

# Chapter 05

## Zoning District Development Standards

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Porter County  
Unified Development  
Ordinance

# Development Standards

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## 5.01 Using This Chapter

Chapter 05 contains development standards which are arranged by category. There are two ways to determine which development standards apply to a specific zoning district. They are:

- A. Refer to the two-page layouts in *Chapter 02: Zoning Districts* for a specific zoning district. In the "Additional Development Standards that Apply" box for that specific Zoning District are listed four-digit codes that determine which development standards apply. Only the four-digit codes noted in the "Additional Development Standards that Apply" section apply to that Zoning District.

*[As an example, on page 2-11, the four-digit code "AS-01" can be found under the "Additional Development Standards that Apply" section in the Rural Residential (RR) zoning district. Therefore, the development standards in the section labeled "AS-01" (on page 5-4) would apply to the Rural Residential (RR) zoning district.]*

- B. Refer to the icons used at the top of each development standard section in *Chapter 05: Zoning District Development Standards*. Each development standard section begins with a four-digit code and introductory sentence followed by square icons with zoning district abbreviations (e.g.  for the Neighborhood Commercial zoning district or  for the Two-family Residential zoning district). These zoning district icons note that the development standard written in that section applies to that zoning district.

*[As an example, on page 5-4, the R3 icon () can be found under the AS-01 development standard section. Therefore the language in the AS-01 section would apply to the R3 zoning district.]*

## 5.02 Purpose of Development Standards

The purpose of *Chapter 05* is to establish and define the development standards that shall be required by the County prior to the approval of any permit. Additionally, these development standards shall apply to Planned Unit Developments unless through the PUD District Ordinance a development standard is waived or altered.

# Development Standards Overview

## 5.03 Icon Legend

- GW** - Greenway District
- P1** - Parks and Recreation District
- P2** - Parks and Recreation District
- A1** - General Agriculture District
- A2** - Prime Agriculture District
- RR** - Rural Residential District
- R1** - Low Density Single-family Residential District
- R2** - Medium Density Single-family Residential District
- R3** - Two-family Residential District
- R4** - Multiple-family Residential District
- RL** - Residential Lake District
- MP** - Manufactured Home Park District
- IN** - Institutional District
- OT** - Office and Technology District
- CN** - Neighborhood Commercial District
- CM** - Moderate Intensity Commercial District
- CH** - High Intensity Commercial District
- I1** - Light Industrial District
- I2** - General Industrial District
- I3** - Heavy Industrial District
- HI** - High Impact Uses District

# Accessory Structure Standards (AS)

## 5.04 AS-01: Accessory Structure; General

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



- A. **Temporary Structure Cross Reference:** For information regarding temporary structures, see *Chapter 05; §TU: Temporary Use and Structure Standards*.
- B. **Types:** Accessory structures shall relate to the primary structure and its uses, and be commonly and usually used in connection with the specific primary use.
- C. **Prohibitions:**
  - 1. A mobile home, manufactured home, recreational vehicle, semi-tractor trailer, shipping container, boat or motor vehicle shall not be used as an accessory structure.
  - 2. *Home Occupation:* An accessory structure may be used to store materials used in the conduct of a home occupation; however, an accessory structure shall not be used for the conduct of a home occupation.
- D. **Timing:** Accessory structures shall not be permitted on a lot prior to the primary structure being constructed, except where the accessory structure is being used for agricultural purposes.
- E. **Swimming Pools:** Swimming pools shall be subject to both the Unified Development Ordinance and the Indiana Administrative Code (675 IAC 20: Swimming Pool Code).
- F. **Placement:** Accessory structures shall not be placed in the front yard of any lot, nor shall an accessory structure be placed between a primary structure and a right-of-way.

## 5.05 AS-02: Accessory Structure; Private Stable

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



- A. **Minimum Lot Area:**
  - 1. *Residential:* Where a stable is accessory to a residential use, there shall be a minimum of one (1) acre devoted to the primary residential use of the site, exclusive of the stables, exercise pools, horse wash areas, and pastures.
  - 2. *Horse Yard Area:* One (1) acre.
- B. **Yard Areas:**
  - 1. *Horse Yard:* The yard area used in conjunction with the stable shall be enclosed in a manner sufficient to prevent the escape of horses. The horse yard shall not be over the well or septic areas used by the residential structure.
  - 2. *Residential Yard:* If the site includes a residence, a separate yard area of at least 3,000 square feet shall be provided at the rear of the dwelling for the outdoor residential use of the occupants.

# Accessory Structure Standards (AS)

## 5.06 AS-03: Accessory Structure; Residential

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

**RR** **R1** **R2** **R3** **R4** **RL**

### A. Maximum Number:

1. On a lot less than 10,000 square feet, no more than one (1) accessory structure shall be permitted;
2. On a lot between 10,000 square feet and two (2) acres, no more than two (2) accessory structures shall be permitted;
3. On lots greater than two (2) acres, up to three (3) accessory structures shall be permitted.
4. Accessory structures used strictly for agricultural purposes are exempt from this regulation.

### B. Maximum Floor Area:

1. The cumulative square footage of all accessory structures shall not exceed:
  - a. One thousand three hundred (1,300) square feet; or
  - b. Two percent (2.0%) of the square footage of the lot; whichever is greater.

### C. Appearance: The exterior finish and façade of each accessory structure shall match or closely resemble the finish and façade materials used on the primary structure. Accessory structures used strictly for agricultural purposes are exempt from this regulation.

## 5.07 AS-04: Accessory Structure; Manufactured Home Park

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

**MP**

### A. Types: A management office, sales office, storage facility, laundry, and other structures customarily incidental to a manufactured home park or mobile home park are permitted, provided the following criteria are met:

1. The accessory structure is subordinate to the residential component of the manufactured home park or mobile home park; and
2. The accessory structure is located, designed and intended to serve only the needs of the manufactured home park or mobile home park and its residents; and
3. The establishments located within the accessory structure present no visible evidence of their nature to areas outside the manufactured home park or mobile home park.

### B. Maximum Number: Each dwelling site for a manufactured home or mobile home is allowed no more than one (1) accessory structure in addition to a carport or garage.

### C. Maximum Floor Area: The cumulative square footage of all accessory structures may not exceed ten percent (10%) of the area of the dwelling site. Attached or detached garages, and carports are to be counted toward the total accessory structure area.

## 5.08 AS-05: Accessory Structure; Commercial

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

**IN** **OT** **CN** **CM** **CH**

### A. Exception: For the purposes of this section, an ATM is not considered an accessory structure and is exempt.

### B. Maximum Number: No more than two (2) enclosed accessory structures (*e.g.* detached garage, shed) shall be permitted on a lot.

### C. Maximum Floor Area: The cumulative square footage of all enclosed accessory structures cannot exceed fifty percent (50%) of the square footage of the primary structure.

# Density and Intensity Standards (DI)

## 5.09 DI-01: Density and Intensity; General

This Density and Intensity Standards section applies to the following zoning districts:



- A. Maximum Density: The maximum density shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- B. Maximum Impervious Surface Coverage: The maximum impervious surface coverage shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- C. Applicability: If a density or intensity standard does not appear on the two-page layout for a zoning district, then a standard does not apply to that particular zoning district.

# Entrance and Drive Standards (ED)

## 5.10 ED-01: Entrance and Drive; General

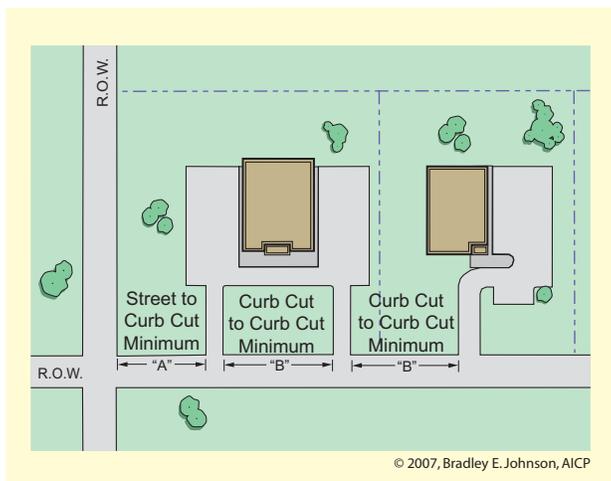
This Entrance and Drive Standards section applies to the following zoning districts:



A. Classification: All classification of streets shall be based on the Thoroughfare Plan.

B. Proximity:

1. *To a Street Intersection*: No entrance or drive shall be permitted to be installed:
  - a. Within one hundred fifty (150) feet of any intersecting street if along an arterial or collector street (see “A” below in the illustration). If the lot is not large enough to achieve a one hundred fifty-foot (150’) separation, then the drive shall be installed at a location that has been reviewed and approved by the County Engineer, subject to §c.
  - b. Within one hundred (100) feet of any intersecting street if along a neighborhood street (see “A” below in the illustration). If the lot is not large enough to achieve a one hundred-foot (100’) separation, then the drive shall be installed at a location that has been reviewed and approved by the County Engineer, subject to §c.
  - c. Under no circumstances shall an entrance or drive be allowed within seventy-five (75) feet of any intersection.
2. *To Another Entrance or Drive*: Two (2) or more entrances or drives shall not be permitted to be installed:
  - a. Within one hundred (100) feet of each other if along an arterial or collector street (see “B” below in the illustration).
  - b. Within fifty (50) feet of each other if along a neighborhood street (see “B” below in the illustration).



3. Measurement:

- a. Distances from the right-of-way shall be measured from either the existing right-of-way or from the right-of-way proposed for a given street in the Thoroughfare Plan, whichever is greater.
- b. Distances between rights-of-way and entrances, drives, or private streets shall be determined by measuring from right-of-way (or proposed right-of-way, whichever is greater) line to the ingress/egress easement line, back of curb, or edge of pavement (whichever is nearest the right-of-way) of the entrance, drive, or private street.
- c. Distances between entrances, drives, and/or private streets shall be determined by measuring from the ingress/egress easement line, back of curb, or edge of pavement to the ingress/egress easement line, back of curb, or edge of pavement (whichever is less) of each entrance, drive, or private street.

# Entrance and Drive Standards (ED)

## C. Entrance Widths:

1. *Dimensions at Right-of-way Line*: The maximum width of the entrance onto a public right-of-way shall be subject to the approval of the County Engineer and in accordance with the standards below. No entrance or drive shall exceed the following pavement widths for two-way traffic (if one-way, the measurements of §a through §c shall be at least one-half (½) of the requirements below):
  - a. From a nonresidential use onto an arterial or collector street:
    - i. Minimum Width: Twenty-four (24) feet;
    - ii. Maximum Width: Forty (40) feet.
  - b. From a nonresidential use onto a neighborhood street:
    - i. Minimum Width: Twenty-four (24) feet;
    - ii. Maximum Width: Twenty-six (26) feet.
  - c. From a multiple-family residential use onto any classification of street:
    - i. Minimum Width: Twenty-four (24) feet;
    - ii. Maximum Width: Thirty (30) feet.
  - d. From a single-family residential use onto any classification of street:
    - i. Minimum Width: Twelve (12) feet;
    - ii. Maximum Width: Twenty-four (24) feet.
2. *Measurements*: The distances for the standards outlined in §C(1): *Dimensions at Right-of-way Line* shall be determined by measuring from the back of curb or edge of pavement to the back of curb or edge of pavement (whichever is less) of each entrance or drive.

D. **Length**: If a driveway is greater than two hundred (200) feet in length, then the Improvement Location Permit shall be reviewed by the Development Advisory Committee to determine the adequacy of the drive for emergency and fire equipment.

E. **Improvements**: The County Engineer may determine if the following improvements are necessary:

1. An acceleration or deceleration lane; or
2. A passing blister.

## 5.11 ED-02: Entrance and Drive; Residential

This Entrance and Drive Standards section applies to the following zoning districts:



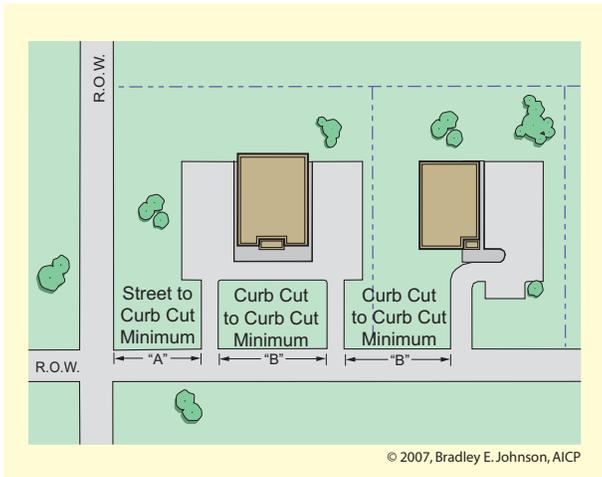
A. **Classification**: All classification of streets shall be based on the Thoroughfare Plan.

B. **Proximity**:

1. *To a Street Intersection*: No driveway shall be permitted to be installed:
  - a. Within one hundred fifty (150) feet of any intersecting street if along an arterial or collector street (see “A” below in the illustration). If the lot is not large enough to achieve a one hundred fifty-foot (150’) separation, then the driveway shall be installed at a location that has been reviewed and approved by the County Engineer, subject to §c below.
  - b. Within seventy-five (75) feet of any intersecting street if along a neighborhood street (see “A” below in the illustration). If the lot is not large enough to achieve a one hundred-foot (100’) separation, then the driveway shall be installed at a location that has been reviewed and approved by the County Engineer, subject to §c below.
  - c. Under no circumstances shall an entrance or drive be allowed within fifty (50) feet of any intersection.

# Entrance and Drive Standards (ED)

2. *To Another Driveway:* Two (2) or more driveways shall not be permitted to be installed within one hundred (100) feet of each other if along an arterial or collector street (see “B” below in the illustration) unless the driveways utilize a shared curb cut located at the property line.



3. *Measurement:*
  - a. Distances from the right-of-way shall be measured from either the existing right-of-way or from the right-of-way proposed for a given street in the Thoroughfare Plan, whichever is greater.
  - b. Distances between rights-of-way and entrances, drives, or private streets shall be determined by measuring from right-of-way (or proposed right-of-way, whichever is greater) line to the ingress/egress easement line, back of curb, or edge of pavement (whichever is nearest the right-of-way) of the entrance, drive, or private street, whichever is greatest.
  - c. Distances between entrances, drives, and/or private streets shall be determined by measuring from the ingress/egress easement line, back of curb, or edge of pavement to the ingress/egress easement line, back of curb, or edge of pavement (whichever is nearest) of each entrance, drive, or private street.

C. Driveway Width at Right-of-way Line:

1. *Minimum Width:* Twelve (12) feet.
2. *Maximum Width:* Eighteen (18) feet.

5.12 ED-03: Entrance and Drive; Materials

This Entrance and Drive Standards section applies to the following zoning districts:



- A. Construction Materials: All entrances and drives shall consist of asphalt, concrete, pavers or other hard surface material. Gravel shall not be utilized as a surface material.

5.13 ED-04: Entrance and Drive; Manufactured Home Park

This Entrance and Drive Standards section applies to the following zoning districts:



- A. Entrance Design: Manufactured home parks with ten (10) or more dwelling sites shall be designed such that:
  1. At least two (2) access points shall provide ingress to and egress from the manufactured home park.
  2. Individual dwelling sites shall only have driveways or access from interior streets.

# Environmental Standards (EN)

## 5.14 EN-01: Environmental; General

This Environmental Standards section applies to the following zoning districts:



- A. **Excessive Slope:** Areas of land shall be deemed unsuitable for buildings when pre-development or post-development slopes are greater than twenty-five percent (25%), unless an engineered Site Plan is submitted showing adequate measures for:
1. Erosion control;
  2. Minimum site disturbance;
  3. Soil stability for structural load;
  4. Storm water management;
  5. Final Landscape Plan.
- B. **Unsuitable Land Qualities:** An area of land shall be deemed unsuitable for buildings when it:
1. Contains adverse soil or rock formations;
  2. Contains any of the following muck soils:
    - a. Adrian;
    - b. Edwards;
    - c. Houghton; or
    - d. Palms.
  3. Has a low loading rate;
  4. Has a low weight-bearing strength; or
  5. Has any other feature which will significantly accelerate the deterioration of a structure or significantly reduce the structure's stability.
- C. **Erosion Prevention:** See *Chapter 07; §EC: Erosion Control Standards*.
- D. **Waste Disposal:** No waste materials such as garbage, rubbish, trash, construction material, gasoline, oil, flammables, soils, tars, chemicals, greases, industrial waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature that it may contaminate, pollute, or harm the waters or soils shall be deposited, located, stored, or discharged on any lot, unless expressly permitted by the Unified Development Ordinance.
- E. **Fuel Storage:** No flammable or explosive liquids, solids, or gasses as specified by the State Fire Marshal shall be stored in bulk above ground. Tanks of fuel connected directly with energy devices or heating appliances located and operated on the same lot as the tanks; and up to three (3) tanks of fuel used strictly for agricultural purposes are exempt up to one thousand (1000) gallons per tank.
- F. **Debris/Refuse:** Debris, refuse, trash, discarded construction materials, garbage, litter, unfinished buildings, discarded appliances, scrap metals, or rotting wood is considered a nuisance and a threat to the environment. To protect the health and safety of residents, these materials shall not accumulate on any property.

# Fence and Wall Standards (FW)

## 5.15 FW-01: Fence and Wall; Agricultural

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

**A1** **A2** **RR**

- A. Vision Clearance: Fences and walls shall meet all vision clearance standards in *Chapter 05; §VC: Vision Clearance Standards*.
- B. Location:
  1. *Property Line*: Fences and walls are permitted up to the property line.
  2. *Easements*: No fence or wall shall be located within a public street easement, right-of-way, or right-of-way as proposed in the Thoroughfare Plan.
- C. Maximum Height:
  1. *Front Yard*: Fences and walls located in the front yard of a lot shall not exceed four (4) feet in height.
  2. *Side or Rear Yard*: Fences and walls located in the side or rear yard of a lot shall not exceed eight (8) feet in height.
- D. Prohibitions: Fences and walls shall not incorporate:
  1. *Residential Uses*:
    - a. Barbed wire (except for agricultural and livestock purposes);
    - b. Razor wire;
    - c. Refuse or nuisance materials (*e.g.* garage door panels, wood pallets, *etc.*);
    - d. Security wire;
    - e. Sharpened top spikes or similar sharp materials; or
    - f. Electrified wire (except for agricultural and livestock purposes).
  2. *All Other Uses*:
    - a. Refuse or nuisance materials (*e.g.* garage door panels, wood pallets, *etc.*); or
    - b. Sharpened top spikes or similar sharp materials.
- E. Fence Permit: The owner shall have an approved Improvement Location Permit (Fence) prior to erecting a fence or wall.

## 5.16 FW-02: Fence and Wall; Residential

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

**R1** **R2** **R3** **R4** **RL** **MP**

- A. Vision Clearance: Fences and walls shall meet all vision clearance standards in *Chapter 05; §VC: Vision Clearance Standards*.
- B. Location:
  1. *Property Line*: Fences and walls are permitted up to the property line.
  2. *Easements*: No fence or wall shall be located within a public street easement, right-of-way, or right-of-way as proposed in the Thoroughfare Plan.
- C. Maximum Height:
  1. *Front Yard*: Fences and walls located in the front yard of a lot shall not exceed three (3) feet in height. Fences and walls may not exceed four (4) feet when a primary structure is not present.
  2. *Side or Rear Yard*: Fences and walls located in the side or rear yard of a lot shall not exceed six (6) feet in height.

# Fence and Wall Standards (FW)

## D. Acceptable Materials:

1. *Front Yard:* Fences and walls located in a front yard shall be constructed of:
  - a. Masonry (*e.g.* brick, cast stone, ornamental concrete block, terra cotta, *etc.*);
  - b. Stone;
  - c. Wood (*e.g.* split-rail; picket, *etc.*);
  - d. Wrought iron and decorative metal; or
  - e. PVC
  - f. Woven wire (for agricultural and livestock purposes only).
2. *Side or Rear Yard:* Fences and walls located in a side or rear yard shall be constructed of:
  - a. Chain link;
  - b. Masonry (*e.g.* brick, cast stone, ornamental concrete block, terra cotta, *etc.*);
  - c. PVC;
  - d. Stone;
  - e. Wood (*e.g.* shadowbox; stockade; split-rail; picket, *etc.*); or
  - f. Wrought iron and decorative metal.

## E. Prohibitions: Fences and walls may not incorporate:

1. Barbed wire; (except for agricultural and livestock purposes);
2. Razor wire;
3. Refuse or nuisance materials (*e.g.* garage door panels, wood pallets, *etc.*);
4. Security wire;
5. Sharpened top spikes or similar sharp materials; or
6. Electrified wire (except for agricultural and livestock purposes).

## F. Presentation: Fences and walls shall present the non-structural face outward.

## G. Fence Permit:

1. *Requirement:* The owner shall have an approved Improvement Location Permit (Fence) prior to erecting a fence or wall.
2. *Exceptions:*
  - a. Landscape or retaining walls under five (5) feet in height, unless the wall is within five (5) feet of a property line; and
  - b. Fenced areas for dog kennels that are no larger than three hundred (300) square feet.

### 5.17 FW-03: Fence and Wall; Commercial

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



#### A. Vision Clearance: Fences and walls shall meet all vision clearance standards in *Chapter 05; §VC: Vision Clearance Standards.*

#### B. Location:

1. *Property Line:* Fences and walls are permitted up to the property line.
2. *Easements:* No fence or wall shall be located within a public street easement, right-of-way, or right-of-way as proposed in the Thoroughfare Plan.

#### C. Maximum Height:

1. *Front Yard:* Fences and walls located in the front yard of a lot shall not exceed four (4) feet in height.
2. *Side or Rear Yard:* Fences and walls located in the side or rear yard of a lot shall not exceed eight (8) feet in height.
3. Where no primary structure exists on the lot, fences and walls shall not exceed three (3) feet in height.

# Fence and Wall Standards (FW)

## D. Acceptable Materials:

1. *Front Yard:* Fences and walls located in a front yard shall be constructed of:
  - a. Masonry (*e.g.* brick, cast stone, ornamental concrete block, terra cotta, *etc.*);
  - b. Stone;
  - c. Wood (*e.g.* split-rail; picket, *etc.*); or
  - d. Wrought iron and decorative metal.
2. *Side or Rear Yard:* Fences and walls located in a side or rear yard shall be constructed of:
  - a. Chain link;
  - b. Masonry (*e.g.* brick, cast stone, ornamental concrete block, terra cotta, *etc.*);
  - c. PVC;
  - d. Stone;
  - e. Wood (*e.g.* shadowbox; stockade; split-rail; picket, *etc.*); or
  - f. Wrought iron and decorative metal.

## E. Prohibitions:

1. Fences and walls shall not incorporate:
  - a. Barbed wire;
  - b. Razor wire;
  - c. Refuse or nuisance materials (*e.g.* garage door panels, wood pallets, *etc.*);
  - d. Security wire;
  - e. Sharpened top spikes or similar sharp materials; or
  - f. Electrified wire.
2. *Exceptions:* Public institutions are exempt from this provision.

## F. Presentation: Fences and walls shall present the non-structural face outward.

## G. Fence Permit: The owner shall have an approved Improvement Location Permit (Fence) prior to erecting a fence or wall.

### 5.18 FW-04: Fence and Wall; Industrial and High Impact

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



## A. Vision Clearance: Fences and walls shall meet all vision clearance standards in *Chapter 05; §VC: Vision Clearance Standards.*

## B. Location:

1. *Property Line:* Fences and walls are permitted up to the property line.
2. *Easements:* No fence or wall shall be located within a public street easement, right-of-way, or right-of-way as proposed in the Thoroughfare Plan.

## C. Maximum Height:

1. *Front Yard:* Fences and walls located in the front yard of a lot shall not exceed four (4) feet in height.
2. *Side or Rear Yard:* Fences and walls located in the side or rear yard of a lot shall not exceed eight (8) feet in height.

## D. Prohibitions: Fences and walls shall not incorporate:

1. Refuse or nuisance materials (*e.g.* garage door panels, wood pallets, *etc.*); or
2. Sharpened top spikes or similar sharp materials.

## E. Presentation: Fences and walls shall present the non-structural face outward.

## F. Fence Permit: The owner shall have an approved Improvement Location Permit (Fence) prior to erecting a fence or wall.

# Floodplain Standards (FP)

## 5.19 FP-01: Floodplain; General

This Floodplain Standards Section applies to the following zoning districts:



### A. Statutory Authorization, Findings of Fact, Purpose, and Objectives:

1. *Statutory Authorization:* The Indiana Legislature has, in IC 36-7-4: Local Planning and Zoning, granted the power to local government units to control land use within their jurisdictions. Therefore, the County does hereby adopt the following floodplain management regulations.
2. *Findings of Fact:*
  - a. The flood hazard areas of the planning and zoning jurisdiction of the County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
  - b. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-protected, or otherwise unprotected from flood damages.
3. *Statement of Purpose:* It is the purpose of §FP: *Floodplain Standards* to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
  - a. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities;
  - b. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
  - c. Control the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of floodwaters;
  - d. Control filling, grading, dredging, and other development that may increase erosion or flood damage;
  - e. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and
  - f. Make federally subsidized flood insurance available for structures and their contents in the planning and zoning jurisdiction of the County by fulfilling the requirements of the National Flood Insurance Program.
4. *Objectives:* The objectives of §FP: *Floodplain Standards* are:
  - a. To protect human life and health;
  - b. To minimize expenditure of public money for costly flood control projects;
  - c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  - d. To minimize prolonged business interruptions;
  - e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains;
  - f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and
  - g. To ensure that potential home buyers are notified that property is in a flood area.

## Floodplain Standards (FP)

### B. General Provisions:

1. *Lands to Which this Ordinance Applies: Section FP: Floodplain Standards* shall apply to all SFHAs within the planning and zoning jurisdiction of the County.
2. *Basis for Establishing Regulatory Flood Data:* The protection standard of §FP: *Floodplain Standards* is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.
  - a. The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs of the planning and zoning jurisdiction of the County shall be as delineated on the 100-year flood profiles in the Flood Insurance Study of Porter County and Incorporated Areas, dated April 1, 1982, and the corresponding FIRM dated April 1, 1982, as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date.
  - b. The regulatory flood elevation, floodway, and fringe limits for each of the unstudied SFHAs of the planning and zoning jurisdiction of the County delineated as an “A Zone” on the FIRM of Porter County and Incorporated Areas shall be according to the best data available as provided by the Indiana Department of Natural Resources.
3. *Establishment of Floodplain Development Permit:* A Floodplain Development Permit shall be required in conformance with the provisions of §FP: *Floodplain Standards* prior to the commencement of any development activities in areas of special flood hazard.
4. *Compliance:* No structure shall hereafter be located, extended, converted or structurally altered within the SFHA without full compliance with the terms of §FP: *Floodplain Standards* and other applicable regulations. No land or stream within the SFHA shall hereafter be altered without full compliance with the terms of §FP: *Floodplain Standards* and other applicable regulations.
5. *Abrogation and Greater Restrictions: Section FP: Floodplain Standards* is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where §FP: *Floodplain Standards* and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
6. *Discrepancy between Mapped Floodplain and Actual Ground Elevations:*
  - a. In cases where there is a discrepancy between the mapped floodplain (SFHA) on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.
  - b. If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.
  - c. If the elevation (natural grade) of the site in question is above the base flood elevation, that site shall be considered outside the SFHA and the floodplain regulations shall not be applied. The property owner should be advised to apply for a LOMA.
7. *Interpretation:* In the interpretation and application of §FP: *Floodplain Standards* all provisions shall be:
  - a. Considered as minimum requirements;
  - b. Liberally construed in favor of the County; and
  - c. Deemed neither to limit nor repeal any other powers granted under State statutes.
8. *Warning and Disclaimer of Liability:* The degree of flood protection required by the Unified Development Ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, the Unified Development Ordinance does not create any liability on the part of the County, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on the Unified Development Ordinance or any administrative decision made lawfully thereunder.

## Floodplain Standards (FP)

9. *Penalties for Floodplain Standards Violation:* Failure to obtain a Floodplain Development Permit in the SFHA or failure to comply with the requirements of a Floodplain Development Permit or conditions of a Floodplain Standards Variance shall be deemed to be a violation of the Unified Development Ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of *Chapter 10: Enforcement & Penalties* of the Unified Development Ordinance. All violations shall be punishable by a fine not exceeding \$500.00.
  - a. A separate offense shall be deemed to occur for each day the violation continues to exist.
  - b. The County shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
  - c. Nothing herein shall prevent the County from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person responsible.

### C. Administration:

1. *Designation of Floodplain Administrator:* The Board of County Commissioners hereby appoints the Executive Director to administer and implement the provisions of §FP: *Floodplain Standards* and is herein referred to as the Floodplain Administrator.
2. *Floodplain Development Permit Procedures:* Application for a Floodplain Development Permit shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:
  - a. *Application Stage:*
    - i. A description of the proposed development;
    - ii. Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams;
    - iii. A legal description of the property site;
    - iv. A site development plan showing existing and proposed development locations and existing and proposed land grades;
    - v. Elevation of the top of the lowest floor (including basement) of all proposed buildings. Elevation should be in National Geodetic Vertical Datum of 1929 (NGVD);
    - vi. Elevation (in NGVD) to which any nonresidential structure will be floodproofed; and
    - vii. Description of the extent to which any watercourse will be altered or related as a result of proposed development.
  - b. *Construction Stage:* Upon placement of the lowest floor; or floodproofing, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the NGVD elevation of the lowest floor or floodproofed elevation, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When floodproofing is utilized for a particular structure said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. (The Floodplain Administrator shall review the lowest floor and floodproofing elevation survey data submitted.) The permit holder shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a Stop Work Order for the project.

# Floodplain Standards (FP)

## D. Provisions for Flood Hazard Reduction:

1. *General Standards:* In all SFHAs the following provisions are required:
  - a. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
  - b. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
  - c. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the FPG;
  - d. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
  - e. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
  - f. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
  - g. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
  - h. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
  - i. Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of §FP: *Floodplain Standards* shall meet the requirements of “new construction” as contained in §FP: *Floodplain Standards*; and
  - j. Any alteration, repair, reconstruction or improvement to a structure that is not in compliance with the provisions of §FP: *Floodplain Standards* shall be undertaken only if said nonconformity is not further extended or replaced.
  - k. Whenever any portion of the SFHA is authorized for use, the volume of space that will be occupied by the authorized fill or structure below the BFE shall be compensated for and balanced by an equivalent volume of excavation taken below the BFE. The excavation volume shall be at least equal to the volume of storage lost (replacement ratio of one to one (1:1)) due to the fill or structure.
    - i. The excavation shall take place in the floodplain and in the same immediate watershed in which the authorized fill or structure is located;
    - ii. Under certain circumstances, the excavation may be allowed to take place outside, but adjacent to, the floodplain provided that the excavated volume:
      - [a] Shall be below the regulatory flood elevation;
      - [b] Shall be in the same immediate watershed in which the authorized fill or structure is located;
      - [c] Shall be accessible to the regulatory floodwater;
      - [d] Shall not be subject to ponding when not inundated by flood water; and
      - [e] Shall not be refilled.
    - iii. The fill or structure shall not obstruct a drainage way leading to the floodplain;
    - iv. The fill or structure shall be of a material deemed stable enough to remain firm and in place during periods of flooding and shall include provisions to protect adjacent property owners against any increased runoff or drainage resulting from its placement; and
    - v. Plans depicting the areas to be excavated and filled shall be submitted prior to the actual start of construction or any site work; once site work is complete, but before the actual start of construction, the applicant shall provide to the Floodplain Administrator a certified survey of the excavation and fill sites demonstrating the fill and excavation comply with §D: *Provisions for Flood Hazard Reduction*.

## Floodplain Standards (FP)

2. *Specific Standards*: In all SFHAs, the following provisions are required:
  - a. All Construction: In addition to the requirements of §D(1): *General Standards*, all structures to be located in the SFHA shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:
    - i. Construction or placement of any new structure having a floor area greater than four hundred (400) square feet;
    - ii. Structural alterations made to:
      - [a] An existing (previously unaltered structure), the cost of which equals or exceeds fifty percent (50%) of the value of the pre-altered structure (excluding the value of the land);
      - [b] Any previously altered structure.
    - iii. Reconstruction or repairs made to a damaged structure that are valued at more than fifty percent (50%) of the market value of the structure (excluding the value of the land) before damaged occurred;
    - iv. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days; and
    - v. Installing a manufactured home on a new site or a new manufactured home on an existing site. *Section FP: Floodplain Standards* does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage.
    - vi. Reconstruction or repairs made to a repetitive loss structure.
  - b. Residential Construction: New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor; including basement, at or above the FPG (two (2) feet above the base flood elevation). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of §D(2)(d): *Elevated Structures*.
  - c. Nonresidential Construction: New construction or substantial improvement of any commercial, industrial, or nonresidential structure (or manufactured home) shall have the lowest floor, including basement, elevated to or above the FPG (two (2) feet above the base flood elevation). Structures located in all “A Zones” may be floodproofed in lieu of being elevated if done in accordance with the following:
    - i. A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the Floodplain Administrator as set forth in *Chapter 01; §1.28: Summary of Duties; Floodplain Administrator; §C(9)*.
    - ii. Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

## Floodplain Standards (FP)

- d. **Elevated Structures:** New construction or substantial improvements of elevated structures that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevations shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.
  - i. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
    - [a] Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
    - [b] The bottom of all openings shall be no higher than one (1) foot above foundation interior grade (which must be equal to in elevation or higher than the exterior foundation grade); and
    - [c] Openings may be equipped with screens, louvers, valves or other coverings or devices provided they allow the automatic flow of floodwaters in both directions.
    - [d] Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
    - [e] The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
    - [f] Where elevation requirements exceed six (6) feet above the highest adjacent grade, a copy of the legally recorded deed restriction prohibiting the conversion of the area below the lowest floor to a use or dimension contrary to the structure's originally approved design, shall be presented as a condition of issuance of the final Certificate of Occupancy.
- e. **Structures Constructed on Fill:** A residential or nonresidential structure may be constructed on a permanent land fill in accordance with the following:
  - i. The fill shall be placed in layers no greater than one (1) foot deep before compacting to ninety-five percent (95%) of the maximum density obtainable with the Standard Proctor Test method.
  - ii. The fill should extend at least ten (10) feet beyond the foundation of the structure before sloping below the FPG.
  - iii. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three (3) horizontal to one (1) vertical.
  - iv. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
  - v. The top of the lowest floor including basements shall be at or above the FPG.

## Floodplain Standards (FP)

- f. Standards for Structures Constructed with a Crawlspace: A residential or nonresidential structure may be constructed with a crawlspace located below the flood protection grade provided that the following conditions are met:
  - i. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; and
  - ii. Any enclosed area below the flood protection grade shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. A minimum of one (1) opening on each wall having a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area. The bottom of the openings shall be no more than one (1) foot above grade; and
  - iii. The interior grade of the crawlspace must be at or above the base flood elevation; and
  - iv. The interior height of the crawlspace measured from the interior grade of the crawlspace to the top of the foundation wall must not exceed four (4) feet at any point; and
  - v. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event; and
  - vi. Portions of the building below the flood protection grade must be constructed with materials resistant to flood damage; and
  - vii. Utility systems within the crawlspace must be elevated above the flood protection grade.
- g. Standards for Manufactured Homes and Recreational Vehicles: Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than one hundred eighty (180) days must meet one (1) of the following requirements:
  - i. The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site:
    - [a] Outside a manufactured home park or subdivision;
    - [b] In a new manufactured home park or subdivision;
    - [c] In an expansion to an existing manufactured home park or subdivision; or
    - [d] In an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as a result of a flood.
  - ii. The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.
  - iii. Recreational vehicles placed on a site shall either:
    - [a] Be on site for less than one hundred eighty (180) days; and
    - [b] Be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
    - [c] Meet the requirements for “manufactured homes” as stated earlier in §g: *Standards for Manufactured Homes and Recreational Vehicles*.

## Floodplain Standards (FP)

3. *Critical Facility*: Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA. Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated to or above the FPG at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances shall not be displaced by or released into floodwaters. Access routes elevated to or above the FPG shall be provided to all critical facilities to the extent possible.
4. *Standards for Identified Floodways*: Located within SFHAs, established in §B(2): *Basis for Establishing Regulatory Flood Data*, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential.
  - a. If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a Permit for Construction in a Floodway. Under the provisions of IC 14-28-1: Flood Control, a Permit for Construction in a Floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local Building Permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving, *etc.* undertaken before the actual start of construction of the structure. However, it does exclude non-substantial additions/improvements to existing (lawful) residences in a non-boundary river floodway. (*IC 14-28-1-26: Additions to structures in floodways* allows construction of non-substantial additions/improvements to residences in a non-boundary river floodway without obtaining a Permit for Construction in a Floodway from the Indiana Department of Natural Resources. Please note that if fill is needed to elevate an addition above the existing grade, prior approval for the fill is required from the Indiana Department of Natural Resources.)
  - b. The Floodplain Administrator shall take no action until a Permit for Construction in a Floodway (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a Permit for Construction in a Floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in §D: *Provisions for Flood Hazard Reduction* have been met. The Floodplain Development Permit cannot be less restrictive than the Permit for Construction in a Floodway issued by the Indiana Department of Natural Resources. However, the County's more restrictive regulations (if any) shall take precedence.
  - c. No development shall be allowed which, acting alone or in combination with existing or future development, will increase the regulatory flood more than fourteen-hundredths (0.14) of one (1) foot; and
  - d. For all projects involving channel modifications or fill (including levees) the County shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data.
5. *Standards for Identified Fringe*: If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in §D: *Provisions for Flood Hazard Reduction* have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.

## Floodplain Standards (FP)

6. *Standards for SFHAs Without Established Base Flood Elevation and/or Floodways/Fringes:*
  - a. Drainage area upstream of the site is greater than one (1) square mile:
    - i. If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one (1) square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.
    - ii. The Floodplain Administrator shall take no action until either a Permit for Construction in a Floodway or a floodplain analysis/regulatory assessment citing the 100-year flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.
    - iii. Once the Floodplain Administrator has received the Permit for Construction in a Floodway or floodplain analysis/regulatory assessment from the Indiana Department of Natural Resources approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in §D: *Provisions for Flood Hazard Reduction* have been met.
  - b. Drainage area upstream of the site is less than one (1) square mile:
    - i. If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one (1) square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodway, fringe and 100-year flood elevation for the site.
    - ii. Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in §D: *Provisions for Flood Hazard Reduction* have been met.
  - c. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, shall not increase the regulatory flood more than fourteen-hundredths (0.14) of one (1) foot and shall not increase flood damages or potential flood damages.

# Height Standards (HT)

## 5.20 HT-01: Height; General

This Height Standards section applies to the following zoning districts:



- A. **Maximum Structure Height:** The maximum structure height shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- B. **Applicability:** If the height standard listed above does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.
- C. **Exceptions:** The following types of structures or building features are exempt or partially exempt from the maximum structure height standard as stated:
  1. Church steeples, bell towers, and religious symbols so long as the maximum height does not exceed one hundred fifty percent (150%) of the height of the primary structure or one hundred fifty percent (150%) of the maximum structure height for the zoning district, whichever is less.
  2. Grain elevators.
  3. Barns (not including riding stables), shall be allowed to be up to 50 feet in height as long as they are dominantly used for agricultural purposes.
  4. Grain silos and related apparatus shall be allowed to be up to 75 feet in height.
  5. Public utility structures.
  6. Private water towers are allowed up to a height of one hundred (100) feet when allowed.
  7. Chimneys are allowed to extend ten (10) feet above the roof's highest point.
  8. Mechanical equipment, including elevator bulkheads, when mounted on a roof, are allowed to extend fifteen (15) feet above the roof's highest point, but shall be:
    - a. Located so it is not visible from adjacent private and public streets; or
    - b. Be shielded from view with a parapet or other architectural feature so it is not visible from adjacent private or public streets. Architectural feature shall be comprised of the same exterior building materials and compliment the facade.
  9. *Antennas:*
    - a. Roof-mounted antennas may exceed the maximum structure height by no more than ten (10) feet.
    - b. Antennas located on utility poles or other structures may not exceed one hundred ten percent (110%) of the existing pole height.

# Home Occupation Standards (HO)

## 5.21 HO-01: Home Occupation; General

This Home Occupation Standards section applies to the following zoning districts:



- A. **Permit Required:** All home occupations shall obtain a Certificate of Zoning Compliance (see §10.12: *Certificate of Zoning Compliance*).
- B. **Residency:** The primary operator of the home occupation shall reside on the premises.
- C. **Operation Standards:**
  1. The home occupation shall be conducted entirely within the residence.
  2. The home occupation shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.
  3. The home occupation shall not generate traffic in greater volumes than would normally be expected in the neighborhood.
  4. The hours of operation of the home occupation shall not interfere with the use and enjoyment of adjacent residential properties.
- D. **Construction Standards:**
  1. There shall be no visible evidence of the home occupation, including but not limited to alterations to the exterior of the residence which changes the character of the residence, exterior displays, or the outdoor storage of materials or equipment used in the home occupation.
  2. All parking related to the home occupation shall be located on the same premises. No provision for off-street parking or loading facilities, other than facilities meeting the requirements of the applicable zoning district, shall be permitted. No part of a minimum required yard shall be used for off-street parking or loading purposes.
  3. The home occupation shall not require the installation of mechanical equipment other than that which is typical for domestic or hobby purposes.
  4. The home occupation shall not require the installation of a utility service that is beyond what is standard for a residence, such as three-phase electrical, greater than a one-inch (1") water line, *etc.*
- E. **Sign Standards:** One (1) non-illuminated sign, not exceeding two (2) square feet, will be allowed on the primary structure. Offsite signs and signs in the yard are prohibited.
- F. **Permitted Home Occupations:** The permitted home occupations shall be limited to domestic crafts, professional services, catalog businesses, and internet businesses.
- G. **Exclusions:** The following uses are not permitted as home occupations under any circumstances:
  1. Animal hospital;
  2. Automobile, motor vehicles, equipment painting or repair of any kind;
  3. Freight or trucking operation of any kind;
  4. Funeral home;
  5. Kennel;
  6. Landscaping business;
  7. Manufacturing facility;
  8. Medical clinic of any kind;
  9. Restaurant;
  10. Retail shop, except as subsidiary to the permitted home occupation;
  11. Salvage operation;
  12. Tooling, welding or machining of any kind;
  13. Tool or equipment rental of any kind;
  14. Trailer rental or sales.

# Landscaping Standards (LA)

## 5.22 LA-01: Landscaping; General

This Landscaping Standards section applies to the following zoning districts:



- A. **Applicability of Landscaping Standards:** Site landscaping consistent with the requirements of the Unified Development Ordinance shall be installed when landscaping is required pursuant to a subdivision approval or an Improvement Location Permit for a new primary structure.
- B. **Placement of Landscape Materials:**
1. *Easements:* Landscape material shall not be planted in drainage easements or utility easements without permission from the County and/or the easement holder unless otherwise required by the Unified Development Ordinance. A tree canopy may project over a right-of-way or any type of easement.
  2. *Infrastructure:* Trees shall be located to avoid significant interference with overhead or underground utilities and shall maintain ten (10) feet of horizontal clearance from sanitary sewer and water service lines.
  3. *Movement:* Materials shall be located to avoid interference with vehicular and pedestrian movement. Specifically, plant materials shall not project over sidewalks, pedestrian paths, and the like below a height of seven (7) feet. Plant materials shall not project over street curbs or pavement within rights-of-way or access easements below a height of ten (10) feet.
  4. *Vision Clearance:* Materials shall be located to avoid interference with visibility per *Chapter 05; §VC: Vision Clearance Standards*.
  5. *Streetscape:* The unpaved portion of an abutting public or private right-of-way shall be fine-graded, planted and maintained with vegetative ground cover.
  6. *Agricultural Zoning Districts:* Trees in adjoining zoning districts are required to be set back a minimum of twenty (20) feet from any agricultural zoning district.
- C. **Maintenance:** Trees, vegetation, irrigation systems, fences, walls and other landscape material are essential elements of a project. Petitioners and their successors in interest are responsible for the regular maintenance of all landscaping elements such that they are kept in good condition, including trees in the adjacent right-of-way. Failure to maintain all landscaping is a violation of this Unified Development Ordinance subject to the provisions of *Chapter 11: Enforcement & Penalties*. Specifically:
1. All plant material shall be maintained alive, healthy, and free from disease and pests.
  2. All landscape structures such as fences and walls shall be repaired or replaced periodically to maintain a structurally sound and aesthetic condition.
- D. **Buffer Yards:** Within the buffer yard, a reasonable attempt shall be made to screen the more intensive land uses from the less intensive land uses through the installation of landscaping.
1. *Applicability:* The buffer yard standards only apply along the property lines (side and rear property lines included) where conflicting zoning districts meet.
  2. *Installation:* The property that is being developed is responsible for installing the buffer yard.
  3. *Arrangement:* Plant material shall be installed within the buffer yard such that visual breaks from less intensive land uses are no greater than ten (10) feet as measured perpendicular to the adjacent property line.
  4. *Minimum Depth:* Buffer yards are required to be a minimum of twenty-five (25) feet deep.
  5. *Minimum Number:* The following are minimum requirements and shall be planted in the buffer yard:
    - a. One (1) evergreen tree per ten (10) feet of contiguous boundary with the conflicting zoning district shall be planted.
    - b. One (1) shrub per five (5) feet of contiguous boundary with the conflicting zoning district shall be planted.

# Landscaping Standards (LA)

## 5.23 LA-02: Landscaping; Plant Material

This Landscaping Standards section applies to the following zoning districts:



### A. Plant Material Standards:

1. *Plantings:* All plant material shall be living species. Dead, diseased or artificial plants shall not be recognized as contributing to required landscaping.
2. *Diversity:* On sites that require an aggregate total of twenty (20) or more new trees, any given species of tree shall be limited to a maximum of thirty-three percent (33%) of the total number of newly planted trees on site.
3. *Permitted:* All plant material shall be non-invasive species not otherwise prohibited by the Executive Director.
4. *Size:* Minimum sizes shall apply to all plant material required by the Unified Development Ordinance:
  - a. Deciduous trees shall be at least one-inch (1”) caliper.
  - b. Evergreen trees shall be at least three (3) feet tall.
  - c. Shrubs shall be at least two-gallon container size or eighteen (18) inches tall from the adjacent ground level.

B. Ground Cover: Grass and other vegetative ground cover shall be used for all pervious areas excluding planting beds.

C. Installation: All required landscaping shall be planted before a Certificate of Occupancy is issued. The Executive Director may grant an extension of up to one hundred eighty (180) days for the complete installation of landscaping materials due to seasonal or weather conditions which preclude the quality installation of plant materials. As a condition of the extension, the Executive Director may require a performance bond, letter of credit, or other satisfactory assurance from the person requesting the extension.

D. Conservation: When wooded areas, tree rows, or specimen trees are designated to be conserved or have been included in the commitments, the following measures shall be taken:

1. Install highly visible (orange) construction fencing around the tree a minimum of twice the size of the dripline of the tree.
2. Avoid injuring roots when installing anchoring posts for fencing.
3. Signs should be posted clearly identifying the area as a plant protection zone.
4. Excavation and filling within the plant protection zone is prohibited.

## 5.24 LA-03: Landscaping; General Parking

This Landscaping Standards section applies to the following zoning districts:



A. Perimeter Plantings: Parking lots shall be reasonably screened from streets and adjacent uses using a combination of plant materials, decorative fences, decorative walls, and/or earthen mounds.

1. *Applicability:* Parking lots with four (4) or more spaces shall provide the following perimeter planting.
2. *Installation:* Shrubs shall be planted to effectively screen all parking lot areas from the right-of-way and adjacent properties.
3. *Arrangement:*
  - a. Trees shall be planted within ten (10) feet of the parking lot edge.
  - b. Shrubs shall be planted within five (5) feet of the parking lot edge.
4. *Minimum Number:*
  - a. One (1) tree per ten (10) parking spaces shall be planted. A minimum of fifty percent (50%) of the required trees shall be canopy trees.
  - b. Three (3) shrubs per one (1) parking space shall be planted.
5. *Substitution:* A decorative wall may be installed in lieu of shrubs for locations along the perimeter of the parking area. Walls, if used, shall be a minimum of thirty (30) inches and a maximum of forty-two (42) inches in height and may incorporate breaks to allow for pedestrian movement.

# Landscaping Standards (LA)

## B. Landscape Bumpouts and Landscape Islands:

1. *Applicability:* Parking lots with sixteen (16) or more parking spaces shall provide the following landscape bumpouts and landscape islands.
2. *Arrangement:* Landscape islands shall be designed to accept storm water, and shall be planted with ground cover that will improve water quality.
3. *Dimensions:*
  - a. Landscape Bumpout: Each landscape bumpout shall be at least nine feet wide by eighteen feet deep (9' × 18').
  - b. Landscape Island: Each landscape island shall be at least nine feet wide by thirty-six feet deep (9' × 36'), or eighteen feet wide by eighteen feet deep (18' × 18'), as circumstances may require.
4. *Minimum Number:*
  - a. Landscape Islands: One (1) landscape bumpout or landscape island per every sixteen (16) parking spaces.
  - b. Trees per Landscape Bumpout or Landscape Island: Each landscape bumpout or landscape island shall contain at least one (1) deciduous tree.

## C. Vision Clearance: Parking lot plantings shall meet all vision clearance standards in *Chapter 05; §VC: Vision Clearance Standards.*

### 5.25 LA-04: Landscaping; Buffer Yards; Industrial and High Impact

This Landscaping Standards section applies to the following zoning districts:



- A. Buffer Yards: Within the buffer yard, a reasonable attempt shall be made to screen the more intensive land use from the less intensive land use through the installation of landscaping, mounding, and/or fencing materials. The following standards apply:
1. *Applicability:* The buffer yard standards only apply along the property lines (side and rear property lines included) where conflicting zoning districts meet.
  2. *Installation:* The property that is being developed is responsible for installing the buffer yard.
  3. *Arrangement:* Plant material shall be installed within the buffer yard such that visual breaks from less intensive land uses are no greater than ten (10) feet as measured perpendicular to the adjacent property line.
  4. *Minimum Depth:* Buffer yards are required to be a minimum of one hundred fifty percent (150%) of the side setback and rear setback for the zoning district.
  5. *Fencing or Mounding:* In addition to the approved trees and shrubs standards, either fencing or mounding or a combination of both shall be installed as follows:
    - a. A solid ornamental wall and/or fence along the entire length of the buffer yard shall be used for screening and shall meet the provisions of *Chapter 05; §FW: Fence & Wall Standards.* The fence shall be installed along the edge of the buffer yard closest to the more intensive land use with the required landscaping outside the fence.
    - b. Undulating mounds with a minimum height of four (4) feet and a maximum height of eight (8) feet shall be installed for a distance equivalent to sixty percent (60%) of the distance contiguous to the conflicting property. The mounds shall be installed along the edge of the buffer yard closest to the more intensive land use with the required landscaping on the outside or on top of the mound.
  6. *Screening:* A reasonable attempt to screen the most obnoxious, noise producing, unsightly, tallest, most intrusive or most visible parts of buildings on the property should be made. Buffer yard plantings shall be sufficient to screen the less intensive use from unattractive views of the adjoining property, to prevent light pollution, and to dampen noise.

# Landscaping Standards (LA)

5.26 LA-05: Landscaping; Lot Plantings; Multiple-family, Mobile Home Community, Commercial, Industrial and High Impact  
This Landscaping Standards section applies to the following zoning districts:



- A. Lot Plantings: The following lot planting requirements apply to enhance the visual quality of developments, screen land uses, and better integrate the built and natural environment.
1. *Arrangement*: It is suggested that the required plantings be planted in clusters or irregular patterns.
  2. *Installation*: To ensure establishment and long-term survivability of plant material, the installation of irrigation systems is required in all landscaped areas for new construction projects greater than one (1) acre.
  3. *Minimum Number*:
    - a. Five (5) trees per acre shall be planted. A minimum of fifty percent (50%) of the required trees shall be evergreen trees.
    - b. Fifteen (15) shrubs per acre shall be planted. A minimum of fifty percent (50%) of the required shrubs shall be evergreen.
  4. *Substitution*: One (1) ornamental tree may be substituted for every four (4) shrubs; however, substitution shall not exceed fifty percent (50%) of the required shrubs.

5.27 LA-06: Landscaping; Optional Natural Area Protection

This Landscaping Standards section applies to the following zoning districts:



- A. Landscape Credits: The preservation of an existing healthy tree shall constitute an in-kind credit toward meeting the landscape requirements in the Unified Development Ordinance. A credit shall be granted per tree that contributes to and satisfies similarly the intent of a particular section of the Unified Development Ordinance. The following credits shall be granted for an existing tree as follows:
1. For each preserved deciduous tree over four (4) inches but less than eight (8) inches DBH a credit for three (3) deciduous trees shall be granted.
  2. For each preserved deciduous tree over eight (8) inches but less than twelve (12) inches DBH a credit for four (4) deciduous trees shall be granted.
  3. For each preserved deciduous tree over twelve (12) inches DBH a credit for five (5) deciduous trees shall be granted. The Executive Director may grant larger credits for trees over twelve (12) inches DBH upon request.
  4. For each preserved evergreen tree over six (6) feet tall but less than ten (10) feet tall shall be granted credit for two (2) evergreen trees.
  5. For each preserved evergreen tree over ten (10) feet tall shall be granted credit for three (3) evergreen trees. The Executive Director may grant larger credits for evergreen trees over ten (10) feet tall upon request.

## Landscaping Standards (LA)

- B. Tree Conservation: If preserving the natural landscape is chosen, prior to construction on or removal of trees from a wooded area, the following standards apply.
1. Provide a Tree Conservation Plan outlining strategies for retaining, protecting and replanting trees on a site. DNR can provide guidance. Prepare a Tree Conservation Map that outlines existing tree cover, priority protection areas, proposed grading, and proposed protective devices.
  2. Within the designated conservation areas, no trees with a DBH in excess of six (6) inches or evergreens eight (8) feet or more in height shall be removed from any lot unless trees are:
    - a. Within the building site pad;
    - b. Within fifteen (15) feet of the perimeter of the primary structure or accessory structures;
    - c. Between the front of the primary structure and the interior roadway of the subdivision; and/or
    - d. Required to be removed in order to comply with safety requirements of any governmental agency.
  3. Tree retention areas shall be a minimum of thirty-five (35) feet wide and minimum contiguous area of 10,000 square feet.
  4. A builder who violates the Tree Conservation Plan once established and improperly removes trees shall be required to reestablish such trees consistent with the trees removed. For example, if a six-inch (6") DBH tree is removed, the builder may reestablish such tree by installing three (3), two-inch (2") DBH trees or two (2), three-inch (3") DBH trees to total the DBH of the tree removed.
- C. Specimen Tree: Prior to construction around a specimen tree in a tree conservation area, the following standards apply:
1. Install highly visible (orange) construction fencing around the tree a minimum of twice the radius of the dripline of the tree.
  2. Avoid injuring roots when installing anchoring posts for fencing.
  3. Signs should be posted clearly identifying the plant protection zone.
  4. If a portion greater than thirty percent (30%) of the area within the drip line is unavoidably impacted, applicant shall install a root aeration system, tree well, retaining wall or raised boardwalk as appropriate permanent protection.

# Lighting Standards (LT)

## 5.28 LT-01: Lighting; General

This Lighting Standards section applies to the following zoning districts:



### A. General Standards:

1. *Light Trespass*: The maximum allowable light at a property line is five (5) lux. The only exceptions to this standard are as follows:
  - a. When the subject property is located within a commercial zoning district and the adjacent property is also located within a commercial zoning district or an industrial zoning district, then the allowable light at the property line is twenty (20) lux, but only along the sides of the property that are adjacent to the specified zoning districts.
  - b. When the subject property is located within an industrial zoning district and the adjacent property is also located within an industrial zoning district, then the allowable light at the property line is forty (40) lux, but only along the sides of the property that are adjacent to the specified zoning districts.
2. *Light Reading*: Measurements of light readings shall be taken at any point along the property line of the subject property with a light meter facing the center of the subject property at a height of five (5) feet.
3. *Ground Lighting*:
  - a. *Architectural*: The external illumination of any structure shall be done using full cut-off, fully-shielded, wall-mounted luminaires. Up-lighting from ground-mounted fixtures is prohibited.
  - b. *Sign*: All ground lighting used to cast light on signs shall have shields to assure that light does not project beyond the sign and shall utilize the minimum amount of light necessary to light the sign. The light fixture and bulb shall be shielded from view of any street, public sidewalk, parking lot, or adjacent property.
4. *Glare*: Light fixtures shall be fully shielded to prevent direct lighting on streets, alleys, and adjacent properties. Any structural part of the light fixture providing this shielding must be permanently affixed.
5. *Luminaire*: All luminaires shall be full cutoff and fully-shielded.
6. *Sport Field Lights*:
  - a. *Maximum Height*: Sport field lights shall not exceed one hundred (100) feet in height.
  - b. *Shut Off*: Sport field lights shall be shut off by 11:00 p.m.
  - c. *Glare*: The shielding requirements of §A(4): *Glare* shall also apply to sport field lighting.

### B. Parking Lot Standards:

1. All parking lots shall be illuminated with lighting fixtures and poles that are consistent in color, size, height, and design and are compatible with the architecture of the primary structure.
2. All parking lot lights shall utilize full cutoff, full-shielded luminaires.
3. Parking lot lights shall not exceed twenty-five (25) feet in height, measured to the bottom of the luminaire.

# Loading Standards (LD)

5.29 LD-01: Loading: General

This Loading Standards section applies to the following zoning districts:



- A. **Loading Berths Required:** Commercial and industrial uses that receive or transport goods in quantity by truck delivery, may be required to provide loading berths as shown below. In situations where the uses clearly do not need and will not in the foreseeable future need loading berths, the Executive Director or the DAC may reduce the number required or eliminate the requirement.

Use	Gross Floor Area	Berths
Retail stores, department stores, wholesale establishments, storage uses and other business uses	3,000 to 15,000 square feet	1
	Each 25,000 more than 15,000 square feet	1 additional
Office buildings	Less than 100,000 square feet	1
	100,000 to 336,000 square feet	2
	Each 200,000 more than 336,000 square feet	1 additional
Industrial Uses	Less than 15,000 square feet	1
	15,000 to 40,000 square feet	2
	40,001 to 100,000 square feet	3
	Each 40,000 more than 100,000	1 additional

- B. **Design:** Loading berths shall be designed and constructed as follows:
1. Loading berths shall be located on the least conspicuous façade of the structure.
  2. Loading berths shall be paved with asphalt or concrete.
  3. Loading berth areas shall not allow any portion of a vehicle using the loading facility to project into a street or alley right-of-way.
- C. **Screening:** Loading berths shall be effectively screened by solid building walls, constructed of similar building materials as the primary structure and may not be less than six (6) feet in height.
- D. **Drainage:** Loading berths shall be constructed to allow proper drainage.

# Lot Standards (LO)

## 5.30 LO-01: Lot; General

This Lot Standards section applies to the following zoning districts:



- A. Minimum Dwelling Site Area: The minimum dwelling site area shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- B. Minimum Dwelling Site Width: The minimum dwelling site width shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- C. Minimum Lot Area: The minimum lot area shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- D. Minimum Lot Width: The minimum lot width shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- E. Applicability: If a lot standard does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.

# Outdoor Storage Standards (OS)

## 5.31 OS-01: Outdoor Storage; Vehicles

This Outdoor Storage Standards section applies to the following zoning districts:



- A. Stored or Parked Vehicles: Stored or parked vehicles shall meet the following standards:
1. Vehicles shall not block, impede, or encroach upon a sidewalk.
  2. Vehicles shall not be used for other purposes such as living quarters, storage of materials, displaying offsite signage, unless such accessory uses are explicitly permitted within the Unified Development Ordinance and the accessory use is in conjunction with the primary use of the lot.
- B. Unlicensed or Inoperable Vehicles:
1. *Storage*: Unlicensed or inoperable vehicles shall not be stored in the front or side yard.
  2. *Exceptions*: Legally conforming automobile service and repair businesses may store a vehicle in the front or side yard during the period immediately proceeding the service or repair of the vehicle.

## 5.32 OS-02: Outdoor Storage; Prohibited

This Outdoor Storage Standards section applies to the following zoning districts:



- A. Prohibited: The outdoor storage of equipment, machinery, building materials, waste or scrap materials, pallets and similar materials is prohibited.

## 5.33 OS-03: Outdoor Storage; Trash Receptacles

This Outdoor Storage Standards section applies to the following zoning districts:



- A. Trash Receptacles: Outdoor trash receptacles, dumpsters, compactors and similar containers shall meet the following standards.
1. Containers shall be placed on a paved slab.
  2. Containers shall be screened on all sides by a fence or wall that is constructed with wood, brick, stone, or similar exterior building materials as the primary structure.
  3. The height of the screening shall be six (6) feet tall or higher if the height does not block the view of the trash receptacle, dumpster, compactor or similar container from adjacent lots or public rights-of-way.
  4. Container screening shall meet the setback requirements in *Chapter 05; §SB: Setback Standards*.

## 5.34 OS-04: Outdoor Storage; Screening

This Outdoor Storage Standards section applies to the following zoning districts:



- A. Screening: Outdoor storage of equipment, machinery, building materials, waste or scrap materials, pallets and similar materials shall be effectively screened on all sides with a minimum six-foot (6') privacy fence or wall and meet the applicable fence and wall standards in *Chapter 05; §FW: Fence & Wall Standards*.
- B. Landscaping: One (1) shrub reaching a height of at least six (6) feet at maturity for every ten (10) feet of fencing facing adjacent lots or public rights-of-way shall be planted.

## Parking Standards (PK)

### 5.35 PK-01: Parking; General

This Parking Standards section applies to the following zoning districts:

**R1 R2 R3 R4 RL MP IN OT CN CM CH**

- A. Surface: All parking required in the Unified Development Ordinance shall utilize a paved surface of concrete, asphalt, brick pavers, or the like. Gravel, stone, rock, dirt, sand or grass shall not be permitted as parking surfaces except as described in §PK-04(A)(11): *Parking Pavers*.
- B. Access: All ingress/egress onto a driveway or into a parking area shall be paved.
- C. Prohibited: Parking of motor vehicles is not permitted on lawns or other pervious-surfaced areas of a lot.
- D. Expansion: The expansion of legally nonconforming parking areas (existing gravel, stone, or rock) may be expanded one (1) time up to ten percent (10%) of its existing size with Site Plan review and approval.
- E. Dimensions: Parking spaces shall be a minimum of nine (9) feet wide and eighteen (18) feet in length.
- F. Right-of-way: Off-street parking spaces shall not be fully or partially in a public or private right-of-way or access easement.
- G. Display: Parking spaces shall not be used for display or storage of merchandise.

### 5.36 PK-02: Parking; Residential

This Parking Standards section applies to the following zoning districts:

**A1 A2 RR R1 R2 R3**

- A. Minimum Number: A minimum of two (2) off-street parking spaces are required per dwelling unit.
- B. Location:
  1. The parking spaces required shall be located on the same lot as the dwelling unit.
  2. The parking spaces may include spaces within car ports or garages.

### 5.37 PK-03: Parking; Multiple-family and Manufactured Home Park

This Parking Standards section applies to the following zoning districts:

**R4 RL MP**

- A. Minimum Number: A minimum of two (2) off-street parking spaces are required per dwelling unit.
- B. Location: The parking spaces required shall be located on the same lot as the dwelling unit.
- C. Visitor Parking:
  1. A minimum of one (1) off-street space per three (3) units is required for visitor parking and shall be spread evenly throughout the development.
  2. Visitor parking spaces may not include spaces in car ports or garages.

# Parking Standards (PK)

## 5.38 PK-04: Parking; Non-residential

This Parking Standards section applies to the following zoning districts:



### A. Parking Lot Design:

1. *Setbacks:* Parking lots may project into the lot setbacks, but shall not project into or interfere with any landscape easement or buffer yard except as permitted in *Chapter 05; §LA: Landscaping Standards*. If a landscape easement or buffer yard is not present, a parking lot shall not be installed within ten (10) feet of any property line, except when the parking lot is used as a shared parking lot as outlined below in *§6: Shared Parking Spaces*.
2. *Driveways:* Entrance and exit driveways may transect landscape easements and bufferyards when crossing them only.
3. *Right-of-way:* Parking areas shall be designed to prevent vehicles from maneuvering in the public right-of-way.
4. *Drainage:* Parking areas shall be constructed to allow proper drainage.
5. *Parking Lot Connectivity:*
  - a. Requirement: Where a lot abuts one (1) or more lots zoned for commercial use (including Planned Unit Development zoning districts that allow commercial development), parking spaces, parking aisles and driving lanes shall be laid out in a manner that will allow for the connection of the parking areas on the abutting lots.
  - b. Cross-access Easements:
    - i. Where parking lots connect, or are laid out to be connected, a cross-access easement shall be established in accordance with the requirements of *Chapter 07; §EA: Easement Standards*.
    - ii. Cross-access easements shall not be less than twenty (20) feet nor exceed thirty (30) feet in width.
6. *Shared Parking Spaces:* A group of adjacent properties may provide a shared parking area if:
  - a. The shared lot provides a minimum of seventy-five percent (75%) of the total spaces required for each use; and
  - b. The Executive Director approves the shared parking area; and
  - c. The building or use utilizing shared parking areas shall be located within three hundred (300) feet of the parking areas.
  - d. A written reciprocal parking agreement signed by all property owners involved is required and shall include provisions concerning at least the following items: maintenance, snow removal, ownership, liability and shall be recorded in the Porter County Recorder's Office.
7. *Aisle Widths:* Minimum parking aisle widths shall be as follows:
  - a. Ninety-degree (90°) angle space: twenty-four (24) feet wide parking aisle for one- or two-way traffic.
  - b. Sixty-degree (60°) angle space: eighteen (18) feet wide parking aisle for one-way traffic and shall be one-way.
  - c. Forty-five-degree (45°) angle space: fourteen (14) feet wide parking aisle for one-way traffic and shall be one-way.
8. *Aisle Exits:* All parking aisles shall have an outlet or turn around. Dead-end parking aisles shall not be allowed.
9. *Driving Lanes:* Driving lanes in parking lots that provide access to parking aisles shall be clearly striped or be curbed.
10. *Cart Corrals:* Cart corrals are required for all retail businesses with more than 20,000 square feet of retail space that provide shopping carts to its customers. The corrals shall be made of permanent materials, be able to accommodate a minimum of fifty percent (50%) of the fleet of shopping carts available, and any single unit shall not be any larger than ten (10) feet by thirty-six (36) feet in length.

# Parking Standards (PK)

11. *Parking Pavers:*

- a. Grass or other structurally engineered parking pavers may be substituted for hard surface parking surfaces provided the parking area is intended for low intensity or intermittent parking uses.
- b. Areas utilizing parking pavers shall not count towards impervious surface calculations.

B. Number of Parking Spaces:

1. *Maximum Number:*

- a. Off-street parking shall be required for all uses as shown in *Table PK-A: Maximum Number of Parking Spaces per Use*. The maximum number of parking spaces is described in the right column for the land uses listed in the left column. The numbers do not guarantee the quantity needed per use, only maximums are expressed. If a structure combines two (2) or more uses, the parking requirement is figured by adding the maximum number of spaces allowed for all uses.
- b. If a use is not clearly noted below, the Executive Director may determine into which land use the proposed development best fits, therefore determining the maximum number of parking spaces required.

2. *Land Banking:* A parking lot may be built with fewer spaces than the required spaces in *Table PK-A: Maximum Number of Parking Spaces per Use* if the following standards are met:

- a. Adequate and appropriate space shall be land banked such that the full number of parking spaces required in *Table PK-A: Maximum Number of Parking Spaces per Use* can be built on-site at a later date, should the need arise.
- b. The property owner shall record a plat that clearly denotes the land banked area, and identifies the area as a “no build zone.”
- c. A design shall be presented at the time of site plan review showing how the full number of parking spaces required in *Table PK-A: Maximum Number of Parking Spaces per Use* would be installed and how drainage would be handled, should the need arise. This design shall also be recorded.
- d. Under no circumstances may less than forty percent (40%) of spaces required in *Table PK-A: Maximum Number of Parking Spaces per Use* be permitted to be installed.

3. *Bicycle Parking Spaces:* Bicycle parking areas shall be provided in proportion to the total number of parking spaces installed as follows:

- a. A minimum of one (1) bicycle parking space shall be provided per thirty (30) vehicle parking spaces. No more than fifteen (15) bicycle parking spaces shall be required for any primary structure.
- b. The bicycle parking spaces shall be located within sixty (60) feet of the main entryway into the primary structure or be located inside the primary structure.
- c. A bike rack shall be installed to secure the bicycles.

4. *Stacking Lanes:* The following uses shall provide adequate stacking lane space to accommodate the number of vehicles specified as follows:

- a. Banks: 4
- b. Dry cleaner: 3
- c. Fast food restaurant: 7
- d. Pick-up windows: 5
- e. Place of Worship: 10
- f. School: 10
- g. Youth Club: 10

5.39 PK-05: Parking; Office and Technology

This Parking Standards section applies to the following zoning districts:

**OT**

- A. Location: Parking is prohibited in the front yard, and between buildings and the right-of-way.

# Parking Standards (PK)

Table PK-A: Maximum Number of Parking Spaces Per Use

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
<b>Commercial</b>		
amusement park	---	---
automobile oriented business	---	---
automobile accessory installation	1 space for each employee on maximum shift	5 spaces for each service bay (service bay may count as 1 of the required spaces)
automobile body shop	---	5 spaces per service bay
automobile gas station	---	3 per gas pump
automobile oil change facility	1 space for each employee on maximum shift	5 spaces for each service bay (service bay may count as 1 of the required spaces)
automobile part sales	---	1 per 375 square feet of GFA including service bays, wash tunnels and retail area
automobile rental	---	1.3 spaces per 1000 square feet of site area
automobile repair/service station	---	5 spaces per service bay
automobile wash	---	3 spaces per service bay or lane
bank machine/ATM	---	2 spaces for each teller machine located at any 1 premise; provided, however, that 2 parking spaces shall not apply to drive-through automatic teller machines that are adjacent to a bank drive-thru facility which has a designated drive-thru lane specifica
banquet hall	---	1 space for each 200 square feet of GFA
bar/tavern	---	1 space for each 50 square feet of GFA
barber/beauty shop	---	1 space for each 100 square feet of GFA
billiard/arcade room	---	1 space for each 50 square feet of GFA
bowling alley	---	5 spaces per 1000 square feet of GFA
cellular phone services	---	4.3 spaces per 1000 square feet of GFA
club or lodge	---	1 space per for each 150 square feet of GFA
coffee shop	---	1 space for each 100 square feet of GFA
coin laundry	---	1 space for each 150 square feet of GFA
commercial training facility or school	1 space for each employee on maximum shift	1 space for each 2 classroom seats
county club	---	1 space for each 75 square feet of GFA
dance/night club	---	1 space for each 50 square feet of GFA
day care, adult	---	1.5 spaces per 375 square feet of GFA
day care, child	---	1.5 spaces per 375 square feet of GFA
delicatessen	---	1 space for each 75 square feet of GFA
dry-cleaning service	---	1 space for each 150 square feet of GFA
emergency medical clinic	---	1 space for each 150 square feet of GFA
farmers market	---	1.3 spaces per 1000 square feet of GFA
financial services	---	1 space for each 200 square feet of GFA
fitness center/health club	---	1 space for each 100 square feet of GFA
funeral home or mortuary	---	1 space for each 75 square feet of GFA
golf course	1 space for each employee	4 spaces for each hole
golf, driving range	1 space for each employee on maximum shift	1 space for each tee
golf, miniature	1 space for each employee on maximum shift	1 space for each tee
health spa/day spa	---	5.4 spaces for each 1000 square feet of GFA

# Parking Standards (PK)

Table PK-A: Maximum Number of Parking Spaces Per Use (continued)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
<b>Commercial (continued)</b>		
hotel/motel	---	1.5 spaces for each sleeping room or individual suite of sleeping room, plus 1 space for each 100 square feet GFA within the restaurant per bar per entertainment per meeting room facility (if applicable)
ice cream shop	---	1 space per 200 square feet of GFA
kennel	1 for each 2 employees on maximum shift	1 space for each pet owner at maximum capacity if animal training classes taught on-site
movie theater	---	1 space for each 3 seats
office, construction trade	---	1 space for each 350 square feet of GFA
office, design service	---	1 space for each 200 square feet of GFA
office, financial services	---	1 space for each 200 square feet of GFA
office, general services	---	1 space for each 200 square feet of GFA
office, medical	---	1 space for each 150 square feet of GFA
paintball facility, indoor	---	1 space for each 50 square feet of GFA
party/event store	1 space for each employee on maximum shift	1 space for each 200 square feet of GFA
pet grooming/store	---	1 space for each 150 square feet of GFA
photographic studio	---	3 spaces for each full-time practitioner
plant nursery	---	1 space for each 150 square feet of GFA
print shop/copy center	---	1 space for each 150 square feet of GFA
quick cash/check cashing	---	1 space for each 250 square feet of GFA
race track	---	1 space for each 3 seats
recreation center/play center	---	1 space for each 100 square feet of GFA
restaurant	---	1 space for each 75 square feet of GFA
restaurant with drive-up window	---	1 space for each 100 square feet of GFA
retail, high intensity	---	5.1 spaces for each 1,000 square feet of GFA
retail, low intensity	---	1 space for each 200 square feet of GFA
retail, medium intensity	---	4.5 spaces per 1000 square feet of GFA
retail, special handling	---	1 space for each 200 square feet of GFA
sexually oriented business	---	3 spaces for each 1000 square feet of GFA
shoe store/repair	---	1 space for each 200 square feet of GFA
skate park	---	1 space for each 2 people the facility is designed to accommodate at maximum capacity
skating rink	---	1 space for each 100 square feet of skating area
sport fields	---	30 spaces for each playing field
stadium	---	1 space for each 2.5 seats or 2.5 people at maximum capacity
studio arts	---	3 spaces for each full-time practitioner
tailor/pressing shop	---	1 space for each 150 square feet of GFA
tanning salon	---	2 spaces per tanning room or station
tattoo/piercing parlor	---	1 space for each 200 square feet of GFA
video/DVD rental	---	1 space for each 200 square feet of GFA

# Parking Standards (PK)

Table PK-A: Maximum Number of Parking Spaces Per Use (continued)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
<b>Industrial</b>		
above-ground utility facility	1 space for each employee based on maximum shift	1 space for each facility
assembly	1 space for each employee based on maximum shift	1 visitor space for each 10 employees
construction demolition landfill	1 space for each employee based on maximum shift	---
distribution facility	1 space for each employee based on the combined total of the maximum and second shift	---
electrical generation plant	1 space for each employee based on maximum shift	1 space for each 2000 square feet of GFA
flex-space	1 space for each employee based on maximum shift	1 visitor space for each 10 employees
food production/processing	1 space for each employee based on maximum shift	1 per 300 feet of square feet of GFA
gravel/sand mining	1 space for each employee based on maximum shift	---
incinerator	1 space for each employee based on maximum shift	---
junk yard	2 space for each employee based on maximum shift	---
liquid fertilizer storage/distribution	1 space for each employee based on maximum shift	1 space for each 200 square feet of GFA
manufacturing, heavy	1 space for each employee based on maximum shift	---
manufacturing, light	1 space for each employee based on maximum shift	1 space for each 200 square feet of GFA
outdoor storage	1 space for each employee based on maximum shift	1.3 spaces per 1000 square feet of GFA
radio/TV station	1 space for each employee based on maximum shift	1 space for each 300 square feet of GFA
recycling processing	1.5 space for each employee based on maximum shift	---
rendering plant	1 space for each employee based on maximum shift	1 space per 10 employees
research center	1 space for each employee based on maximum shift	3.8 spaces per 1000 square of GFA
sanitary landfill/refuse dump	1 space for each employee based on maximum shift	---
scrap metal yard	1 space for each employee based on maximum shift	1 space for visitor parking on the basis of each 10 employees on the largest working shift
sewage treatment plant	1.5 space for each employee based on maximum shift	---
sign painting/fabrication	1.5 space for each employee based on maximum shift	---
storage tanks (hazardous)	1 space for each employee based on maximum shift	---
telecommunication facility	1 space for each employee based on maximum shift	1 space per 300 square feet of GFA, plus 1 space for each company-owned vehicle
testing lab	1 space for each employee based on maximum shift	1 visitor space per 10 employees
tool and die shop	1 space for each employee based on maximum shift	1 space per 500 square feet of GFA
transfer station	1 space for each employee based on maximum shift	1 space per 200 square feet of GFA

# Parking Standards (PK)

Table PK-A: Maximum Number of Parking Spaces Per Use (continued)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
<b>Industrial (continued)</b>		
warehouse	1 space for each employee based on maximum shift	0.7 space per 1000 square feet of GFA if less than 150,000 square feet; and 0.4 space per 1000 square feet of GFA if greater than 150,000 square feet
warehouse storage facility	1 space for each employee based on maximum shift	---
water treatment plant	1.5 space for each employee based on maximum shift	---
welding	1.5 space for each employee based on maximum shift	---
<b>Institutional</b>		
cemetery/mausoleum	---	1 space per 4 visitors to the maximum capacity
child care institution	1 per employee base on maximum shift	1 space each for each 10 peoples
community center	---	1 space each 250 square feet of GFA
crematory	---	1 space per 4 seats or 75 square feet in parlor area if no fixed seats
government office	1 space per employee based on maximum shift	---
government operations (non-office)	1 space per employee based on maximum shift	---
hospital	2 spaces for each 3 employees	1 space for each 2 beds
jail	1 space for each employee based on maximum shift	1 space for each 25 inmates
juvenile detention	---	0.4 spaces per bed based on maximum capacity
library	---	1 space for each 150 square feet GFA
municipal airport	1 space per employee based on maximum shift	1 per aircraft tie down
municipal heliport	---	2.5 spaces for each helicopter based at facility
museum	1 space for each 2 employees	1 space for each 250 square feet of GFA
park, public	---	1 space for each 0.5 acres of developed park
place of worship	---	1 space for every 4 seats, or 18' of linear bench
police, fire or rescue station		3 spaces for each 1000 square feet of GFA
post office	1 space for 3 employees	1 space for each 150 square feet of GFA
pool, public	1 space for each employee	1 space for each 4 persons lawfully permitted in the pool at 1 time
prison	1 space for each employee based on maximum shift	1 space for each 25 inmates
recycling collection point	---	1 space for each recycle collection container
school (p-12)	---	3 spaces for each classroom, or 1 space for each 3 seats in the primary assembly area, which ever is greater or as determined upon review by the planning director
school, trade or business	1 space for each employee based on maximum shift	1 space for each 2 classroom seats
school, university or college	2 spaces for each 3 employees	1 space for each 5 students, based on the maximum number of students the facility is designed to handle

# Parking Standards (PK)

Table PK-A: Maximum Number of Parking Spaces Per Use (continued)

Land Use	Parking Types	
	Employee/Tenant Parking	Visitor/Client/Customer Parking
<b>Residential</b>		
assisted living	1 space for each employee on maximum shift	1.5 spaces for each dwelling unit
bed and breakfast	---	1.5 spaces for each bedroom
fair housing facility (small)	---	1 space for 2 resident beds
fair housing facility (large)	---	1.5 spaces for each 2 bedroom apartment
lodging house	---	1.5 spaces for each bedroom
manufactured home park	---	2 spaces for each home
mobile home park	---	2 spaces for each mobile home, plus 1 guest parking space for each 4 mobile homes
nursing home	1 space for each 3 employees	1 space for each 4 beds
retirement community	1 space for each employee on maximum shift	1.5 spaces for each dwelling unit

# Performance Standards (PF)

## 5.40 PF-01: Performance; General

This Performance Standards section applies to the following zoning districts:



- A. Air Pollution: 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 conflict with public air quality standards.
- B. Electrical Disturbance: No use shall cause electrical disturbance adversely affecting radio, television or other equipment in the vicinity.
- C. Fire Protection: Fire fighting equipment and prevention measures acceptable to the Fire Department shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is conducted.
- D. Heat and Glare: No use shall produce heat or glare in such a manner as to be a nuisance or create a hazard perceptible from any point beyond the lot lines.
- E. 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, provided, however, public safety sirens and related apparatus used solely for public purposes shall be exempt from this standard.
- F. Obnoxious Characteristics: No use shall exhibit obnoxious characteristics to the extent that it constitutes a public nuisance. No use in existence on the effective date of the Unified Development Ordinance shall be so altered or modified to conflict with these standards.
- G. Odor: No use shall emit across the lot lines malodorous gas or substances in such quantity as to be detectable at any point along the lot lines.
- H. Vibration: No use shall cause vibrations or concussions detectable beyond the lot lines without the aid of instruments.
- I. Water and Solid Waste Pollution:
  1. No use shall produce erosion or pollutants so as to be detrimental to adjacent properties or conflict with public water quality standards.
  2. No authorization of a use under the Unified Development Ordinance includes the authority to discharge liquid or solid wastes into public waters except as permitted by the Porter County Code.
  3. No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in conflict with applicable public health, safety and welfare standards and regulations.

# Public Improvement Standards (PI)

## 5.41 PI-01: Public Improvement; General

This Public Improvement Standards section applies to the following zoning districts:



- A. Adequate Facilities: Developments are permitted only if the public streets, drainage facilities, and utilities are adequate to serve the proposed development.
1. The Plan Commission and the Development Advisory Committee (DAC) shall make a determination as to whether the public streets that will carry the increased traffic from the development are adequate to accommodate such traffic.
  2. The Plan Commission Office and the Development Advisory Committee (DAC) shall make a determination as to needed public street improvements.
  3. Public utilities shall have sufficient capacity to serve the development.
  4. The Plan Commission Office and the Development Advisory Committee (DAC) shall make a determination as to needed utility improvements.
  5. Drainage facilities shall have sufficient capacity to serve the development.
  6. The Plan Commission Office and the Development Advisory Committee (DAC) shall make a determination as to needed drainage improvements.
  7. When public improvements are required, the developer or authorized representative is required to post performance and maintenance guarantees for such improvements.

# Setback Standards (SB)

## 5.42 SB-01: Setback; General

This setback standards section applies to the following zoning districts:



- A. Minimum Dwelling Site Front Setback: The minimum dwelling site front setback shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- B. Minimum Dwelling Site Side Setback: The minimum dwelling site side setback shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- C. Minimum Dwelling Site Rear Setback: The minimum dwelling site rear setback shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- D. Minimum Front Setback:
  1. *Generally*: The minimum front setback shall be as per each two-page layout in *Chapter 02: Zoning Districts*.
  2. *Average Front Setback*: Where a subdivision has been platted and substantially built-out utilizing a front setback standard less than that required by *Chapter 02: Zoning Districts*, an infill lot may utilize the average setback as defined in *Chapter 12: Definitions*.
- E. Minimum Side Setback:
  1. *Generally*: The minimum side setback shall be as per each two-page layout in *Chapter 02: Zoning Districts*.
  2. *Average Side Setback*: Where a subdivision has been platted and substantially built-out utilizing a side setback standard less than that required by *Chapter 02: Zoning Districts*, an infill lot may utilize the average setback as defined in *Chapter 12: Definitions*.
- F. Minimum Rear Setback:
  1. *Generally*: The minimum rear setback shall be as per each two-page layout in *Chapter 02: Zoning Districts*.
  2. *Average Rear Setback*: Where a subdivision has been platted and substantially built-out utilizing a rear setback standard less than that required by *Chapter 02: Zoning Districts*, an infill lot may utilize the average setback as defined in *Chapter 12: Definitions*.
- G. Waterside Setback:
  1. *Minimum Waterside Setback*: Structures on lakefront lots shall be set back:
    - a. At least thirty (30) feet from the:
      - i. Base flood elevation, if it has been established; or
      - ii. Water's edge at normal pool elevation; or
    - b. At the flood protection grade; whichever is greatest.
    - c. so the structures do not impede the view of the lake from adjacent lakefront lots.
  2. *Average Waterside Setback*: On all lakefront lots, no structure shall be constructed or erected with a waterside setback less than the average setback of existing similar buildings or structures within two hundred (200) feet on each side of the property.

## Setback Standards (SB)

- H. Environmental Features: All structures shall be set back a minimum of fifteen feet (15) from the environmental features identified in *Chapter 07; §OP: Open Space Standards*.
- I. Exceptions: The following types of structures or building features are exempt or partially exempt from the setback standard as stated:
1. *Architectural Features* (cornice, eave, sill, canopy or similar feature):
    - a. May extend into a required front setback not more than three (3) feet.
    - b. May extend into a required side setback not more than two (2) feet.
    - c. May extend into a required rear setback not more than three (3) feet.
    - d. But shall never be closer than three (3) feet to the property line.
  2. Chimneys may extend into a required setback not more than two (2) feet provided the width of any side yard is not reduced to less than three (3) feet.
  3. Stairs or an open platform or landing which does not extend above the level of the floor elevation of the first floor of the structure:
    - a. May extend into a required front setback not more than four (4) feet.
    - b. May extend into a required side setback not more than four (4) feet.
    - c. May extend into a required rear setback not more than twenty-five percent (25%) of the required rear setback depth.
    - d. But shall never be closer than three (3) feet to the property line.

# Sewer and Water Standards (SW)

## 5.43 SW-01: Sewer and Water; General

This sewer and water standards section applies to the following zoning districts:



- A. Sewer: Connection to a sanitary sewer shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- B. Water: Connection to a water utility shall be per each two-page layout in *Chapter 02: Zoning Districts*.
- C. Applicability: If the above listed sewer and water standard does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.



# Sexually Oriented Business Standards (SX)

## 5.44 SX-01: Sexually Oriented Business; General

This Sexually Oriented Business Standards section applies to the following zoning districts:

**12**

**Purpose:** The purpose of provisions that regulate sexually oriented businesses is to promote the health, safety, morals and general welfare of the citizens of the County, and to establish reasonable and uniform regulations to prevent deleterious effects of sexually oriented businesses within the County. The provisions have neither the purpose nor the effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of these provisions to restrict or deny access by adults to sexually oriented materials protected by the First Amendment to the United States Constitution or the Indiana State Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent or effect of these provisions to in any way condone or legitimize the distribution of obscene or material harmful to minors.

- A. **Permit Required:** Sexually oriented businesses shall not be constructed, erected, placed, modified or altered until an Improvement Location Permit has been obtained (see *Chapter 10; §10.11: Improvement Location Permit*).
- B. **Separation Requirements:** Sexually oriented businesses shall have the following separation requirements:
  1. Sexually oriented businesses shall be separated from other sexually oriented businesses by 1,500 feet.
  2. Sexually oriented businesses shall be separated from residential zoning districts by 1,500 feet.
  3. Sexually oriented businesses shall be separated from public gathering places such as schools, parks, playgrounds, libraries, religious institutions, day-care centers, and public buildings by 1,500 feet.
  4. The separation shall be measured in a straight line from the closest points between property lines, without regard to intervening structures or objects for sexually oriented businesses on a single lot. If a sexually oriented business is within a multiple-tenant building, the measurement shall be taken from the exterior walls of the premises occupied by the sexually oriented business to the property line of the use, without regard to intervening structures or objects.
- C. **Parking:**
  1. Parking lots shall not include spaces suitable for the parking of tractors with semitrailers attached.
  2. Overnight parking is prohibited.

## 5.45 SX-02: Sexually Oriented Business; Sexually Oriented Media

This Sexually Oriented Business Standards section applies to the following zoning districts:

**12 13**

- A. **Sexually Oriented Media:** Video stores, bookstores, and newsstands that carry some sexually oriented media and do not meet the definition of an adult bookstore as defined in *Chapter 12: Definitions*, shall be subject to the following requirements:
  1. Adult media in a shop shall be kept in a separate room or section of the shop, which room or section shall:
    - a. Not be open to any person under the age of eighteen (18) years;
    - b. Be physically and visually separated from the rest of the store by an opaque wall of durable material, reaching at least eight (8) feet high or to the ceiling, whichever is less;
    - c. Be located so that the entrance to it is as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children;
    - d. Have access controlled by electronic or other means to provide assurance that persons under the age of eighteen (18) years will easily not gain admission and that the general public will not accidentally enter such room or section or provide continuous video or window surveillance of the room by store personnel; and
    - e. Provide signage at the entrance stipulating that persons under age eighteen (18) years are not permitted inside.

# Sign Standards (SI)

## 5.46 SI-01: Sign; General

This Sign Standards section applies to the following zoning districts:



- A. **Permit Required:** A Sign Permit is required for all signs located, erected, constructed, reconstructed, moved, and altered unless otherwise stated in §SI: *Sign Standards* or in *Chapter 10; §10.13: Sign Permit* of the Unified Development Ordinance.
- B. **Landscaping:** All signs permanently mounted to the ground shall be landscaped as follows:
1. The base of all permanent ground signs shall be effectively landscaped with living plant material (*e.g.* shrubs and flowers). Base landscaping shall be maintained in good health at all times. Landscaping materials shall not screen the sign message, but shall significantly soften the base.
  2. The minimum landscaped area shall be equal to one-half (½) the total sign face area; and extend equally from the supporting structure in all directions. The landscaped area shall include all points where sign structural supports attach to the ground and any lighting mounted on the ground.
  3. Exposed foundations shall be covered with a finish material such as brick, stone, metal or wood.
- C. **Illumination:** All illuminated signs shall comply with the following standards:
1. No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion.
  2. All illuminating elements shall be kept in satisfactory working condition and repaired or replaced if damaged or inoperable within fourteen (14) days, or as soon as possible if circumstances do not allow.
  3. The direct or reflected light from a light element shall not be visible from vehicles on public streets, private streets and parking lots.
  4. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
  5. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Unified Development Ordinance.
  6. When lighting for signs is permitted, said lighting shall abide by the same light trespass regulations as indicated in *Chapter 05; §LT: Lighting Standards*.
- D. **Prohibited Locations:** Signs shall not be installed at any of the following locations:
1. In any public right-of-way, unless specifically authorized by the Board of County Commissioners.
  2. In any utility easement unless authorized by the County Engineer.
  3. In any no-build or no-disturb zone.
  4. In any public park or other public property, with the exception of those signs specifically permitted by the base zoning district.
  5. On any traffic control signs, highway construction signs, fences, utility poles, street signs, trees or other natural objects.
  6. Obstructing any door, fire escape, stairway, or any opening intended to provide entrance or exit for any building or structure.
  7. In a manner that obstructs or interferes with safe movement of vehicular or pedestrian traffic.
  8. Within the areas prohibited by *Chapter 05; §VC: Vision Clearance Standards*.

## Sign Standards (SI)

- E. Prohibited Signs: The signs listed in this section are prohibited.
1. *Animated Signs*: Signs that gain attention through animation, including:
    - a. Signs that utilize any motion picture, laser, or visual projection of images or copy.
    - b. Signs that emit audible sound, odor or visible matter.
    - c. Signs that have blinking, flashing, or fluttering lights or which has a changing light intensity, brightness or color, or give such illusion.
  2. *Misleading Signs*: Signs that are misleading, including:
    - a. Signs that purport to be or are in imitation of, or resemble an official traffic sign or signal or which bear the words “Stop”, “Slow”, “Caution”, “Danger”, “Warning”, or similar words.
    - b. Signs that may be construed as or have on it a light of an emergency or road equipment vehicle.
  3. *Roof Signs*: Signs to be placed on the roofs of structures and signs that extend above the roof line or parapet of a building.
  4. *Vehicle Signs*: Vehicle signs are prohibited when the vehicle is parked on public or private property for the primary purpose of displaying the sign. Prohibited vehicle signs are not to be construed as vehicles with signs on them that:
    - a. Are lawfully parked overnight or during nonbusiness hours for that operation in a discreet location, on public or private property;
    - b. Are making deliveries, sales calls, or customary practices relating to doing business;
    - c. Are making trips to transport persons or property; or
    - d. Are in conjunction with customary construction operations on a construction site.
  5. *Miscellaneous Signs*:
    - a. Trailblazer or point of destination signs.
    - b. Search lights.
    - c. Pennants, streamers, and/or spinners, except as permitted in the Unified Development Ordinance.
    - d. Bench signs, except as permitted in the Unified Development Ordinance.
    - e. Signs with moving or movable parts.
    - f. Signs that contain profane language, male genitalia or female genitalia are prohibited as a common nuisance.
- F. Inspection Provisions: Signs for which a Sign Permit is required may be inspected periodically by the County for compliance with the Unified Development Ordinance.
- G. Maintenance: All signs and sign components shall be kept in good repair and in safe, clean and working condition.
- H. Noncommercial Message: Noncommercial messages are permitted on all signs permitted in this Chapter.
- I. Government Flags: The flag, pennant, or insignia of any nation, state, city or other political unit are exempt from needing a Sign Permit, but shall not be mounted more than thirty-five (35) feet in height and be more than forty (40) square feet in area
- J. Religious Symbols: Religious symbols incorporated into the architecture on places of worship or structures owned and operated by religious organizations shall not be considered a sign unless accompanied with text.
- K. Scoreboards: Scoreboards are exempt from needing a Sign Permit as follows:
  1. When used in conjunction with a legally established sport field; and
  2. When not containing any commercial messages; and
  3. When the scoreboard does not exceed twenty (20) feet in height above the ground; and
  4. When the total scoreboard area does not exceed one hundred (100) square feet; and
  5. When the scoreboards are single-sided.
- L. Holiday Decorations: Holiday decorations with noncommercial messages shall not be considered a sign.
- M. Murals: Murals without a commercial message are exempt from the sign standards and do not require a Sign Permit.

# Sign Standards (SI)

- N. **Street Addresses:** Every building is required to post its numerical street address, and is exempt from needing a Sign Permit if installed as follows:
1. *Single-family Residential Structure Addresses:* Street addresses for single-family residential structures shall consist of Arabic numerals (*i.e.* 1, 2, 3...) no less than three (3) inches in height and no more than eight (8) inches in height on its mailbox and/or at its main entrance door, whichever is more visible.
  2. *Apartment Complex Addresses:* Street addresses for apartment complexes shall consist of Arabic numerals (*i.e.* 1, 2, 3...) no less than five (5) inches in height and no more than ten (10) inches in height. Each apartment complex is required to have each building's address displayed in an obvious location if the entrance into each apartment unit is not clearly labeled with a street address.
  3. *Nonresidential Use Addresses:* The minimum and maximum height for address numbers varies according to front setback as follows:
    - a. If the address is posted one hundred (100) feet or less from the road right-of-way, the numbers shall be between five (5) and twelve (12) inches in height.
    - b. If the address is posted between one hundred (100) and two hundred (200) feet from the road right-of-way, the numbers shall be between eight (8) and sixteen (16) inches in height.
    - c. If the address is posted over two hundred (200) feet from the road right-of-way, the numbers shall be between twelve (12) and twenty (20) inches in height.
  4. *Legibility:* All street addresses shall contrast to the color of the surface on which they are mounted and shall be clearly visible and identifiable from the street.
- O. **Political Signs:**
1. *Freedom of Speech:* Political signs are considered noncommercial, freedom of speech signs.
  2. *Timing:* Political signs may be erected thirty (30) days prior to an election and should be removed within ten (10) days after the election.
  3. *Lighting:* Political signs shall not be lighted.
  4. *Location:* Political signs are subject to the requirements of §D: *Prohibited Locations*.
  5. *Maximum Height:* Political signs shall not exceed six (6) feet in height.
  6. *Maximum Sign Area:* Thirty-two (32) square feet.
  7. *Maximum Number:* Not applicable.
  8. *Sign Permit:* A Sign Permit is not required for a political sign.
- P. **Directional Devices:** Directional devices are exempt from needing a Sign Permit if installed as follows:
1. *Use:* Directional devices shall be used to indicate points of entry or exit for a business, public amenity, or off-street parking area.
  2. *Area:* Directional devices are limited to a maximum of four (4) square feet in area per entrance, and may be double-sided.
  3. *Maximum Height:* Directional devices are limited to a maximum of forty-two (42) inches in height above the ground.
  4. *Placement:*
    - a. Directional devices shall not interfere with safe vehicular or pedestrian traffic circulations.
    - b. Directional devices shall not obstruct the view of drivers entering or exiting the lot.
    - c. Directional devices shall not be placed within a public right-of-way.
    - d. Directional devices shall be on the property to which it refers.
  5. *Quantity:* No more than two (2) directional devices shall be used per street frontage, with a maximum of four (4) per lot.
  6. *Message:* Directional devices may contain information such as "in", "enter", "entrance", "out", "exit", "do not enter" or directional arrows indicating desired traffic movement. Further, directional devices may display a logo on up to forty percent (40%) of the total sign area, but shall not contain a commercial message or advertising. If a commercial message or advertising is desired on a directional device, or if the logo exceeds forty percent (40%) of the sign area; the sign will be regulated as a Directional Sign and shall not be exempt from getting a Sign Permit or exempt from the cumulative square footage allowed on a site.

# Sign Standards (SI)

- Q. Private Property Signs: Private property signs are exempt from needing a Sign Permit if installed as follows:
1. *Use*: Information signs are allowed only when they display noncommercial message, either information necessary for the safety and convenience of residents and visitors. For example, “beware of dog” and “no trespassing”; or information about a security system.
  2. *Area*: Private property signs may not exceed two (2) square feet in area.
  3. *Quantity*: No more than one (1) private property sign is permitted per lot with less than one hundred (100) feet of road frontage. One (1) additional private property sign is permitted per one hundred (100) feet of additional road frontage over the initial one hundred (100) feet.
  4. *Message*: Private property signs shall not contain a commercial message.
- R. Ground Level: The ground shall not be raised or lowered to artificially change the point at which a sign height is measured.

## 5.47 SI-02: Sign; Single-family Residential

This Sign Standards section applies to the following zoning districts:



The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:

- A. Permanent Sign Standards: No permanent signs are permitted on a single-family residential lot.
- B. Temporary Sign Standards: Temporary signs shall be permitted as follows:
1. *Standard Temporary Signs*: The following standards apply to standard temporary signs:
    - a. *Area*: The sign area for a standard temporary sign shall not exceed five (5) square feet per side.
    - b. *Maximum Height*: Any standard temporary sign shall not exceed four (4) feet above the ground.
    - c. *Maximum Number*: One (1) standard temporary sign is permitted for lots with frontage on one (1) public street; and two (2) standard temporary signs are permitted for lots with frontage on two (2) or more public streets if they have at least three hundred (300) lineal feet of combined street frontage.
    - d. *Location*: A standard temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle and driveway. A standard temporary sign cannot be located fully or partially on any public sidewalk.
    - e. *Separation*: No two (2) standard temporary signs on the same property shall be closer than eighty (80) feet to each another.
    - f. *Duration*: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* sale of property, garage sale, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary ground or wall signs must be taken down within seven (7) days after the standard temporary sign’s purpose no longer exists.
    - g. *Sign Permit*: No Sign Permit is required for a standard temporary sign but the sign shall be in compliance with all applicable development standards.
    - h. *Sign Type*: A standard temporary sign must be a freestanding sign placed in a yard adjacent to a public right-of-way.
- C. Freedom of Speech: The standard temporary ground sign may be used for freedom of speech for any length of time, but shall be consistent with the time, place and manner standards described above.

# Sign Standards (SI)

## 5.48 SI-03: Sign; Multiple-family and Manufactured Home Park

This Sign Standards section applies to the following zoning districts:



The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:

A. Permanent Sign Standards: Permanent signs shall be permitted as follows:

1. *Types of Signs Permitted*: Entry feature signs are allowed within the constraints of the regulations in this section.
2. *Entry Feature Signs*: The following standards apply to entry feature signs:
  - a. *Prerequisite*: An entry feature sign is permitted for an apartment complex or a lease-lot development with at least twenty (20) dwelling units.
  - b. *Area*: Any single entry feature sign shall not exceed forty (40) square feet in sign area per qualifying entrance.
  - c. *Maximum Number*: One (1) entry feature sign is permitted at the main entrance into the development. An additional one (1) entry feature signs shall be permitted if all the following are present:
    - i. The development has a second vehicular entrance from a public street; and
    - ii. The development has at least 1,000 lineal feet of combined frontage.
  - d. *Location*: Entry feature signs shall not be placed in the public right-of-way. No setback from the right- of-way is required.
  - e. *Maintenance*: Entry feature signs shall be maintained by a the property owner, home owners association or similar legally binding arrangement.
  - f. *Materials*: Entry feature signs shall consist entirely of brick, stone, or other aesthetically appealing materials. The reverse sides of such signs shall use the same materials and be finished to match the front.

B. Temporary Sign Standards: Temporary signs shall be permitted as follows:

1. *Standard Temporary Signs*: The following standards apply to standard temporary signs:
  - a. *Area*: The sign area for a standard temporary sign shall not exceed five (5) square feet per side.
  - b. *Maximum Height*: Any standard temporary sign shall not exceed four (4) feet above the ground.
  - c. *Maximum Number*: One (1) standard temporary sign is permitted for lots with frontage on one (1) public street; and two (2) standard temporary signs are permitted for lots with frontage on two (2) or more public streets if they have at least three hundred (300) lineal feet of combined street frontage.
  - d. *Location*: A standard temporary sign shall be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle and driveway. A standard temporary sign cannot be located fully or partially on any public sidewalk.
  - e. *Separation*: No two (2) standard temporary signs shall be closer than eighty (80) feet to each other.
  - f. *Duration*: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* sale of property, garage sale, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary ground or wall signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
  - g. *Sign Permit*: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.
  - h. *Sign Type*: A standard temporary sign shall be a freestanding sign placed in a yard adjacent to a public right-of-way.

C. Freedom of Speech: The standard temporary ground sign may be used for freedom of speech for any length of time, but must be consistent with the time, place and manner standards described above.

# Sign Standards (SI)

## 5.49 SI-04: Sign; Office and Institutional

This Sign Standards section applies to the following zoning districts:



- A. Single-tenant: The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. *Permanent Sign Standards*: Permanent signs shall be permitted as follows:
    - a. **Sign Types**: Any combination of permanent wall, ground, awning, window, drive-up window, changeable copy, display space, or directional signs is allowed within the constraints of the regulations in this section.
    - b. **Cumulative Square Footage**: The cumulative square footage of all permanent signs shall not exceed one and six-tenths (1.6) square foot per lineal foot of primary structure facade that faces a public right-of-way; or seventy (70) square feet, whichever is less. If a primary structure does not exist in conjunction with a permitted or approved conditional use, the site is permitted three-tenths (0.3) square foot per lineal foot of road frontage, or thirty-five (35) square feet of cumulative square footage; whichever is less.
    - c. **Wall Signs**: The following standards apply to permanent wall signs:
      - i. **Area**:
        - [a] Any single wall sign mounted on a structure shall not exceed fifty (50) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed seventy (70) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Maximum Height**: Eight (8) feet, and no part of a wall sign shall be more than twenty (20) feet above ground level.
      - iii. **Distance from Building**: No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number**: One (1) on each façade; maximum of two (2) per building.
    - d. **Ground Signs**: The following standards apply to permanent ground signs:
      - i. **Area**:
        - [a] Any single ground sign located facing a local or collector street, or on a property that has less than two hundred fifty (250) lineal feet of street frontage on an arterial street shall not exceed thirty-six (36) square feet in sign area per side.
        - [b] Any single ground sign located facing an arterial street on a property with two hundred fifty (250) lineal feet or more of street frontage shall not exceed forty-six (46) square feet in area. The ground sign shall be placed on said arterial street to qualify for the larger sign area.
        - [c] If the ground sign has two (2) identical sides, only one (1) side's sign area counts toward the maximum cumulative square footage.
      - ii. **Maximum Height**: Eight (8) feet, and no part of a ground sign shall be more than ten (10) feet above ground level.
      - iii. **Maximum Number**: One (1) for lots with frontage on one (1) public street; and two (2) for lots with one hundred fifty (150) cumulative feet of frontage on two (2) or more public streets.
      - iv. **Location**: Permanent ground sign must be located at least five (5) feet from the edge of any pavement, curb, property line, or proposed right-of-way.
      - v. **Separation**: No two (2) ground signs on the same lot shall be within one hundred (100) feet of each other. Only one (1) permanent ground sign shall be placed on each frontage.
    - e. **Awning Signs**: The following standards apply to permanent awning signs:

## Sign Standards (SI)

- i. Area: Any single awning sign shall not exceed thirty (30) square feet in area.
  - ii. Maximum Height: Any single awning sign shall not exceed three (3) feet in height and no part of an awning sign shall be more than fifteen (15) feet or less than nine (9) feet above the ground.
  - iii. Maximum Number: There is no maximum number of awning signs.
  - iv. Illumination: Awning signs shall not be illuminated by backlighting.
- f. Window Signs: The following standards apply to permanent window signs:
- i. Area: Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
  - ii. Maximum Height: Any single window sign shall not exceed five (5) feet in height.
  - iii. Maximum Number: One (1) window sign is permitted on each facade; maximum of three (3) per building.
  - iv. Sign Permit: The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
- g. Changeable Copy: Changeable copy is permitted as a part of a permanent wall and/or ground sign as follows:
- i. Prerequisite: Any changeable copy sign shall be integrated into a wall or ground sign. When integrated, the combined sign area shall not exceed the maximum allowable square footage for that type of sign.
  - ii. Area: The changeable copy sign area shall not exceed eighty percent (80%) of a ground sign or wall sign that meets the regulations for that type of sign.
  - iii. Physical Characteristics: Manually placed text allowed. Electronically placed text or lighted text is not allowed.
- h. Directional Signs: The following standards apply to permanent directional signs:
- i. Intent: Permanent directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out-of, or around a development or lot.
  - ii. Area: Any single directional sign shall not exceed four (4) square feet in area per side. If a permanent directional sign has two (2) or more sides, each side counts toward the maximum cumulative square footage.
  - iii. Maximum Height: Any single directional sign shall not exceed forty-two (42) inches in height.
  - iv. Maximum Number: No more than one (1) permanent directional signs shall be installed per curb cut onto a public street.

## Sign Standards (SI)

2. *Temporary Sign Standards*: Temporary signs shall be permitted as follows:
  - a. **Standard Temporary Signs**: The following standards apply to standard temporary signs.
    - i. **Area**: The sign area for a standard temporary sign shall not exceed five (5) square feet per side.
    - ii. **Maximum Height**: Any standard temporary sign shall not exceed four (4) feet above the ground.
    - iii. **Maximum Number**: One (1) standard temporary sign is permitted for lots with frontage on one (1) public street; and two standard temporary signs are permitted for lots with frontage on two (2) or more public streets if they have at least three hundred (300) lineal feet of combined street frontage.
    - iv. **Location**: A standard temporary sign shall be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A standard temporary sign cannot be located fully or partially on any public sidewalk.
    - v. **Separation**: No two (2) standard temporary signs shall be closer than eighty (80) feet to each other. Also, a standard temporary sign shall not be closer than fifteen (15) feet to any other sign on the property.
    - vi. **Duration**: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary ground or wall signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vii. **Permit**: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.
  3. *Freedom of Speech*: On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.
- B. **Multi-tenant**: The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
  1. *Permanent Tenant Sign Standards*: Permanent tenant signs shall be permitted as follows:
    - a. **Sign Types**: Any combination of permanent wall, awning or window signs are allowed per tenant space as described below.
    - b. **Cumulative Square Footage**. The cumulative square footage of all permanent signs per tenant space shall not exceed one and four-tenths (1.4) square feet per lineal foot of the tenant's front façade, or fifty-five (55) square feet, whichever is less.
    - c. **Wall Signs**: The following standards apply to permanent wall signs:
      - i. **Area**:
        - [a] Any single wall sign mounted on a structure shall not exceed forty-five (45) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed fifty-five (55) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Maximum Height**: Any single wall sign shall not exceed five (5) feet in height nor shall any part of the sign extend more than twenty (20) feet above ground level.
      - iii. **Distance from Building**: No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number**: No more than one (1) wall sign is permitted per tenant space.
      - v. **Consistency**: All wall signs within the development must be consistent in type (*e.g.* reverse channel, box, *etc.*) and be mounted consistently on the facade of the building in order to create a uniform appearance.

## Sign Standards (SI)

- d. **Awning Signs:** The following standards apply to permanent awning signs:
    - i. **Area:** Any single awning sign shall not exceed thirty (30) square feet in area.
    - ii. **Height:** Any single awning sign shall not exceed three (3) feet in height and no part of an awning sign shall be more than fifteen (15) feet or less than nine (9) feet above the ground.
    - iii. **Maximum Number:** There is no maximum number of awning signs.
    - iv. **Illumination:** Awning signs shall not be illuminated by backlighting.
  - e. **Window Signs:** The following standards apply to permanent window signs:
    - i. **Area:** Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
    - ii. **Maximum Height:** Any single window sign shall not exceed five (5) feet in height.
    - iii. **Maximum Number:** One (1) window sign is permitted on each facade; maximum of three (3) per building.
    - iv. **Sign Permit:** The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
2. **Permanent Development Sign Standards:** Permanent development signs shall be permitted as follows:
- a. **Sign Types:** Any combination of permanent gateway signs or directional signs are allowed per multi-tenant development as described below. These signs are permitted for multiple-tenant structures in addition to the allotment of signs for permanent tenant space.
  - b. **Directional Signs:** The following standards apply to permanent directional signs:
    - i. Directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out of, or around a development.
    - ii. Any single directional sign shall not exceed four (4) square feet in area per side, and forty-two (42) inches in height. If a directional sign has two (2) or more sides, each side counts toward the maximum cumulative square footage.
    - iii. No more than one (1) directional signs shall be used per curb cut onto a public street.
3. **Temporary Sign Standards:** Temporary signs shall be permitted as follows:
- a. **Standard Temporary Signs:** The following standards apply to standard temporary signs:
    - i. **Limitations:** All standard temporary signs associated with a tenant space must be displayed in windows or affixed to an entrance door.
    - ii. **Area:** The sign area for a standard temporary sign shall not exceed four (4) square feet.
    - iii. **Maximum Height:** The height for any standard temporary sign shall not exceed seven (7) feet above ground level.
    - iv. **Maximum Number:** One (1) standard temporary sign is permitted per tenant space.
    - v. **Duration:** A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, help wanted, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vi. **Sign Permit:** Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.

# Sign Standards (SI)

- b. *Special Temporary Signs*: The following standards apply to special temporary signs:
  - i. **Maximum Number**: One (1) special temporary sign is permitted per overall development.
  - ii. **Location**: A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A temporary sign cannot be located fully or partially on any public sidewalk.
  - iii. **Duration**: Cumulatively, all special temporary sign on any property shall not exceed fourteen (14) days in any calendar year. Any single special temporary sign shall not exceed a duration of seven (7) continuous days.
  - iv. **Sign Types**: Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
  - v. **Sign Permit**: Each time a special temporary sign is relocated or setup, a Temporary Sign Permit is required.
4. *Freedom of Speech*: On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.

## 5.50 SI-05: Sign; Neighborhood Commercial

This Sign Standards section applies to the following zoning districts:

**CN**

- A. **Single-tenant**: The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
  1. *Permanent Sign Standards*: Permanent signs shall be permitted as follows:
    - a. **Sign Type**: Any combination of permanent wall, ground, awning, window, drive-up window, changeable copy, display space, or directional signs is allowed within the constraints of the regulations in this section.
    - b. **Cumulative Square Footage**: The cumulative square footage of all permanent signs shall not exceed one (1) square foot per lineal foot of primary structure facade which faces a public right-of-way; or seventy (70) square feet, whichever is less. If a primary structure does not exist in conjunction with a permitted or approved conditional use, the site is permitted three-tenths (0.3) of a square foot per lineal foot of road frontage, or thirty-five (35) square feet of cumulative square footage; whichever is less.
    - c. **Wall Signs**: The following standards apply to permanent wall signs:
      - i. **Area**: Any single wall sign shall not exceed sixty-five (65) square feet in area.
      - ii. **Maximum Height**: Any single wall sign shall not exceed five (5) feet in height nor shall any part of the sign extend more than sixteen (16) feet above ground level.
      - iii. **Distance from Building**: No part of a wall sign shall protrude more than eight (8) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number**: Two (2) wall signs are permitted on each facade; maximum of four (4) per building.
    - d. **Ground Signs**: The following standards apply to permanent ground signs:
      - i. **Area**: Any single ground sign shall not exceed forty-five (45) square feet in area per side. If the ground sign has two (2) identical sides, only one (1) side's area counts toward the maximum cumulative square footage.
      - ii. **Maximum Height**: Any single ground sign shall not exceed five (5) feet in height and no part of a ground sign shall be more than eight (8) feet above ground level.
      - iii. **Maximum Number**: One (1) ground sign is permitted for lots with frontage on one (1) public street; and two (2) ground signs are permitted for lots with one hundred fifty (150) cumulative feet of frontage on two (2) or more public streets.
      - iv. **Location**: Ground signs must be located at least ten (10) feet from the edge of any pavement, curb, property line, or proposed right-of-way.
      - v. **Separation**: No two (2) ground signs on the same lot shall be within seventy (70) feet of each other.

## Sign Standards (SI)

- e. **Awning Signs:** The following standards apply to permanent awning signs:
  - i. **Area:** Any single awning sign shall not exceed twenty (20) square feet in area.
  - ii. **Maximum Height:** Any single awning sign shall not exceed two (2) feet in height and no part of an awning sign shall be more than fifteen (15) feet or less than nine (9) feet above the ground.
  - iii. **Maximum Number:** There is no maximum number of awning signs.
  - iv. **Illumination:** Awning signs shall not be illuminated by backlighting.
- f. **Window Signs:** The following standards apply to permanent window signs:
  - i. **Area:** Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
  - ii. **Maximum Height:** Any single window sign shall not exceed four (4) feet in height.
  - iii. **Maximum Number:** One (1) window sign is permitted on each façade; maximum of three (3) per building.
  - iv. **Sign Permit:** The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
- g. **Drive-up Window Signs:** The following standards apply to permanent drive-up window signs:
  - i. **Prerequisite:** The lot must have a permitted, operable, and in-use drive-up window.
  - ii. **Area:** Any single drive-up window sign shall not exceed twenty (20) square feet in area and shall not be two-sided. The drive-up window sign area shall not count against the cumulative square footage allotted to the property as long as it meets the location standards listed below.
  - iii. **Maximum Height:** No part of a drive-up window sign shall be more than six (6) feet above ground level.
  - iv. **Maximum Number:** One (1) drive-up window sign is permitted.
  - v. **Location:** A drive-up window sign shall be located in the drive up window lane, the sign face shall not be visible from the public right-of-way, and be at least one (1) foot from the edge of any pavement, curb, or property line, or be mounted on the building.
- h. **Changeable Copy:** Changeable copy is permitted as a part of a permanent wall and/or ground sign as follows:
  - i. **Prerequisite:** Any changeable copy sign shall be integrated into a wall or ground sign. When integrated, the combined sign area shall not exceed the maximum allowable square footage for that type of sign.
  - ii. **Area:** The changeable copy sign area shall not exceed eighty percent (80%) of a ground sign or wall sign that meets the regulations for that type of sign.
  - iii. **Physical Characteristics:** Manually placed text allowed. Electronically placed text or lighted text is not allowed

## Sign Standards (SI)

- i. Display Space: The following standards apply to a permanent sign area designated for temporary signs, banners, flyers, posters and pennants to be posted. Generally, this media is intended for pedestrians or patrons in close proximity to the display space.
  - i. Intent: To allow a multitude of temporary two-dimensional signs, but to reduce clutter by requiring them to be displayed in a designated area.
  - ii. Number of Permanent Display Signs: There shall not be more than two (2) permanent display spaces on a single lot.
  - iii. Number of Temporary Signs: Any number of temporary two-dimensional signs, banners, flyers, posters, and pennants may be posted at any given time in a permanent display space as long as they are posted within the confines of the permanent display area and shall not be posted anywhere else on the lot except as per §B: *Temporary Sign Standards*.
  - iv. Area: The total display space area shall not exceed sixteen (16) square feet per permanent display space and thirty (30) square feet cumulatively for all permanent display spaces.
  - v. Maximum Height: A permanent display space shall not exceed eight (8) feet in height from ground level.
  - vi. Framing of Display Space: The permanent display spaces shall either be framed with wood, metal, or other durable material; or located on a designated window; or mounted to permanent hardware affixed to the primary structure.
  - vii. Location: The permanent display spaces shall be located on the facade of the primary structure.
  - viii. Sign Permit: The permanent display spaces shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
  - ix. Exceptions: It is not necessary to get a temporary Sign Permit for any temporary wall sign, banner, flyer, poster, or pennant when posted in the permanent display spaces.
- j. Directional Signs: The following standards apply to permanent directional signs:
  - i. Intent: Permanent directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out-of, or around a development or lot.
  - ii. Area: Any single directional sign shall not exceed four (4) square feet in area per side. If a permanent directional sign has two (2) or more sides, each side counts toward the cumulative square footage.
  - iii. Maximum Height: Any single directional sign shall not exceed forty-two (42) inches in height.
  - iv. Maximum Number: No more than one (1) permanent directional signs shall be installed per curb cut onto a public street.

## Sign Standards (SI)

2. *Temporary Sign Standards*: Temporary signs shall be permitted as follows:
  - a. *Standard Temporary Signs*: The following standards apply to standard temporary signs:
    - i. *Area*: The sign area for a standard temporary sign shall not exceed five (5) square feet per side.
    - ii. *Maximum Height*: Any standard temporary sign shall not exceed four (4) feet above the ground.
    - iii. *Maximum Number*: One (1) standard temporary sign is permitted for lots with frontage on one (1) public street; and two (2) standard temporary signs are permitted for lots with frontage on two (2) or more public streets if they have at least one hundred fifty (150) lineal feet of combined street frontage.
    - iv. *Location*: A standard temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A standard temporary sign cannot be located fully or partially on any public sidewalk.
    - v. *Separation*: No two (2) standard temporary signs shall be closer than eighty (80) feet to each other. Also, a standard temporary sign shall not be closer than fifteen (15) feet to any other sign on the property.
    - vi. *Duration*: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary ground or wall signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vii. *Sign Permit*: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.
  - b. *Special Temporary Signs*: The following standards apply to special temporary signs:
    - i. *Maximum Number*: One (1) special temporary sign is permitted.
    - ii. *Location*: A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A special temporary sign shall not be located fully or partially on any public sidewalk.
    - iii. *Duration*: Cumulatively, all special temporary signs on any property shall not exceed ten (10) days in any calendar year. Any single special temporary sign shall not exceed a duration of five (5) continuous days.
    - iv. *Sign Types*: Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed fifteen (15) feet off of the ground.
    - v. *Sign Permit*: Each time a special temporary sign is setup or installed, a special Temporary Sign Permit is required.
3. *Freedom of Speech*: On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.

## Sign Standards (SI)

- B. Multiple-tenant: The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. *Permanent Tenant Sign Standards*: Permanent tenant signs shall be permitted as follows:
    - a. **Sign Types**: Any combination of permanent wall, awning or window signs are allowed per tenant space as described below.
    - b. **Cumulative Square Footage**: The cumulative square footage of all permanent signs per tenant space shall not exceed one (1) square foot per lineal foot of the tenant's front facade, or fifty (50) square feet, whichever is less.
    - c. **Wall Signs**: The following standards apply to permanent wall signs:
      - i. **Area**: Any single wall sign shall not exceed fifty (50) square feet in area.
      - ii. **Maximum Height**: Any single wall sign shall not exceed four (4) feet in height and no part of a wall sign shall be more than sixteen (16) feet above ground level.
      - iii. **Distance from Building**: No part of a wall sign shall protrude more than eight (8) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number**: No more than one (1) wall sign is permitted per tenant space with a private entrance. No more than three (3) wall signs are permitted per development.
      - v. **Physical Characteristics**: All wall signs within the development must be consistent in type (*e.g.* reverse channel or box) and be mounted consistently on the façade of the building in order to create a uniform appearance.
    - d. **Awning Signs**: The following standards apply to permanent awning signs:
      - i. **Area**: Any single awning sign shall not exceed twenty (20) square feet in area.
      - ii. **Maximum Height**: Any single awning sign shall not exceed two (2) feet in height with no part of an awning sign more than fifteen (15) feet or less than nine (9) feet above the ground.
      - iii. **Maximum Number**: There is no maximum number of awning signs.
      - iv. **Illumination**: Awning signs shall not be illuminated by backlighting.
    - e. **Window Signs**: The following standards apply to permanent window signs:
      - i. **Area**: Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
      - ii. **Maximum Height**: Any single window sign shall not exceed four (4) feet in height.
      - iii. **Maximum Number**: One (1) window sign is permitted on each facade; maximum of three (3) per building.
      - iv. **Sign Permit**: The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.

## Sign Standards (SI)

2. *Permanent Development Sign Standards*: Permanent development signs shall be permitted as follows:
  - a. *Sign Types*: Any combination of permanent gateway signs or directional signs are allowed per Multiple-tenant development as described below. These signs are permitted for multiple-tenant structures in addition to the allotment of signs for permanent tenant space in §A: *Permanent Tenant Sign Standards*.
  - b. *Gateway Signs*: The following standards apply to permanent gateway signs.
    - i. *Prerequisite*. A minimum of six (6) separate tenants and 12,000 square feet of occupiable space in the building is required to qualify for a gateway sign.
    - ii. *Area*. The maximum sign area for a gateway sign shall be calculated by multiplying one (1) square foot times the lineal feet of facade facing a public street. Under no circumstance can the total sign area exceed forty-five (45) square feet per side in area.
    - iii. *Tenant Sign*: Any single-tenant sign on a gateway sign cannot exceed thirty-five (35) square feet in area per side.
    - iv. *Maximum Height*: No part of a gateway sign shall be more than seven (7) feet above ground level.
    - v. *Maximum Number*: A maximum of one (1) gateway sign is permitted at the primary entrance into a multiple-tenant development.
    - vi. *Changeable Copy*: Changeable copy is permitted on up to sixty percent (60%) of the permitted sign area of the gateway sign per side.
  - c. *Directional Signs*: The following standards apply to permanent directional signs:
    - i. *Directional signs* shall contain language or icons to guide pedestrians or motor vehicles into, out of, or around a development.
    - ii. Any single directional sign shall not exceed four (4) square feet in area per side, and forty-two (42) inches in height. If a directional sign has two or more sides, each side counts toward the maximum cumulative square footage.
    - iii. No more than one (1) directional signs shall be used per curb cut onto a public street.
3. *Temporary Sign Standards*: Temporary signs shall be permitted as follows:
  - a. *Standard Temporary Signs*: The following standards apply to standard temporary signs:
    - i. *Limitations on Standard Temporary Signs*: All standard temporary signs associated with a tenant space must be displayed in windows or affixed to an entrance door.
    - ii. *Area*: The sign area for a standard temporary sign shall not exceed four (4) square feet.
    - iii. *Maximum Height*: Seven (7) feet.
    - iv. *Maximum Number*: One (1) per tenant space.
    - v. *Duration*: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, help wanted, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vi. *Sign Permit*: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.
  - b. *Special Temporary Signs*: The following standards apply to special temporary signs:
    - i. *Maximum Number*: One (1) per overall development.
    - ii. *Location*: A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A special temporary sign shall not be located fully or partially on any public sidewalk.
    - iii. *Duration*: Cumulatively, all special temporary sign on any property shall not exceed ten (10) days in any calendar year. Any single special temporary sign shall not exceed a duration of five (5) continuous days.
    - iv. *Sign Types*: Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
    - v. *Sign Permit*: Each time a special temporary sign is relocated or setup, a Temporary Sign Permit is required.
4. *Freedom of Speech*: On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.

# Sign Standards (SI)

## 5.51 SI-06: Sign; Moderate Intensity Commercial

This Sign Standards section applies to the following zoning district:



- A. **Single-tenant:** The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. **Permanent Sign Standards:** Permanent signs shall be permitted as follows:
    - a. **Types of Signs Permitted:** Any combination of permanent wall, ground, awning, window, drive-up window, changeable copy, display space, or directional signs is allowed within the constraints of the regulations in this section.
    - b. **Cumulative Square Footage:**
      - i. **Façade Width:** The cumulative square footage of all permanent signs shall not exceed one and three-quarters (1.75) square feet per lineal foot of primary structure façade that faces a public right-of-way; or one hundred seventy-five (175) square feet, whichever is less.
      - ii. **Frontage:** If a primary structure does not exist, the site is permitted one-tenth (0.1) square foot per lineal foot of road frontage, or fifty (50) square feet of cumulative square footage; whichever is less.
      - iii. **Cumulative Square Footage Bonuses:** The cumulative square footage bonuses specified in §iv: *Speed Limit* and §v: *Proximity to Right-of-way* are each calculated based on the maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage*. If a sign is eligible for bonuses under §iv: *Speed Limit* and §v: *Proximity to Right-of-way*, the bonuses are individually added to the maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage*, and are not calculated one from the other.
      - iv. **Speed Limit:** The maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage* may be increased based on the speed limit of the nearest adjacent street as follows:
        - [a] 45 mph to 55 mph: Ten percent (10%);
        - [b] Above 55 mph: Twenty-five percent (25%).
      - v. **Proximity to Right-of-way:** The maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage* may be increased based on the sign's proximity to the nearest adjacent right-of-way as follows:
        - [a] 200 feet to 400 feet: Ten percent (10%);
        - [b] Greater than 400 feet to 1,000 feet: Twenty-five percent (25%);
        - [c] Greater than 1,000 feet: Fifty percent (50%).
    - c. **Wall Signs:** The following standards apply to permanent wall signs:
      - i. **Area:**
        - [a] Any single wall sign mounted on a structure shall not exceed one hundred (100) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed one hundred fifty (150) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Height.** Any single wall sign shall not exceed six (6) feet in height nor shall any part of the sign extend more than twenty (20) feet above ground level.
      - iii. **Distance from Building.** No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Number.** One (1) wall sign is permitted on each facade; maximum of two (2) per building.

## Sign Standards (SI)

- d. Ground Signs: The following standards apply to permanent ground signs:
- i. Area:
    - [a] Any single ground sign located facing a local or collector street, or on a property that has less than two hundred fifty (250) lineal feet of street frontage on an arterial street shall not exceed fifty (50) square feet in sign area per side.
    - [b] Any single ground sign located facing an arterial street on a property with two hundred fifty (250) lineal feet or more of street frontage shall not exceed sixty (60) square feet in area. The ground sign shall be placed on said arterial street to qualify for the larger sign area.
    - [c] If the ground sign has two (2) identical sides, only one (1) side's area counts toward the maximum cumulative square footage.
  - ii. Maximum Height: Six (6) feet, nor shall any part of the sign extend more than eight (8) feet above ground level.
  - iii. Maximum Number: One (1) for lots with frontage on one (1) public street; and two (2) for lots with one hundred fifty (150) cumulative feet of frontage on two (2) or more public streets.
  - iv. Location: Permanent ground sign must be located at least five (5) feet from the edge of any pavement, curb, property line, or proposed right-of-way.
  - v. Separation: No two (2) ground signs on the same lot shall be within one hundred (100) feet of each other. Only one (1) permanent ground sign shall be placed on each frontage.
- e. Awning Signs: The following standards apply to permanent awning signs:
- i. Area: Any single awning sign shall not exceed thirty (30) square feet in area.
  - ii. Height: Any single awning sign shall not exceed three (3) feet in height nor shall any part of the sign extend more than fifteen (15) feet or less than nine (9) feet above ground level.
  - iii. Maximum Number: There is no maximum number of awning signs.
  - iv. Illumination: Awning signs shall not be illuminated by backlighting.
- f. Window Signs: The following standards apply to permanent window signs:
- i. Area: Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
  - ii. Maximum Height: Any single window sign shall not exceed five (5) feet in height.
  - iii. Maximum Number: One (1) window sign is permitted on each facade; maximum of three (3) per building.
  - iv. Permit: The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
- g. Drive-up Window Signs: The following standards apply to permanent drive-up window signs:
- i. Prerequisite: The lot must have a permitted, operable and in-use drive-up window.
  - ii. Area: This sign shall not exceed twenty (20) square feet in area and shall not be a two-sided. This sign area shall not count against the cumulative square footage allotted to the property.
  - iii. Maximum Height: No part of a ground sign shall be more than six (6) feet above ground level.
  - iv. Maximum Number: Only one (1) drive-up window sign is permitted.
  - v. Location: A drive-up window sign must be located at least one (1) foot from the edge of any pavement, curb, or property line, or be mounted on the building.
- h. Changeable Copy: Changeable copy is permitted as a part of a permanent wall and/or ground sign as follows:
- i. Prerequisite: Any changeable copy sign shall be integrated into a wall or ground sign. When integrated, the combined sign area shall not exceed the maximum allowable square footage for that type of sign.
  - ii. Area: The changeable copy sign area shall not exceed eighty percent (80%) of a ground sign or wall sign that meets the regulations for that type of sign.
  - iii. Physical Characteristics: Manually placed text allowed. Electronically placed text or lighted text is not allowed.

# Sign Standards (SI)

- i. Display Space: The following standards apply to a permanent sign area designated for temporary signs, banners, flyers, posters and pennants to be posted:
    - i. Intent: To allow a multitude of temporary two-dimensional signs, but to reduce clutter by requiring them to be displayed in a designated area.
    - ii. Maximum Number of Permanent Display Spaces: There shall not be more than two (2) permanent display spaces on a single lot.
    - iii. Maximum Number of Temporary Signs: Any number of temporary two-dimensional signs, banners, flyers, posters, and pennants may be posted at any given time in a permanent display space as long as they are posted within the confines of the permanent display area and shall not be posted anywhere else on the lot except as per §B: *Temporary Sign Standards*.
    - iv. Area: The total display space area shall not exceed sixty (60) square feet per permanent display space and eighty (80) square feet cumulatively for all permanent display spaces.
    - v. Maximum Height: A permanent display space shall not exceed eight (8) feet in height from ground level.
    - vi. Framing of Display Space: The permanent display spaces shall either be framed with wood, metal, or other durable material; or located on a designated window; or mounted to permanent hardware affixed to the primary structure.
    - vii. Location: The permanent display spaces shall be located on the facade of the primary structure.
    - viii. Permit: The permanent display spaces shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
    - ix. Exceptions: It is not necessary to get a Temporary Sign Permit for any temporary wall sign, banner, flyer, poster, or pennant when posted in the permanent display spaces.
  - j. Directional Signs: The following standards apply to permanent directional signs:
    - i. Intent: Permanent directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out-of, or around a development or lot.
    - ii. Area: Any single directional sign shall not exceed four (4) square feet in area per side. If a permanent directional sign has two (2) or more sides, each side counts toward the maximum cumulative square footage.
    - iii. Maximum Height: Any single directional sign shall not exceed forty-two (42) inches in height.
    - iv. Maximum Number: No more than one (1) permanent directional signs shall be installed per curb cut onto a public street.
2. *Temporary Sign Standards*: Temporary signs shall be permitted as follows:
- a. Standard Temporary Signs: The following standards apply to standard temporary signs:
    - i. Area: The sign area for a standard temporary sign shall not exceed five (5) square feet per side.
    - ii. Maximum Height: Any standard temporary sign shall not exceed four (4) feet above the ground.
    - iii. Maximum Number: One (1) standard temporary sign is permitted for lots with frontage on one (1) public street; and two (2) standard temporary signs are permitted for lots with frontage on two (2) or more public streets if they have at least three hundred (300) lineal feet of combined street frontage.
    - iv. Location: A standard temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A standard temporary sign cannot be located fully or partially on any public sidewalk.
    - v. Separation: No two (2) standard temporary signs shall be closer than eighty (80) feet to each other. Also, a standard temporary sign shall not be closer than fifteen (15) feet to any other sign on the property.
    - vi. Duration: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary ground or wall signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vii. Permit: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.

# Sign Standards (SI)

- b. **Special Temporary Signs:** The following standards apply to special temporary signs:
    - i. **Maximum Number:** One (1) special temporary sign is permitted.
    - ii. **Location:** A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A special temporary sign shall not be located fully or partially on any public sidewalk.
    - iii. **Duration:** Cumulatively, all special temporary sign on any property shall not exceed fourteen (14) days in any calendar year. Any single special temporary sign shall not exceed a duration of seven (7) continuous days.
    - iv. **Sign Types:** Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
    - v. **Permit:** Each time a special temporary sign is setup, a Temporary Sign Permit is required.
  3. **Freedom of Speech:** On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.
- B. Multi-tenant:** The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. **Permanent Tenant Sign Standards:** Permanent tenant signs shall be permitted as follows:
    - a. **Permitted:** Any combination of permanent wall, awning or window signs are allowed per tenant space as described below.
    - b. **Area:** The cumulative square footage of all permanent signs per tenant space shall not exceed one and six-tenths (1.6) square feet per lineal foot of the tenant's front facade, or seventy (70) square feet, whichever is less.
    - c. **Wall Signs:** The following standards apply to permanent wall signs:
      - i. **Area:**
        - [a] Any single wall sign mounted on a structure shall not exceed fifty-five (55) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed seventy (70) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Maximum Height:** Any single wall sign shall not exceed five (5) feet in height nor shall any part of a wall sign be more than twenty (20) feet above ground level.
      - iii. **Distance from Building:** No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number:** No more than one (1) wall signs are permitted per tenant space.
      - v. **Consistency:** All wall signs within the development must be consistent in type (*e.g.* reverse channel, box, *etc.*) and be mounted consistently on the facade of the building in order to create a uniform appearance.
    - d. **Awning Signs:** The following standards apply to permanent awning signs:
      - i. **Area:** Any single awning sign shall not exceed thirty (30) square feet in area.
      - ii. **Height:** Any single awning sign shall not exceed three (3) feet in height nor shall any part of an awning sign shall be more than fifteen (15) feet or less than nine (9) feet above the ground.
      - iii. **Maximum Number:** There is no maximum number of awning signs.
      - iv. **Illumination:** Awning signs shall not be illuminated by backlighting.
    - e. **Window Signs:** The following standards apply to permanent window signs:
      - i. **Area:** Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
      - ii. **Maximum Height:** Any single window sign shall not exceed five (5) feet in height.
      - iii. **Maximum Number:** One (1) window sign is permitted on each facade; maximum of three (3) per building.
      - iv. **Permit:** The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.

## Sign Standards (SI)

2. *Permanent Development Sign Standards:* Permanent development signs shall be permitted as follows:
  - a. Permitted: Any combination of permanent gateway signs or directional signs are allowed per multi-tenant development as described below. These signs are permitted for multiple-tenant structures in addition to the allotment of signs for permanent tenant space in §A: *Permanent Tenant Sign Standards*.
  - b. Gateway Signs: The following standards apply to permanent gateway signs:
    - i. Prerequisite: A minimum of six (6) separate tenants and 12,000 square feet of occupiable space in the building is required to qualify for a gateway sign.
    - ii. Area: The maximum sign area for a gateway sign shall be calculated by multiplying one (1) square foot times the lineal feet of facade facing a public street. Under no circumstance can the total sign area exceed sixty (60) square feet per side in area.
    - iii. Tenant Sign: Any single-tenant sign on a gateway sign cannot exceed fifty (50) square feet in area per side.
    - iv. Maximum Height: No part of a gateway sign shall be more than eight (8) feet above ground level.
    - v. Maximum Number: A maximum of one (1) gateway sign is permitted at the primary entrance into a multi-tenant development.
    - vi. Changeable Copy: Changeable copy is permitted on up to sixty percent (60%) of the permitted sign area of the gateway sign per side.
  - c. Directional Signs: The following standards apply to permanent directional signs:
    - i. Directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out of, or around a development.
    - ii. Any single directional sign shall not exceed four (4) square feet in area per side, and forty-two (42) inches in height. If a directional sign has two (2) or more sides, each side counts toward the maximum cumulative square footage.
    - iii. No more than one (1) directional signs shall be used per curb cut onto a public street.
3. *Temporary Sign Standards:* Temporary signs shall be permitted as follows:
  - a. Standard Temporary Signs: The following standards apply to standard temporary signs:
    - i. Limitations: All standard temporary signs associated with a tenant space must be displayed in windows or affixed to an entrance door.
    - ii. Area: The sign area for a standard temporary sign shall not exceed four (4) square feet.
    - iii. Maximum Height: The height for any standard temporary sign shall not exceed seven (7) feet above ground level.
    - iv. Maximum Number: One (1) standard temporary sign is permitted per tenant space.
    - v. Duration: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, help wanted, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vi. Permit: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.
  - b. Special Temporary Signs: The following standards apply to special temporary signs:
    - i. Maximum Number: One (1) special temporary sign is permitted per overall development.
    - ii. Location: A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A temporary sign cannot be located fully or partially on any public sidewalk.
    - iii. Duration: Cumulatively, all special temporary sign on any property shall not exceed fourteen (14) days in any calendar year. Any single special temporary sign shall not exceed a duration of seven (7) continuous days.
    - iv. Types: Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
    - v. Permit: Each time a special temporary sign is relocated or setup, a Temporary Sign Permit is required.
4. *Freedom of Speech:* On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.

# Sign Standards (SI)

## 5.52 SI-07: Sign; High Intensity Commercial

This Sign Standards section applies to the following zoning districts:

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- A. **Single-tenant:** The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. **Permanent Sign Standards:** Permanent signs shall be permitted as follows:
    - a. **Permitted:** Any combination of permanent wall, ground, awning, window, drive-up window, changeable copy, display space, or directional signs is allowed within the constraints of the regulations in this section.
    - b. **Cumulative Square Footage:**
      - i. **Façade Width:** The cumulative square footage of all permanent signs shall not exceed one and three-quarters (1.75) square feet per lineal foot of primary structure facade that faces a public right-of-way; or three hundred fifty (350) square feet, whichever is less.
      - ii. **Frontage:** If a primary structure does not exist, the site is permitted one-tenth (0.1) square foot per lineal foot of road frontage, or sixty (60) square feet of cumulative square footage; whichever is less.
      - iii. **Cumulative Square Footage Bonuses:** The cumulative square footage bonuses specified in §iv: *Speed Limit* and §v: *Proximity to Right-of-way* are each calculated based on the maximum cumulative square footage of all permanent signs allowed pursuant to *i: Façade Width* or *ii: Frontage*. If a sign is eligible for bonuses under §iv: *Speed Limit* and §v: *Proximity to Right-of-way*, the bonuses are individually added to the maximum cumulative square footage of all permanent signs allowed pursuant to *i: Façade Width* or *ii: Frontage*, and are not calculated one from the other.
      - iv. **Speed Limit:** The maximum cumulative square footage of all permanent signs allowed pursuant to *i: Façade Width* or *ii: Frontage* may be increased based on the speed limit of the nearest adjacent street as follows:
        - [a] 45 mph to 55 mph: Ten percent (10%);
        - [b] Above 55 mph: Twenty-five percent (25%).
      - v. **Proximity to Right-of-way:** The maximum cumulative square footage of all permanent signs allowed pursuant to *i: Façade Width* or *ii: Frontage* may be increased based on the sign's proximity to the nearest adjacent right-of-way as follows:
        - [a] 200 feet to 400 feet: Ten percent (10%);
        - [b] Greater than 400 feet to 1,000 feet: Twenty-five percent (25%);
        - [c] Greater than 1,000 feet: Fifty percent (50%).
    - c. **Wall Signs:** The following standards apply to permanent wall signs:
      - i. **Maximum Sign Area:**
        - [a] Any single wall sign mounted on a structure shall not exceed one hundred fifty (150) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed three hundred (300) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Maximum Height:** Any single wall sign shall not exceed six (6) feet in height or shall any part of the sign be more than twenty (20) feet above ground level.
      - iii. **Distance from Building:** No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number:** One (1) wall sign is permitted on each facade; maximum of two (2) per building.

# Sign Standards (SI)

- d. Ground Signs: The following standards apply to permanent ground signs:
  - i. Maximum Sign Area:
    - [a] Any single ground sign located facing a local or collector street, or on a property that has less than two hundred fifty (250) lineal feet of street frontage on an arterial street shall not exceed fifty (50) square feet in sign area per side.
    - [b] Any single ground sign located facing an arterial street on a property with two hundred fifty (250) lineal feet or more of street frontage shall not exceed sixty (60) square feet in area. The ground sign shall be placed on said arterial street to qualify for the larger sign area.
    - [c] If the ground sign has two (2) identical sides, only one (1) side's area counts toward the maximum cumulative square footage.
  - ii. Maximum Height: Six (6) feet, nor shall any part of the sign be more than eight (8) feet above ground level.
  - iii. Maximum Number: One (1) for lots with frontage on one (1) public street; and two (2) for lots with one hundred fifty (150) cumulative feet of frontage on two (2) or more public streets.
  - iv. Location: Permanent ground sign must be located at least five (5) feet from the edge of any pavement, curb, property line, or proposed right-of-way.
  - v. Separation: No two (2) ground signs on the same lot shall be within one hundred (100) feet of each other. Only one (1) permanent ground sign shall be placed on each frontage.
- e. Awning Signs: The following standards apply to permanent awning signs:
  - i. Area: Any single awning sign shall not exceed fifty (50) square feet in area.
  - ii. Height: Any single awning sign shall not exceed four (4) feet in height or more than fifteen (15) feet or less than nine (9) feet above the ground.
  - iii. Maximum Number: There is no maximum number of awning signs.
  - iv. Illumination: Awning signs shall not be illuminated by backlighting.
- f. Window Signs: The following standards apply to permanent window signs:
  - i. Area: Any single window sign shall not exceed forty (40) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
  - ii. Maximum Height: Any single window sign shall not exceed seven (7) feet in height.
  - iii. Maximum Number: Two (2) window signs are permitted on each façade; maximum of three (3) per building.
  - iv. Permit: The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
- g. Drive-up Window Signs: The following standards apply to permanent drive-up window signs:
  - i. Prerequisite: The lot must have a permitted, operable and in-use drive-up window.
  - ii. Area: This sign shall not exceed twenty (20) square feet in area and shall not be a two-sided. This sign area shall not count against the cumulative square footage allotted to the property.
  - iii. Maximum Height: No part of a ground sign shall be more than six (6) feet above ground level.
  - iv. Maximum Number: Only one (1) drive-up window sign is permitted.
  - v. Location: A drive up window sign must be located at least one (1) foot from the edge of any pavement, curb, or property line, or be mounted on the building.

## Sign Standards (SI)

- h. Changeable Copy: Changeable copy is permitted as a part of a permanent wall and/or ground sign as follows:
  - i. Prerequisite: Any changeable copy sign shall be integrated into a wall or ground sign. When integrated, the combined sign area shall not exceed the maximum allowable square footage for that type of sign.
  - ii. Area: The changeable copy sign area shall not exceed eighty percent (80%) of a ground sign or wall sign that meets the regulations for that type of sign.
  - iii. Physical Characteristics: Manually placed text allowed. Electronically placed text or lighted text is not allowed.
  
- i. Display Space: The following standards apply to a permanent sign area designated for temporary signs, banners, flyers, posters and pennants to be posted:
  - i. Intent: To allow a multitude of temporary two-dimensional signs, but to reduce clutter by requiring them to be displayed in a designated area.
  - ii. Number of Permanent Display Spaces: There shall not be more than two (2) permanent display spaces on a single lot.
  - iii. Number of Temporary Signs: Any number of temporary two-dimensional signs, banners, flyers, posters, and pennants may be posted at any given time in a permanent display space as long as they are posted within the confines of the permanent display area and shall not be posted anywhere else on the lot except as per §B: *Temporary Sign Standards*.
  - iv. Area: The total display space area shall not exceed sixty (60) square feet per permanent display space and eighty (80) square feet cumulatively for all permanent display spaces.
  - v. Maximum Height: A permanent display space shall not exceed eight (8) feet in height from ground level.
  - vi. Framing of Display Space: The permanent display spaces shall either be framed with wood, metal, or other durable material; or located on a designated window; or mounted to permanent hardware affixed to the primary structure.
  - vii. Location: The permanent display spaces shall be located on the façade of the primary structure.
  - viii. Permit: The permanent display spaces shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
  - ix. Exceptions: It is not necessary to get a Temporary Sign Permit for any temporary wall sign, banner, flyer, poster, or pennant when posted in the permanent display spaces.
  
- j. Directional Signs: The following standards apply to permanent directional signs:
  - i. Intent: Permanent directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out-of, or around a development or lot.
  - ii. Area: Any single directional sign shall not exceed four (4) square feet in area per side. If a permanent directional sign has two (2) or more sides, each side counts toward the maximum cumulative square footage.
  - iii. Maximum Height: Any single directional sign shall not exceed forty-two (42) inches in height.
  - iv. Maximum Number: No more than one (1) permanent directional signs shall be installed per curb cut onto a public street.

## Sign Standards (SI)

2. *Temporary Sign Standards*: Temporary signs shall be permitted as follows:
  - a. **Standard Temporary Signs**: The following standards apply to standard temporary signs:
    - i. **Area**: The sign area for a standard temporary sign shall not exceed five (5) square feet per side.
    - ii. **Maximum Height**: Any standard temporary sign shall not exceed four (4) feet above the ground.
    - iii. **Maximum Number**: One (1) standard temporary sign is permitted for lots with frontage on one (1) public street; and two (2) standard temporary signs are permitted for lots with frontage on two (2) or more public streets if they have at least three hundred (300) lineal feet of combined street frontage.
    - iv. **Location**: A standard temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A standard temporary sign cannot be located fully or partially on any public sidewalk.
    - v. **Separation**: No two (2) standard temporary signs shall be closer than eighty (80) feet to each other. Also, a standard temporary sign shall not be closer than fifteen (15) feet to any other sign on the property.
    - vi. **Duration**: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary ground or wall signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vii. **Permit**: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.
  - b. **Special Temporary Signs**: The following standards apply to special temporary signs:
    - i. **Maximum Number**: One (1) special temporary sign is permitted.
    - ii. **Location**: A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A temporary sign cannot be located fully or partially on any public sidewalk.
    - iii. **Duration**: Cumulatively, all special temporary sign on any property shall not exceed fourteen (14) days in any calendar year. Any single special temporary sign shall not exceed a duration of seven (7) continuous days.
    - iv. **Sign Types**: Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
    - v. **Permit**: Each time a special temporary sign is set up, a Temporary Sign Permit is required.
3. *Freedom of Speech*: On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.

## Sign Standards (SI)

- B. Multi-tenant: The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. *Permanent Tenant Sign Standards*: Permanent tenant signs shall be permitted as follows:
    - a. **Types**: Any combination of permanent wall, awning or window signs are allowed per tenant space as described below.
    - b. **Area**: The cumulative square footage of all permanent signs per tenant space shall not exceed one and four-tenths (1.4) square feet per lineal foot of the tenant's front facade, or eighty (80) square feet, whichever is less.
    - c. **Wall Signs**: The following standards apply to permanent wall signs:
      - i. **Area**:
        - [a] Any single wall sign mounted on a structure shall not exceed sixty (60) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed eighty (80) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Maximum Height**: Any single wall sign shall not exceed five (5) feet in height nor shall any part of the sign exceed twenty (20) feet above ground level.
      - iii. **Distance from Building**: No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number**: No more than one (1) wall sign is permitted per tenant space.
      - v. **Consistency**: All wall signs within the development must be consistent in type (*e.g.* reverse channel, box, *etc.*) and be mounted consistently on the facade of the building in order to create a uniform appearance.
    - d. **Awning Signs**: The following standards apply to permanent awning signs:
      - i. **Area**: Any single awning sign shall not exceed thirty (30) square feet in area.
      - ii. **Height**: Any single awning sign shall not exceed four (4) feet in height nor shall any part of an awning sign be more than fifteen (15) feet or less than nine (9) feet above the ground.
      - iii. **Maximum Number**: There is no maximum number of awning signs.
      - iv. **Illumination**: Awning signs shall not be illuminated by backlighting.
    - e. **Window Signs**: The following standards apply to permanent window signs:
      - i. **Area**: Any single window sign shall not exceed forty (40) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
      - ii. **Maximum Height**: Any single window sign shall not exceed five (5) feet in height.
      - iii. **Maximum Number**: Two (2) window sign is permitted on each facade; maximum of three (3) per building.
      - iv. **Permit**: The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.

## Sign Standards (SI)

2. *Permanent Development Sign Standards:* Permanent development signs shall be permitted as follows:
  - a. *Types:* Any combination of permanent gateway signs or directional signs are allowed per multi-tenant development as described below. These signs are permitted for multiple-tenant structures in addition to the allotment of signs for permanent tenant space in §A: *Permanent Tenant Sign Standards*.
  - b. *Gateway Signs:* The following standards apply to permanent gateway signs:
    - i. *Prerequisite:* A minimum of six (6) separate tenants and 12,000 square feet of occupiable space in the building is required to qualify for a gateway sign.
    - ii. *Area:* The maximum sign area for a gateway sign shall be calculated by multiplying one (1) square foot times the lineal feet of facade facing a public street. Under no circumstance can the total sign area exceed sixty (60) square feet per side in area.
    - iii. *Tenant Sign:* Any single-tenant sign on a gateway sign cannot exceed fifty (50) square feet in area per side.
    - iv. *Maximum Height:* No part of a gateway sign shall be more than eight (8) feet above ground level.
    - v. *Maximum Number:* A maximum of one (1) gateway sign is permitted at the primary entrance into a multi-tenant development.
    - vi. *Changeable Copy:* Changeable copy is permitted on up to sixty percent (60%) of the permitted sign area of the gateway sign per side.
  - c. *Directional Signs:* The following standards apply to permanent directional signs:
    - i. Directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out of, or around a development.
    - ii. Any single directional sign shall not exceed four (4) square feet in area per side, and forty-two (42) inches in height. If a directional sign has two (2) or more sides, each side counts toward the maximum cumulative square footage.
    - iii. No more than one (1) directional signs shall be used per curb cut onto a public street.
3. *Temporary Sign Standards:* Temporary signs shall be permitted as follows:
  - a. *Standard Temporary Sign:* The following standards apply to temporary signs:
    - i. *Limitations:* All standard temporary signs associated with a tenant space must be displayed in windows or affixed to an entrance door.
    - ii. *Area:* The sign area for a standard temporary sign shall not exceed four (4) square feet.
    - iii. *Maximum Height:* The height for any standard temporary sign shall not exceed seven (7) feet above ground level.
    - iv. *Maximum Number:* One (1) standard temporary sign is permitted per tenant space.
    - v. *Duration:* A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, help wanted, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vi. *Permit:* Each new standard temporary sign or relocation of an existing temporary sign requires a new temporary Sign Permit.
  - b. *Special Temporary Sign:* The following standards apply to special temporary signs:
    - i. *Maximum Number:* One (1) special temporary sign is permitted per overall development.
    - ii. *Location:* A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A temporary sign cannot be located fully or partially on any public sidewalk.
    - iii. *Duration:* Cumulatively, all special temporary sign on any property shall not exceed fourteen (14) days in any calendar year. Any single special temporary sign shall not exceed a duration of seven (7) continuous days.
    - iv. *Types:* Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
    - v. *Permit:* Each time a special temporary sign is relocated or setup, a temporary Sign Permit is required.
4. *Freedom of Speech:* On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.

# Sign Standards (SI)

## 5.53 SI-08: Sign; Industrial and High Impact

This Sign Standards section applies to the following zoning districts:



- A. **Single-tenant:** The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. **Permanent Sign Standards:** Permanent signs shall be permitted as follows:
    - a. **Types:** Any combination of permanent wall, ground, awning, window, drive-up window, changeable copy, display space, or directional signs is allowed within the constraints of the regulations in this section.
    - b. **Cumulative Square Footage:**
      - i. **Façade Width:** The cumulative square footage of all permanent signs shall not exceed one and three-quarters (1.75) square feet per lineal foot of primary structure facade that faces a public right-of-way; or one hundred seventy five (175) square feet, whichever is less.
      - ii. **Frontage:** If a primary structure does not exist, the site is permitted one-tenth (0.1) square foot per lineal foot of road frontage, or fifty (50) square feet of cumulative square footage; whichever is less.
      - iii. **Cumulative Square Footage Bonuses:** The cumulative square footage bonuses specified in §iv: *Speed Limit* and §v: *Proximity to Right-of-way* are each calculated based on the maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage*. If a sign is eligible for bonuses under §iv: *Speed Limit* and §v: *Proximity to Right-of-way*, the bonuses are individually added to the maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage*, and are not calculated one from the other.
      - iv. **Speed Limit:** The maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage* may be increased based on the speed limit of the nearest adjacent street as follows:
        - [a] 45 mph to 55 mph: Ten percent (10%);
        - [b] Above 55 mph: Twenty-five percent (25%).
      - v. **Proximity to Right-of-way:** The maximum cumulative square footage of all permanent signs allowed pursuant to i: *Façade Width* or ii: *Frontage* may be increased based on the sign's proximity to the nearest adjacent right-of-way as follows:
        - [a] 200 feet to 400 feet: Ten percent (10%);
        - [b] Greater than 400 feet to 1,000 feet: Twenty-five percent (25%);
        - [c] Greater than 1,000 feet: Fifty percent (50%).
    - c. **Wall Signs:** The following standards apply to permanent wall signs:
      - i. **Area:**
        - [a] Any single wall sign mounted on a structure shall not exceed ninety (90) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed one hundred forty (140) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Maximum Height:** Any single wall sign shall not exceed six (6) feet in height nor shall any part of a wall sign be more than twenty (20) feet above ground level.
      - iii. **Distance from Building:** No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number:** One (1) wall sign is permitted on each facade; maximum of two (2) per building.

## Sign Standards (SI)

- d. Ground Signs: The following standards apply to permanent ground signs:
- i. Area:
    - [a] Any single ground sign located facing a local or collector street, or on a property that has less than two hundred fifty (250) lineal feet of street frontage on an arterial street shall not exceed forty (40) square feet in sign area per side.
    - [b] Any single ground sign located facing an arterial street on a property with two hundred fifty (250) lineal feet or more of street frontage shall not exceed fifty (50) square feet in area. The ground sign shall be placed on said arterial street to qualify for the larger sign area.
    - [c] If the ground sign has two (2) identical sides, only one (1) side's area counts toward the maximum cumulative square footage.
  - ii. Maximum Height: Six (6) feet, nor shall any part of a ground sign be more than eight (8) feet above ground level.
  - iii. Maximum Number: One (1) for lots with frontage on one (1) public street; and two (2) for lots with one hundred fifty (150) cumulative feet of frontage on two (2) or more public streets.
  - iv. Location: Permanent ground sign must be located at least five (5) feet from the edge of any pavement, curb, property line, or proposed right-of-way.
  - v. Separation: No two (2) ground signs on the same lot shall be within one hundred (100) feet of each other. Only one (1) permanent ground sign shall be placed on each frontage.
- e. Awning Signs: The following standards apply to permanent awning signs:
- i. Area: Any single awning sign shall not exceed thirty (30) square feet in area.
  - ii. Height: Any single awning sign shall not exceed three (3) feet in height nor shall any part of an awning sign be more than fifteen (15) feet or less than nine (9) feet above the ground.
  - iii. Maximum Number: There is no maximum number of awning signs.
  - iv. Illumination: Awning signs shall not be illuminated by backlighting.
- f. Window Signs: The following standards apply to permanent window signs:
- i. Area: Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
  - ii. Maximum Height: Any single window sign shall not exceed five (5) feet in height.
  - iii. Maximum Number: One (1) window sign is permitted on each facade; maximum of three (3) per building.
  - iv. Permit: The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
- g. Drive-up Window Sign: The following standards apply to permanent drive-up window signs:
- i. Prerequisite: The lot must have a permitted, operable and in-use drive-up window.
  - ii. Area: This sign shall not exceed twenty (20) square feet in area and shall not be a two-sided. This sign area shall not count against the cumulative square footage allotted to the property.
  - iii. Maximum Height: No part of a ground sign shall be more than six (6) feet above ground level.
  - iv. Maximum Number: Only one (1) drive-up window sign is permitted.
  - v. Location: A drive-up window sign must be located at least one (1) foot from the edge of any pavement, curb, or property line, or be mounted on the building.
- h. Changeable Copy: Changeable copy is permitted as a part of a permanent wall and/or ground sign as follows:
- i. Prerequisite: Any changeable copy sign shall be integrated into a wall or ground sign. When integrated, the combined sign area shall not exceed the maximum allowable square footage for that type of sign.
  - ii. Area: The changeable copy sign area shall not exceed eighty percent (80%) of a ground sign or wall sign that meets the regulations for that type of sign.
  - iii. Characteristics: Manually placed text allowed. Electronically placed text or lighted text is not allowed.

# Sign Standards (SI)

- i. Display Space: The following standards apply to a permanent sign area designated for temporary signs, banners, flyers, posters and pennants to be posted:
    - i. Intent: To allow a multitude of temporary two-dimensional signs, but to reduce clutter by requiring them to be displayed in a designated area.
    - ii. Number of Permanent Display Spaces: There shall not be more than two (2) permanent display spaces on a single lot.
    - iii. Number of Temporary Signs: Any number of temporary two-dimensional signs, banners, flyers, posters, and pennants may be posted at any given time in a permanent display space as long as they are posted within the confines of the permanent display area and shall not be posted anywhere else on the lot except as per §B: *Temporary Sign Standards*.
    - iv. Area: The total display space area shall not exceed forty (40) square feet per permanent display space and seventy (70) square feet cumulatively for all permanent display spaces.
    - v. Maximum Height: A permanent display space shall not exceed eight (8) feet in height from ground level.
    - vi. Framing of Display Space: The permanent display spaces shall either be framed with wood, metal, or other durable material; or located on a designated window; or mounted to permanent hardware affixed to the primary structure.
    - vii. Location: The permanent display spaces shall be located on the façade of the primary structure.
    - viii. Permit: The permanent display spaces shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.
    - ix. Exceptions: It is not necessary to get a Temporary Sign Permit for any temporary wall sign, banner, flyer, poster, or pennant when posted in the permanent display spaces.
  - j. Directional Signs: The following standards apply to permanent directional signs:
    - i. Intent: Permanent directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out-of, or around a development or lot.
    - ii. Area: Any single directional sign shall not exceed four (4) square feet in area per side. If a permanent directional sign has two (2) or more sides, each side counts toward the maximum cumulative square footage.
    - iii. Maximum Height: Any single directional sign shall not exceed forty-two (42) inches in height.
    - iv. Maximum Number: No more than one (1) permanent directional signs shall be installed per curb cut onto a public street.
2. *Temporary Sign Standards*: Temporary signs shall be permitted as follows:
- a. Standard Temporary Signs: The following standards apply to standard temporary signs:
    - i. Area: The sign area for a standard temporary sign shall not exceed five (5) square feet per side.
    - ii. Maximum Height: Any standard temporary sign shall not exceed four (4) feet above the ground.
    - iii. Maximum Number: One (1) standard temporary sign is permitted for lots with frontage on one (1) public street; and two (2) standard temporary signs are permitted for lots with frontage on two (2) or more public streets if they have at least three hundred (300) lineal feet of combined street frontage.
    - iv. Location: A standard temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A standard temporary sign cannot be located fully or partially on any public sidewalk.
    - v. Separation: No two (2) standard temporary signs shall be closer than eighty (80) feet to each other. Also, a standard temporary sign shall not be closer than fifteen (15) feet to any other sign on the property.
    - vi. Duration: A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary ground or wall signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vii. Permit: Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.

# Sign Standards (SI)

- b. **Special Temporary Signs:** The following standards apply to special temporary signs:
    - i. **Maximum Number:** One (1) special temporary sign is permitted.
    - ii. **Location:** A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A temporary sign cannot be located fully or partially on any public sidewalk.
    - iii. **Duration:** Cumulatively, all special temporary sign on any property shall not exceed fourteen (14) days in any calendar year. Any single special temporary sign shall not exceed a duration of seven (7) continuous days.
    - iv. **Types:** Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
    - v. **Permit:** Each time a special temporary sign is setup, a Temporary Sign Permit is required.
  3. **Freedom of Speech:** On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.
- B. Multi-tenant:** The following signs are permitted and are subject to the time, place and manner standards described for each type of sign:
1. **Permanent Tenant Sign Standards:** Permanent tenant signs shall be permitted as follows:
    - a. **Types of Signs Permitted:** Any combination of permanent wall, awning or window signs are allowed per tenant space as described below.
    - b. **Cumulative Area:** The cumulative square footage of all permanent signs per tenant space shall not exceed one and four-tenths (1.4) square feet per lineal foot of the tenant's front facade, or eighty (80) square feet, whichever is less.
    - c. **Wall Signs:** The following standards apply to permanent wall signs:
      - i. **Area:**
        - [a] Any single wall sign mounted on a structure shall not exceed sixty (60) square feet in area if the sign is less than one hundred fifty (150) feet from the public right-of-way it faces.
        - [b] Any single wall sign mounted on a structure shall not exceed eighty (80) square feet in area if the sign is one hundred fifty (150) feet or greater from the public right-of-way it faces.
      - ii. **Maximum Height:** Any single wall sign shall not exceed five (5) feet in height nor shall any part of the sign shall be more than twenty (20) feet above ground level.
      - iii. **Distance from Building:** No part of a wall sign shall protrude more than twelve (12) inches from the wall or face of the building to which it is attached.
      - iv. **Maximum Number:** No more than one (1) wall signs are permitted per tenant space.
      - v. **Physical Characteristics:** All wall signs within the development must be consistent in type (*e.g.* reverse channel, box, *etc.*) and be mounted consistently on the facade of the building in order to create a uniform appearance.
    - d. **Awning Signs:** The following standards apply to permanent awning signs:
      - i. **Area:** Any single awning sign shall not exceed thirty (30) square feet in area.
      - ii. **Height:** Any single awning sign shall not exceed three (3) feet in height nor shall any part of the sign be more than fifteen (15) feet or less than nine (9) feet above the ground.
      - iii. **Maximum Number:** There is no maximum number of awning signs.
      - iv. **Illumination:** Awning signs shall not be illuminated by backlighting.
    - e. **Window Signs:** The following standards apply to permanent window signs:
      - i. **Area:** Any single window sign shall not exceed twenty (20) square feet in area or thirty percent (30%) of the window's glass area, whichever is less.
      - ii. **Maximum Height:** Any single window sign shall not exceed five (5) feet in height.
      - iii. **Maximum Number:** One (1) window sign is permitted on each facade; maximum of three (3) per building.
      - iv. **Sign Permit:** The window sign shall be clearly noted on an elevation drawing attached to the Sign Permit and shall not be relocated to another location or modified without getting a new Sign Permit.

## Sign Standards (SI)

2. *Permanent Development Sign Standards:* Permanent development signs shall be permitted as follows:
  - a. *Types of Signs Permitted:* Any combination of permanent gateway signs or directional signs are allowed per multi-tenant development as described below. These signs are permitted for multiple-tenant structures in addition to the allotment of signs for permanent tenant space in §A:*Permanent Tenant Sign Standards.*
  - b. *Gateway Signs:* The following standards apply to permanent gateway signs:
    - i. *Prerequisite:* A minimum of six (6) separate tenants and 12,000 square feet of occupiable space in the building is required to qualify for a gateway sign.
    - ii. *Area:* The maximum sign area for a gateway sign shall be calculated by multiplying one (1) square foot times the lineal feet of facade facing a public street. Under no circumstance can the total sign area exceed sixty (60) square feet per side in area.
    - iii. *Tenant Sign:* Any single-tenant sign on a gateway sign cannot exceed fifty (50) square feet in area per side.
    - iv. *Maximum Height:* No part of a gateway sign shall be more than eight (8) feet above ground level.
    - v. *Maximum Number:* A maximum of one (1) gateway sign is permitted at the primary entrance into a multi-tenant development.
    - vi. *Changeable Copy:* Changeable copy is permitted on up to sixty percent (60%) of the permitted sign area of the gateway sign per side.
  - c. *Directional Signs:* The following standards apply to permanent directional signs:
    - i. Directional signs shall contain language or icons to guide pedestrians or motor vehicles into, out of, or around a development.
    - ii. Any single directional sign shall not exceed four (4) square feet in area per side, and forty-two (42) inches in height. If a directional sign has two (2) or more sides, each side counts toward the cumulative square footage.
    - iii. No more than one (1) directional signs shall be used per curb cut onto a public street.
3. *Temporary Sign Standards:* Temporary signs shall be permitted as follows:
  - a. *Standard Temporary Signs:* The following standards apply to standard temporary signs:
    - i. *Limitations:* All standard temporary signs associated with a tenant space must be displayed in windows or affixed to an entrance door.
    - ii. *Area:* The sign area for a standard temporary sign shall not exceed four (4) square feet.
    - iii. *Maximum Height:* The height for any standard temporary sign shall not exceed seven (7) feet above ground level.
    - iv. *Maximum Number:* One (1) standard temporary sign is permitted per tenant space.
    - v. *Duration:* A standard temporary sign may stay in place for the duration of the temporary event (*e.g.* special sale, special offer, help wanted, sale of property, *etc.*). The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs must be taken down within seven (7) days after the standard temporary signs purpose no longer exists.
    - vi. *Sign Permit:* Each new standard temporary sign or relocation of an existing temporary sign requires a new Temporary Sign Permit.
  - b. *Special Temporary Signs:* The following standards apply to special temporary signs:
    - i. *Maximum Number:* One (1) special temporary sign is permitted per overall development.
    - ii. *Location:* A special temporary sign must be located at least five (5) feet from any right-of-way, edge of pavement or curb associated with a roadway, aisle or driveway. A temporary sign cannot be located fully or partially on any public sidewalk.
    - iii. *Duration:* Cumulatively, all special temporary sign on any property shall not exceed fourteen (14) days in any calendar year. Any single special temporary sign shall not exceed a duration of seven (7) continuous days.
    - iv. *Sign Types:* Inflatable signs, banners, streamers, posters, pennants, and the like as long as they do not exceed twenty (20) feet off of the ground.
    - v. *Sign Permit:* Each time a special temporary sign is relocated or set up, a Temporary Sign Permit is required.
4. *Freedom of Speech:* On lots without a structure a permanent noncommercial ground sign up to twenty-four (24) square feet in area is permitted.

# Special Exception Standards (SE)

## 5.54 SE-01: Special Exception; General

This Special Exception Standards section applies to the following zoning districts:



- A. The development standards assigned to each zoning district are considered appropriate for the permitted uses within that zoning district. However, the development standards are not considered appropriate for all Special Exception uses within a zoning district. For instance, some institutional uses are allowed in residential districts as Special Exceptions. In this case, residential development standards would not necessarily be applicable.
- B. The Board of Zoning Appeals shall determine which development standards sections within *Chapter 05: Zoning District Development Standards* shall apply to each Special Exception application. The development standards determined to apply shall be documented in the application and approval.
- C. If the Special Exception use is a permitted use within another zoning district, the development standards for that zoning district shall be used as a guideline. In situations where the Special Exception use is not a permitted use in any zoning district, the most stringent development standards may be assigned by the Board of Zoning Appeals as appropriate.
- D. The approval process and criteria for Special Exceptions is in *Chapter 10; §10.22: Special Exception of the Unified Development Ordinance*.

## 5.55 SE-02: Special Exception; Greenway

This Special Exception Standards section applies to the following zoning districts:



### A. Institutional Uses:

#### 1. *Low Impact Structure:*

- a. **Maximum Height:** The Board of Zoning Appeals shall determine appropriate height standards as part of the Special Exception approval, and shall record those standards as conditions of approval.
- b. **Minimum Setbacks:** The Board of Zoning Appeals shall determine appropriate setback standards as part of the Special Exception approval, and shall record those standards as conditions of approval.
- c. The structure shall be built with appropriate design and materials.
- d. The structure shall be subservient to the dominant permitted use.
- e. Examples include:
  - i. Low impact minimal public facilities;
  - ii. Trail shelters;
  - iii. Trails made of natural materials with minimal impervious surface coverage;
  - iv. Trailhead markers and facilities;
  - v. Access ramps;
  - vi. Piers;
  - vii. Fishing access.

#### 2. *Parking Lot, Public:*

- a. **Minimum Setbacks:** The Board of Zoning Appeals shall determine appropriate setback standards as part of the Special Exception approval, and shall record those standards as conditions of approval.
- b. Parking lot shall be accessory to uses established on site.
- c. **Surface:** Pervious surface required.

#### 3. *Nature Center:*

- a. **Maximum Height:** The Board of Zoning Appeals shall determine appropriate height standards as part of the Special Exception approval, and shall record those standards as conditions of approval.
- b. **Minimum Setbacks:** The Board of Zoning Appeals shall determine appropriate setback standards as part of the Special Exception approval, and shall record those standards as conditions of approval.
- c. **Parking Lot:** Pervious surface required.
- d. **Impervious Surface Coverage:** The Board of Zoning Appeals shall determine the maximum impervious surface coverage as part of the Special Exception approval.

# Special Exception Standards (SE)

## B. Residential Uses:

### 1. *Single-family Dwelling*:

- a. Maximum Number: One (1)
- b. Occupancy: Dwelling shall only be occupied by the caretaker or other employee.

## 5.56 SE-03: Special Exception; Parks and Recreation

This Special Exception Standards section applies to the following zoning districts:

**P1 P2**

## A. Residential Uses:

### 1. *Single-family Dwelling*:

- a. Maximum Number: One (1)
- b. Occupancy: Dwelling shall only be occupied by the park caretaker or other park employee.

## 5.57 SE-04: Special Exception; Commercial Stable

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

**P2 A1 A2**

A. Minimum Floor Area: Within the stable, there shall be at least three hundred (300) square feet per horse.

B. Minimum Lot Area:

1. *Horse Yard Area*: One (1) acre.

C. Minimum Setback: Stables, exercise pools, horse wash areas, and manure bins shall not be constructed or located within the setbacks listed below:

1. *Residential*: Thirty (30) feet from a residential structure, residentially-used lot, or residential zoning district.
2. *Food Preparation*: Thirty (30) feet from any use or premises involved in the manufacture, preparation, or storage of food.
3. *Water Bodies*: Fifty (50) feet from any well, stream, pond, or other water body, whether natural or man-made.

D. Horse Wash Area:

1. *Drainage*: Adequate measures shall be taken to ensure that grey water from the horse wash area does not reach adjoining properties.
2. *Waste Water*:
  - a. Sanitary Sewer: Where sanitary sewers are available, waste water shall be drained to such sewers.
  - b. Septic System: Where sanitary sewers are unavailable, waste water shall be treated through a septic system approved by the County Health Department.

E. Exercise Pool:

1. *Safety*: Exercise pools shall be subject to the same safety standards as swimming pools (see §AS-01(E): *Swimming Pools*).
2. *Drainage*: Adequate measures shall be taken to ensure that overspill does not reach adjoining properties.
3. *Waste Water*:
  - a. Sanitary Sewer: Where sanitary sewers are available, waste water shall be drained to such sewers.
  - b. Septic System: Where sanitary sewers are unavailable, waste water shall be treated through a septic system approved by the County Health Department.

F. Manure Disposal:

1. Horse manure that is not immediately removed from the site shall be stored in durable, moistureproof, fly-proof bins at all times, or shall be composted pursuant to a Manure Management Plan. The Manure Management Plan shall provide for adequate disposal and minimal environmental impact.
2. The lids of the manure bins shall be kept closed at all times. Manure bins shall be emptied and cleaned at least once a week.

## Special Exception Standards (SE)

### G. Yard Areas:

1. *Horse Yard:* The yard area used in conjunction with the stable shall be enclosed in a manner sufficient to prevent the escape of horses. The horse yard shall not be located over the well or septic areas.
2. *Residential Yard:* If the site includes a residence, a separate yard area of at least 3,000 square feet shall be provided at the rear of the dwelling for the outdoor residential use of the occupants.

### H. Nuisance:

1. *Pest Control:* The premises shall be maintained free of insects, rodents, and other vermin.
2. *Dust Control:* Stables and yard areas shall be constructed and maintained so as to prevent dust likely to affect adjacent premises.
3. *Sanitary Conditions:* The premises shall be maintained in a clean and sanitary condition at all times.

### I. Parking: The petitioner shall submit a Parking Plan demonstrating compliance with *Chapter 05; §PK: Parking Standards* and specifying the parking area for any horse trailers that maybe stored on site. Parking areas for horse trailers shall be visually screened from adjoining properties and public rights-of-way using a combination of plant materials, decorative fences, decorative walls, and/or earthen mounds. Parking areas with four (4) or more spaces shall provide the following perimeter planting:

1. *Installation:* Shrubs shall be planted to effectively screen all parking lot areas from the right-of-way and adjacent properties.
2. *Arrangement:*
  - a. Trees shall be planted within ten (10) feet of the parking lot edge.
  - b. Shrubs shall be planted within five (5) feet of the parking lot edge.
3. *Minimum Number:*
  - a. One (1) tree per four (4) parking spaces shall be planted. A minimum of fifty percent (50%) of the required trees shall be canopy trees.
  - b. Three (3) shrubs per one (1) parking space shall be planted.
4. *Substitution:* A decorative wall may be installed in lieu of shrubs for locations along the perimeter of the parking area. Walls, if used, shall be a minimum of thirty (30) inches and a maximum of forty-two (42) inches in height and may incorporate breaks to allow for pedestrian movement.

### J. Sewer and Water:

1. *Septic System:* Where septic systems are used, they shall be located outside the horse wash area, horse roll area, horse yard, and pasture.
2. *Well:* Where wells are used, they shall be located outside the horse wash area, horse roll area, horse yard, and pasture.

### K. Site Plan: The petitioner shall submit a Site Plan showing areas proposed for pasture or feeding; including acreage sufficient to accommodate the number of horses proposed.

# Special Exception Standards (SE)

## 5.58 SE-05: Special Exception; General Agriculture

This Special Exception Standards section applies to the following zoning districts:

**A1** **A2**

### A. Residential Uses:

1. *Single-family Dwelling, Subordinate:*
  - a. Maximum Number: One (1)
  - b. Occupancy: The primary single-family dwelling shall be occupied by the property owner.
  - c. Subordination: The subordinate single-family dwelling shall be subsidiary to the permitted use.
  - d. Subdivision: The subordinate single-family dwelling shall be located on the same parcel as the primary single-family dwelling, and the property shall not be otherwise subdivided.

## 5.59 SE-06: Special Exception; Prime Agriculture

This Special Exception Standards section applies to the following zoning districts:

**A2**

### A. Residential Uses:

1. *Single-family Dwelling:*
  - a. Maximum Number: One (1)
  - b. Occupancy: Dwelling shall only be occupied by the owner or manager.

## 5.60 SE-07: Special Exception; Kennel

This Special Exception Standards section applies to the following zoning districts:

**A2** **CH** **I1**

### A. Minimum Setbacks:

1. *Front Setback:* Per Chapter 02: Zoning Districts.
2. *Side Setback:* Fifty (50) feet.
3. *Rear Setback:* Fifty (50) feet.
4. *Proximity to Residential:* No kennel shall be permitted within one-half mile (2,640 feet) of a residential use or residential zoning district.

B. Minimum Lot Size: As required per the zoning district or three (3) acres, whichever is greater.

C. Minimum Lot Width: Two hundred (200) feet.

D. Perimeter Fencing: The perimeter of the kennel operation shall be enclosed with an opaque fence that meets the following standards:

1. *Minimum Depth Underground:* Twelve (12) inches.
2. *Height:* Eight (8) feet from grade.
3. *Minimum Gauge of Chain-link Fence:* Eleven (11).
4. *Minimum Fence Setback:* Twenty (20) feet from any adjoining property line.

E. License: Prior to establishment, the property owner, or the kennel operator if the operator is not the property owner, shall provide proof of all necessary licenses to the Executive Director.

F. Nuisance: A plan for management of noise abatement shall be submitted with the Special Exception application.

G. Sanitary Facilities: A plan for management of animal wastes shall be submitted with the Special Exception application.

# Special Exception Standards (SE)

## 5.61 SE-08: Special Exception; Manufactured Home Park

This Special Exception Standards section applies to the following zoning districts:

**MP**

### A. Residential Uses:

#### 1. *Single-family Dwelling:*

- a. **Applicability:** In a manufactured home park, Special Exception approval is required for a single-family dwelling that does not occupy a dwelling site. In a manufactured home subdivision where every dwelling is on a separate, platted lot, Special Exception approval is not required.
- b. **Maximum Number:** One (1) per manufactured home park.
- c. **Occupancy:** Dwelling shall only be occupied by the manufactured home park caretaker or the property owner.

## 5.62 SE-09: Special Exception; Sewer and Water

This Special Exception Standards section applies to the following zoning districts:

**IN OT CN I1 I2**

### A. Permitted Uses:

1. *Sewer and Water:* Where sanitary sewer connection and/or water utility connection is not available, an otherwise permitted use may be allowed by Special Exception as follows:
  - a. The applicant shall submit an Engineering Feasibility Report showing:
    - i. Where the nearest sanitary sewer and/or water utilities are available; and
    - ii. That it is not feasible for sanitary sewer and/or water utilities to be brought in.
  - b. The Board of Zoning Appeals may approve such a use with septic and/or well only if the applicant can show that there will be minimal use and minimal impact.
  - c. The Board of Zoning Appeals shall have full discretion to approve or deny such a request. Approval of a sanitary sewer and/or water utility Special Exception qualifies the applicant to file with the Plan Commission for Development Plan approval.

## 5.63 SE-10: Special Exception; Institutional

This Special Exception Standards section applies to the following zoning districts:

**IN**

### A. Commercial Uses:

#### 1. *Cemetery/Mausoleum:*

- a. **Minimum Lot Area:** Forty (40) acres.
- b. **Minimum Setback:**
  - i. **Side Setback:** Fifty (50) feet.
  - ii. **Rear Setback:** Fifty (50) feet.
- c. **Fence:** Six-foot (6') wire-mesh where accessible to the public.
- d. **Mandatory Conditions of Approval:** The owners shall provide to appropriate governmental agencies, upon request and without cost, all data secured from the use of the installation.
- e. **Maximum Number of Principal Entrances from a Major Thoroughfare:** One (1).
- f. **Disposal of liquid and other wastes** shall meet the approval of the State Board of Health.
- g. **No parking** in the front yard, except as provided in *Chapter 05; §PK: Parking Standards*.

# Special Exception Standards (SE)

## 5.64 SE-11: Special Exception; Neighborhood Commercial

This Special Exception Standards section applies to the following zoning districts:

**CN**

### A. Residential Uses:

1. *Accessory Apartment*:
  - a. Maximum Number: One (1)
  - b. Occupancy: Dwelling shall only be occupied by the property owner or manager.

## 5.65 SE-12: Special Exception; High Intensity Commercial

This Special Exception Standards section applies to the following zoning districts:

**CH**

### A. Commercial Uses:

1. *Telecommunication Facility*:
  - a. See *Chapter 10; §10.02: Telecommunication Facility Review; Special Exception.*

## 5.66 SE-13: Special Exception; Light Industrial

This Special Exception Standards section applies to the following zoning districts:

**II**

### A. Commercial Uses:

1. *Cemetery/Mausoleum*:
  - a. Minimum Lot Area: Forty (40) acres.
  - b. Minimum Setback:
    - i. Side Setback: Fifty (50) feet.
    - ii. Rear Setback: Fifty (50) feet.
  - c. Fence: Six-foot (6') wire-mesh where accessible to the public.
  - d. Mandatory Conditions of Approval: The owners shall:
    - i. Perpetuate maintenance;
    - ii. Provide to appropriate governmental agencies, upon request and without cost, all data secured from the use of the installation.
  - e. Maximum Number of Principal Entrances from a Major Thoroughfare: One (1).
  - f. Disposal of liquid and other wastes shall meet the approval of the State Board of Health.
  - g. No parking in the front yard, except as provided in *Chapter 05; §PK: Parking Standards.*
2. *Telecommunication Facility*:
  - a. See *Chapter 10; §10.02: Telecommunication Facility Review; Special Exception.*

# Special Exception Standards (SE)

## 5.67 SE-14: Special Exception; Mineral Extraction

This Special Exception Standards section applies to the following zoning districts:



### A. Industrial Uses:

#### 1. Mineral Extraction:

- a. Declaration of Policy:
  - i. Any conflict between the provisions in this section and other provisions of the Unified Development Ordinance are to be resolved in favor of the more restrictive section. All zoning standards in applicable zoning districts shall apply.
  - ii. Nothing in this section shall prevent the use and alienation of mineral resources by the owner. However, any such use shall be subject to the standards found herein.
- b. Administration: No mineral extraction shall be undertaken, nor shall a Mineral Extraction Permit for the same be issued until the Board of Zoning Appeals grants a Special Exception. This subsection shall be enforced by the County Engineer or any other official/entity authorized to enforce the Unified Development Ordinance.
- c. Issuance of Mineral Extraction Permit: Upon obtaining a Special Exception from the Board of Zoning Appeals, an applicant may then seek a Mineral Extraction Permit from the Plan Commission Office. No person shall undertake any mineral extraction in the unincorporated areas of the County without first having secured a Mineral Extraction Permit issued by the Plan Commission Office.
- d. Applicability: The provisions of this section shall apply to new Mineral Extraction Permits and renewal Mineral Extraction Permits applied for from and after June 13, 1997. Mineral extraction operations conducted pursuant to previous permitting procedures in effect or that were in effect at any time within the one hundred eighty (180) days prior to June 13, 1997, may be issued Mineral Extraction Permits pursuant to the renewal provisions outlined in *Chapter 10; §10.16(G)(2): Renewal*, notwithstanding any lapse of such Mineral Extraction Permit within such one hundred eighty-day period.
- e. Development Standards: In addition to the standards generally applicable to Special Exceptions:
  - i. Mineral extraction shall not occur within seventy-five (75) feet of all property lines, and no excavation shall be permitted which creates a maximum slope steeper than one (1) foot horizontal to one (1) foot vertical (*i.e.* 100% slope);
  - ii. Use permitted not closer than two hundred (200) feet to a residential zoning district;
  - iii. Hours of Operation: Extraction and material processing activities permitted in the plan area shall be limited to the hours of 6:00 a.m. to 9:00 p.m., except in the following situations:
    - [a] Where required by public authorities;
    - [b] Where necessary due to public emergencies; and
    - [c] Where any necessary and reasonable repairs to equipment are required.
  - iv. Ingress, Egress, and Traffic Safety: There must be an acceptable relationship with public roads, and the affected roads must be adequate to carry the types of additional traffic engendered by the use. Access roads to any plant area shall be limited to one (1), or at most two (2), points and shall be constructed on a level with the pavement of any public street or highway for a distance of not less than eighty (80) feet. Adequate sight distance shall be maintained for traffic safety in compliance with the standards and requirements of state and local highway authorities. Vehicles carrying materials from the site shall be loaded in such a manner as to prevent spilling rock, gravel or sand, or other materials of a similar nature while in transit upon roads and highways.
  - v. Off-street Parking: Off-street parking shall be provided for all equipment and for cars of employees.
  - vi. Drainage: Sufficient drainage shall be provided so as to prevent water pockets or undue erosion, with all grading and drainage such that natural storm water leaves the entire property at the original, natural drainage points, and that the area drainage to any such point is not increased.
  - vii. There must be rehabilitation of the plan area in conformance with the Plan of Development submitted with the application.

# Special Exception Standards (SE)

## 5.68 SE-15: Special Exception; High Intensity

This Special Exception Standards section applies to the following zoning districts:



### A. Agricultural Uses:

1. *Confined Feeding Operation:* The petitioner shall demonstrate that the operation will be in full compliance with 327 IAC 16: Confined Feeding Operations.

### B. Commercial Uses:

1. *Race Track:*
  - a. *Minimum Setback:*
    - i. *Side Setback:* Forty (40) feet.
    - ii. *Rear Setback:* Forty (40) feet.
  - b. *Landscape Plan* to be submitted with application.
  - c. *Screen Planting* where Abutting Residential Use (tight screen, effective at all times): Eight-foot (8') height by six-foot (6') width.
  - d. *Maximum Number of Principal Entrances* from a Major Thoroughfare: One (1).
  - e. *Disposal of liquid and other wastes* shall meet the approval of the State Board of Health.
  - f. *No parking* in the front yard, except as provided in *Chapter 05; §PK: Parking Standards.*
2. *Stadium:*
  - a. *Minimum Lot Area:* Five (5) acres.
  - b. *Screen Planting* where Abutting Residential Use (tight screen, effective at all times): Six-foot (6') height by six-foot (6') width.
  - c. *Maximum Number of Principal Entrances* from a Major Thoroughfare: Two (2).
  - d. *Acceptable relationship* to major thoroughfare.
  - e. *Thoroughfares* must be adequate to carry additional traffic engendered by use.
  - f. *No parking* in the front yard, except as provided in *Chapter 05; §PK: Parking Standards.*

### C. Industrial Uses:

1. *Junk Yard:*
  - a. *Setback:* At least two hundred (200) feet from any residential zoning district.
  - b. *Fence:* Solid wall or solid painted fence eight (8) feet high.
  - c. *Maximum Number of Principal Entrances* from a Major Thoroughfare: One (1).
  - d. *Disposal of liquid and other wastes* shall meet the approval of the State Board of Health.
  - e. *Parking:* No parking in the front yard, except as provided in *Chapter 05; §PK: Parking Standards.*
2. *Sanitary Landfill/Refuse Dump:*
  - a. *Minimum Lot Area:* Fifty (50) acres.
  - b. *Minimum Setback:*
    - i. *Front Setback:* Two hundred (200) feet.
    - ii. *Side Setback:* Two hundred (200) feet.
    - iii. *Rear Setback:* Two hundred (200) feet.
    - iv. *Residential:* At least two hundred (200) feet from any residential zoning district.
  - c. *Fence:* Six-foot (6') solid painted.
  - d. *Screen Planting* abutting Residential Use (tight screen, effective at all times): Six (6) feet along streets.
  - e. *Maximum Number of Principal Entrances* from a Major Thoroughfare: One (1).
  - f. *State Board of Health* approval required.
  - g. *Disposal of liquid and other wastes* shall meet the approval of the State Board of Health.
  - h. *Parking:* No parking in the front yard, except as provided in *Chapter 05; §PK: Parking Standards.*

# Telecommunication Facility Standards (TC)

## 5.69 TC-01: Telecommunication Facility; General

This Telecommunication Facilities Standards section applies to the following zoning districts:



- A. **Permits Required:** Telecommunication facilities shall not be constructed, erected, placed, modified or altered until a Special Exception and an Improvement Location Permit have been obtained. See *Chapter 10; §10.02: Telecommunication Facility Review; Special Exception* and *§10.03: Telecommunication Facility Review; Improvement Location Permit*.
- B. **Location:** Telecommunication facilities shall not be located within the boundaries of any recorded residential subdivision.
- C. **Design Requirements:** Proposed or modified telecommunication towers and antennas shall meet the following design requirements:
  1. **Appearance:** Towers and antennas shall be designed to blend into the natural surrounding environment through the use of color and camouflaging architectural treatment, except in an instance where the color is dictated by State or federal authorities such as the Federal Aviation Administration (FAA).
  2. **Monopole Design:** Towers shall be of a monopole design, unless the Board of Zoning Appeals determines an alternative design would better blend in with the surrounding environment.
  3. **Setbacks:** Telecommunication facilities shall meet the following setback requirements:
    - a. All telecommunication facilities shall meet the setback requirements of the underlying zoning district; however, a telecommunication facility that is located in an industrial zoning district may encroach up to ten (10) feet into the required rear yard if the adjoining lot is also in an industrial zoning district.
    - b. **Front Setback:** Telecommunication towers shall be set back from any planned right-of-way, as identified on the Thoroughfare Plan, a minimum distance equal to fifty percent (50%) of the tower height, including all antennas and attachments.
    - c. **Side and Rear Setback:** Telecommunication towers shall be set back from the side and rear property lines a minimum distance equal to sixty percent (60%) of the tower height, including all antennas and attachments.
    - d. Telecommunication towers shall not be located between the principal structure and a public street.
    - e. Telecommunication towers shall be set back from the boundaries of any recorded residential subdivision a minimum distance equal to one hundred ten percent (110%) of the tower height.
    - f. A telecommunication tower's setback may be reduced or its location varied at the sole discretion of the Board of Zoning Appeals to allow for the integration of the telecommunication facility into an existing or proposed structure, such as a church steeple, light standard, power line support device or similar structure.
  4. **Collocation:** Any proposed telecommunication tower shall be designed structurally, electrically and in all respects to accommodate both the applicant's antennas and comparable antennas for the following:
    - a. A minimum of one (1) additional user if the telecommunications tower is between sixty (60) and one hundred (100) feet in height.
    - b. A minimum of two (2) additional users if the telecommunications tower is one hundred (100) feet or more.
  5. **Accessory Utility Structures:** All utility buildings and structures needed to support a telecommunications tower shall be architecturally designed to blend in with the surrounding environment shall meet the minimum setback requirements of the underlying zoning district.
  6. **Security Fence:** Telecommunication facilities and all accessory utility buildings and structures shall be protected by a security fence at least seven (7) feet tall.
  7. **Screening:** A live evergreen screen consisting of a hedge, planted three (3) feet on-center maximum, or a row of evergreen trees planted a maximum of ten (10) feet on-center shall be planted around the entire telecommunication facility and each of the guy wires and anchors, if used. The height of all plants at the time of planting may be no less than five (5) feet.
  8. **Lighting:** Telecommunication facilities shall not be illuminated by artificial means and shall not display strobe lights, except when it is dictated by State or federal authorities such as the FAA.
  9. **Signs:** The use of any portion of a telecommunication facility for the posting of any signs or advertisements of any kind, other than warning or equipment information signs, is prohibited.

# Telecommunication Facility Standards (TC)

- D. **Construction Standards:** All telecommunication facilities which an Improvement Location Permit is required are subject to inspection by the Building Commissioner during the construction process.
1. If an easement is required for location of a telecommunication facility on the property, the easement shall be staked by a licensed and registered Indiana land surveyor so as to provide proof the facility has been constructed within the easement.
  2. Footing inspections may be required by the Building Commissioner for all telecommunication facilities having footings.
  3. All telecommunication facilities containing electrical wiring shall be subject to the provisions of the National Electric Code, as amended.
- E. **Inspection of Towers:** The following shall apply to the inspection of telecommunications facilities:
1. All towers may be inspected at least once every five (5) years, or more often as needed to respond to complaints received, by the Executive Director and/or a qualified and licensed Indiana engineer to determine compliance with the original construction standards.
  2. The Executive Director and the Building Commissioner may enter onto the property to investigate the matter and may order the appropriate action be taken to bring the facility into compliance.
  3. Deviation from original construction for which any permit was obtained constitutes a violation of the Unified Development Ordinance.
  4. Notices of Violation will be sent in accordance with *Chapter 09: Nonconformance* for any known violation on the telecommunication facility.
- F. **Abandoned Towers:** Any tower unused or left abandoned for six (6) months will be removed by the property owner at its expense. Should the property owner fail to remove the tower after thirty (30) days from the date a notice of violation is issued, the County may remove the tower and bill the property owner for the costs of removal and cleanup of the site.

## 5.70 TC-02: Telecommunication Facility; Height Limit

This Telecommunication Facilities Standards section applies to the following zoning districts:



### A. **Maximum Height:**

1. Telecommunication towers shall not exceed one hundred ninety-nine (199) feet in height.
2. All other utility structures and antennas shall meet the height standards in *Chapter 05; §HT: Height Standards*.

# Temporary Use and Structure Standards (TU)

## 5.71 TU-01: Temporary Use and Structure; General

This Temporary Use and Structure Standards section applies to the following zoning districts:



- A. Permit Required: All temporary uses require a Temporary Use Permit except a yard or garage sale.
- B. Termination and Removal: Temporary uses and structures shall be terminated and removed at the end of the permitted event period.
- C. Location:
  1. Temporary uses and structures shall not displace required parking for any use or block any existing drives.
  2. Adequate off-street parking is required for each temporary use and structure.
  3. The temporary use shall be arranged so that vehicles do not block a public right-of-way.
- D. Signs: See *Chapter 05*; §SI: *Sign Standards*.
- E. Contractor's Offices and Equipment Storage: Contractor's offices and equipment storage are permitted on or adjacent to the construction site with the following requirements:
  1. The Temporary Use Permit is valid for one (1) year and may be renewed a maximum of two (2) one-year extensions.
  2. All temporary uses and structures shall be removed upon completion of construction or the expiration of the Temporary Use Permit, whichever occurs first.
  3. The structures shall not contain sleeping or cooking facilities.

## 5.72 TU-02: Temporary Use and Structure; Agricultural Use

This Temporary Use and Structure Standards section applies to the following zoning districts:



- A. Seasonal Sale of Farm Products: The seasonal sale of farm products is permitted with the following requirements:
  1. The seasonal sale of farm products shall be located on the farm from which it was grown.
  2. The seasonal sale of farm products is permitted up to six (6) months per calendar year.
  3. The sales space shall be of portable or seasonal construction.
  4. The stands shall be removed so as to observe the setback line for permanent structures when not in use.

## 5.73 TU-03: Temporary Use and Structure; Residential

This Temporary Use and Structure Standards section applies to the following zoning districts:



- A. Model Homes: Model homes and apartments are permitted with the following requirements:
  1. The Temporary Use Permit is valid for a three (3) years and may be renewed annually after the initial three-year period.
  2. The model home and apartments shall be on the site of the development for which the sales are taking place.
- B. Inflatable Projection Screens: The use of inflatable projection screens is permitted with the following requirements:
  1. The Temporary Use Permit is valid for seven (7) days. Two (2) Temporary Use Permits may be issued per calendar year per parcel.
  2. The use of the inflatable projection screen shall not be a nuisance to the adjacent properties.

# Temporary Use and Structure Standards (TU)

## 5.74 TU-04: Temporary Use and Structure; Commercial

This Temporary Use and Structure Standards section applies to the following zoning districts:

**IN** **OT** **CN** **CM** **CH**

- A. Sale of Seasonal Items: The sale of seasonal items such as Christmas trees and Halloween pumpkins is permitted with the following requirements:
1. The Temporary Use Permit is valid for forty-five (45) days. All unsold merchandise shall be removed within five (5) days after the holiday;
  2. The lot shall front a collector or arterial street; and
  3. The temporary use shall be located a minimum of fifty (50) feet from residential zoning districts.

## 5.75 TU-05: Temporary Use and Structure; Industrial

This Temporary Use and Structure Standards section applies to the following zoning districts:

**I1** **I2**

- A. Sale of Seasonal Items: The sale of seasonal items such as Christmas trees and Halloween pumpkins is permitted with the following requirements:
1. The Temporary Use Permit is valid for forty-five (45) days. All unsold merchandise shall be removed within five (5) days after the holiday;
  2. The lot shall front a collector or arterial street; and
  3. The temporary use shall be located a minimum of fifty (50) feet from residential zoning districts.
- B. Sale of Fireworks: The sale of Independence Day fireworks is permitted with the following requirements.
1. The Temporary Use Permit is valid for forty-five (45) days. All unsold merchandise shall be removed within five (5) days after the holiday;
  2. The lot shall front a collector or arterial street;
  3. The temporary use shall be located a minimum of one hundred (100) feet from residential zoning districts; and
  4. The area must comply with all requirements of State law regarding sale of fireworks.

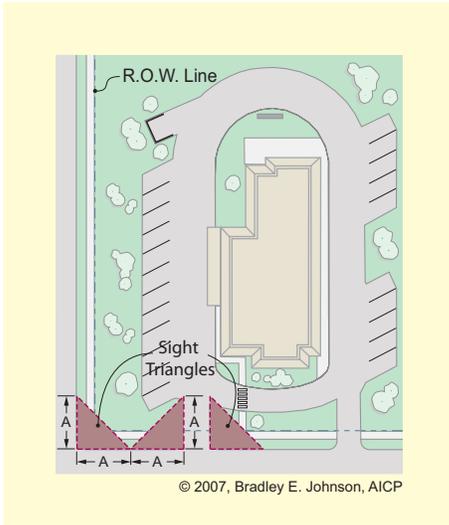
# Vision Clearance Standards (VC)

## 5.76 VC-01: Vision Clearance; General

This Vision Clearance Standards section applies to the following zoning districts:



- A. Vision Clearance Triangle: A vision clearance triangle shall be maintained at every intersection of two (2) or more streets, intersection of a street and alley, and intersection of a street and driveway.
- B. Horizontal Area: The vision clearance triangle leg lengths shall be fifty (50) feet as measured from the edge of pavement (see “A” below in the illustration).



- C. Vertical Area: No primary or accessory structures, landscaping, fences, walls, or signs are allowed to be placed or to project into the vision clearance triangle between the heights of two and one-half (2.5) feet and nine (9) feet above the crown of the adjacent roadway.
- D. Exceptions:
  1. Farm crops;
  2. Public street signs;
  3. Booster stations.

