment control measures shall be in accordance with the criteria and standards established by the Indiana Department of Natural Resources and IDEM.
- b. The approval of plans and specifications for the control of erosion and sedimentation shall be concurrent with the issuance of the improvement location permit, and become a part thereof.
- c. Permission for clearing and grading prior to the issuance of the improvement location permit shall be obtained under temporary easements or other conditions satisfactory to the Administrator.
- d. In the event the applicant or developer proceeds to clear and grade prior to the issuance of an Improvement Location Permit or Land Disturbance / Grading Permit, and without satisfying conditions specified, the Planning and Zoning Administrator shall issue a violation in accordance with procedures set forth in Chapter 10: Enforcement and Penalties.

C. ENVIRONMENTAL HAZARDS

1. General Performance Standards. In the interests of protecting the public health, safety and welfare, and to lessen injury to property, all uses established or placed into operation after the effective date of the ordinance comprising the Unified Development Ordinance of Lebanon, Indiana shall comply with the following performance standards. No use

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shall exhibit obnoxious characteristics to the extent that it constitutes a public nuisance as further prescribed hereinafter. No use in existence on the effective date of this ordinance shall be so altered or modified to conflict with these standards.

- a. Fire Protection. Fire fighting equipment and prevention measures acceptable to the Lebanon Fire Department shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is conducted.
- b. Electrical Disturbance. No use shall cause electrical disturbance adversely affecting radio, television, or other equipment in the vicinity.
- c. Noise. No use shall produce noise in such a manner as to be objectionable because of volume, frequency, intermittence, beat, shrillness or vibration. Said noise shall be muffled or otherwise controlled so as not to become detrimental, and shall meet the following specifications:
 - 1) No use shall produce noise in excess of seventy-five (75) decibels, day or night.
 - 2) No activity or operation producing noise, other than ordinary vehicle noise, shall be conducted so that noise from the activity or operation can be detected at any point off of the lot on which that use is located.
 - 3) Public safety sirens and related apparatus used solely for public safety purposes shall be exempt from this standard.
- d. Vibration. No use shall cause vibrations or concussions detectable beyond the lot lines without the aid of instruments.
- e. Odor
 - 1) No use shall emit across the lot lines malodorous gas or matter in such quantity as to be readily detectable without the aid of instruments at any point along or beyond the lot lines.
 - 2) Poisonous And Injurious Fumes And Gases
 - a) The emission of any gas or fumes across lot lines in such concentrations as to be detrimental to or endanger public health, safety, comfort, and welfare or which shall cause injury or damage to property or business is prohibited.
 - b) The emission of toxic or injurious fumes and gases shall be controlled so as to comply with the following: The emission from any source shall not cause at or beyond

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any lot line, concentrations of toxic and/or injurious fumes and gases in excess of ten per cent (10%) of the threshold limit as set for the fume or gas in question in the "Threshold Limit Values for Toxic Materials in Industry" issued by the Indiana State Board of Health from the American Conference of Governmental Hygienists, latest issue.

f. Air Pollution

- 1) Discharge. No use shall discharge across the lot lines fly ash, dust, smoke, vapors, noxious, toxic or corrosive matter, or other air pollutants in such concentration as to be detrimental to health, animals, vegetation or property, or in conflict with public air quality standards.
 - 2) Smoke. The emission of more than seventy (70) smoke units per hour per stack and emissions in excess of Ringelmann No. 2 are prohibited, except that for one (1) hour during any twenty-four (24) hour period, this rate may be increased to eighty (80) smoke units per hour per stack up to and including Ringelmann No. 3 for the purposes of process purging, soot blowing and fire cleaning, but not for more than five (5) minutes.
 - 3) Particulate Matter. The rate of emission of particulate matter from an individual process within the boundaries of any lot shall not exceed a figure of 0.06 pounds per 1,000 pounds effluent gas. Not more than ten percent (10%) by weight of particles larger than 44 microns (325 mesh) shall be allowed.
- g. Heat And Glare. No use on a property shall produce any glare or heat that is detectable without the aid of instruments at the property lines of the lot on which the use is located. All outdoor lighting shall be exempt from these Industrial Standards, but shall comply with Section 7.15 Exterior Lighting Standards.
- h. Water Pollution. No use shall produce erosion or other pollutants whether liquid, solid or gas in such quantity as to be detrimental to adjacent properties or in conflict with public water quality standards, or without the necessary required approvals of the Indiana Department of Environmental Management.
- i. Waste Matter. No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, debris, refuse, trash, construction material, garbage, litter unfinished buildings, scrap metals, inoperable vehicles or rotting wood, whether liquid or

See Also:

*City of Lebanon
Stormwater
Ordinance
available in the
Lebanon Utilities
Office.*

7 7.9 Environmental Standards

solid, in conflict with applicable public health, safety and welfare standards and regulations.

- j. Ground Absorption. Any and all chemicals or liquids that are a potential hazard for contamination must be contained so that there is no opportunity for ground absorption and contamination.
2. Exemptions. The industrial standards provided by this chapter shall be subject to the following exemptions:
 - a. Farming Operations. Any applicable "Right to Farm" laws may supersede these standards as they pertain to farming and agricultural uses.
 - b. Exemptions. The following uses, activities, and circumstances shall be exempt from the standards established by this chapter:
 - 1) Motor Vehicles. The operation of motor vehicles for the transportation of personnel, material, or products; and
 - 2) Public Safety Alerts. Public safety sirens and related apparatus used solely for public purposes and/or necessary for the protection of life, limb, or property.
 3. Applicability. All uses shall conform with any and all applicable requirements of the state and Federal governments (including the standards of the Occupational Safety and Health Administration - OSHA). No use on a property shall exhibit obnoxious characteristics to the extent that it constitutes a public nuisance defined by and subject to the City of Lebanon Code. In cases where the requirements of this ordinance are in conflict with other applicable requirements, the most restrictive shall apply. The Administrator shall issue violations for non-compliance in accordance with Chapter 10: Enforcement and Penalties of this ordinance.
 4. Interpretation. The industrial standards established by this chapter provide general guidelines for discussing expectations with new and expanding industrial operations. They also provide references to applicable State and Federal regulations. Where applicable the determination of conformance of industrial operations with the requirements of this chapter shall be determined by the Plan Commission, BZA, or Administrator when consistent with the petition review procedures established by this ordinance.

7.10 Accessory Uses and Structures **7**

7.10 ACCESSORY USES AND STRUCTURES

A. INTENT. Accessory Uses shall be permitted in all zoning districts in accordance with the provisions of this section. Accessory Uses:

1. Shall be incidental and subordinate to, and commonly associated with the operation of the principal use of the lot.
2. Shall be operated and maintained under the same ownership and on the same lot as the principal use.
3. Shall not be permitted prior to the erection and operation of the principal use, unless a temporary Improvement Location Permit is obtained in accordance with [Section 9.3 Improvement Location Permit](#).
4. Shall be clearly subordinate in height, area, bulk, extent and purpose to the principal use served and shall not exceed the following:

a. Setback

- 1) Front setback. Accessory structures shall be located no closer to the front lot line than the building facade line of the principal use.
- 2) Side Setback. Accessory structures may encroach upon the side setback, but they may be located no closer than ten (10) feet to the side property line.
- 3) Rear Setback. Accessory structures may encroach upon the rear setback, but they may be located no closer than ten (10) feet to the rear property line.
- 4) Accessory structures shall not encroach upon any required landscaping or bufferyard.
- 5) Refer to [Section 6.3 Downtown Overlay District](#) for accessory structures in the CB District.

b. Area. No accessory structure located on residentially zoned property shall have an area greater than fifty percent (50%) of the area of the principal structure. Accessory structures located on non-residentially zoned properties shall not have an area greater than fifteen percent (15%) of the area of the principal structure.

Amended: 05/26/2015

c. Height. No accessory structure shall have a height greater than eighteen (18) feet, or as specified in the [Section 7.3 Height Standards](#).

7

7.10 Accessory Uses and Structures

B. PERMITTED ACCESSORY USES

1. Such appurtenant features as walks, driveways, curbs, drainage installations, chimneys, garages, gazebos, hot tub enclosures, carports, canopies, pool houses, porches, patios, greenhouses mailboxes, lamp posts, bird baths and structures of a like nature, are permitted.
2. Such buildings or structures as canopies, porte-cocheres, patios, outdoor fireplaces, bath houses and cabanas, doghouses, children's play equipment, greenhouses, and similar accessory buildings or structures are permitted.
3. The keeping of no more than three (3) domestic pets, provided it is not for profit and not construed as a kennel, is permitted. More than three pets shall be considered "Raising or Breeding of Non-Farm Fowl and Animals" and shall be subject to the regulations of such a use.
4. Fences, walls and structural screens are permitted when they do not impede intersection visibility. See [Section 7.2 Sight Visibility Triangle](#) and [Section 7.14 Fence and Wall Standards](#).
5. Off-street motor vehicle parking and loading areas are permitted, as set forth in [Section 7.5 Parking Standards](#).
6. Signs, as set forth in [Section 7.7 Sign Regulations](#).
7. Swimming pools require an Improvement Location Permit, per [Section 9.3 Improvement Location Permit](#) and shall meet the following requirements:
 - a. Private swimming pools shall be surrounded by a self-latching fence at least six (6) feet in height, located at least three (3) feet from the edge of the water on all sides, and maintained so as to prevent access to children or animals. If the fence is not a six (6) foot privacy fence, an automatic pool cover shall be required.
 - b. If any side or sides of a private swimming pool lie within twenty-five (25) feet of abutting residential use:
 - 1) a solid planting screen shall be provided and maintained which shall grow to a height of eight (8) feet and a depth of six (6) feet; or
 - 2) a solid screen of suitable construction material to a height of eight (8) feet and a depth of six (6) feet; or
 - 3) a solid screen of suitable construction material to a height of eight (8) feet, which will act as a sound barrier on said side or sides, shall be provided and maintained.

7.10 Accessory Uses and Structures **7**

8. Radio and television antennae and satellite dishes, and amateur radio sending and receiving antennae are permitted, subject to the following:
 - a. Ground-mounted satellite dishes and antennae shall be prohibited in any front or side yard.
 - b. Ground mounted dishes and antennae shall be placed between the rear of the main structure and the rear property line, set back at least five feet from all property lines. Required yard areas must be met.
 - c. Ground mounted antennae shall not exceed twelve (12) feet in height in any residential district or seventy-five (75) feet in height in any nonresidential district, and shall be obscured from the public right-of-way by buildings or landscaping
 - d. Roof or building mounted antennae shall not exceed nine (9) feet in elevation or four (4) feet above the highest building elevation, whichever is less.
 - e. No satellite dish shall exceed two (2) feet in diameter or seven (7) feet in height, unless such dish is mounted on a building, in which case it shall not extend higher than the roof of the building upon which it is mounted.
9. Management offices in multifamily dwellings and other facilities normally associated with tenants' convenience, such as vending machines and washing machines are permitted, provided there is no exterior display and they are screened in accordance with [Section 7.13 Outdoor Sales, Display, and Storage](#).
10. Dumpsters, recycling containers, and trash compactors shall be fully enclosed by a structure that shall be:
 - a. Located no closer to any right-of-way than the principal structure;
 - b. A minimum of six (6) feet and maximum of eight (8) feet in height;
 - c. Dumpsters and recycling containers shall be screened on three sides by the construction of permanent opaque wooden, brick, or masonry screens. Constructed of masonry materials that are compatible with the principal structure. Landscaping shall be used to soften the wall.
 - d. The fourth side which provides access to the dumpster or recycling container for refuse collectors shall be gated and situated so that the container is not visible at an angle greater than forty-five degrees (45°) from adjacent public streets.
11. All vending machines shall be screened around the exterior of any

7 7.10 Accessory Uses and Structures

building on the premises. Vending machines on the exterior of any building on the premises shall:

- a. Be located under an awning or contained in a roofed shelter, stall or other structure so located as not to interfere materially with the use of adjacent properties.

12. Child Care Homes in accordance with IC 12-17-2-5.

13. Storage areas are permitted only as regulated in Section 7.13 Outdoor Sales, Display, and Storage of this ordinance.

14. Private residential garages and carports for the storage of motor vehicles are permitted, provided that such structures are accessory to private, residential uses, are used for the storage of motor vehicles, and are clearly accessory and not for commercial purposes.

15. Storage or parking of recreational vehicles (including travel trailer, boat trailer and the like) in the open is permitted, subject to the standards in Section 7.5 Parking Standards, Section 7.13 Outdoor Sales, Display, and Storage and the following conditions:

- a. In any District the wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repairs, nor shall such vehicle be otherwise permanently fixed to the ground in a manner that would prevent ready removal of said types of mobile structures.
- b. Recreational vehicles may be stored or parked by the owner thereof behind or along side the principal building in such a manner that no part of any such vehicle shall project beyond the front or side setback lines of the lot.
- c. Not more than one (1) recreational vehicle will be permitted to be parked or stored in the open on residential property at any one time in accordance with Subsection 7.5(J)(5).
- d. At no time shall such parked or stored recreational vehicle be occupied or used for living, sleeping or housekeeping purposes, except as provided for visitations in (c) above.

C. ACCESSORY APARTMENTS. These provisions shall apply in all zoning districts whether the use is permitted, conditional, accessory, or temporary. Accessory apartments, also known as “granny flats” or “in-law units”, shall require a Certificate of Compliance as per Section 9.12 Certificate of Compliance with Safety Codes obtained from the City Planning and Building Department.

1. In any residential district, a conditional use may be granted for an

7.10 Accessory Uses and Structures **7**

accessory apartment to be constructed within a single-family detached residence or within the existing accessory structure of such residence, provided such a lot has a minimum area of ten thousand (10,000) square feet.

2. Accessory apartments shall be limited to occupation by related family members or domestic employees only.
3. The owner(s) of the single-family lot upon which the accessory apartment is located shall occupy at least one (1) of the dwelling units on the premises.
4. The minimum floor area for an accessory apartment within a principal dwelling shall be six hundred (600) square feet, but in no case shall it exceed twenty-five percent (25%) of the area of the principal residence in which it is located.
5. The minimum floor area for an accessory apartment located in an existing accessory building shall be six hundred (600) square feet, and shall not exceed the area of the existing accessory structure at the time the conditional use was approved.
6. No more than one accessory apartment shall be permitted per lot.
7. If an accessory apartment is located within the principal building, the only entry to such unit and its design shall be such that, the appearance of the buildings will remain as a single-family residence.
 - a. Only one entrance to the principal building shall be visible from the front yard.
 - b. No exterior stairway to the second floor shall be permitted at the front or side of the building.
8. Accessory apartments located in existing accessory structures shall be located, designed, constructed, and landscaped in such a manner that, to the maximum extent feasible, the appearance of the property remains as a single-family lot.
9. Conditional Use for accessory apartments shall be obtained from the Board of Zoning Appeals as per [Section 9.5 Conditional Use Permit](#) of this ordinance and must be renewed every five (5) years.

7 7.11 Temporary Uses

- D. AGRICULTURAL EXCEPTION.** Accessory structures used exclusively for agricultural purposes shall be exempt from maximum floor area and timing requirements of this section.

7.11 TEMPORARY USES

- A. INTENT.** Temporary Uses shall be permitted in applicable Districts by the grant of a Temporary Improvement Location Permit issued by the Planning and Zoning Administrator in accordance with the requirements of this section, unless otherwise specified.

B. GENERAL PROVISIONS

1. The duration of the temporary period is stated below, however, renewal of such Permit may be requested.
2. Temporary Uses shall be subject to all the regulations of the applicable District in which they are located.
3. All temporary uses shall occur outside of the right-of-way.

C. PERMITTED TEMPORARY USES

1. Temporary Home Sales Facilities. Temporary model homes and temporary sales trailers shall be permitted in each development until either (a) building permits have been obtained for greater than ninety percent (90%) of the lots included in the preliminary plat for the development or (b) two (2) years from the date of approval of the secondary plat or final detailed plan for the most recent section of the development, whichever is less. An Improvement Location Permit shall be required.
 - a. Location. Temporary home sales facilities shall be located on a lot in the development in which the homes are for sale. No other structures shall be permitted on any lot occupied by a model home or temporary sales trailer.
 - b. Design Requirements. The placement of home sales facilities shall be consistent with the following requirements.
 - 1) Uses. The use of the facility shall be limited to open house purposes for prospective buyers. Temporary home sales facilities may not be directly used for the purpose of selling homes in other developments or in other communities.
 - 2) Signs. Signs shall be placed in a manner consistent with Section 7.2 Sight Visibility Triangle and in compliance with Section 7.7 Sign Regulations of this ordinance.

- c. Lighting. All exterior lighting for model homes shall be limited to typical household exterior lighting. The use of all other types of lighting, including floodlighting and search lights shall be as specified in Section 7.15 Exterior Lighting Standards.
- d. Parking. Temporary home sales facilities shall conform with the following parking requirements:
 - 1) Model homes shall provide a minimum of five (5) off-street parking spaces for the use of salespersons and potential buyers. The parking spaces shall conform to the size requirements of this ordinance. Off-street parking for the facility shall be located in, and not extend beyond, the driveway. The driveway area shall be consistent in size and paving with those of the homes to be constructed in the development.
 - 2) Temporary sales trailers shall provide two (2) off-street parking spaces. The spaces shall be surfaced with stone meeting the requirements of the Lebanon Streets Department.
- e. Landscaping. Temporary home sales facilities shall conform with the following landscaping requirements:
 - 1) Model homes shall provide landscaping consistent with that which will be provided for homes to be constructed in the development.
 - 2) Temporary sales trailers shall provide a landscape area extending from the trailer for five (5) feet in each direction. The landscaping shall include a variety of shrubs and other materials consistent with the landscaping design of the development. The trailer site shall be graded to ensure proper drainage and treated with a combination of grass seed and sod appropriate to prevent erosion and provide a lawn consistent with that of the homes to be built in the development.
- f. Model Home Conversion. Prior to the sale of a model home for use as a residence, all signage shall be removed and the garage area restored.
- g. Sales Trailer Conversion. Any builder using a temporary home sales trailer and either constructing an approved model home, or removing the trailer, shall restore the trailer site to pre-installation conditions, removing the trailer and any associated signage and lighting. If the trailer is to be replaced by a model home, the trailer and all associated site features shall be removed prior to the issuance of a permanent certificate of occupancy for the model

7 7.11 Temporary Uses

home.

h. Construction. Temporary building or yard for construction trailers, materials and equipment, both incidental and necessary to construction. Maximum time permitted: duration of the construction activity or any extension thereof.

2. Special Event

a. A parking lot may be designated for a special event, but shall be so used for no more than seven (7) days prior to and three (3) days after the event.

b. Temporary signs may be used in connection with a special event, but shall not be used for more than ten (10) days and shall be used for no more than two (2) special events per year. See Subsection 7.7(E) for limitations on temporary signs.

3. Festivals. Bazaars, carnivals, and similar temporary uses. Maximum time permitted: ten (10) days.

4. Garage/Yard Sales. Garage/yard sales are permitted to occur four (4) times per calendar year, for a maximum of twelve (12) days per calendar year. Garage/yard sales shall be distinguished from flea markets in that garage/yards sales are clearly incidental to residential uses, while flea markets are commercial businesses and principal uses. In no instance shall this provision be interpreted as permitting the operation of a flea market.

a. All items of personal property sold at a garage and/or yard sale shall be owned by the owner or occupier of the premises or by a participant at the sale. Personal property for sale must not be property that has been acquired by the owner expressly for the purpose of resale.

b. All personal property exhibited for sale outside any structure during a garage and/or yard sale shall be removed from the outside and placed within a building immediately following the last day of such sale. All signs erected for such garage and/or yard sale shall likewise be immediately removed at the conclusion of the sale.

c. No permit is required.

5. Seasonal Sales. Sale of Christmas trees, outdoor tent theater, sale of seasonal fruits and vegetables from roadside stands, tent sales. Maximum time permitted: sixty (60) days and no more than four (4) sales per year.

6. Parking of recreational vehicles for visitation. Maximum time permitted: seven (7) days, with a maximum total of fourteen (14) days per year.

7. Temporary Office. Mobile home as a temporary office during the period of construction and development. Maximum time permitted: eighteen (18) months.
8. Other similar uses deemed temporary by the Plan Commission and attached with such time period, conditions and safeguards as the Commission may deem necessary.

D. STANDARDS

1. Adequate access and off-street parking facilities shall be provided which shall not interfere with traffic movement on adjacent streets.
2. No public address systems or other noise producing devices shall be permitted in a residential district.
3. Any flood lights or other lighting shall be directed upon the premises and shall not be detrimental to adjacent properties.
4. No banners, pennants or unnecessary signs shall be permitted unless as otherwise specified. Refer to Section 7.7 Sign Regulations for additional standards.
5. The lot shall be put in clean condition devoid of temporary use remnants upon termination of the temporary period.

7.12 HOME OCCUPATION STANDARDS

- A. PERMITTED DISTRICTS AND APPLICABILITY.** Home occupations are permitted, and these standards are applicable in, the SF, SF1, SF2, SF3, TR, MF, MH, CB, and NB Districts.



B. PERMITTED HOME OCCUPATIONS

1. Home occupations shall be permitted as Accessory Uses to residential uses subject to meeting the requirements of this ordinance and receiving a Home Occupation Permit from the Planning and Zoning Administrator.
2. Those occupations shall not adversely affect the residential character of the zoning district or interfere with the reasonable enjoyment of adjoining properties.

- C. STANDARDS.** Permitted home occupations shall be subject to all the regulations of the applicable district and meet the following requirements.

1. The home occupation shall not involve any activity which is illegal.

7 7.12 Home Occupation Standards

2. The operator conducting the home occupation shall be the sole entrepreneur, and shall not employ any other person other than a member of the immediate family residing on the premises.
3. The principal use of the structure or dwelling unit shall remain residential, and the operator of the home occupation shall remain a resident in the dwelling unit.
4. No structural additions, enlargements, or exterior alterations changing the residential appearance to a business appearance shall be permitted.
5. No additional and separate entrance incongruent with the residential structural design shall be constructed for the purpose of conducting the home occupation.
6. No more than twenty-five percent (25%) of the floor area of the dwelling unit shall be devoted to such home occupation.
7. Such home occupations shall be conducted entirely within the principal building or dwelling unit used as a residence. No home occupation shall be conducted in any accessory building.
8. No provision for extra off-street parking or loading facilities, other than the requirements and permitted facilities of the zone district, shall be permitted. No part of a minimum required setback distance shall be used for off-street parking or loading facilities, and no additional driveway to serve such home occupations shall be permitted.
9. Home occupations shall not involve on-site customers, employees, meetings, or other events that necessitate the installation of any off-street parking spaces in addition to those required by this ordinance for the dwelling unit. Home Occupations which present a significant increase in the amount of traffic on neighborhood streets will not be permitted.
10. No display of goods or external evidence of the home occupation shall be permitted, except for one non-animated, non-illuminated, non-flashing announcement plate, indicating not more than the name of the occupation and name and address of the resident. Said plate shall be attached flat against the wall of the residence and shall not exceed one (1) square foot in total surface area
11. Such home occupation shall not involve retailing from the residence which, for the purpose of this section, shall mean a display of inventory visible from the street or sidewalk and/or the sale of commodities which requires customers visiting the premises.
12. There shall be no use of equipment or processes that create noise, vibration, glare, fumes, odors, or electrical or electronic interference,

7.12 Home Occupation Standards **7**

including interference with radio or television reception, detectable by neighbors.

13. For the purpose of this ordinance, such uses that, by the nature of their investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area shall not be permitted. Therefore, the uses specified below shall not be permitted as home occupations:
 - a. Medical, Dental, Law, Insurance and Real Estate Offices
 - b. Houses of Worship
 - c. Dance Studios
 - d. Automobile Repair
 - e. Private Clubs
 - f. Welding Shops
 - g. Barber Shops and Beauty Parlors
 - h. Boarding House
 - i. Animal Hospitals and Kennels
 - j. Trailer Rentals

Those uses listed above or any other such use not meeting the standards of this section, shall not be permitted uses in residential zoning districts unless they are granted a variance by the Board of Zoning Appeals (See [Section 9.23 Development Standards Variance](#)).

14. The provisions of this section shall not be deemed to supersede any deed restriction, covenant, agreement, master deed, by-laws or other documents which prohibit a home occupation within a dwelling unit.

D. PERMITTING. No home occupation shall be allowed without the owner first obtaining a permit from the Lebanon Planning and Building Department. Application must be made on a form provided by the Administrator, and the applicant for a home occupation permit shall pay required fees in connection with the submittal of the application in accordance with the fee schedules adopted.

E. DENIAL OF PERMIT. In cases where the Administrator, or his appointed representative, considers the home occupation to be out of the scope of home occupations permitted by this ordinance, the application shall be denied.

7

7.12 Home Occupation Standards

- F. TIME LIMIT.** All home occupation permits shall be valid for a period of two (2) years from the initial date of approval.
- G. RENEWAL.** Home occupation permits may be renewed, provided there has not been any violation of the provisions of this section. Requests for renewals shall be submitted to the Administrator in writing, accompanied by the renewal fee set by the adopted fee schedule, one (1) month prior to the expiration of the home occupation permit.
- H. INSPECTION.** Home occupation applicants shall permit a reasonable inspection of the premises by the Planning and Building Department, in order to determine compliance with these regulations, upon application for a home occupation permit, upon renewal of such permit, and upon receipt of any complaints of a violation of the regulations of this section.

7.13 OUTDOOR SALES, DISPLAY, AND STORAGE

- A. GENERAL PROVISIONS.** The following shall apply to all districts whether the use is permitted, conditional, accessory, or temporary:
 - 1. Permanent outdoor sales, display, storage of materials, areas for wholesaling, warehousing or distribution operations shall be permitted if they conform to the standards of this section.
 - 2. Approved and documented permanent outdoor display, sales and storage areas shall be permitted uses, tied to the principal use.
 - 3. Outdoor displays shall not be located in any required yards or off-street parking or loading areas.
 - 4. Display areas shall be of concrete, asphaltic pavement, or other permanent paving material and shall be maintained in good condition.
 - 5. Approved permanent outdoor display areas can be used at any time and for any duration to display products, seasonal sales and the like; including vending machines, propane tanks, and ice machines without the need for another permit when new items are displayed.
 - 6. The maximum area for outdoor sales and display shall not exceed ten percent (10%) of the principal structure or primary tenant space.
 - 7. Every approved permanent outdoor display area shall be in close proximity to the facade of the principal structure and shall be screened in accordance with the following standards.
 - 8. Lighting shall comply with [Section 7.15 Exterior Lighting Standards](#).

7.13 Outdoor Sales, Display, and Storage **7**

B. TYPES OF USES.

1. Refuse Containers. Adequate indoor or outdoor trash/recycling containers shall be required, provided, however, that trash containers exceeding six (6) cubic feet shall be screened according to the provisions of Section 7.10 Accessory Uses and Structures for dumpsters, trash compactors, recycling bins and the like, and be located in association with the principal structure, away from the view of the street and out of the front yard.
2. Outdoor Vending. Vending machines, propane displays and the like shall be located under a covering that is part of the principal structure. The may also be enclosed with a knee wall that extends from the principal structure and is topped with transparent fencing.
3. Automobile Dealership. The outdoor display, storage and parking of vehicles for sale shall be allowed, provided that all preparation, repair and maintenance of the vehicles shall be enclosed. Perimeter and interior landscaping standards for parking lots shall apply though plant material may be clustered to maximize display.
4. Industrial Uses. This subsection applies to all zoning districts:
 - a. All industrial use operations, services and processing shall be conducted within completely enclosed buildings.
 - b. All storage of raw, processed or finished materials for industrial use shall take place within completely enclosed buildings.
 - 1) Exemption. The storage of raw, processed or finished materials for industrial use within the ID zoning district may be unenclosed, subject to the screening standards of Subsection 7.8(O)(6).
5. Open Air / Drive-through Businesses. Any establishment where the principal use is a drive-through type of business, or is generally characterized by open-air business operations, shall be subject to the following standards:
 - a. Such business uses shall be screened according to the provisions of Section 7.8 Landscaping.
 - b. Such business uses shall be limited to the characteristics customarily associated with such use and no other.
 - c. Drive through stacking spaces shall be provided in accordance with Section 7.5 Parking Standards and Table 7.4: Schedule of Parking Standards.
 - d. All drive-through establishments shall be subject to site plan review

7 7.13 Outdoor Sales, Display, and Storage

and approval by the Administrator prior to the issuance of any building permits. At a minimum this review shall include off-site and on-site circulation related to the use, including turning movement and compatibility with pedestrian circulation.

6. Storage. These provisions shall apply in all zoning districts whether the use is permitted, conditional, accessory, or temporary.

a. Storage In Required Yards or Right-of-Way

- 1) Storage of materials which is incidental to a principal use in a nonresidential district shall be permitted, provided that such storage is located within an enclosed structure, or the provisions of Section 7.10 Accessory Uses and Structures are met.
- 2) No portion of any required yard shall be used for the permanent storage of motor vehicles, storage containers (PODS), semi-tractors, trailers, airplanes, boats, or parts thereof, rubbish, garbage, junk, tent or building materials, except during construction and in accordance with the terms of this ordinance.
- 3) No storage shall occur within any right-of-way.
- 4) Permanent storage, for the purpose of this subsection, shall be construed as the presence of such storage for a period of forty-eight (48) or more consecutive hours in any one week period.

b. Bulk Storage

- 1) In any district in which bulk storage is permitted, structures, buildings or above ground tanks used for bulk storage of flammable or explosive liquids, gases or other materials, shall not be located closer than fifty (50) feet to the property line.
- 2) The entire premises where the bulk storage is located shall be enclosed within an opaque fence, or equivalent, of not less than six (6) feet high, except as otherwise required by Section 7.10 Accessory Uses and Structures of this ordinance.
- 3) Lots containing bulk storage shall be screened according to the provisions of Section 7.8 Landscaping.
- 4) Additional information regarding evidence of safety measures may be required in order to determine the public safety

7.13 Outdoor Sales, Display, and Storage **7**

therein.

- c. Open Storage. In the event that accessory storage is in the open, the following provisions must be met:
 - 1) Such storage shall be accessory to the use of the main building on the lot.
 - 2) Such storage shall be located behind the front or exterior wall of the main building facing any street and shall comply with all yard regulations of this ordinance and with Section 7.2 Sight Visibility Triangle.
 - 3) Such storage shall not cover more than five percent (5%) of the lot area or an area in excess of twice the ground floor area of the main building on the lot, whichever is less.
 - 4) Such storage shall be screened according to the provisions of Section 7.8 Landscaping.

7.14 FENCE AND WALL STANDARDS

A. GENERAL STANDARDS. These standards are applicable to all zoning districts:

1. General Requirements. Fences and walls shall be permitted in all zoning districts upon obtaining a fence permit as per Section 9.7 Fence Permit. Fences and walls shall be subject to conformance with the following requirements:
 - a. Structural Face. All fences and walls shall present the non-structural face outward.
 - b. Drainage. No fence or wall shall disrupt the flow of water in any drainage easement, or otherwise result in impediments for storm-water runoff. Any fence or wall located in an easement may be removed by the easement holder when accessing the easement.
 - c. Setbacks. No fence or wall may be permitted closer than three (3) feet from a property line, except as otherwise provided in this ordinance.
 - 1) No fence or wall may be placed in any right-of-way or required Sight Visibility Triangle (see Section 7.2 Sight Visibility Triangle).
 - 2) Fences and walls within the easement of a drain, pond, and/or lake shall require the approval of Lebanon Utilities and/or the County Surveyor.

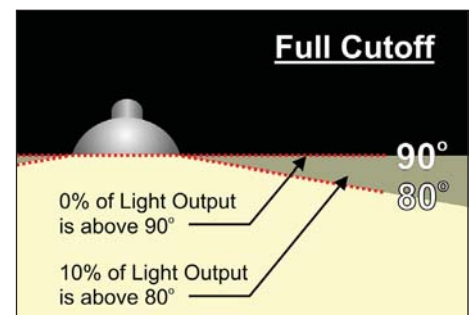
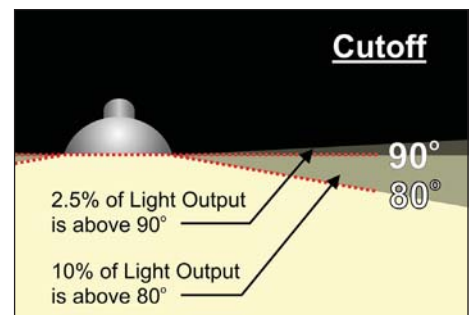
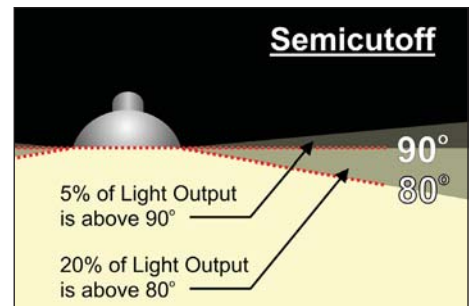
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7.14 Fence and Wall Standards

- 3) Fences shall be setback a minimum of fifteen (15) feet from the top of bank of a pond in order to provide of emergency access and maintenance.
 - 4) Fences shall only be placed in common areas as part of an approved Development Plan.
- d. Buffer Yards. No fence or wall may be placed in any required buffer yard that does not specifically provide for the inclusion of fences.
 - e. Materials. Fences and walls shall be constructed of wood, decorative metal, textured masonry, stone, or synthetic materials styled to simulate natural materials.
2. Height Exceptions. Fences specifically required by this ordinance for screening, telecommunications facilities, or other purposes may exceed the maximum heights established by this chapter consistent with the appropriate specific requirements of this ordinance.
 3. Height Measurement. The height of a fence shall be determined by measuring from the adjacent grade to the highest point of the fence, excluding fence posts. Fence posts may exceed the maximum height of the fence by up to one (1) foot.
- B. RESIDENTIAL FENCE AND WALL STANDARDS.** These standards are applicable to the SF, SF1, SF2, SF3, TR, MF, MH, CB, and NB Zoning Districts:
1. Height Requirements. Fences and walls shall not exceed six (6) feet in height in any side or rear yard or 3.5 feet (42 inches) in height in any front yard.
 2. Front yard fences shall be at least fifty percent (50%) open. For the purposes of this requirement, the front yard shall be defined as the area located between an adjacent street and the wall of the principal structure that faces it.
 3. Where fences are used in combination with required landscaping on the perimeter of residential subdivisions in designated common area or easement, the landscaping shall be placed on the street side of the fence.
 4. Prohibited Fences. All electrified, barbed wire, razor wire, and stockade fences are prohibited on all non-farm property. Chainlink fences are prohibited in the frontyard in residential districts. In no instance shall this be interpreted as prohibiting the use of invisible fences.
- C. NONRESIDENTIAL FENCE & WALL STANDARDS.** These standards are applicable to the CB, NB, PBC, IN, PBO, PBI, and ID zoning districts:

7.14 Fence and Wall Standards 7

1. Height Requirements. Fences and walls shall not exceed eight (8) feet in height in rear and side yards.
2. Decorative fences constructed of high quality materials such as brick, stone, decorative block, metal or wood not exceeding forty-eight (48) inches in height and may be located in any frontyard, provided that they are a minimum of 50% open.
3. Landscaping shall be used to complement the fence.
4. Breaks should be provided by variation in height, columns, recesses, and projections. Maximum uninterrupted length of fence plane should be one hundred (100) feet.
5. Fences for athletic facilities such as ball diamonds, tennis courts and driving ranges shall be exempt from the height requirements. Chainlink fences in rear and sideyards shall be vinyl-coated.
6. Where chainlink fencing is used to meet screening requirements, it shall be reinforced with a landscape screen a minimum of six (6) feet high.
7. Prohibited Fences. All electrified, barbed wire, razor wire, and stockade fences are prohibited on all non-farm property. Uses in the General Industrial District and penal and correctional facilities shall be exempt from this standard.



Example of lighting trespass by fixture type.

7.15 EXTERIOR LIGHTING STANDARDS

A. GENERAL EXTERIOR LIGHTING STANDARDS. These standards are applicable to all new or replaced lighting in all zoning districts.

1. Lighting Plan. A lighting plan shall be required as part of an application for a Development Plan, Secondary Plat, PUD, or approved Detailed Plan. The lighting plan shall include the following information:
 - a. A plan that shows the buildings, landscaping and parking areas with locations of proposed exterior fixtures.
 - b. A photometric plan,
 - c. Manufacturer's catalog cuts,
 - d. Proposed mounting height of all exterior features.

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7.15 Exterior Lighting Standards

2. Mounting Height Measurement. For the purposes of this chapter, the mounting height of all light fixtures shall be defined as the vertical distance between the adjacent grade level of the surface being illuminated and the top of the lighting fixture (luminaire).
3. Cutoff. All freestanding lights and lights mounted on walls or facades shall use cutoff, semi-cutoff, or full-cutoff luminaires.
4. Shielding. All lighting shall be fully shielded with opaque material to prevent direct lighting on streets, alleys, and adjacent properties.
5. Use of Timers/Dimmers. Wherever practicable, exterior lighting shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.
6. Light Trespass. Light trespass into the night sky and onto neighboring properties shall be prevented through the use of such techniques as recessed lamps (bulb), horizontally mounted lamps with reflectors, glass, polycarbonate or acrylic refractors, louvered optics, and house-side shields.
7. Electrical Service. The electrical service to all outdoor lighting fixtures shall be underground, unless the fixtures are mounted directly on buildings or utility poles.
8. Holiday Lighting. Holiday lighting shall be exempt from the provisions of this chapter.
9. Architectural Accent Lighting. All ground lighting used to cast light on building facades, building features or signs shall have shields to ensure that light does not project beyond the building or sign, and shall utilize the minimum amount of light necessary to light the facade, building feature or sign. The light fixture and bulb shall be shielded from view of any street, sidewalk, or parking lot.

B. RESIDENTIAL LIGHTING. These following standards shall apply to residential uses or zoning districts.

1. The maximum height of light fixtures including the base shall not exceed fifteen (15) feet.
2. Light fixtures shall be coordinated and used to enhance the overall design and character of the neighborhood.
3. Light levels shall not exceed three-tenths (0.3) footcandles at the property line. Facial identification is possible at five-tenths (0.5) footcandles.
4. In the absence of residential street lighting, yard post or wall-mounted dusk-to-dawn coach lights shall be provided on each residence.

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C. COMMERCIAL LIGHTING. Street and parking lot lighting shall be part of the overall design concept and addressed as part of the Development Plan. The requirements are as follows:

1. Uniformity. Lights shall be arranged in order to provide uniform illumination throughout the parking lot.
2. Levels. The average maximum maintained illumination shall be three (3) footcandles. The maximum footcandles at the property line shall not exceed five-tenths (0.5) footcandles. If adjacent to residential district or use, the light level shall not exceed three-tenths (0.3) footcandles at the property line. If adjacent to an intersection of two public rights-of-way, or at the intersection of a private entrance drive and a public right-of-way, the illumination may be an average maximum of six-tenths (0.6) footcandles at the property line for up to seventy-five (75) feet from the intersection right-of-way.
3. Shielding. Lights shall be placed and employ shields as to avoid glare and direct illumination away from adjacent properties or streets.
4. Placement. Lighting shall be considered for entrances, drive aisles, parking lots, pedestrian areas and to highlight the building.
5. Lighting Fixtures. All lighting fixtures providing illumination shall be full cutoff, cutoff, or semi-cutoff fixtures (most to least restrictive) and directed downward at ground level. All luminaires with these features comply with "dark sky" recommendations for exterior lighting. Refer to Illumination Engineering Society of North America (IESNA) guidelines.
6. Maximum Mounting Height. The maximum mounting height for street and parking lot light fixtures shall be twenty four (24) feet in multifamily residential, institutional, and commercial zoning districts; and thirty (30) feet in all industrial zoning districts.

D. ILLUMINATED CANOPY REQUIREMENTS. Lighting levels under canopies for gas stations, convenience stores, drive-up banking centers, and similar locations shall be adequate to facilitate the activities taking place on the property, and shall not be used for the purpose of illuminating signs. Such lighting shall conform with the following requirements:

1. All light fixtures mounted on the canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy, or
2. The lighting of the canopy shall use indirect lighting through which light is beamed upward and then reflected down from the underside of the canopy by light fixtures that are shielded so that illumination is focused exclusively on the underside of the canopy.

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7.15 Exterior Lighting Standards

3. The minimum illumination under canopies shall not exceed five (5.0) footcandles at grade level, and the average maintained illumination shall not exceed thirty (30) footcandles.
4. Lights shall not be mounted on the top or sides of any canopy and the sides of the canopy shall not be illuminated. In no instances shall this be interpreted as prohibiting the placement of signs on the canopy which are illuminated consistent with the standards for sign illumination in this chapter.
5. Lighting for drive-through bays used for car wash, oil change or similar, must be fully shielded as if located outside.

E. LIGHTING OF EXTERIOR DISPLAY/SALES AREAS. Lighting levels on exterior display/sales areas shall be adequate to facilitate the activities taking place in such locations. Such lighting shall conform with the following requirements:

1. Lighting Fixtures. All lighting fixtures used to illuminate exterior display/sales areas shall be cutoff, semi-cutoff, or full cutoff fixtures (luminaires) focused directly downward onto the display/sales area. Such light fixtures shall be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent streets or properties.
2. Fixture Location. All lighting fixtures and mounting poles shall be located within the areas being illuminated.
3. Light Levels. The average horizontal illumination at grade level shall not exceed five (5.0) footcandles on average and minimum illumination shall not exceed four to one (4:1).

F. LIGHTING OF OUTDOOR ATHLETIC/PERFORMANCE FACILITIES. Lighting for all outdoor athletic and performance facilities and events shall provide adequate light for the event or facility while minimizing light pollution and the illumination of adjacent streets and properties.

1. Play/Performance Area Lighting. Lighting fixtures for the playing fields and/or performance areas shall be specifically mounted and aimed so that their beams fall directly within the play/performance area and its immediate surroundings and does not spill onto adjacent streets or properties.
2. Dual Lighting System. The use of spotlights and/or floodlights to illuminate the play/performance area shall be permitted. However, each facility shall be designed and constructed with a dual lighting system which permits the main lighting for the event (spotlighting, floodlighting, etc.) to be turned off, with an alternate low level lighting system used for clean-up, night maintenance and other activities.

7.15 Exterior Lighting Standards **7**

3. Certified. Limits on light trespass as stated above apply to such outdoor facilities. Every lighting system design and installation of this type shall be certified by a registered engineer as conforming to all applicable restrictions of this ordinance.
4. Maximum Levels. Maximum levels of illumination shall not exceed forty (40) footcandles.
5. Exemptions. Outdoor athletic fields and courts established as accessory uses to single and two-family residences shall be exempt from these requirements.

G. SECURITY LIGHTING. Security lighting shall be coordinated with other lighting on the property to the extent possible and shall otherwise conform with the following requirements:

1. Nonresidential Lighting Fixtures. All security lighting in nonresidential areas shall be shielded and specifically aimed so that illumination is directed only to the intended area. The light source for any security lighting shall include shields that prevent their light source or lens from being visible from adjacent properties and/or streets.
2. Residential Lighting Fixtures. Security lighting fixtures in residential areas shall make use of indirect and reflected lighting techniques to provide soft lighting under canopies, entry porches, or soffits.

H. LIGHTING OF BUILDING FACADES OR OTHER VERTICAL STRUCTURES.

Building facades or other structures may be illuminated, subject to the following requirements:

1. Lighting Fixtures. Lighting fixtures shall be located, aimed, and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed toward adjacent streets or roads.
2. Lighting Direction. Lighting fixtures shall be designed to wash the facade of the building with light (rather than providing a spot or floodlight affect) and may be directed upward or downward onto the facade. Exterior facade lighting shall be contained on the building facade or in the landscape areas adjacent to the building and shall focus on entries and architectural features.
3. Upward Lighting. If upward lighting is used to illuminate flags, only spotlights shall be used; floodlights directed above the horizontal shall not be used to illuminate a flag.

I. ILLUMINATED SIGNS

1. External Illumination. External lighting fixtures illuminating signs shall

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7.16 Telecommunications Facilities

be located, aimed, and shielded so that light is directed onto only the sign face, with minimal light spillage. Lighting fixtures shall not be aimed toward adjacent streets, roads, or properties.

2. Internal Illumination. Internally illuminated signs constructed with an opaque background and lighter contrasting text or symbols are preferred. When within six hundred (600) feet of a residential use or district, the average level of illumination on the vertical surface of the sign shall not exceed three (3) lucas.

7.16 TELECOMMUNICATIONS FACILITIES

A. WIRELESS COMMUNICATION FACILITIES (CELL TOWERS). These provisions shall apply in all zoning districts whether the use is permitted, conditional, accessory, or temporary.

B. REQUIRED APPROVALS. The placement of telecommunications facilities shall meet the following approval requirements:

1. Installation of New Antenna. The installation of new antenna(s) on existing towers, including legal non-conforming towers, and existing alternative structures (such as water towers, buildings, or church steeples). New antenna that will add any height to an existing tower, or extend over ten (10) feet above the highest point of any alternative structure shall be subject to the provisions of this chapter for the installation of new towers as described.
2. Installation of New Accessory Structures. The installation of new accessory structure(s), such as equipment buildings, to support the installation of antenna on existing towers or alternative structures.
3. Installation of New Tower. The installation of any new tower(s) shall be reviewed consistent with the provisions of this chapter and Chapter 4: Zoning Districts.

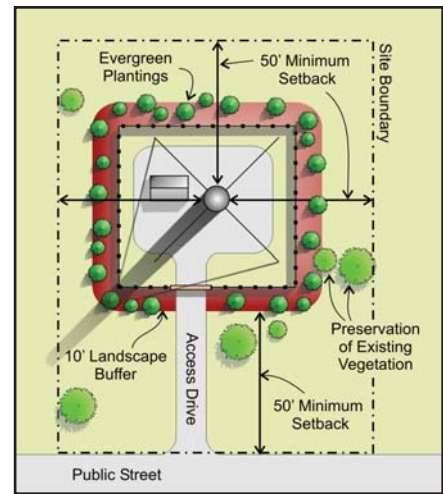
C. DETERMINATION OF NEW TOWER NEED. Any proposal for a new telecommunications tower shall only be approved if the applicant submits verification from a professional engineer licensed in the State of Indiana that the antennas planned for the proposed tower cannot be accommodated on any existing or approved towers or other structures within a two (2) mile radius of the proposed tower location due to one or more of the following reasons:

1. Inadequate Structural Capacity. The antennas would exceed the structural capacity of the existing or approved tower or other structure, and the existing or approved tower, building or other structure cannot be reinforced, modified, or replaced to accommodate the antennas at

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a reasonable cost.

2. Interference. The antennas would cause interference impacting the usability of other existing or planned equipment at the tower site and the interference cannot be prevented at a reasonable cost.
3. Inadequate Height. The existing or approved towers or structures within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably.
4. Unforeseen Circumstances. Other unforeseen reasons that make it unfeasible or impossible to locate the planned telecommunications equipment upon an existing or approved tower or structure.
5. Commonly Reasonable Lease Agreement. The proposed tower owner is unable to enter a commonly reasonable lease term with the existing tower owner or land owner.
6. Land Availability. Additional land area is not available (when necessary).



Sample telecommunications facility layout.

D. CO-LOCATION CAPABILITY. New freestanding towers classified as a wireless communication facility for purposes other than commercial radio or television broadcast shall be designed and engineered structurally, electrically and in all other respects to accommodate both the applicant's equipment and at least one additional user for every fifty (50) feet in total tower height in excess of seventy-five (75) feet.

1. Each additional user shall be assumed to have an antenna loading equal to that of the initial user.
2. Towers must be designed to allow for rearrangement of antennas and to accept antennas mounted at varying heights.
3. An affidavit shall be submitted with the development plan stating the extent to which the tower owner agrees to allow additional equipment by other service providers to be located on the tower and its premises on a reasonable and non-discriminatory basis.

E. ABANDONED FACILITIES. The owner of the property shall notify the Administrator at such time that a wireless communication facility ceases operation. Any tower or antenna that is not operated for a period of six (6) months shall be considered abandoned, and the owner of such tower or antenna, or the owner of the property, shall remove the same, including any accessory equipment, within sixty (60) days, after which time the City may cause removal of such tower or antenna at the property owner's expense. After written notice to the property owner, the City may place a lien on the

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property until the City is reimbursed for the cost of removal of the abandoned wireless telecommunication facility. If there are two or more users of a single tower, this provision shall not become effective until all antennas located on the tower cease operation for the period specified above.

F. DESIGN REQUIREMENTS. All telecommunications facilities shall meet the following design requirements:

1. Contextual Design. Towers and antennas should generally be designed to blend into the surrounding environment through the use of color, camouflaging and architectural treatment, except in an instance where the color is dictated by Federal or state authorities such as the Federal Aviation Administration.
 - a. Wireless telecommunication towers should generally be of a monopole design and, when located within or adjacent to an environmentally or aesthetically sensitive area, or a residential district, be designed to architecturally camouflage the wireless telecommunication tower as much as reasonably practical to blend into the surroundings.
 - b. The use of residentially compatible materials such as wood, brick, or stone is required for associated accessory structures, which shall be designed to architecturally match the exterior of any adjacent residential or commercial structures within the neighborhood or area.
2. Lighting. Only when lighting is for safety or security reasons or required by the FAA or other Federal or state authority will it be permitted. All ground level security lighting shall be oriented inward so as not to project onto surrounding properties, and shall have ninety degree (90°) cutoff luminaries (shielded downlighting).
3. Tower Height. All towers and antenna shall conform with all FAA tall structure requirements. Tower height shall be expressed as, and measured from, ground level in all instances.
 - a. In the NB, CB, PBC, IN zoning districts the maximum height of the tower shall be one hundred fifty (150) feet. The maximum height of any accessory structure shall be fifteen (15) feet.
 - b. In the PBI and ID zoning districts the maximum height of the tower shall be two hundred (200) feet. The maximum height of any accessory structure shall be fifteen (15) feet.
 - c. Antennas mounted as an accessory on top of a building, water tower, or other tall structure having another primary function shall not extend more than fifteen (15) feet above the highest point of

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the structure.

4. Setbacks. The minimum front, side, and rear yard setback for all towers shall be fifty (50) feet from all property lines. No part of a wireless telecommunications facility, including the security fence, any required guide wires or bracing, and required landscape screening shall be permitted in any required front yard setback. Landscape screening in addition to the requirements of this chapter may be provided in the setback area.
 - a) No tower shall be placed closer than five hundred (500) feet to any property included in a residential zoning district.
5. Interference with Public Safety Facilities. No new telecommunications facility shall result in any interference with public safety telecommunications.
6. Security Fencing. An six (6) foot high security fence shall completely surround the tower and accessory equipment building site.
 - a. An area ten (10) feet in width shall remain outside of the fence for the purpose of providing the landscape screening described below.
 - b. In all zoning districts, the required security fence enclosing the facility shall be one hundred percent (100%) opaque and of wood, brick, or stone construction. Opaque six (6) foot tall wooden gates shall be provided to access the facility. Chainlink fencing may be used when landscaping is used to form a continuous screen. Planting shall be evergreens.
7. Landscape Screening. Evergreen buffer plantings shall be located around the outermost perimeter of the security fence of all wireless telecommunications facilities, including any wires and anchors.
 - a. If evergreen hedges are used they shall be a minimum of four (4) feet tall at the time of planting (measured from ground level) and shall be planted a maximum of three (3) feet on center.
 - b. If evergreen trees are used they shall be a minimum of six (6) feet tall at the time of planting (measured from the top of the rootball), and shall be planted a maximum of ten (10) feet on center.
 - c. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.
8. Signs. No sign, banner or flag shall be placed on the premises of a wireless communication facility, except one non-illuminated permanent sign not larger than two (2) square feet for the purpose of identification in the case of an emergency.

7 7.17 Adult Businesses Standards

9. Vehicular Access. Vehicular access to the tower and equipment building shall, whenever feasible, be provided along existing driveways. Vehicle access drives may be gravel in the Residential zoning districts, and shall be paved in all other zoning districts. Any portion of the entrance located in a public right-of-way shall meet the applicable public street design, construction, and pavement requirements.

7.17 ADULT BUSINESSES STANDARDS

A. LOCATION. An adult business establishment shall be a conditional use in the General Industrial district.

1. No regulated use shall be permitted within one thousand (1,000) feet of any other existing regulated use and within one thousand (1,000) feet of any residentially zoned district, planned business district, institutional district, or any of the following residentially related uses:
 - a. churches, monasteries, chapels, synagogues, convents, rectories, religious article or religious apparel stores;
 - b. schools up to and including the twelfth (12th) grade including their adjunct play areas; and
 - c. public playgrounds, public swimming pools, public parks and public libraries.
2. For purposes of this section, distances shall be measured as follows: from all property lines of any regulated use and from the outward line boundary of all residentially zoned districts and from all property lines of any residentially related use.

B. DEFINITION. An adult business establishment is hereby designated as a regulated use and is defined as follows:

1. An establishment having as a substantial or significant portion of its stock in trade those books, magazines, or periodicals that are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas; or
2. An establishment with a segment or section of its floor space or display area devoted to the sale or display of such material; or
3. An enclosed building with an attendance capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons herein; or
4. An adult club, restaurant, theater, hall or similar place that features topless dancers, exotic dancers, strippers (male or female), male or

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female impersonators or similar entertainers exhibiting:

- a. specified anatomical areas that are less than completely and opaquely covered (1) human genitals; (2) the pubic region of the human body; (3) buttocks; (4) female breasts below a point immediately above the nipple; and (5) human male genitals in a discernibly turgid state even if completely and opaquely covered; or
 - b. performing specified sexual activities that include (1) human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse or sodomy; and (3) fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.
- C. The regulated use shall be permitted a sign or other visible message based on the allowable sign area of the zoning district in which such use is located provided that such sign message shall be limited to verbal description of material and/or services provided on the premises and shall not include any graphic or pictorial depiction of material and/or services available on the premises.

See Also:

[Chapter 6: Overlay Districts for additional design standards](#)

7.18 DESIGN STANDARDS

A. RESIDENTIAL DESIGN. These standards apply to new single-family detached, attached, and two-family housing in the City of Lebanon. In addition to new residential development, these standards shall apply to any existing residential buildings if any expansion or alteration exceeds fifty percent (50%) of the building's assessed value at the time of expansion or alteration. Major subdivisions in residential zoning districts SF, SF1, SF2, SF3, TR, NB, and CB shall include the following minimum building design standards:



1. Anti-monotony. Homes located in close proximity shall not be of the same front elevation. This does not prohibit the home to the rear from being the same front elevation;
 - a. Mirror images of the same configuration/elevation do not meet the requirement.
 - b. No house shall be of the same front elevation design as any other house within four (4) lots along the same block face nor directly across the street.
 - c. No single front elevation house design may constitute more than twenty-five (25) percent of the front elevation house design within

7 7.18 Design Standards

any single phase of a development.

2. Chimneys. Exterior chimneys for fireplaces shall be entirely masonry if the building or structure is more than fifty percent (50%) masonry, unless placed on the rear exterior wall of the residence. Chimneys that do not originate on an exterior wall that protrude through the roof may be of material other than masonry.
3. Corner Lots. Residences built on corner lots shall include a minimum of three windows of minimum size three (3) feet by five (5) feet, on the side of the home facing the street (street side-yard).
4. Driveway Width. The minimum pavement widths for driveways and interior drives shall meet the following requirements, exclusive of any parking spaces:
 - a. For single and two-family residential uses the minimum driveway width shall be twelve (12) feet.
 - b. The maximum driveway width at the property line shall be twenty (20) feet.
5. Fences. Developments in single-family residential zoning districts SF1, SF2 and SF3 and TR may have fences in the street sideyard (corner lots) provided the fences are at least 50% open. Refer also to [Section 7.14 Fence and Wall Standards](#).
 - a. Chainlink is prohibited in the front and street sideyard.
 - b. Fences shall be no higher than forty-two (42) inches from the adjacent finished grade.
 - c. The fence may be located no closer than five feet from the right-of-way and shall be located no closer than ten feet from the primary facade of the residence.
 - d. The fence shall also be located outside of the sight visibility triangle if higher than thirty-six (36) inches.
6. Facades. Exterior materials shall be masonry (brick, stone, textured and colored split-face concrete masonry units), wood, fiber cement board siding, stucco, composite lap siding, aluminum siding, or heavy-gauge vinyl. Vinyl siding shall be approved and endorsed as meeting or exceeding ASTM D3679 by the Vinyl Siding Institute (VSI) through the VSI siding certification program. The minimum thickness of vinyl siding shall be 0.044 inches;
 - a. Front elevation. All homes shall have masonry (brick, stone, textured and colored concrete masonry units) on a minimum fifty percent (50%) of the front elevation, excluding doors, windows,

and other openings.

- b. Side and rear elevations. Side and rear home elevations abutting a public or private street shall have at least thirty percent (30%) masonry as the exterior building material on that visible elevation and shall contain at least one architectural feature from Subsection 7.18(A)(7) below.
 - c. Unless adjacent to masonry wrap, all windows, doors and corners shall have a minimum nominal one inch by six inch (1"x6") wood or vinyl surround, shutters, decorative trim or headers.
 - d. The Planning and Zoning Administrator may consider a request for modification to the masonry requirement when extraordinary or innovative architectural styles (Victorian, Farmhouse, Cape Cod) that provide many other architectural features maintain the spirit rather than the intent of these design standards.
7. Architectural Features. All houses shall have a minimum of four (4) features from the following list. Porches, sideload or court-entry garages, or full first floor masonry wrap, each count as two (2) features towards the required four (4).
- a. Front porch - minimum eight (8) feet in width and four (4) feet in depth supported by columns (2 points);
 - b. Veranda/balcony;
 - c. Reverse gable;
 - d. Turrets;
 - e. Two (2) or more roof planes visible on the front of the house;
 - f. Decorative garage doors or windows in garage doors;
 - g. A separate overhead door for each single garage bay;
 - h. Side-loaded or court-entry garage (2 points);
 - i. Brick, stone or textured concrete masonry on one hundred percent (100%) of the front elevation (excluding openings);
 - j. At least four (4) feet of relief at one or more points along the front or rear elevations;
 - k. Full first floor masonry wrap (2 points);
 - l. Sunroom, screened porch, or breakfast nook on rear for relief;
 - m. Transom windows;

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- n. Bay windows;
 - o. Two (2) or more dormers; and
 - p. Decorative geometric front, rear and side gable roof vents or windows.
 - q. Shutters (all elevations)
 - r. architecturally accented entry
8. Facade Proportions. A single-family dwelling facade shall comprise at least fifty-five percent (55%) of the total facade width. The garage shall not exceed more than forty-five percent (45%) of the facade width.
9. Entries. Single-family dwelling entries shall have at least one (1) building-mounted or yard post dusk-to-dawn light fixture.
10. Roof
- a. Minimum Pitch: five to twelve (5:12)
 - b. Materials. Roof materials such as tile, slate, cedar shake with fire protection, three-dimensional asphalt, fiberglass shingles, standing seam metal, or other approved metal that simulates traditional roofing materials shall be used on all structures.
 - c. Roofs shall have a minimum nine-inch overhang on all sides.
11. Garages. Each home shall have at a minimum an attached two-car garage.
- a. Three-car Garages. The third bay shall have a separate door and shall be recessed four (4) feet from the other bays.
 - b. Garage-forward Design
 - 1) Front-loaded garages that protrude between eight (8) and twelve (12) feet forward of the dwelling area shall have at least one (1) window installed in the garage wall that is perpendicular to the facade of the dwelling.
 - 2) Front-loaded garages that protrude between twelve (12) and sixteen (16) feet forward of the dwelling area shall have at least two (2) windows installed in the garage wall that is perpendicular to the facade of the dwelling.
 - 3) Garages that protrude more than sixteen (16) feet shall be side-loaded and shall install a window(s) that faces the street.
12. Lighting. For residential areas where street lighting is not present, dusk-to-dawn lighting shall be required for each home. The light fixture

shall be either building-mounted or mounted within the front yard on a post with a maximum height of six (6) feet.

13. Landscaping. Refer to Section 7.8 Landscaping.

B. MULTIFAMILY DESIGN. All new multifamily developments (apartments, townhomes) of three (3) units or more shall require development plan review and are subject to the following standards. Multifamily Development in the CB District may be subject to additional design guidelines in Section 6.3 Downtown Overlay District.

1. Certificate of Compliance. When a residential use is converted from a single- or two-family use to a multifamily use, a Certificate of Compliance as per Section 9.12 Certificate of Compliance with Safety Codes shall be obtained (see Section 7.20 Single-family to Multifamily Conversion Standards for conversions).
2. Layout and Site Planning
 - a. Topography. Buildings shall be sited in relation to topography of the site, which minimizes cut and fill and limits maximum on-site slope to ten percent (10%).
 - b. Attempts shall be made to preserve existing vegetation and natural features.
 - c. Building Orientation. Multifamily building(s) shall be oriented to the street, a common open space, or clustered to form neighborhoods. Multifamily buildings shall not be oriented to parking lots. Accessory buildings (including residential garages, storage buildings, etc.) shall be located behind the principal building. No principal or accessory building shall have service doors, garage doors, loading doors, or similar service entrances opening toward or oriented to the street.
 - d. Buildings shall be located so that the window to window distance shall not be less than forty (40) feet, with said distance to be measured by a line perpendicular to the plane of the surface of said window. This distance may be reduced to not less than thirty (30) feet for an exposure where a room is a bathroom or laundry/utility room, or is used as a community or group meeting room or for a similar purpose.
 - e. Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street. Vary the orientation to lessen the massing. The maximum length of a multifamily building shall not exceed 200 feet.
 - f. Off-street parking, driveway, drive aisles, carport, garage or service

See Also:

Chapter 6: Overlay Districts for additional design standards

7 7.18 Design Standards

See Also:

Section 8.15 Open Space Standards/ Common Area for Multifamily Development

facilities may encroach into the side or rear yard as specified in Section 7.10 Accessory Uses and Structures, but shall be no closer than ten (10) feet to any lot line. In no event shall parking be located in the required front yard nor encroach into any required landscaping.

3. Open Space. All new multifamily developments shall provide a minimum of twelve percent (12%) of the net site acreage as usable common open space for active or passive recreation.
 - a. The following areas shall not count toward open space.
 - 1) private yards, patios
 - 2) streets, drives or parking areas
 - 3) land areas between buildings of less than 40 feet
 - 4) required perimeter setbacks
 - 5) Detention / Retention facilities unless accessible by all residents of the development and useable recreation areas as determined by the Planning and Zoning Administrator.
4. Vehicular and Pedestrian Circulation. Create a hierarchy of internal drives.
 - a. Drives shall be a minimum of twenty-four (24) feet wide. The City may request wider drives if on-street parking is permitted.
 - b. A minimum of two (2) means of access shall be provided for:
 - 1) any residential subdivision with fifty (50) or more single- or two-family residential lots;
 - 2) any development having one (1) or more commercial, multifamily, or industrial structure, of three (3) stories or greater in height; or
 - 3) any development having three (3) or more commercial, multifamily, or industrial structures of any height.
 - c. The internal "street" system shall connect to surrounding neighborhood and local streets.
 - d. All internal sidewalks shall be a minimum of five (5) feet wide.
 - e. All internal sidewalks shall connect to adjacent commercial areas, schools, parks, places of worship, and other points of public interest.
5. Facade

- a. Variation. Architectural detailing, horizontal/vertical offsets, window details and other features shall be provided on all sides of the building to avoid featureless building massing, enhance character and style, and reduce the visual scale.
- b. Buildings with continuous facades that are ninety (90) feet or greater in width, shall be designed with offsets (projecting or recessed) not less than two (2) feet deep, and at intervals of not greater than sixty (60) feet.
- c. Materials shall be durable. Visually heavier materials should be used as the building's foundation.
 - 1) Exposed foundations shall be constructed of one or more of the following:
 - a) Brick
 - b) Stone (limestone, granite, fieldstone, etc.); or,
 - c) Split-face, integrally-colored block or architectural pre-cast concrete that simulates natural material.
 - 2) Facade walls shall be constructed of any combination of the following. A minimum of fifty percent (50%) shall be masonry.
 - a) Stone;
 - b) Wood clapboard siding;
 - c) Brick
 - d) Stucco with smooth finish, or External Insulation and Finish System (E.I.F.S.); not to exceed twenty percent (20%) of the overall non-window facade area.
 - e) Cement fiber board (eg: "Hardi-plank")
 - 3) Facade Plane projections such as the following are encouraged:
 - a) Veranda/balcony
 - b) Sunroom
 - c) Screened porch
 - d) Breakfast nook
 - e) Turret
 - 4) The facades of townhomes should be detailed to differentiate individual units.
6. Entries. Entries shall be clearly defined and accented with such features

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as awnings, porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, peaked roof forms and arches.

7. Roof

- a. Minimum Pitch for pitched roofs shall be five to twelve (5:12).
- b. Materials: Quality roof materials such as tile, slate, three-dimensional asphalt or fiberglass shingles shall be used on all structures.
- c. Minimum Eave/Overhang Width: All multifamily buildings shall have eaves or overhangs a minimum of twelve (12) inches deep.
- d. Facade and Roof Articulation: Any structure with three (3) or more units shall incorporate significant wall and roof articulation every one hundred (100) feet to reduce apparent scale. Elements such as balconies, porches, arcades, dormers, cross gables, secondary hipped or gabled roofs can be used to achieve this appearance.
- e. Flat roofs shall contain a cornice or moulding, and vary in height or shape every fifty (50) feet.
- f. Rooftop mechanical equipment shall either be camouflaged on all sides or visually integrated into the overall design of the building. In no case shall rooftop mechanical equipment be visible from adjoining streets, residential zones or uses.

8. Automobile Storage

- a. Garage Access: All attached garages shall provide access internally from the garage to individual units.
- b. Minimum Garage Depth: Twenty-two (22) feet.
- c. Minimum Garage Width: Twelve (12) feet.
- d. Carport: Where established, carports shall:
 - 1) Meet all setback standards around the perimeter of the site applicable to a principal structure.
 - 2) Be designed in keeping with the principal structure and the materials shall be compatible with those of the principal structure.

9. Windows. Windows are required on all sides of the building that are:

- a. Adjacent to a street; or
- b. Adjacent to a common area; or

- c. Not perpendicular to the street.
- 10. Mechanical and Utility Equipment Screening. In the zoning district, all mechanical equipment (ground-, roof- and building-mounted, shall be screened from view. Screening can be achieved by landscaping, fences or walls for ground-placed equipment, and the use of parapet walls or other roof designs for roof-mounted equipment. Screening enclosures shall be architecturally compatible with the principal structure.
- 11. Fire Safety. The Building or Fire Code Official of the City of Lebanon shall have the authority to require or increase a Fire-Protection Rating in any structural assembly of an approved multifamily dwelling or mixed-use occupancy that includes a residential occupancy.
- 12. Dumpster and Storage Area Screening. Dumpsters and storage areas shall be enclosed with a solid enclosure that complements the architecture of the principal structure, is a minimum of six (6) feet in height, and contains a solid gate. Shrub plant material shall be provided where possible to further enhance the wall enclosure. Dumpster enclosures attached to the principal structure shall be designed as an architecturally integrated part of the principal structure.

See Also:

[Chapter 6: Overlay Districts for additional design standards](#)

C. NONRESIDENTIAL

- 1. Applicability. All nonresidential developments shall meet or exceed the requirements of this chapter, in addition to all other applicable development standards established by this ordinance. These nonresidential standards shall apply to the following:
 - a. improvement location permit applications for new structures submitted on or after the effective date of this ordinance;
 - b. expansions greater than fifty percent (50%) of pre-existing site, structure or building; and
 - c. expansions to other structures that result in a structure greater than twenty thousand (20,000) square feet in gross floor area.
- 2. Site Layout
 - a. Site planning which encourages compatibility between the site and the buildings and between all buildings on the site is encouraged. Where natural or existing topographic patterns contribute to a development, they shall be preserved and developed. Modification to topography shall be permitted where it contributes to the overall development.
 - b. The orientation of buildings shall promote interaction with the street and provide a pedestrian friendly environment. All principal and

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outlot site buildings shall be arranged so that they complement existing development. The buildings shall frame a corner or enclose a "main street" type corridor. Islands surrounded by parking should be avoided.

- c. Newly installed infrastructure and service revisions necessitated by exterior alterations shall be underground. To the extent possible, all existing overhead utilities shall be relocated underground.
 - d. All structures shall be evaluated in terms of scale, mass, color, proportion, and compatibility with adjoining developments.
 - e. Establishments where the principal use is the drive-through type of business are not permitted.
3. Vehicular Access. Major and minor arterials and major collector streets must have reasonable restrictions as to the numbers and location of access points. To provide safe and sufficient traffic movement to and from adjacent lands:
- a. Frontage roads, access roads, and other internal drives may have to be constructed to create a hierarchy of roads for safe on-site circulation. These internal drives shall provide pedestrian access and landscaping.
 - b. Shared access shall be coordinated with contiguous lots and designed to preserve the aesthetic benefits provided by the greenbelt areas. Access at the side or rear of buildings is encouraged.
 - c. New access points onto the major and minor arterials within the corridor overlay zone shall be coordinated with existing access points whenever possible and approved by the County Highway Engineer.
 - d. Cross access easements shall be required between adjacent compatible developments.
 - 1) No curb cuts shall be within one hundred fifty (150) feet of any intersection of public roads.
 - 2) Opposing curb cuts shall align squarely or be offset no less than one hundred twenty-five (125) feet.
 - 3) Stub Streets shall be built in all cases where adjacent lots have reasonable potential for development.
 - e. Entry Drive. The commercial entry drive should be appropriate to the size of the development, incorporate signage, lighting, landscaping and set the tone for the development.

- f. No buildings or paved areas (other than access drives) may be located closer than fifty (50) feet to any area used or zoned for residential purposes.
- 4. Parking Layout. Refer to Section 7.5 Parking Standards for parking standards.
- 5. Architectural Design. All Commercial Uses shall have building walls with architectural features which increase visual interest, reduce undifferentiated masses and relate to the human scale. The design standards of Section 7.18 shall not be applicable to Industrial Uses, specifically, large scale distribution centers and manufacturing facilities.

Amended: 05/26/2015

- a. Facades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or articulated cornice, in each instance appropriate to the building style.
- b. Buildings with continuous facades that are ninety (90) feet or greater in width, shall be designed with offsets (projecting or recessed) not less than two (2) feet deep, and over intervals of not greater than sixty (60) feet.
- c. Storefronts. Ground floor retail shall be transparent for seventy-five percent (75%) of the total ground level facade.
- d. Exterior materials. Building facades may be constructed from wood, stone, masonry, E.I.F.S., cement fiber board, split-face, textured concrete, heavy gauge vinyl, metal or glass or other materials which provide the same desired quality. Similar building materials should be used throughout a development with multiple buildings. Products other than those listed below must be approved by the Planning and Zoning Administrator or his/her duly appointed designees.
 - 1) Buildings constructed of metal shall be permitted in the agriculture and general industrial districts. Facades that exceed fifty percent (50%) metal shall contain other design elements such as concrete or masonry bases, pitched roofs, enhanced entries or color variation.
 - 2) Concrete finish or precast concrete panels shall be textured using the following techniques: exposed aggregate, bush-hammered, sand blasted, or other concrete finish as approved by the Administrator or its duly appointed designee. Concrete masonry units (CMU or block) shall be textured or splitface, and otherwise not smooth.

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- 4) Office uses may also use: Architectural metal panels, glass (up to 75% of the facade area), and ornamental metal.
- e. Roof Design. The materials and finishes for roofs shall complement those materials used for the exterior walls. Roofs may be pitched, use stepped parapet walls, three dimensional cornices, dimensioned or integrally-textured materials, include architectural detailing such as moldings, trims, or variations in brick coursing, or be sloped with overhangs and brackets. Parapets shall not exceed more than one-third (1/3) the height of the supporting wall.
- f. Four-sided Architecture. The architectural style, materials, color and design on the front elevation shall be applied to all elevations of the structure adjacent to a public street, primary internal drive or residential zoning district.
- g. Color. Compatible materials and colors should be used throughout to unify development. The colors should reflect natural tones of the environment and be subtle, harmonious and non-reflective. Accents shall be compatible.
- h. Entry Features. Entryway features are only required at the primary entrance to the structure and shall include elements such as: covered entries, integral planters, awnings, raised corniced parapets over the door, peaked roof forms having an average slope greater than or equal to a minimum 5/12 pitch, arches, or architectural details such as tile work and moldings that are integrated into the building structure and design.
6. Maintenance. The exposed walls and roofs of buildings shall be maintained in a clean, orderly, and attractive condition, and be free of cracks, dents, punctures, breakage, and other forms of visible marring. Materials that become excessively faded, chalked, or otherwise deteriorated shall be refinished, repainted, or replaced.
7. Screening. Refuse and waste removal areas, loading berths, service yards, storage yards, and exterior work areas shall be screened from view with fencing, walls or landscaping.
8. Materials. All accessory buildings shall be constructed with materials that are similar and compatible with materials used in the principal structure.
9. Mechanical Equipment Screening
 - a. Roof-mounted equipment on exposed roofs shall be screened from view. The appearance of roof screens shall be coordinated with the building to maintain a unified appearance.

- b. All ground and building mounted mechanical and electrical equipment shall be screened from view. The screens and enclosures shall be treated as an integral element of the building's appearance. Landscaping may be used for this purpose.
- c. Ground-mounted, Commercial-grade
 - 1) Design. The unit shall be screened by a masonry wall that complements the architecture of the principal structure. Walls attached to the principal structure shall be designed as an architecturally integrated part of the principal structure. The wall shall be sufficient to dampen any noise generated while the unit is in operation.
 - 2) Height. The wall shall be equal to the height of the unit plus two (2) feet.
 - 3) Access. The enclosure shall be accessed via an opaque gate.
 - 4) Orientation. The gate shall not face a residential property, or a right-of-way within fifty (50) feet.
 - 5) Setback. All mechanical equipment shall be located a minimum of fifty (50) feet from the property line, and shall not be located within an established or required front setback or in a required side setback.
- 10. Signage Standards. Signage shall be designed to be an integral part of the architectural and landscaping plans. The colors, materials, and style of signage shall be architecturally compatible and accentuate the buildings and landscaping on the site. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates. Signs shall be in conformance with Section 7.7 Sign Regulations of this ordinance unless otherwise specified below.
- 11. Landscaping Plan. Landscaping shall be in conformance with Section 7.8 Landscaping of this ordinance. Plans shall be prepared and submitted with the development plan.
 - a. Landscaping materials selected should be appropriate to local growing and climatic conditions. Wherever appropriate, existing trees should be conserved and integrated into the landscaping plan; credit toward required in-kind landscaping may be given.
- 12. Site Amenities. Site amenities provide attractive spaces and the

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possibility of interaction. Site amenities such as patios, plazas, mini-parks, squares, water features and public art should be incorporated in the required open space for the development.

13. Lighting. Refer to Section 7.15 Exterior Lighting Standards.
14. Operational Compatibility. The Plan Commission may impose conditions on the approval of a project including but not limited to:
 - a. the placement of trash receptacles
 - b. location of delivery and loading zones
 - c. hours of refuse removal
 - d. hours of sign illumination

7.19 MANUFACTURED HOME PARKS STANDARDS

- A. INTENT.** The purpose of these manufactured home standards is to identify the minimum requirements for the installation and use of manufactured homes consistent with the requirements of IC 36-7-4-1106 and the intent of this ordinance.
- B. GENERAL STANDARDS.** Applicable to the Manufactured Home Park District.
 1. Design Standards. Manufactured Homes in a single-family residential zoning district shall comply with the minimum development and design standards of the residential zoning district as set forth in Section 7.18 Design Standards.
 2. Storage Space. Each home shall have an enclosed, waterproof storage space a minimum of twenty (20) square feet, either as an accessory structure on each home site, behind the skirting, or at a central storage facility.
 3. Emergency Shelter. Each development or manufactured home park shall be equipped with a structure of adequate construction to provide shelter for residents from tornados and other severe weather events. The shelter shall be of sufficient size to accommodate a population equal to two and one-half (2.5) persons per home site present in the development.
 4. Entrances and Interior Roads. All interior manufactured home park streets shall either be dedicated to the public or be private drives. All interior streets, whether dedicated to the public or private drives shall meet the design and construction standards for public streets, including intersections, sidewalks, street trees, etc., provided by the

7.19 Manufactured Home Parks Standards **7**

City of Lebanon Unified Development Ordinance. If private streets are used, street easements shall be substituted for the interior street right-of-way.

5. Compliance Verification. Prior to the release of an Improvement Location Permit for construction of the manufactured home park, the following shall be provided to the Planning and Zoning Administrator:
 - a. Access. A letter from the Lebanon Streets Department, verifying the approval of the design of access points to public streets.
 - b. Sanitary Sewer Service. A letter from Lebanon Utilities verifying that adequate sanitary sewer service shall be available to the homes.
 - c. Drainage. A letter from Lebanon Drainage Board verifying drainage approval for the site.
6. Subdivision Standards. See Chapter 8: Subdivision of Land for subdivision requirements.

7.20 SINGLE-FAMILY TO MULTIFAMILY CONVERSION STANDARDS

A. CONVERSIONS. These provisions shall apply in all zoning districts whether the use is permitted, conditional, accessory, or temporary. Various conditional and permitted uses may also be subject to fencing and screening regulations. A Certificate of Compliance (Section 9.12 Certificate of Compliance with Safety Codes) shall be required for all conversions from single- or two- family to multifamily. Dwellings converted for use as more than a two-family dwelling shall comply with the standards set forth for multifamily development in this ordinance.

1. It is the purpose of this ordinance to discourage the conversion of existing dwellings originally designed for occupancy by two families or less to occupancy by more than two families when such conversion is likely to lead to overcrowding, lack of privacy, lack of sufficient light and air, unsafe or unsanitary living conditions or inadequate provisions for off-street parking and open space.
2. Dwellings initially erected as single or two-family dwellings may be converted to provide occupancy for three (3) or more units, up to five (5) units, subject to the following conditions:
 - a. Conversions to three or more units may only take place in a district which permits such a use.
 - b. Only buildings erected more than thirty (30) years before such a conversion may be converted to provide occupancy for three (3) or

7 7.20 Single-family to Multifamily Conversion Standards

more dwellings.

- c. Any new dwelling created by conversion shall be completely self-contained (separate and individual kitchen and bathroom facilities) and shall conform to all applicable provision portions of the City Code, including housing and building codes and fire safety and utility programs.
 - d. Each dwelling unit shall have a total floor space of at least five hundred (500) square feet, plus an additional one hundred fifty (150) square feet for each bedroom over one (1).
 - e. No addition shall be made to a dwelling which increases either the lot coverage of the building or the height of the building.
 - f. Parking for converted dwellings shall be provided as required in [7.5 Parking Standards](#) for multi family units. Such parking may only be located behind the converted dwelling and shall be screened from any public street or adjacent residential use according to the provisions in [Section 7.8 Landscaping](#).
 - g. In connection with such conversion, there shall be no evidence of change in the building to indicate the extra dwelling units, except as may be required by the aforementioned ordinances and programs; all fire escapes or stairways leading to a second or higher floor shall be completely enclosed within the converted building, and; no dwelling shall be so converted unless in connection therewith it be placed in a reasonable state of repair.
3. In cases of question as to the applicability of these standards, such Proposed conversion shall be deemed a conditional use and placed before the Board of Zoning Appeals in accordance with [Section 9.5 Conditional Use Permit](#).
 4. Conversions from multifamily use to single-family may be eligible for a waiver of fees.

7.21 SPECIFIC USE STANDARDS

A. GAS / FUELING STATIONS AND CAR WASHES

1. Fuel sales shall have no more than eight (8) vehicle fueling dispensers.
2. Fuel sales shall be screened in accordance with the parking lot landscaping standards cited in [Section 7.8 Landscaping](#).
3. Fuel sales shall be limited to no more than one (1) per block.
4. Canopies shall have a maximum vertical clearance of fifteen (15) feet and shall be architecturally compatible with the principal structure.

7.21 Specific Use Standards **7**

5. Signage allowances shall be based on the linear feet of the associated building / structure, not on the length of the canopy. All advertising signage on the building, canopy, pumps, pump handles and the like shall count toward the total permitted sign square footage.
6. Illuminance under the canopy shall be no more than an average of thirty-five (35) footcandles. Other lighting standards for gas stations shall be as specified in [Section 7.15 Exterior Lighting Standards](#).

B. BED AND BREAKFAST

1. Bed and breakfast inns shall be permitted in the zoning districts indicated in [Chapter 4: Zoning Districts](#), provided they are compatible with the surrounding uses and adhere to the following standards:
 - a. A Bed and Breakfast shall be occupied as a residence by the property owner.
 - b. No exterior alteration to the structure shall be made which would change the residential appearance of the building.
 - c. The minimum total floor area of the principal residential structure needed to establish a bed and breakfast use shall be one thousand five hundred (1,500) square feet. Each bed and breakfast unit in excess of one (1) shall require an additional five hundred (500) square feet of total floor area.
 - d. Dining and other facilities shall not be open to the public but shall be exclusively for the use of the residents and registered bed and breakfast guests.
 - e. Where the bed and breakfast is located in a residential zone, parking shall be located behind the bed and breakfast and shall be screened according to the provisions of [Section 7.8 Landscaping](#).

C. PARKS & PLAYGROUNDS

1. [Applicability](#). The following standards apply to active recreational uses whether they stand alone or are accessory to another use.
2. [Special Conditions](#)
 - a. Special care shall be noted when locating specialty parks (such as dog parks and skate parks) in residential areas.
 - b. Neighborhood parks and pocket parks less than two (2) acres in area do not have to provide off-street parking.
3. [Accessibility Standards](#). Park buffering may incorporate pedestrian access points where access in and out of the park would be beneficial to nearby residents.

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7.21 Specific Use Standards

4. Setback Standards

- a. Active Recreational Use: No active recreational use (e.g. playing field, playground, swimming pool, etc.) shall be located within twenty-five (25) feet of any residential property line.
- b. Athletic Structures: Athletic structures other than buildings (e.g. basketball goals, pools, tennis courts, etc.) shall be no closer than one hundred (100) feet to any property line or right-of-way.

5. Lighting Standards. Lighted playing fields will be held to the standards of Section 7.15 Exterior Lighting Standards.

6. Scoreboards and Public Address Systems. Scoreboards and Public Address (PA) systems are prohibited on lots less than seventy-five (75) acres nor are any scoreboards or PA systems, or part thereof, allowed within five hundred (500) feet of private residentially-owned or -used property.

D. CEMETERY

1. Fence and Wall Standards. All cemeteries shall have a decorative fence or wall around the perimeter which complies with the following standards:

- a. Minimum Height: forty-eight (48) inches
- b. Maximum Height: seventy-two (72) inches
- c. Prohibited Materials: fencing shall not be chain-link
- d. Fences greater than forty-eight (48) inches in height shall be at least fifty percent (50%) open.

2. Setback Standards

- a. Burial Space: Any burial space shall be set back at least one hundred (100) feet from the nearest existing or proposed easement or right-of-way for a:
 - 1) Railroad;
 - 2) Street;
 - 3) Road;
 - 4) Alley;
 - 5) Pipeline;
 - 6) Pole line; or
 - 7) Other public thoroughfare or utility.

- b. Structure: Any permanent structure erected for the interment, entombment, or inurnment of human remains shall be set back at least one hundred (100) feet from the nearest property line.

E. LIGHT AND HEAVY MANUFACTURING USE

The following is a non-exhausting list of specific requirements for Conditional Uses as specified in each use district that may be used in regulating such conditional uses.

1. Industrial Use Setbacks

- a. All new structures and additions to existing structures to increase manufacturing activity areas should be located at least one hundred (100) feet from all property lines.

2. Noise Regulations

- a. Loudspeakers which cause a hazard or annoyance shall not be permitted.
- b. All new Industrial Uses shall not create noise in excess of fifty (50) decibels as measured at the property line and not objectionable noises due to extreme frequency, beat frequency, intermittance, or shrillness.

3. Entrance Regulations

- a. All points of entrance or exit should be located no closer than two hundred (200) feet from the intersection of two (2) arterial thoroughfares, or no closer than one hundred (100) feet from the intersection of an arterial street and a local or collector street.
- b. Truck parking areas, maneuvering lanes, and access to public thoroughfares shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site. The site shall not be used for the storage of trucks, and truck parking shall be limited to a time not to exceed twenty four (24) hours.

4. Lighting Regulations

- a. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties.

5. Air Pollution

- a. All new Industrial Uses shall not create air pollution which exceeds the following

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7.21 Specific Use Standards

- b. No noxious odors, no noxious, toxic, or corrosive gases or fumes
- c. No smoke of a density in excess of Level 1 on a State Ringelmann Chart.
- d. No dust or other particulate matter emitted in excess of .85 pounds per 1,000 pounds of gases adjusted to 12% carbon dioxide.
- e. There shall be no surface or subsurface discharge or disposal of any wastes, either liquid or in any form without prior approval from Lebanon Utilities.

6. Other Conditions

- a. Conditional Uses are subject to all other conditions recommended by the Plan Commission or imposed by the Board of Zoning Appeals.

b. Supplemental Conditions and Safeguards

- 1) In granting any Conditional Use, the Board of Zoning Appeals may prescribe additional conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made part of the terms under which the conditional use is granted, shall be deemed a violation of this Ordinance and punishable under Chapter 10 of the Unified Development Ordinance.

c. Action by the Board of Zoning Appeals

- 1) Within thirty (30) days after the public hearing required in Chapter 9 of the Unified Development Ordinance, the Board of Zoning Appeals shall approve, approve with supplementary conditions as specified in Chapter 9, or disapprove the conditional use application as presented. If the application is approved or approved with modifications, the Board shall direct the Planning Director to issue a Conditional Use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board of Zoning Appeals, the applicant may seek relief through Boone County Circuit or Superior Courts.

d. Expiration of Conditional Use Permit

- 1) A Conditional Use Permit shall be deemed to authorize only one (1) particular Conditional Use and the permit shall automatically expire if, for any reason, the use shall cease for more than one (1) year. 7.21 Specific Use Standards

Amended: 11/10/2015

7.22 INFILL DEVELOPMENT STANDARDS

A. INTENT

1. Infill development shall be considered to be new development, redevelopment, or expansion of legally conforming or legally nonconforming uses that occurs in an area where at least sixty-six percent (66%) of all lots on both sides of the same street block as the subject lot have been developed into residential neighborhoods, whichever is applicable, and where infrastructure is already in place. It is the general intent of this Section to:
 - a. Accommodate growth by encouraging and facilitating new development on vacant, bypassed and underutilized land.
 - b. Accommodate development in older, established residential neighborhoods, or neighborhoods platted under a previous zoning ordinance.
 - c. Encourage efficient use of land and public service.
 - d. Provide developers and property owners flexibility so that they can achieve high quality design and develop infill projects that strengthen existing neighborhoods.
 - e. Improve approval certainty for infill development by providing clear infill development standards.

B. GENERAL REQUIREMENTS

1. A Site Plan (Section 9.16), Development Plan (Section 9.17) or Minor Plat (Section 9.20) shall be required for infill/redevelopment where applicable.
2. The Development Plan, Site Plan, or Minor Plat shall incorporate the following elements to enhance compatibility with the surrounding community:
 - a. Sidewalks that connect to the adjacent sidewalk system;
 - b. Public streets that connect to the adjacent street pattern;
 - c. Preservation of architecturally significant structures whenever feasible; and
 - d. Setbacks, building envelopes, use and parking compatible with surrounding community.
3. All new buildings (except accessory structures) shall have the primary entrance oriented to the street or public walkway, with direct, accessible, and convenient pedestrian connections.

7 7.22 Infill Development Standards

4. Major Subdivision for residential or non-residential use shall not be allowed as infill development, and will be required to comply with Chapter 8: Subdivision of Land.

C. PERMITTED USES. Permitted uses shall be determined by the following subsections:

1. Residential Areas. Areas that are made up of predominantly residential uses but no longer permit residential uses may fall under the provisions of Subsection 3.1 (L)(2).
 - a. One accessory apartment dwelling unit per lot may be allowed in addition to the principal dwelling unit. Accessory apartment dwelling standards can be found in Section 7.1 (O)(C) Accessory Apartments.
 - b. Home occupations and home-based businesses are allowed in accordance with Section 7.12 Home Occupation Standards.

D. LOT AND DEVELOPMENT STANDARDS. Density, design, materials, use and scale should reflect style, heritage, and materials unique to each neighborhood.

1. Lot Size. Lot areas shall be dependent on proposed densities, floor area ratios, setbacks, building heights, and neighborhood compatibility.
 - a. Existing Small Lot Amnesty. A legal lot of record that existed prior to the date of this Ordinance, and is being used for infill or redevelopment may use the minimum lot standards that follow.
2. Building Height.
 - a. Buildings shall conform to:
 - 1) maximum heights allowed in the underlying zoning district in accordance with Table 4.2: Residential Districts Lot Standards
 - 2) a height that is equal to or the average of adjacent building heights.
 - b. If the proposed building height(s) is greater than the allowed maximum, the proposed building or structure must meet the following criteria for community compatibility:
 - 1) Neighborhood scale
 - 2) Privacy
 - 3) Light and shadow
 - 4) Views
 - 5) Architectural compatibility

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3. Setbacks. Minimum setbacks shall be:
 - a. as required in the underlying zoning district; or
 - b. the average of the established front setbacks within the block or six hundred (600) feet on both sides of the lot parallel to its frontage, whichever is applicable.
4. Bulk and Scale. Bulk and scale shall be similar to and consistent with the surrounding neighborhood as evaluated by the bulk of buildings adjacent, abutting and surrounding the proposed development. Larger buildings should be designed to adhere to the existing architectural pattern of the surrounding neighborhood.
5. Flexible Standards. Flexible development standards to reduce lot area, width, setbacks, height, and other standards may be permitted for infill and redevelopment at the discretion of the Planning and Zoning Administrator, subject to proof of good cause and benefit to the development and community and to address difficult sites which incorporate infill and redevelopment or rehabilitation. Building height and coverage may vary so long as the project average height is consistent with the neighborhood scale and architectural rhythm and does not constitute a disruptive condition in the identity of the area as described here or in Subsection 7.22(E).

E. COMPATIBILITY STANDARDS. Infill and redevelopment should provide exemplary site design, architectural design and high quality materials that are compatible with, and does not negatively alter the character of, the existing neighborhood. The applicant should refer to Section 7.18 Design Standards.

1. All infill and redevelopment uses shall meet the intent of this section and shall be compatible with existing or proposed uses, as identified in the Comprehensive Plan, in the general vicinity of the proposed development. The following requirements shall apply:
 - a. Building Size, Height, Bulk, Mass, Scale. Similar in height and size or articulated and subdivided into massing that is more or less proportional to other structures in the area, and maintains the existing architectural rhythm.
 - b. Building Orientation. Primary facades and entries face the adjacent street with a connecting walk-way that does not require pedestrians to walk through parking lots or across driveways.
 - c. Privacy. Optimize privacy of residents and minimize infringement on the privacy of adjoining land uses by considering the placement of windows and door entrances. Create opportunities for interactions among neighbors in common pedestrian circulation areas of the project, if applicable.

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- d. Building Materials. Building materials shall be similar to materials of the surrounding neighborhood or use other characteristics such as scale, form, architectural detailing, etc, to establish compatibility.
 2. All planned uses, building types, and landscaping shall be included on the Development Plan, Site Plan, or Minor Plat and shall demonstrate the relationship of the proposed development with existing off-site development in the context of the adjacent community. Compliance with these requirements shall in and of itself be deemed to create a presumption of compatibility.
- F. OPEN SPACE AND LANDSCAPING.** All open space, recreational amenities, and landscaped areas shall meet the requirements of Section 7.8 Landscaping and Section 8.15 Open Space Standards/ Common Area unless modified per this subsection, and shall be shown on the Development Plan, Site Plan, or Minor Plat.
1. Open space. Non-residential and multifamily infill development shall provide common public open space, if planned. An open space credit may be granted if a project is connected to, and located within one fourth (1/4) mile of, an improved public park or common area by a continuous public sidewalk.
 2. Landscaping. Natural vegetative features and existing trees shall be incorporated into the site design if practicable. Landscaping, buffering, and other plant material requirements may be reduced at the discretion of the Planning and Zoning Administrator and approval of the Plan Commission. However, the intent of the landscaping to enhance and create a hierarchy of space shall remain. Buffering and screening of incompatible uses shall be maintained.
- G. PUBLIC FACILITIES AND UTILITIES.** Existing and planned public facilities should be shown on the Development Plan, Site Plan, or Minor Plat.
1. All public streets, walkways and alleyways shall be shown on the Development Plan, Site Plan, or Minor Plat. All through streets and walkways shall be public. The local street and walkway system shall be safe, efficient, convenient, attractive and shall accommodate use by all segments of the population.
 - a. The street and walkway system shall provide multiple, direct and continuous intra- and inter-neighborhood connections between destinations.
 - b. The street network shall include sidewalks on both sides of the street.

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H. PARKING. Flexibility for the number of parking spaces required by Section 7.5 Parking Standards may be considered if the project is pedestrian oriented and serviced within six hundred (600) feet by public parking.

1. The parking plan may provide a combination of off-street and onstreet spaces. On-street parking is encouraged.
2. Shared parking is encouraged and shall comply with Subsection 7.S(J).
3. As is practicable, at-grade off- street parking areas should be located at the rear of dwellings in mixed-use or residential areas, with a lley access.
4. Bicycle spaces shall be provided per Subsection 7.S(K).