

Chapter 03

Overlay Districts

Porter County
Unified Development
Ordinance

APO: Airport Overlay District

3.01 APO District Intent, Effect on Uses and Effect on Standards

District Intent	Effect on Uses	Effect on Standards
<p>The Airport Overlay District is intended to be used to protect the Porter County Municipal Airport and any airport to which overlay protection is applied in the future.</p> <p>In order to carry out the provisions of this section, there are created and established certain zones that include all of the land lying within the:</p> <ul style="list-style-type: none"> • Approach Zone; • Conical Zone; • Horizontal Zone; • Noise-sensitive Zone; and • Transitional Zone <p>as they apply to the airport. Such zones are shown on the Porter County Municipal Airport Layout Plan, as amended, the most current copy of which is on file with the Porter County Municipal Airport Authority, the Plan Commission Office, and the County Auditor's office. The limits of the various zones are defined in <i>Chapter 12: Definitions</i>.</p>	<p>Required Approvals:</p> <ul style="list-style-type: none"> • Development Plan <p>Permitted Uses:</p> <ul style="list-style-type: none"> • See <i>Chapter 02: Zoning Districts</i> for uses permitted by right in the base zoning district <p>Special Exceptions:</p> <ul style="list-style-type: none"> • See <i>Chapter 02: Zoning Districts</i> for uses permitted as a Special Exception in the base zoning district <p>Excluded Uses:</p> <ul style="list-style-type: none"> • Notwithstanding any other provisions of the APO District, no use may be made of land within any base zoning district subject to the APO District in such a manner as to: <ul style="list-style-type: none"> - Create electrical interference with navigational signals; - Create electrical interference with radio communication between the airport and aircraft; - Make it difficult for pilots to distinguish between airport lights and other lights; - Result in glare in the eyes of pilots using the airport; - Impair visibility in the vicinity of the airport; or - Otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft intending to use the airport. <p>Excluded Uses; Noise-sensitive Zone:</p> <ul style="list-style-type: none"> • No person may erect a building designed for noise-sensitive purposes, including: <ul style="list-style-type: none"> • assisted living facility • bed and breakfast • child care facility • day care center • dwelling, multifamily • dwelling, single-family • dwelling, two-family • hotel • library • medical facility • motel • movie theater • nursing home • place of worship • retirement home • school • and the like 	<p>The development standards of <i>Chapter 02: Zoning Districts</i> and <i>Chapter 05: Zoning District Development Standards</i> apply where an alternative development standard has not been specified herein for the APO District.</p> <p>The design standards of <i>Chapter 06: Subdivision Regulations</i> and <i>Chapter 07: Subdivision, Development Plan & PUD Design Standards</i> apply where an alternative design standard has not been specified herein for the APO District.</p>

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3.02 APO District Development Standards

- A. Cross Reference: To the extent that they are not inconsistent with the provisions of the Airport Overlay District, refer to *Chapter 02: Zoning Districts* and *Chapter 05: Zoning District Development Standards* for standards applicable to the base zoning district.
- B. Interpretation: All distances specified herein are to be measured from existing airport facilities and from proposed airport facilities shown on the Airport Layout Plan.
- C. Height Standards: The applicable zone height limitations are hereby established and described as follows:
 1. *General*:
 - a. Except as otherwise provided in this section, no structure shall be erected, altered, or maintained or tree allowed to grow or be maintained in any zone created by the APO district to a height in excess of the applicable height limit herein established for such zone.
 - b. An area located in more than one of the zones is considered to be only in the zone with the most restrictive height limitation.
 2. *Utility Runway Visual Approach Zone*: Slopes upward one (1) foot vertically for each twenty (20) feet horizontally, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
 3. *Utility Runway Non-precision Instrument Approach Zone*: Slopes upward one (1) foot vertically for each twenty (20) feet horizontally, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
 4. *Runway Larger than Utility Visual Approach Zone*: Slopes upward one (1) foot vertically for each twenty (20) feet horizontally, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
 5. *Runway Larger than Utility with a Visibility Minimum Greater than Three-fourths Mile, Non-precision Instrument Approach Zone*: Slopes upward one (1) foot vertically for each thirty-four (34) feet horizontally, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
 6. *Runway Larger than Utility with a Visibility Minimum as Low as Three-fourths Mile, Non-precision Instrument Approach Zone*: Slopes upward one (1) foot vertically for each thirty-four (34) feet horizontally, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
 7. *Precision Instrument Runway Approach Zone*: Slopes upward one (1) foot vertically for each fifty (50) feet horizontally, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each one (1) foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
 8. *Conical Zone*: Slopes upward and outward one (1) foot vertically for each twenty (20) feet horizontally beginning at the periphery of the Horizontal Zone and at one hundred fifty (150) feet above the airport elevation and extending to a height of three hundred fifty (350) feet above the airport elevation.
 9. *Horizontal Zone*: One hundred fifty (150) feet above the airport elevation.
 10. *Transitional Zone*: Slopes upward and outward one (1) foot vertically for each seven (7) feet horizontally beginning at the sides of and at the same elevation as the primary surface and the Approach Surface, and extending to a height of one hundred fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping upward and outward one (1) foot vertically for each seven (7) feet horizontally beginning at the sides of and at the same elevation as the Approach Surface, and extending to where the Approach Surface intersect the conical surface. Where the Precision Instrument Runway Approach Zone projects beyond the Conical Zone, height limits sloping upward and outward one (1) foot vertically for each seven (7) feet horizontally shall be maintained beginning at the sides of and at the same elevation as the precision instrument runway approach surface, and extending to a horizontal distance of 5,000 feet measured at ninety-degree (90°) angles to the extended runway centerline.

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11. *Excepted Height Limitations*: Nothing in §C: *Height Standards* shall be construed as prohibiting the growth of any tree or the construction or maintenance of any structure to a maximum height up to fifty (50) feet above the surface of the land; provided, however, that such maximum does not conflict with any of the Approach Zone or Transitional Zone limitations of the Airport Overlay District.

D. Lighting Standards:

1. *General*:

- a. No parking lot, street, exterior building, or landscape lighting shall be allowed to project upward or horizontally. All lighting mounted on a pole, structure, or building shall utilize full-cutoff luminaires.
- b. All signage lighting shall be internally illuminated and shall not exceed twenty (20) lux at the property line.
- c. No lighting within the Airport Overlay District shall spin, oscillate, or blink.

2. *Hazard Marking and Lighting*:

- a. Notwithstanding §3.04(B)(1): *Regulations Not Retroactive*, the owner of any nonconforming structure or tree is required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Porter County Municipal Airport Authority to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the Porter County Municipal Airport Authority.
- b. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of the Airport Overlay District and be reasonable in the circumstances be so conditioned as to require the owner of the structure or tree in question to permit the Porter County Municipal Airport Authority at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard.

E. Performance Standards:

1. *Air Pollutants*: The emission of air pollutants such as, but not limited to, smoke, dust, noxious fumes, glare, and electrical radiation that would compromise the safety of aircraft by interfering with visibility, operation of electrical equipment, or any other condition necessary for safe flight is hereby prohibited.

3.03 APO District Design Standards

- A. Cross Reference: To the extent that they are not inconsistent with the provisions of the Airport Overlay District, refer to *Chapter 07: Design Standards* for design standards applicable to the given type of development.

3.04 APO District Miscellaneous Standards

- A. Airport Layout Plan: The Porter County Municipal Airport Layout Plan is hereby incorporated by reference.

B. Nonconformance:

1. *Regulations Not Retroactive*: The regulations prescribed herein shall be construed to require the removal, lowering or other changes or alterations of any structure or tree not conforming to the regulations as of September 1999, or otherwise interfere with the continuance of any nonconforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to September 1999, and is diligently prosecuted.
2. *Existing Uses*: No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure or tree to be made or become higher, or become a greater hazard to air navigation, than it was on September 1999 or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such permit shall be granted.
3. *Nonconforming Uses Abandoned or Destroyed*: Whenever the Porter County Municipal Airport Authority determines that a nonconforming structure or tree has been abandoned or more than eighty percent (80%) torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the standards of the Airport Overlay District.

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C. Noise-sensitive Purposes:

1. *Applicability:* This section applies to any noise-sensitive purpose:
 - a. Within a Noise-sensitive Zone that has had a Use Variance approved by the Board of Zoning Appeals and been issued a Permit for Construction in a Noise-sensitive Area by the Indiana Department of Transportation; or
 - b. Outside a Noise-sensitive Zone, but within proximity to the extended runway centerline established in §2: *Proximity*.
2. *Proximity:*
 - a. **One Nautical Mile:** No noise-sensitive purpose shall be established within one (1) nautical mile of a runway centerline, extended one (1) nautical mile from each end of the runway, unless the applicant has recorded a deed restriction binding on all successors, heirs, and assigns to the real property acknowledging awareness of the airport facilities and operations, awareness of the airport's intention to expand those facilities and operations, and committing not to remonstrate against such expansion.
 - b. **Four Thousand Feet:** No noise-sensitive purpose shall be established within 4,000 feet of a runway centerline extended one (1) nautical mile from each end of the runway, or inside the 60 dB DNL contour, whichever is greater, unless the structure is constructed using noise-mitigating techniques. Windows, exterior doors, exterior walls, and roofs shall be designed and constructed to a 35 dB noise level reduction class.

D. Hazardous Wildlife Attractants:

1. *Uses Considered Hazardous Wildlife Attractants:*
 - a. Aquaculture operation outside of totally enclosed buildings;
 - b. Commercial or municipal compost operation;
 - c. Confined feeding operation;
 - d. Fuel processing or distribution facility;
 - e. Golf course;
 - f. Hazardous material or hazardous waste storage or processing;
 - g. Recreational pond;
 - h. Retention pond;
 - i. Solid waste landfill;
 - j. Trash transfer station;
 - k. New wetlands, including mitigation efforts;
 - l. Waste treatment facility.
 2. Land uses that attract migratory birds or that cause other risks to pilots and aircraft passengers shall not be established within:
 - a. **Airports Serving Piston-powered Aircraft:** Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 5,000 feet at Airports Serving Piston-powered Aircraft for any of the hazardous wildlife attractants mentioned in §1: *Uses Considered Hazardous Wildlife Attractants* or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's Aircraft Operating Area (AOA) and the hazardous wildlife attractant.
 - b. **Airports Serving Turbine-powered Aircraft:** Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 10,000 feet at Airports Serving Turbine-powered Aircraft for any of the hazardous wildlife attractants mentioned in §1: *Uses Considered Hazardous Wildlife Attractants* or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant.
 - c. **Protection of Approach, Departure, and Circling Airspace:** For all airports, five (5) statute miles between the farthest edge of the airport's AOA and the hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.
- E. Risk Abatement: Land uses that attract large gatherings (*e.g.* amphitheater, arena, school, stadium, *etc.*) shall not be established within 4,000 feet of a runway centerline, extended one (1) nautical mile from each end of the runway.

ARO: Arterial Roadway Overlay District

3.05 ARO District Intent, Effect on Uses and Effect on Standards

District Intent	Effect on Uses	Effect on Standards
<p>The Arterial Roadway Overlay (ARO) District is intended to be used to promote a plan for rational, aesthetically pleasing and cohesive development in the areas along the major arterial roads of the County, and to preclude small, freestanding buildings and uses, unless they are part of a cohesive “campus” plan.</p> <p>Applicability</p> <ul style="list-style-type: none"> Roads that are subject to the ARO District are designated on the Zoning Map. The depth of the ARO District adjacent to the right-of-way of a designated road is based on the functional classification of the road on the Thoroughfare Plan. Primary Arterial: The ARO District extends four hundred (400) feet from the right-of-way line on each side of the designated road. Secondary Arterial: The ARO District extends two hundred (200) feet from the right-of-way line on each side of the designated road. <p>Appropriate Base Districts</p> <ul style="list-style-type: none"> GW, P1, P2, A1, A2, RR, R1, R2, R3, R4, RL, CN, IN, OT, CM, CH, I1 and I2 	<p>Exceptions:</p> <ul style="list-style-type: none"> Agricultural uses and structures in the A1 and A2 zoning districts are exempt from the requirements of the ARO District <p>Required Approvals:</p> <ul style="list-style-type: none"> Development Plan <p>Permitted Uses:</p> <ul style="list-style-type: none"> See <i>Chapter 02: Zoning Districts</i> for uses permitted by right in the base zoning district <p>Special Exceptions:</p> <ul style="list-style-type: none"> See <i>Chapter 02: Zoning Districts</i> for uses permitted as a Special Exception in the base zoning district <p>Excluded Uses:</p> <ul style="list-style-type: none"> outdoor storage 	<p>The development standards of <i>Chapter 02: Zoning Districts</i> and <i>Chapter 05: Zoning District Development Standards</i> apply where an alternative development standard has not been specified herein for the ARO District.</p> <p>The design standards of <i>Chapter 06: Subdivision Regulations</i> and <i>Chapter 07: Subdivision, Development Plan & PUD Design Standards</i> apply where an alternative design standard has not been specified herein for the ARO District.</p>

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3.06 ARO District Development Standards

A. Cross Reference: To the extent that they are not inconsistent with the provisions of the ARO District, refer to *Chapter 02: Zoning Districts* and *Chapter 05: Zoning District Development Standards* for standards applicable to the base zoning district.

B. Accessory Structure Standards:

1. *Applicability*: This Accessory Structure Standards section applies to all base zoning districts.
2. All accessory structures and uses that are permitted in the base zoning district shall be permitted, except that any attached or detached accessory structure shall have on all sides the same proportions, architectural features, construction materials, and in general be architecturally complementary to the primary structure with which it is associated.

C. Architectural Design Standards:

1. *Applicability*: This Architectural Design Standards section applies to the following base zoning districts:



- a. *Compatibility*: Each building may be unique; however, all buildings within a single development shall be complementary in design, theme, materials, and architecture.
- b. *Site Planning and Layout*: Lineal/strip development shall incorporate variation in building height, building mass, roof forms and changes in wall planes. Lineal/strip development should be discouraged.
- c. *Façade*:
 - i. *Elevation Exterior Materials*: A minimum of three (3) materials shall be used for building exteriors, from the following list:
 - [a] Stone;
 - [b] Brick;
 - [c] Split-face concrete masonry unit;
 - [d] Integrally-colored concrete masonry unit;
 - [e] Fiber cement board;
 - [f] Exterior insulation finish system (EIFS);
 - [g] Stucco;
 - [h] Architectural precast (panels or detailing);
 - [i] Architectural metal panels;
 - [j] Glass; or
 - [k] Ornamental metal.
 - ii. Large expanses of glass are allowed, up to seventy percent (70%) of the façade area. The building may not be constructed entirely of a metal and glass curtain wall.
 - iii. Except as specified in §i: *Elevation Exterior Materials* above, concrete is not allowed as an exterior finish material.
 - iv. *Four-sided Architecture*: The architectural style, materials, color and design on the front elevation shall be applied to all elevations of the structure.
 - v. *Wall Planes*: For every fifty (50) feet of building façade as measured horizontally, there shall be a minimum of four percent (4%) projection or recess in the façade (vertical plane). Any wall exceeding the fifty (50) feet in length shall include at least one (1) change in wall plane. Absolute minimum changes in plane shall be five (5) feet. The projection or recess can be realized with setbacks of the building façade, but also with architectural elements that include but are not exclusive or arcades, columns, piers, and pilasters.
 - vi. *Façade Colors*: Façade colors shall be low reflectance, subtle, neutral hues or colors. The use of high-fluorescent colors shall be prohibited.
- d. *Building Corners*: All primary structures shall be designed with a minimum of eight (8) external corners, in order to eliminate the boxlike massing of buildings.

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- e. Windows: Where large retail structures contain additional, separately-owned or leased stores that occupy less than 20,000 square feet of gross floor area and have separate, exterior customer entrances, the street façade of retail structures shall be transparent above the walking grade.
- f. Entries: Entries shall be clearly defined and accented with such features as grand doors, awnings, porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, peaked roof forms and arches. Each building greater than 15,000 square feet shall have clearly defined, highly visible customer entrances featuring no less than two (2) of the following:
 - i. Canopies or porticos;
 - ii. Overhangs;
 - iii. Arcades;
 - iv. Raised corniced parapets over the door;
 - v. Peaked roof forms;
 - vi. Arches;
 - vii. Outdoor patios;
 - viii. Architectural details such as decorative tile work, brickwork, and moldings that are integrated into the building structure and design;
 - ix. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;
 - x. Columns;
 - xi. Awnings;
 - xii. Enframed window walls.
- g. Roof:
 - i. Parapet: Parapets shall not exceed fifteen (15) feet as measured from the top of the roof deck and shall conceal flat roofs and shall be in proportion to the supporting walls.
 - ii. Cornice: Cornices shall be three-dimensional.
 - iii. Minimum Eave/Overhang Width: Pitched roofs shall have eaves and overhangs equal to or greater than twelve (12) inches in depth.
 - iv. Cupola: Cupolas shall not exceed fifteen (15) feet past the base roofline.
 - v. Pitched Roofs:
 - [a] Minimum Pitch: 6 (vertical units): 12 (horizontal units).
 - [b] Pitched roofs shall be comprised of three (3) or more roof slope planes.
 - [c] Pitched roofs shall be covered with high quality roofing materials such as natural clay tiles, slate, concrete tiles (with natural texture and color), high quality standing-seam metal roofing, dimensional asphalt/fiberglass shingles.
 - [d] Finish: Metal roofs shall have a low-gloss finish to reduce glare.
 - vi. Flat Roofs: No more than fifty percent (50%) of the roof shall be flat unless the roof has an architectural addition. Flat roofs shall have architectural significance, such as different sections of flat roofs so the roof can be given articulation with different heights.
 - vii. Variation in Roofline: For buildings with elevations in excess of one hundred (100) feet in width, a variation in roofline shall be employed for architectural interest and to reduce the apparent scale of the buildings. Sloped roofs shall not exceed one hundred (100) feet without a change in roof plane, or gable or dormer.
- h. Mechanical and Utility Equipment Screening: All mechanical equipment, trash compactors, pallets, and the like shall be screened from view. Screening can be achieved through the use of landscaping, fence or walls for ground placed equipment, and parapet walls or other roof designs for roof-mounted structures. Screening enclosures shall be architecturally compatible with the primary structure.

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- i. Dumpster and Storage Area Screening:
 - i. Enclosure Design: Dumpsters and storage areas shall be enclosed with a solid enclosure that complements the architecture of the primary structure. Dumpster enclosures attached to the primary structure shall be designed as an architecturally integrated part of the primary structure;
 - ii. Enclosure Minimum Height: Six (6) feet;
 - iii. Enclosure Gate: The enclosure shall contain a solid gate. The gate shall be maintained in operable condition. The gate shall remain closed except when being accessed.
 - iv. Landscaping: Shrub plant material shall be provided where possible to further enhance the wall enclosure.
2. *Applicability*: This Architectural Design Standards section applies to the following base zoning districts:
 - 11 12
 - a. Façade:
 - i. Compatibility: All buildings on a site are to have compatible design, theme, materials, and architecture.
 - ii. Exterior Materials: All siding shall be:
 - [a] Masonry;
 - [b] Fiber cement plank siding;
 - [c] Decorative precast panels;
 - [d] Integrally colored, textured concrete masonry unit;
 - [e] External insulation finish system (EIFS);
 - [f] Concrete tilt-up panels with brick or stone facing.
 - iii. Exterior adjacent to Residential: The exterior of all buildings adjacent to residentially zoned or occupied areas shall predominantly consist of brick, masonry, stone, or materials with masonry surface and appearance.
 - b. Roof:
 - i. Pitched Roofs:
 - [a] Minimum Pitch: 6 (vertical units): 12 (horizontal units).
 - [b] Finish: Metal roofs shall have a low gloss finish to reduce glare.
 - ii. Variation in Roofline: For larger scale buildings, a variation in roofline shall be used in order to reduce the apparent scale of larger buildings.
 - iii. Pedestrian or customer entries into buildings shall be further emphasized by overhanging eaves, sloped roofs, three (3) or more roof planes, higher roof lines, projected or recessed entryways, or change in building materials.
 - c. Mechanical and Utility Equipment Screening: All mechanical equipment, trash compactors, pallets, and the like shall be screened from view. Screening can be achieved through the use of landscaping, fence or walls for ground placed equipment, and parapet walls or other roof structures for roof-mounted equipment. Screening enclosures shall be architecturally compatible with the primary structure.
 - d. Dumpster and Storage Area Screening: Dumpsters and storage areas shall be enclosed with a solid enclosure that complements the architecture of the primary structure, is a minimum of six (6) feet in height, and contains a solid gate. Shrub plant material shall be provided where possible to further enhance the wall enclosure. Dumpster enclosures attached to the primary structure shall be designed as an architecturally integrated part of the primary structure.

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D. Density and Intensity Standards:

1. *Applicability:* This Density & Intensity Standards section applies to the following base zoning districts:

CN **IN** **OT** **CM** **CH** **I1** **I2**

- a. Minimum Gross Floor Area: All buildings shall have either:
 - i. A minimum of 15,000 square feet of gross floor area, excluding the floor area of any basement or any accessory building; or
 - ii. A minimum of three (3) buildings, with each building no less than 5,000 square feet in gross floor area, excluding the floor area of any basement or any accessory building, in an architecturally integrated campus-style grouping. The Plan Commission shall apply §B: *Architectural Design Standards* to determine whether the proposed buildings are architecturally integrated.
- b. Exception: Permitted accessory buildings need not meet the 15,000 square foot floor area requirement.

E. Entrance and Driveway Standards:

1. *Applicability:* This Entrance and Driveway Standards section applies to all base zoning districts.
2. Direct access to any street subject to the ARO District is prohibited unless the subject property does not have access to another public street or rear common access road. If another means of access is later established, direct access onto any street subject to the ARO District shall be closed, the entrance and driveway improvements removed, and the greenbelt established within six (6) months.

F. Height Standards:

1. *Applicability:* This Height Standards section applies to the following base zoning districts:

CN **IN** **OT** **CM** **CH** **I1** **I2**

- a. Minimum Height:
 - i. Primary Arterial: Twenty-six (26) feet and two (2) occupiable floors;
- b. Maximum Height: As specified in the underlying zoning district, except as follows:
 - i. Primary Arterial: One hundred fifty (150) feet, except that the maximum height may not exceed forty percent (40%) of the distance from any residential use or zoning district;
 - ii. Secondary Arterial: Eighty (80) feet, except that the maximum height may not exceed forty percent (40%) of the distance from any residential use or zoning district.

G. Landscaping Standards:

1. *Applicability:* This Landscaping Standards section applies to the following base zoning districts:

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

- a. Greenbelt:
 - i. Open Space: The area within the greenbelt shall count one hundred percent (100%) toward the requirements of *Chapter 07; §OS: Open Space Standards* unless indicated otherwise elsewhere.
 - ii. Perimeter Landscaping: Where perimeter landscaping would otherwise be required in a greenbelt area subject to this section, the provisions of §a: *Greenbelt* supercede the requirements of §3.08(C): *Perimeter Landscaping Standards* and *Chapter 07; §PL: Perimeter Landscaping Standards*.
 - iii. Minimum Depth:
 - [a] Primary Arterial: One hundred (100) feet.
 - [b] Secondary Arterial: Fifty (50) feet.
 - iv. Minimum Length: The greenbelt shall extend the entire length of the frontage.
 - v. The greenbelt shall be unoccupied except for plant material, steps, walks, terraces, bike paths, lighting standards, signs, and other similar structures. Mounding and other innovative treatments are to be encouraged in this area.

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- vi. Trees and shrubs shall be prorated and rounded up to the nearest whole number for every foot over the initial one hundred (100) feet. The base-planting unit for each one hundred (100) linear foot increment of the greenbelt is as follows:
 - [a] Primary Arterial: Ten (10) shade trees; and six (6) ornamental trees; and either thirty (30) shrubs or six (6) evergreen trees (a combination may be utilized, with one (1) evergreen tree substituting for five (5) shrubs, or two (2) for ten (10), *etc.*).
 - [b] Secondary Arterial: Either six (6) shade or evergreen trees; and either six (6) ornamental trees or twenty (20) shrubs (a combination may be utilized, with one (1) ornamental tree substituting for four (3) shrubs, or two (2) for six (6), *etc.*).
 - vii. Fencing or Mounding: Where used, fencing or mounding as described below may be integrated with the required trees and shrubs.
 - [a] Perimeter Fences: A high quality perimeter fence common to the development's character may be combined with plant material and shall be constructed of masonry, stone, wood, or metal. Fences constructed of synthetic materials that simulate natural materials will also be allowed. Fences shall be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height. Fencing may only be located in the greenbelt. The design of the fence is subject to Plan Commission approval.
 - [b] Mounds: Mounds may be combined with plant material, as described above, and may include fencing. Mounds shall be a maximum of six (6) feet in height. Maximum side slope shall not exceed a three to one (3 (horizontal units):1 (vertical unit)) ratio. Continuous mounds (*i.e.* levee-like mounds) are not permitted.
2. *Applicability*: This Landscaping Standards section applies to the following base zoning districts:

CN **IN** **OT** **CM** **CH** **I1** **I2**

- a. Greenbelt:
 - i. Open Space: The area within the greenbelt shall count one hundred percent (100%) toward the requirements of *Chapter 07*; §OS: *Open Space Standards* unless indicated otherwise elsewhere.
 - ii. Minimum Depth:
 - [a] Primary Arterial: One hundred (100) feet.
 - [b] Secondary Arterial: Fifty (50) feet.
 - iii. Minimum Length: The greenbelt shall extend the entire length of the frontage.
 - iv. The greenbelt shall be unoccupied except for plant material, steps, walks, terraces, bike paths, lighting standards, signs, and other similar structures. Mounding and other innovative treatments are to be encouraged in this area.
 - v. Trees and shrubs shall be prorated and rounded up to the nearest whole number for every foot over the initial one hundred (100) feet. The base-planting unit for each one hundred (100) linear foot increment of the greenbelt is as follows:
 - [a] Primary Arterial: Five (5) shade trees; and three (3) ornamental trees; and either fifteen (15) shrubs or three (3) evergreen trees (a combination may be utilized, with one (1) evergreen tree substituting for five (5) shrubs, or two (2) for ten (10)).
 - [b] Secondary Arterial: Either three (3) shade or evergreen trees; and either three (3) ornamental trees or ten (10) shrubs (a combination may be utilized, with one (1) ornamental tree substituting for four (3) shrubs, or two (2) for six (6)).

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H. Lighting Standards:

1. *Applicability:* This Lighting Standards section applies to the following base zoning districts:

CN **IN** **OT** **CM** **CH** **I1** **I2**

- a. All site lighting shall be coordinated throughout the project and be of uniform design, color and materials.
- b. The maximum height of light standards shall not exceed the building height proposed, or twenty-five (25) feet, whichever is less. However, when light standards abut or fall within ninety (90) feet of a residential use or zoning district, they shall not exceed fifteen (15) feet.
- c. All exterior architectural, display, decorative, and sign lighting shall be generated from concealed, low level light fixtures.
- d. The average illumination for site lighting shall be a maximum of thirty (30) lux.
- e. All site lighting shall be designed to not exceed three (3) lux at the property line in business or industrial zoning districts, and one (1) lux at the property line of adjoining residential uses or zoning districts.

I. Outdoor Storage Standards:

1. *Applicability:* This Outdoor Storage Standards section applies to the following base zoning districts:

I1 **I2**

- a. All uses shall be fully contained within a building.
- b. Outdoor storage is not permitted within the following proximity of the right-of-way:
 - i. Primary Arterial: Four hundred (400) feet.
 - ii. Secondary Arterial: Two hundred (200) feet.

J. Parking Standards:

1. *Applicability:* This Parking Standards section applies to the following base zoning districts:

CN **IN** **OT** **CM** **CH** **I1** **I2**

- a. Greenbelt: Parking is prohibited within the required greenbelt.
- b. Structure: Parking is prohibited between any structure and the right-of-way of any street adjacent to the development.

K. Setback Standards:

1. *Applicability:* This Setback Standards section applies to the following base zoning districts:

A1 **A2** **RR** **R1** **R2** **R3** **R4** **RL**

- a. Minimum Setback:
 - i. Primary Arterial: No residential structure shall be located within two hundred (200) feet of the right-of-way line.
 - ii. Secondary Arterial: No residential structure shall be located within one hundred (100) feet of the right-of-way line.

2. *Applicability:* This Setback Standards section applies to the following base zoning districts:

CN **IN** **OT** **CM** **CH** **I1**

- a. Build-to Line:
 - i. Except as allowed in §ii below, all primary structures shall be located on the ARO District build-to line, defined in §iii below.
 - ii. For campus-style developments with three (3) or more primary structures, up to one-half (½) of the buildings may be placed on the access road build-to line instead of the arterial build-to line.
 - iii. Dimensional requirements for build-to lines shall be measured from the right-of-way line:
 - [a] Primary Arterial: One hundred (100) feet;
 - [b] Secondary Arterial: Fifty (50) feet;
 - [c] Access Road: Twenty-five (25) feet.

ARO: Arterial Roadway Overlay District

3. *Applicability:* This Setback Standards section applies to the following base zoning districts:

I2

- a. Minimum Setback:
- i. Primary Arterial: One hundred (100) feet.
 - ii. Secondary Arterial: Fifty (50) feet.

L. Sign Standards:

1. *Applicability:* This Sign Standards section applies to the following base zoning districts:

RR R1 R2 R3 R4 RL

- a. Permanent Subdivision Identification Sign:
- i. Type: Ground sign.
 - ii. Maximum Number: One (1) per street subject to the ARO District.
 - iii. Maximum Height: Eight (8) feet.
 - iv. Minimum Setback: Twenty (20) feet from the right-of-way line.
 - v. Minimum Sign Area: Twenty-four (24) square feet.
 - vi. Maximum Sign Area:
 - [a] Project Area Less than or Equal to Three Acres: Forty (40) square feet.
 - [b] Project Area Greater than Three Acres: Eighty (80) square feet.
 - vii. Location: Within the greenbelt.
 - viii. Minimum Separation:
 - [a] On-site: Permanent subdivision identification signs for the same subdivision, but located along different rights-of-way, shall be located a minimum of one hundred fifty (150) feet apart, measured between their closest points.
 - [b] Adjacent Site: In order to promote an uncluttered sign environment, permanent subdivision identification signs shall be located a minimum of one hundred (100) feet from any adjacent parcel along the same frontage. Permanent subdivision identification signs established in a subdivision with less than two hundred (200) feet of frontage along the right-of-way shall be placed at or as close to the center of the frontage as possible.

2. *Applicability:* This Sign Standards section applies to the following base zoning districts:

A1 A2 CN IN OT CM CH I1 I2

- a. General:
- i. Orientation: Except as provided below, no sign may be established that faces a street subject to the ARO District.
 - ii. Design: All signs established on a given project site shall conform to a uniform sign design package proposed by the petitioner and approved by the Plan Commission as part of the Development Plan.
- b. Permanent Development Identification Sign:
- i. Type: Ground sign.
 - ii. Maximum Number: One (1) per street subject to the ARO District.
 - iii. Maximum Height: Eight (8) feet.
 - iv. Minimum Setback: Twenty (20) feet from the right-of-way line.
 - v. Minimum Sign Area: Twenty-four (24) square feet.
 - vi. Maximum Sign Area:
 - [a] Project Area Less than or Equal to Three Acres: Forty (40) square feet.
 - [b] Project Area Greater than Three Acres but Less than Ten Acres: Eighty (80) square feet.
 - [c] Project Area Equal to or Greater than Ten Acres: One hundred twenty (120) square feet.
 - vii. Location: Within the greenbelt.
 - viii. Materials: The base of the sign and any other supporting materials shall be covered with brick, stone or decorative block.

ARO: Arterial Roadway Overlay District

viii. Minimum Separation:

- [a] On-site: Permanent development identification signs for the same development, but located along different rights-of-way, shall be located a minimum of one hundred fifty (150) feet apart, measured between their closest points.
- [b] Adjacent Site: In order to promote an uncluttered sign environment, permanent development identification signs shall be located a minimum of one hundred (100) feet from any adjacent parcel along the same frontage. Permanent development identification signs established on project sites with less than two hundred (200) feet of frontage along the right-of-way shall be placed at or as close to the center of the frontage as possible.

c. Other Sign:

- i. Type: The property owner may elect to forego the permanent development identification sign in favor of a sign that would be permitted in the base zoning district per *Chapter 05; §SI: Sign Standards*.
- ii. Maximum Number: One (1) per street subject to the ARO District.

3.07 ARO District Design Standards

A. Cross Reference: To the extent that they are not inconsistent with the provisions of the ARO District, refer to *Chapter 07: Subdivision, Development Plan & PUD Design Standards* for design standards applicable to the given type of development.

B. Access Road Standards:

1. *Applicability*: This Access Road Standards section applies to the following types of development



- a. Where access to individual tracts along these highways is either not in existence or not clearly defined in many cases, rear common access roads will need to be built. In order to preserve the aesthetic benefits provided by the greenbelt, access roads shall be provided at the rear of all tracts, wherever possible. Access roads to contiguous tracts shall be coordinated so as to form one (1) main access road serving adjoining developments. These roads should be designed so as to funnel traffic onto major arterial roads rather than into residential areas and roads that may adjoin or be near the ARO District.

C. Pedestrian Network Standards:

1. *Applicability*: This Pedestrian Network Standards section applies to the following types of development:



- a. Site Planning and Layout: Layouts that allow pedestrian travel within commercial centers and to adjacent commercial centers are required. If an adjoining parcel is in a commercial zoning district but not yet developed, the internal pedestrian network shall be designed to provide pedestrian connectivity to the adjoining parcel.

ARO: Arterial Roadway Overlay District

D. Perimeter Landscaping Standards:

1. *Applicability:* This Perimeter Landscaping Standards section applies to the following types of development:



2. *General:* The public right-of-way shall be buffered from residential development using a soft barrier. Further, the landscaping shall be used to define the road corridors. A Landscape Plan showing perimeter landscaping shall be presented to the Plan Commission for approval as part of the application submittal.
3. *Residential Applicability: Section D: Perimeter Landscaping Standards* shall apply to any portion of a residential development subject to the ARO District that abuts a street.
4. *Standards:*
 - a. *Minimum Depth:* The perimeter landscape area shall be coterminous with the greenbelt.
 - b. *Minimum Length:* The perimeter landscape area shall extend the entire length of the frontage.
 - c. *Plant Materials:* Trees and shrubs shall be provided at a combined rate of ten (10) per one hundred (100) lineal feet of perimeter planting. Trees and shrubs shall be prorated and rounded up to the nearest whole number for every foot over the initial one hundred (100) feet. It is suggested that the required trees and shrubs be at least fifty percent (50%) evergreen, planted in clusters or irregular, nonlinear patterns.
 - d. *Fencing or Mounding:* Where used, fencing or mounding as described below shall be integrated with the required trees and shrubs.
 - i. *Perimeter Fences:* A high quality perimeter fence common to the development's character shall be combined with plant material and shall be constructed of masonry, stone, wood, or metal. Fences constructed of synthetic materials that simulate natural materials will also be allowed. Fences shall be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height. Fencing may only be provided by the petitioner and only located in the perimeter landscaping area which must be classified as "common area."
 - ii. *Mounds:* Mounds shall be combined with plant material, as described above, and may include fencing. Mounds shall be located in an area designated as "Common Area" or "landscape easement." Mounds shall be a minimum of three (3) feet in height. Maximum side slope shall not exceed a three to one (3:1) ratio. Engineering design requirements shall determine the setback from the right-of-way line of a public or private street and from the property line of an adjoining property. Continuous mounds are not permitted (*i.e.* levee-like mounds).

SRO: Scenic Roadway Overlay District

3.08 SRO District Intent, Effect on Uses and Effect on Standards

District Intent	Effect on Uses	Effect on Standards
<p>The SRO District is intended to preserve the rural and scenic nature of Porter County for aesthetics and maintain quality of life, and to encourage agricultural and rural activity. When assigning the SRO District, the County shall attempt to identify roadway sections of significant length, and encourage looped routes or routes with connectivity to each other and/or to scenic or recreational areas.</p> <p>Applicability</p> <ul style="list-style-type: none"> Roads that are subject to the SRO District are designated on the Zoning Map. The SRO District extends four hundred (400) feet from the right-of-way line on each side of the designated road. <p>Appropriate Base Districts</p> <ul style="list-style-type: none"> GW, P1, P2, A1, A2, RR, R1, RL, IN, OT, CN, CM and CH 	<p>Required Approvals:</p> <ul style="list-style-type: none"> Development Plan <p>Permitted Uses:</p> <ul style="list-style-type: none"> See <i>Chapter 02: Zoning Districts</i> for uses permitted by right in the base zoning district <p>Permitted Uses, A1:</p> <ul style="list-style-type: none"> See <i>Chapter 02: Zoning Districts</i> for uses permitted by right in the A1 zoning district art barn orchard <p>Special Exceptions:</p> <ul style="list-style-type: none"> See <i>Chapter 02: Zoning Districts</i> for uses permitted as a Special Exception in the base zoning district. 	<p>The development standards of <i>Chapter 02: Zoning Districts</i> and <i>Chapter 05: Zoning District Development Standards</i> apply where an alternative development standard has not been specified herein for the SRO District.</p> <p>The design standards of <i>Chapter 06: Subdivision Regulations</i> and <i>Chapter 07: Subdivision, Development Plan & PUD Design Standards</i> apply where an alternative design standard has not been specified herein for the SRO District.</p>

SRO: Scenic Roadway Overlay District

3.09 SRO District Development Standards

A. Cross Reference: To the extent that they are not inconsistent with the provisions of the SRO District, refer to *Chapter 02: Zoning Districts* and *Chapter 05: Zoning District Development Standards* for standards applicable to the base zoning district.

B. Architectural Design Standards:

1. This Architectural Design Standards section applies to the following base zoning districts:

P1 P2 IN OT CN CM CH

a. Non-residential structures shall be compatible with a rural or park-like setting. To that end, the character of nonresidential structures shall be either:

- i. Agricultural (*e.g.* structures that look like barns, silos, *etc.*); or
- ii. Rural/rustic, characterized by:

[a] Natural building materials (*e.g.* log construction, wood, stone, *etc.*)

[b] Low-lying, sleek structures that are compatible with the landscape (*e.g.* Prairie Style);

[c] Large eaves/soffits.

C. Landscaping Standards:

1. This Landscaping Standards section applies to the following base zoning districts:

P1 P2 IN OT CN CM CH

a. Maintenance of Trees:

i. Tree Stands: The maintenance of existing tree stands is required.

ii. Mature Trees: The cutting of mature, healthy trees over eight (8) inches dbh is prohibited within one hundred (100) feet of the right-of-way.

b. Hedge Row Plantings: Where hedge rows exist within seventy-five (75) feet of the right-of-way, they are required to be maintained and enhanced. Where hedge rows do not currently exist, they are required to be installed.

c. Planting Patterns: Landscape Plans are encouraged to utilize natural patterns rather than formal arrangements.

d. Native Species: Landscape materials shall be comprised of species native to Porter County or of species otherwise approved by the Executive Director.

D. Setback Standards:

1. This Setback Standards section applies to the following base zoning districts:

P1 P2 A1 A2 RR R1 RL CN

a. Minimum Front Setback:

i. State Designated Highway: One hundred (100) feet.

ii. All other roads: Fifty (50) feet.

2. This Setback Standards section applies to the following base zoning districts:

IN OT CN CM CH

a. Minimum Front Setback: One hundred (100) feet.

E. Sign Standards:

1. This Sign Standards section applies to the following base zoning districts:

IN OT CN CM CH

a. Ground Sign: The base of a ground sign and any other supporting materials shall be covered with brick, stone or decorative block.

b. Architectural Design: All signs shall compliment the architecture of the building.

SRO: Scenic Roadway Overlay District

3.10 SRO District Design Standards

A. Cross Reference: To the extent that they are not inconsistent with the provisions of the ARO District, refer to *Chapter 06: Subdivision Regulations* for standards applicable to the given subdivision type; and/or refer to *Chapter 07: Design Standards* for standards applicable to the given type of development.

B. Perimeter Landscaping Standards:

1. This Perimeter Landscaping Standards section applies to the following types of development:



- a. Where existing trees and hedgerows exist, they are required to be preserved as set forth in §3.09(C): *Landscaping Standards*. Where existing vegetation is thin or minimal, the Plan Commission may, in its discretion, require enhancement to meet the density standards of §b.
- b. Where tree stands and/or hedgerows do not exist or are minimal, they are required to be installed or enhanced in an area seventy-five (75) feet from the right-of-way of the designated roadway as follows:
 - i. Minimum Depth: Seventy-five (75) feet.
 - ii. Plant Materials: Trees and shrubs shall be provided at a combined rate of twenty (20) per one hundred (100) lineal feet of perimeter planting. Trees and shrubs shall be prorated and rounded up to the nearest whole number for every foot over the initial one hundred (100) feet.
 - iii. Planting Patterns: The required trees and shrubs shall be at least fifty percent (50%) evergreen, planted in clusters or irregular, nonlinear patterns.
 - iv. Native Species: Landscape materials shall be comprised of species native to Porter County or of species otherwise approved by the Executive Director.



WSO: Watershed Overlay District

3.11 WSO District Intent, Effect on Uses and Effect on Standards

District Intent	Effect on Uses	Effect on Standards
<p>The purpose of the Watershed Overlay District is to:</p> <ul style="list-style-type: none"> • Reduce soil and nutrient loss by slowing surface runoff; • Maintain the quality of water by reducing erosion and minimizing siltation; • Provide a buffer to reduce sedimentation and nutrient pollution of streams and rivers from non-point sources; • Help moderate floods by establishing vegetation that will absorb some of the water's energy, thereby slowing the flow of floodwaters; • Protect wetlands; • Provide critical habitat for wildlife; • Provide wildlife corridors to connect natural areas that would otherwise be isolated; and • Shade streams in order to help provide good spawning sites for fish and other aquatic animals. <p>Applicability</p> <ul style="list-style-type: none"> • <i>Priority 1:</i> Consists of major drainageways and bodies of water that are to be given highest priority for protection. The WSO District extends five hundred (500) feet on each side of a Priority 1 water body, measured from the top of bank; • <i>Priority 2:</i> Consists of major collectors, continually flowing drainways to Priority 1 water bodies, and may include small lakes, to be given second highest priority for protection. The WSO District extends three hundred (300) feet on each side of a Priority 2 water body, measured from the top of bank; • <i>Priority 3:</i> Consists of minor drainways and may include tertiary waterways with intermittent flow. The WSO District extends one hundred (100) feet on each side of a Priority 3 water body, measured from the top of bank. <p>Establishment and Maintenance: Where the WSO District crosses parcel lines, the owner of each affected parcel shall only be responsible for establishing and maintaining that portion of the WSO District that is located on that owner's parcel.</p> <p>Appropriate Base Districts</p> <ul style="list-style-type: none"> • GW, P1, P2, A1, A2, RR, R1, R2, R3, R4, RL, MP, IN, CN, and CM 	<p>Required Approvals:</p> <ul style="list-style-type: none"> • Landscape Plan <p>Excluded Uses, All Priority Areas:</p> <ul style="list-style-type: none"> • All Permitted Uses listed in <i>Chapter 02: Zoning Districts</i> for the I3 and HI zoning districts • automobile gas station • construction material landfill • dry cleaning service (on-site) • junk yard • manufacturing, heavy • scrap metal yard • stables • storage tanks (hazardous) 	<p>The development standards of <i>Chapter 02: Zoning Districts</i> and <i>Chapter 05: Zoning District Development Standards</i> apply where an alternative development standard has not been specified herein for the WSO District.</p> <p>The design standards of <i>Chapter 06: Subdivision Regulations</i> and <i>Chapter 07: Subdivision, Development Plan & PUD Design Standards</i> apply where an alternative design standard has not been specified herein for the WSO District.</p>

WSO: Watershed Overlay District

3.12 WSO District Development Standards

- A. Cross Reference: To the extent that they are not inconsistent with the provisions of the WSO District, refer to *Chapter 02: Zoning Districts* and *Chapter 05: Zoning District Development Standards* for standards applicable to the base zoning district.
- B. Landscaping Standards:
 1. *Buffer Yard*: Where *Chapter 05; §LA: Landscaping Standards* requires a buffer yard along the same property line along which the WSO District requires a riparian buffer, the buffer yard requirement is eliminated in favor of the riparian buffer.
 2. *Riparian Buffer*: The following requirements apply to all proposed developments or lots that are contiguous with or contain a water resource:
 - a. Applicability: A riparian buffer shall be established when a site is the subject of a:
 - i. Development Plan (including Detailed and Final Development Plans required for Planned Unit Developments) or Subdivision petition before the Plan Commission;
 - ii. Special Exception, Floodplain Standards Variance, or Use Variance petition before the Board of Zoning Appeals;
 - iii. Erosion Control Permit;
 - iv. Mineral Extraction Permit.
 - b. Riparian Buffer Plan Requirements:
 - i. The Riparian Buffer Plan shall be prepared by an arborist certified by the International Society of Arboriculture, a forester certified by the Society of American Foresters, or a landscape architect registered with the State.
 - ii. The Riparian Buffer Plan shall be fitted to the topography and soil to create the least potential for vegetation loss and site disturbance. Protection of tree crowns and root zones within the drip-line shall be required for all trees planned for retention.
 - iii. All newly planted vegetation within the riparian buffer shall be species native to the County or of species otherwise approved by the Executive Director.
 - iv. Temporary vegetation, sufficient to stabilize the soil, may be required on all disturbed areas as needed to prevent soil erosion. New plantings shall be given sufficient water, fertilizer, and protection to ensure reestablishment.
 - v. Where a water resource is contained within a property to be developed, the riparian buffer shall extend along both sides of the water resource.
 - vi. Width: The riparian buffer width shall be adjusted to include contiguous sensitive areas such as steep slopes or erodible soils, where development may impact the water quality of the water resource.
 - vii. Floodplain: Where a SFHA is wider than the minimum required riparian buffer, the widths of the graduated riparian buffer zones shall be adjusted in the Riparian Buffer Plan so that the outer edge of Zone 3 is at least coterminous with the edge of the SFHA.
 - viii. Long-term Maintenance: The Riparian Buffer Plan shall include a Long-term Maintenance Plan.
 - c. Graduated Buffer Zones: The riparian buffer shall be composed of three (3) distinct zones unless it is determined, based on riparian buffer function and site characteristics, that only one (1) or two (2) zones are necessary. Each riparian buffer zone shall have its own set of allowable uses and vegetative targets.

- d. **ZONE 1: Streamside Zone:** The function of the Streamside Zone is to protect the physical and ecological integrity of the ecosystem, especially stream bank and riverbank stabilization.
 - i. **Location:** The zone closest to the stream or river.
 - ii. **Riparian Buffer Width:** The width shall be measured perpendicular to the adjoining bank. The minimum width of Riparian Buffer Zone 1 shall be:
 - [a] Priority 1: One hundred (100) feet;
 - [b] Priority 2: Seventy-five (75) feet;
 - [c] Priority 3: Forty (40) feet.
 - iii. **Vegetative Target:** The mature vegetative cover of Riparian Buffer Zone 1 should consist of undisturbed vegetation. Only water-tolerant species native to the County should be planted in Riparian Buffer Zone 1 if no existing vegetation is present.
- e. **ZONE 2: Middle Zone:** The function of the Middle Zone is to protect key components of the stream or river, and to allow soil particles to trap nitrogen and phosphorus.
 - i. **Location:** The zone closest to Riparian Buffer Zone 1.
 - ii. **Zone 2 Width:** The width shall be measured perpendicular to Riparian Buffer Zone 1. The minimum width of Riparian Buffer Zone 2 shall be:
 - [a] Priority 1: Fifty (50) feet;
 - [b] Priority 2: Fifty (50) feet;
 - [c] Priority 3: Forty (40) feet.
 - iii. **Zone 2 Width Adjustment:** The Plan Commission may increase or decrease the required width of Riparian Buffer Zone 2; however, the width shall not be reduced to less than twenty-five (25) feet outside Riparian Buffer Zone 1. Adjustment of the width of Riparian Buffer Zone 2 shall be based on written findings regarding one or more of the following streamside characteristics:
 - [a] Percent slope adjacent to the water resource;
 - [b] Soil type, thickness, and erodibility;
 - [c] Watershed conditions, both upstream and downstream;
 - [d] Existing riparian buffer condition and width including vegetation and wildlife habitat;
 - [e] The riparian buffer characteristics of the adjoining Riparian Buffer Zones.
 - iv. **Vegetative Target:** The mature vegetative cover of Riparian Buffer Zone 2 should consist of native, lower story and edge vegetation. Only species native to the County should be planted in Riparian Buffer Zone 2 if no existing vegetation is present.
- f. **ZONE 3: Outer Zone:** The function of the Outer Zone is to prevent development encroachment into Riparian Buffer Zones 1 and 2 of the riparian buffer, and to filter runoff. This grass, sedge, and forbs-covered zone serves to “feather” surface water flow by increasing infiltration and water storage, and absorbing nutrients.
 - i. **Location:** The zone closest to Riparian Buffer Zone 1 or Riparian Buffer Zone 2.
 - ii. **Zone 3 Width:** The width shall be established to ensure the restoration or protection of Riparian Buffer Zone 1 and/or Riparian Buffer Zone 2. The minimum width of Riparian Buffer Zone 3 shall be:
 - [a] Priority 1: Fifty (50) feet;
 - [b] Priority 2: Twenty-five (25) feet;
 - [c] Priority 3: Twenty (20) feet.
 - iii. **Vegetative Target:** The mature vegetative target for Riparian Buffer Zone 3 should be grasses, sedges, and forbs native to Porter County that perform phytofiltration.

WSO: Watershed Overlay District

iv. Edge Demarcation:

- [a] **Required Signage:** The outer edge of Riparian Buffer Zone 3 shall be demarcated by signs that read, “Riparian Buffer Zone: Do Not Mow.” [**Note:** Mowing shall be permitted only as frequently and to the extent specified in the approved Long-term Maintenance Plan.] Riparian Buffer Zone demarcation signage shall not exceed eighteen (18) inches in height and twenty-four (24) inches in width; nor shall Riparian Buffer Zone demarcation signage be less than twelve (12) inches in height and sixteen (16) inches in width.
- [b] **Placement:** Riparian Buffer Zone demarcation signs shall be placed at the outer edge of Riparian Buffer Zone 3, and shall be spaced at intervals of not more than one hundred (100) feet.

C. **Parking Standards:** Parking lots shall be set back a minimum of fifty (50) feet from the outer edge of Riparian Buffer Zone 3 of any riparian buffer.

D. **Setback Standards:** Structures shall be set back a minimum of:

1. Priority 1: Two hundred (200) feet from the outer edge of Riparian Buffer Zone 3;
2. Priority 2: One hundred (100) feet from the outer edge of Riparian Buffer Zone 3;
3. Priority 3: Fifty (50) feet from the outer edge of Riparian Buffer Zone 3.

3.13 WSO District Design Standards

- A. **Cross Reference:** To the extent that they are not inconsistent with the provisions of the WSO District, refer to *Chapter 07: Subdivision, Development Plan & PUD Design Standards* for design standards applicable to the given type of development.
- B. **Open Space Standards:** One hundred percent (100%) of the area of riparian buffers that meet the requirements of the WSO District shall count toward minimum open space requirements for the project site.
- C. **Pedestrian Network Standards:** Where a pedestrian, multipurpose, or other path or trail is established on private property, such path or trail shall be placed within an appropriate access easement.
- D. **Storm Water Standards:**
 1. **Outlet:** Storm water drainage shall outlet no closer to the stream or river than the outer edge of Riparian Buffer Zone 3 of any riparian buffer. Outlets shall be designed to prevent damage to the riparian buffer by slowing and distributing the discharge in a manner sufficient to ensure that Riparian Buffer Zone 3 will be able to protect Riparian Buffer Zone 1 and Zone 2 without suffering significant damage itself.
 2. **Regulated Drain:** Where the access easement for a Regulated Drain overlaps the riparian buffer, the Riparian Buffer Plan shall also be subject to review and approval by the County Drainage Board.

3.14 WSO District Miscellaneous Standards

- A. **Notice Requirements:**
 1. **Priority 1:** Notice shall be given to the IDEM Office of Water Quality and to the DNR Division of Water when a site is the subject of a:
 - a. Development Plan (including Detailed and Final Development Plans required for Planned Unit Developments), Rezone, or Subdivision petition before the Plan Commission;
 - b. Special Exception, Floodplain Standards Appeal, Floodplain Standards Variance, or Use Variance petition before the Board of Zoning Appeals;
 - c. Erosion Control Permit;
 - d. Mineral Extraction Permit.
 2. **Regulated Drain:** The petitioner shall send notice to the County Drainage Board when any project includes proposed activity in an access easement for a Regulated Drain.

WPO: Wellhead Protection Overlay District

3.15 WPO District Intent, Effect on Uses and Effect on Standards

District Intent	Effect on Uses	Effect on Standards
<p>The WPO District is intended to be used to protect the CPWSS (Community public water supply system), more specifically the water supply from public wells within or outside the County.</p>	<p>Permitted Uses:</p> <ul style="list-style-type: none"> • See <i>Chapter 02: Zoning Districts</i> for uses permitted by right in the base zoning district <p>Special Exceptions:</p> <ul style="list-style-type: none"> • See <i>Chapter 02: Zoning Districts</i> for uses permitted as a Special Exception in the base zoning district <p>Excluded Uses:</p> <ul style="list-style-type: none"> • dry cleaning service (on-site) • junk yard • sanitary landfill/refuse dump 	<p>The development standards of <i>Chapter 02: Zoning Districts</i> and <i>Chapter 05: Zoning District Development Standards</i> apply where an alternative development standard has not been specified herein for the WPO District.</p> <p>The design standards of <i>Chapter 06: Subdivision Regulations</i> and <i>Chapter 07: Subdivision, Development Plan & PUD Design Standards</i> apply where an alternative design standard has not been specified herein for the WPO District.</p>

WPO: Wellhead Protection Overlay District

3.16 WPO District Development Standards

A. [PLACEHOLDER]

3.17 WPO District Design Standards

A. [PLACEHOLDER]

3.18 WPO District Process

A. Filing of Plans: An applicant shall file a copy of the proposed plat and/or plans with the applicable Wellhead Protection Administrator when applying for the following items when all of or a portion of the land lies in a Wellhead Protection Overlay District:

1. Subdivision of Land;
2. Planned Unit Development;
3. Special Exception;
4. Improvement Location Permit;
5. Variance;
6. Rezoning.

B. Notice of Proceedings:

1. In addition to any other notice an applicant is required to give, an applicant shall give notice to the Wellhead Protection Administrator of the affected CPWSS of the following when all of or a portion of the land lies in a Wellhead Protection Overlay District:
 - a. The public hearing on the application for Primary Plat approval in *Chapter 10; §Subdivision Control*.
 - b. The public hearing on the application for Planned Unit Development approval under *Chapter 10; §Planned Unit Developments*.
 - c. The public hearing on the application for a Special Exception under *Chapter 10; §10.22: Special Exception*.
 - d. The public hearing on the applicant's request for a Variance under *Chapter 10; §10.20: Development Standards Variance* or *§10.21: Use Variance* and IC 36-7-4-918.4 or IC 36-7-4-918.5.
 - e. The public hearing on the applicant's request for a rezoning under IC 36-7-4-608(b).
2. The Wellhead Protection Administrator of the affected CPWSS shall be deemed an interested party entitled to notice and an opportunity to be heard with respect to an application.
3. A CPWSS affected by an application may submit written or oral comments to the administrative body of Porter County having jurisdiction over the matter, and may attend and participate in any public hearings, in the same manner and to the same extent as all other interested parties or citizens.

C. Participation in Proceedings: The Technical Advisory Committee may request to receive and consider written or oral communications from the CPWSS concerning the effect of the proposed application on the Wellhead Protection Overlay District and may invite a representative of the CPWSS to attend the Technical Advisory Committee meeting.

