

CITY OF KOKOMO

Zoning Ordinance

No. 6279,

as amended by Ordinances:

No. 6375, May 9, 2005

No. 6426, May 8, 2006

No. 6434, June 27, 2006

No. 6435, June 27, 2006

No. 7044, July 12, 2022



August 12, 2003

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Article One

Basic Provisions



August 12, 2003
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Article One

Basic Provisions

1.1 Title

This Zoning Ordinance shall be formally known as the "Kokomo Zoning Ordinance, 2003" and it may be cited and referred to as the "Zoning Ordinance," or as the "Zoning Code."

1.2 Defined Words

Words used in a special sense in this Zoning Ordinance are defined in Article Eleven.

1.3 Authority

This Zoning Ordinance is adopted by the City pursuant to its authority under the laws of the State of Indiana, 36-7-4 et seq. Whenever codes cited in this Zoning Ordinance refer to Indiana Code which has been amended or superseded, this Zoning Ordinance shall be deemed amended in reference to the new or revised code.

1.4 Purpose

This Zoning Ordinance is intended to guide the growth and development of the City in accordance with the goals, objectives, and strategies stated within the Kokomo Comprehensive Plan and for the following purposes:

- A. To secure adequate light, air, and convenience of access; and safety from fire, flood, and other dangers.
- B. To promote the public health, safety, comfort, convenience, morals and general welfare.
- C. To plan for the future development of the City to the end:
 - a. That the community grows only with adequate public ways, utility, health, educational and recreational facilities;
 - b. That the needs of agriculture, industry and business are recognized in future growth;
 - c. That residential areas provide healthful surroundings for family life;
 - d. That the growth of the community is commensurate with and promotes the efficient and economical use of public funds; and
 - e. That the community strive for high aesthetic value and quality planning and design.

1.5 Applicability

A structure shall not be located, erected, constructed, reconstructed, moved, altered, converted, enlarged or used; nor shall any piece of land be used; nor shall any existing use be expanded except when in full compliance with all provisions of this Zoning Ordinance and the permits required by this Zoning Ordinance have lawfully been issued.

1.6 Severability

If any provision or the application of any provision of this Zoning Ordinance is held unconstitutional or invalid by the courts, the remainder of the Zoning Ordinance or the application of such provision to other circumstances shall not be affected.

1.7 Interpretation

The provisions of this Zoning Ordinance are the minimum requirements necessary for the protection of the health, safety, comfort, morals, convenience and general welfare of the people at large. The provisions are also designed to establish and maintain reasonable community standards to achieve the

Purpose (Section 1.4) of this Zoning Ordinance. If 2 or more provisions within this Zoning Ordinance are in conflict or are inconsistent with one another, then the provision which is most restrictive shall control.

1.8 Ordinance Jurisdiction

This Zoning Ordinance applies to all land within the corporate limit of the City of Kokomo, Indiana.

1.9 Conflicting Regulatory Documents

When this Zoning Ordinance along with private covenants, private contracts, commitments, permits, agreements, State Laws, federal laws or other regulations regulates a structure or parcel of land, the greater restriction shall control.

1.10 Actions Pending

This Zoning Ordinance shall not be construed as eliminating or reducing any action now pending under an existing law or previous zoning ordinance. Also, this Zoning Ordinance shall not be construed as discontinuing, reducing, modifying, or altering any penalty accruing or about to accrue.

1.11 Repealer

The City of Kokomo Zoning Ordinance of 1972, Ordinance No. 4153; Zoning Ordinance Amendment number 5067; Zoning Ordinance Amendment 6124; Zoning Ordinance Amendment 5959; and Zoning Ordinance Amendment 6179; and its associated zoning map are hereby repealed. This Kokomo Zoning Ordinance (2003) and the referenced and updated Official Zoning Map (2003) replace the repealed ordinances.

1.12 Transition Rules

- A. Any application for an Improvement Location Permit that has been filed with the Plan Commission or its designees and is full and complete, prior to the effective date of this Zoning Ordinance, shall be regulated by the terms and conditions of the Zoning Ordinance that was in place at the time of filing. The filing fee, if not already paid, shall be consistent with the previous zoning ordinance. However, the administrative procedures shall follow those set forth by this Zoning Ordinance.
- B. Any application for an Official Zoning Map Amendment that was filed with the Plan Commission or its designees and is full and complete prior to the effective date of this Zoning Ordinance shall continue through the process to completion pursuant to the terms and conditions of the Zoning Ordinance that was in place at the time of filing. However, if the proposed use would no longer be permitted in the proposed zoning district or the proposed zoning district no longer exists in the new ordinance, then the Planning Director shall amend the application such that the request for rezoning would accomplish the same end goal for the applicant.
- C. Any application before the Board of Zoning Appeals (i.e. special exception, development standards variance) that has been filed with the BZA or its designees and is full and complete, prior to the effective date of this Zoning Ordinance, shall continue the process pursuant to the terms and conditions of the Zoning Ordinances that was in place at the time of filing, provided that:
 - a. The application is still required by the terms of this Zoning Ordinance; or,
 - b. If the proposed use or development requires additional approvals from the Board of Zoning Appeals pursuant to the terms of this Zoning Ordinance that were not required under the previous Ordinances, the application will be amended to include only those additional approvals that are now required and within the jurisdiction of the Board of Zoning Appeals.
- D. All new building sites shall meet the requirements of this Zoning Ordinance unless:
 - a. A Building Permit was issued and is still valid, or

- b. A parcel was approved as a buildable lot by the Plan Commission or the Board of Zoning Appeals prior to the effective date of this Zoning Ordinance.

1.13 Administrative Officer

The Planning Director will have the primary responsibility for administration and enforcement (or coordination of enforcement) of this Zoning Ordinance within the Plan Commission's planning jurisdiction.

1.14 Effect on Annexation or Vacation on Zoning

- A. After the effective date of this Zoning Ordinance, areas annexed by the City of Kokomo shall be changed to either: (i) the most similar zoning district to its previous county zoning district; or (ii) a zoning district deemed appropriate by the Plan Commission and Common Council paying reasonable regard to the factors set forth in Indiana Code 36-7-4-603 and set forth in the Annexation Ordinance, which shall constitute the zoning district upon the annexation becoming effective.
- B. Whenever any street, alley, public way, railroad right-of-way, waterway, or other similar area is vacated by proper authority, the zoning districts adjoining each side of vacated areas shall be extended automatically to the center of the vacated area. All areas included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended zoning districts. In the event of a partial vacation, the adjoining zoning district, or zoning district nearest the portion vacated, shall be extended automatically to include all of the vacated area. Any disputes as to the exact zoning district boundaries shall be determined by the Planning Director.

1.15 Summary of Powers and Duties of the Common Council

The powers and duties of the Common Council are described below. Duties should be interpreted as activities that are obligations. Powers should be interpreted as activities that are optional to be initiated.

- A. Common Council Duties:
 - a. Adopt, reject or amend the Comprehensive Plan, Strategic Plans, Zoning Ordinance, or Subdivision Control Ordinance that have been certified and submitted by the Plan Commission.
 - b. Adopt, reject or amend proposals to amend or partially repeal the text of the Comprehensive Plan, Strategic Plans, Zoning Ordinance, or Subdivision Control Ordinance that has been certified and submitted by the Plan Commission.
 - c. Adopt, reject or amend proposals to amend the Official Zoning Map certified and submitted by the Plan Commission.
 - d. Adopt, reject or amend a fee schedule that has been proposed or amended and submitted by the Plan Commission.
 - e. Enforce regulations and procedures of the Comprehensive Plan, Zoning Ordinance, and Subdivision Control Ordinance to the extent of the local Resolutions, Ordinances, and State of Indiana Law.
 - f. Other duties as permitted by Indiana State Code.
- B. Common Council Powers:
 - a. Initiate amendments to the text of the Comprehensive Plan, Strategic Plans, Zoning Ordinance, or Subdivision Control Ordinance by making said proposal to the Plan Commission.
 - b. Initiate amendments to the Official Zoning Map by making said proposal to the Plan Commission.
 - c. Other powers as permitted by Indiana State Code.

1.16 Summary of Powers and Duties of the Plan Commission

The powers and duties of the Plan Commission are described below. Duties should be interpreted as activities that are obligations. Powers should be interpreted as activities that are optional to be initiated.

A. Plan Commission Duties:

- a. Adopt and maintain a Common Council approved Comprehensive Plan, Zoning Ordinance and Subdivision Control Ordinance as authorized under Indiana State Law.
- b. Adopt and maintain rules and procedures for holding meetings, holding public hearings, and administrating and enforcing the Comprehensive Plan, Zoning Ordinance, and Subdivision Control Ordinance.
- c. Maintain complete records of all meetings, hearings, correspondences, and affairs of the Plan Commission.
- d. Publish and make available to the public all plans, ordinances, and other related material that are the responsibility of the Plan Commission.
- e. Adopt and maintain a permitting process and seal used to certify official or approved documents.
- f. Certify and submit recommendations to the Common Council including new versions of and revisions to the Comprehensive Plan, Zoning Ordinance, Subdivision Control Ordinance, and Official Zoning Map.
- g. Certify and submit recommendations to the Common Council for adopting a Planned Development District.
- h. Maintain monetary and fiscal records of the Plan Commission.
- i. Prepare and submit an annual budget to the Common Council.
- j. Approve or deny plats or replats of subdivisions.
- k. Approve or deny development plans and amendments to development plans.
- l. Approve or deny proposed subdivision names in new developments.
- m. Establish and maintain a Common Council approved fee schedule that assigns a fee to permits, processes, and official actions of the Plan Commission in order to defray the administrative costs of such duties and powers.
- n. Enforce regulations and procedures of the Comprehensive Plan, Zoning Ordinance, and Subdivision Control Ordinance to the extent of the local Resolutions, Ordinances, and State of Indiana Law.
- o. Other duties as permitted by Indiana State Code.

B. Plan Commission Powers:

- a. Delegate to a committee or person the role of Planning Director with the Howard County Plan Commission, as provided by the Kokomo - Howard County Inter local Cooperative Agreement No. 1994-1, as amended.
- b. Hire, remove, and determine job descriptions for support staff with the Howard County Plan Commission, as provided by the Kokomo - Howard County Inter local Cooperative Agreement No. 1994-1, as amended.
- c. Establish advisory committees as necessary made up of City officials and the general public.
- d. Establish an executive conference committee with the Howard County Plan Commission, as provided by the Kokomo - Howard County Inter local Cooperative Agreement No. 1994-1, as amended.
- e. Seek funding assistance through grant programs as necessary.
- f. Distribute copies or summaries of the Comprehensive Plan, Zoning Ordinance, or Subdivision Control Ordinance to the general public and development community.
- g. Determine the compensation for support staff and members as provided within the budget submission to Common Council.

- h. Other powers as permitted by Indiana State Code.

1.17 Summary of Powers and Duties of the Board of Zoning Appeals

The powers and duties of the Board of Zoning Appeals are described below. Duties should be interpreted as activities that are obligations. Powers should be interpreted as activities that are optional to be initiated.

- A. Board of Zoning Appeals Duties:
 - a. Review and hear appeals of decisions made under this Zoning Ordinance by the Planning Director and Plan Commission Staff.
 - b. Review, hear and approve or deny all petitions for special exceptions based on the provisions of this Zoning Ordinance and Indiana State Code.
 - c. Other duties as permitted by Indiana State Code.

1.18 Planning Commission Certification

This Zoning Ordinance was certified for adoption on the ____ day of _____, 2019 by the Kokomo Planning Commission after holding a legally announced public hearing. This Zoning Ordinance was certified by a ____ to ____ vote. This certification is validated by the following Planning Commission members.

SIGNATURE LINES BELOW.

•(signed)•
Jeff Carney
•(signed)•
Chris Thompson
•(signed)•
Rkhard Murphy
•(signed)•
Lisa Rink
•(signed)•
Greg Goodnight
•(signed)•
William Eldridge
•(signed)•
Keith Kruger
(signed)
John Beery
Tim Severns

1.19 Effective Date

This Zoning Ordinance shall be in full force and effect on the _____ day of _____, 2019.

PASSED by the Kokomo Common Council this _____ day of _____, 2019.

(signed)
Robert L. Hayes, Sr., President
Kokomo Common Council

Attest:
(signed)
Brenda Ott, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2019.

(signed)
Brenda Ott, City Clerk

APPROVED by me this _____ day of _____, 2019.

(signed)
James E. Trobaugh, Mayor
City of Kokomo, Indiana

Attest:

(signed)
Brenda Ott, City Clerk

Article Two

General Zoning Districts



August 12, 2003
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Article Two

General Zoning Districts

2.1 Establishment of Districts

All of the zoning districts in this Zoning Ordinance stand alone and are not a part of a hierarchy system of zoning.

[For example, what is permitted in the C1 district is NOT permitted in the C2 district or any other zoning district. Only those land uses and development standards which are expressly permitted and noted for each zoning district apply.]

For the purpose of this Zoning Ordinance, the planning jurisdiction is divided into the following zoning districts for the general uses as stated:

AG – Agriculture (pages 3-2 and 3-3): This district is established for agricultural areas, homes and buildings associated with agriculture production.

AR- Agricultural Residential (pages 3-4 and 3-5): This district is established for agricultural activities, single family homes, medium to large size homes, and large size lots.

PR – Parks and Recreation (pages 3-6 and 3-7): This district is established for parks, open space, trails and recreational areas both public and private.

R1 – Very Low Density Residential (pages 3-8 and 3-9): This district is established for single family, detached, medium to large sized homes on medium to large sized lots.

R2 – Low Density Residential (pages 3-10 and 3-11): This district is established for single family, detached, small to medium sized homes on medium sized lots.

R3 – Medium Density Residential (pages 3-12 and 3-13): This district is established for single family, detached, small to medium sized homes on small to medium sized lots.

R4 – Medium Density Urban Residential (pages 3-14 and 3-15): This district is established for existing older, single family detached neighborhoods.

RS – High Density Urban Residential (pages 3-16 and 3-17): This district is established for existing older, single family detached and limited multifamily residential lots.

M1 – Low Density Multifamily Residential (pages 3-18 and 3-19): This district is established for small-scale, low density, single structure, multifamily lots.

M2 – General Multifamily Residential (pages 3-20 and 3-21): This district is established for medium to large sized, moderate density, multiple structure, multifamily developments.

M3 – General Multifamily Residential (pages 3-22 and 3-23): This district is established for large sized, moderate density, multiple structure, multifamily developments.

MP – Mobile Home Park (pages 3-24 and 3-25): This district is established for leased lot developments (typically mobile or manufactured home parks) which typically lease dwelling sites for single-wide and double-wide manufactured homes.

NC – Neighborhood Commercial (pages 3-26 and 3-27): This district is established for small scale businesses that provide products and services primarily to local neighborhoods.

IS – Institutional Uses (pages 3-28 and 3-29): This district is established for institutional and municipal owned lands, both public or quasi-public, where the use is for public purpose and is anticipated to remain permanent.

OC – Office Commercial (pages 3-30 and 3-31): This district is established for small to moderate scale office uses with provisions for some complementary uses.

DC – Downtown Commercial (pages 3-32 and 3-33): This district is established for special issues and land use goals for the downtown area in Kokomo.

C1 – Small to Medium Scale General Commercial (pages 3-34 and 3-35): This district is established for a wide variety of retail, commercial, service, entertainment, and eating establishments that are small to medium in scale, and low to medium intensity.

C2 – Medium to Large Scale General Commercial (pages 3-36 and 3-37): This district is established for a wide variety of retail, commercial, service, entertainment, and eating establishments that are medium to large in scale, and medium to high intensity.

LI – Low Intensity Industrial/Business Park (pages 3-38 and 3-39): This district is established for low intensity business parks, distribution facilities, flex space, and nonhazardous outdoor storage.

MI – Moderate Intensity Industrial/Light Manufacturing (pages 3-40 and 3-41): This district is established for moderate intensity industrial parks, manufacturing facilities, assembly operations.

HI – High Intensity Industrial/Heavy Manufacturing (pages 3-42 and 3-43): This district is established for large industrial parks, heavy manufacturing facilities, hazardous material storage, and utility usage.

2.2 Standard Zoning District Permitted and Special Exception Land Uses

Land uses are either permitted, non-permitted or a special exception and are labeled as such in each zoning district section in Article Three. More specifically, Kokomo's permitted and special exception uses for each district are listed in the columns labeled "Permitted Uses" and "Special Exception Uses" found in Article Three.

2.3 Establishment of Overlay Districts

For the purpose of this Zoning Ordinance 3 Overlay Districts have been established as stated below.

AH-OL – Airport Hazard Area Overlay (page 4-2): This district is established to disallow land uses which are in conflict with or adversely affected by normal airport operations.

WH-OL – Wellhead Overlay (page 4-4): This district is established to protect the integrity and drinkability of the community's public water supply, enhance water quality of streams.

FH-OL – Flood Hazard Overlay (page 4-6): This district is established to minimize risk to life, protect property from damage, reduce risk of flooding, and improve storm water quality.

WR-OL – Well Restriction Overlay (page 4-8): This district is intended for protecting the community from chemicals contaminating ground water.

AC-OL – Architecture Control Overlay (page 4-7): This district is intended for protecting, preserving and enhancing the historic character and form of the downtown and other similar areas.

SR 931-OL – State Road 931 Overlay (page 4-22): This district is intended to establish a clear development and redevelopment standard which will facilitate new development and redevelopment opportunities along the SR 931 corridor.

US 31-OL – US 31 Overlay (page 4-53): This district is intended to manage the growth and development along the new corridor on the east rim of the city.

2.4 Overlay Zoning District Permitted and Special Exception Land Uses

An overlay district will supersede any standard zoning district regulations, permitted uses, or special exception uses as noted in the overlay district text. Any additions or deletions to the permitted or special exception uses caused by an overlay district will be noted in the columns labeled "Effect on Uses" in the overlay district article (Article Four) Superseding language that affects development standards will also be found in Article Four.

2.5 Establishment of Planned Development Districts

The provisions of this Zoning Ordinance allow the R1, R2, R3, M I, M2, NC, OC, CI, C2, LI, MI, and HI districts to be rezoned for a planned development. No other districts shall be rezoned into a planned development district.

On the Official Zoning Map a planned development district, once rezoned, shall be labeled as PD followed by the district it was created from. The following are the appropriate and corresponding labels for Planned Development Districts: PD-R1, PD-R2, PD-R3, PD-MI, PD-M2, PD-NC, PD-OC, PD-CI , PDC2, PD-LI, PD-MI, and PD-HI.

The provisions that regulate Planned Developments can be found in Article Seven.

2.6 Unlisted Land Uses

Any land use not specifically listed as a permitted use or special exception use in Article Three or Article Four in the columns labeled "Permitted Uses", "Special Exception Uses", or "Effect on Uses" is considered Non-Permitted.

2.7 Questionable Land Uses

Any land use not specifically listed as a permitted use or special exception use, but that is similar to a use which is permitted or a special exception may be considered a questionable land use. Through a "Questionable Land Use Appeal Process" the desired use may be determined to be a permitted use, special exception use, or remain a non-permitted use.

Article Three

Zoning Districts



August 12, 2003
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AG District

3.1 AG District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The AG (Agriculture) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • agricultural activities <p>Application of District</p> <ul style="list-style-type: none"> • existing conditions • holding district after annexation <p>Development Standards</p> <ul style="list-style-type: none"> • provide adequate standards that allow common agricultural practices within the corporate limit of the city <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • all districts <p>Planning Commission</p> <ul style="list-style-type: none"> • use this district for existing farms or for land newly annexed that does not yet have development plans 	<p>Agricultural</p> <ul style="list-style-type: none"> • agricultural crop production • orchards • plant nursery • roadside produce sales • storage of agricultural products produced on site • tree farms 	<p>Agricultural</p> <ul style="list-style-type: none"> • raising of farm animals <p>Communication/Utility</p> <ul style="list-style-type: none"> • above ground utility facilities <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship

AG District

3.2 AG District Development Standards

<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>
<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • n/a <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Does not require municipal water or sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 50 feet when adjacent to an Arterial • 40 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 40 feet for Primary Structures • 30 feet for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 40 feet for Primary Structures • 30 feet for Accessory Structures 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • square footage of all primary and accessory structures cannot exceed 15% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,100 square feet for one story Primary Structures; or • 800 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,100 square feet or more.

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 40 feet for the Primary Structure • 25 feet for Accessory Structures <p>Agriculture related accessory structures are exempt</p>	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-02 Page 6-13 	<p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-02 Page 6-20 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-06 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-02 Page 6-37 	<p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

AR District

3.3 Agricultural/Rural Residential Intent, Permitted Uses, and Special Exception Uses.

District Intent	Permitted Uses	Special Exception Uses
<p>The AR (Agricultural/Rural Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • agricultural activities • single-family detached homes • medium to large size homes • large size lots <p>Application of District</p> <ul style="list-style-type: none"> • existing and new development <p>Development Standards</p> <ul style="list-style-type: none"> • provide adequate standards that allow common agricultural practices and promote low-impact development within the corporate limit of the city. <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • all districts <p>Planning Commission</p> <ul style="list-style-type: none"> • should limit the use of this district to land incorporated after an annexation that was previously zoned Rural Residential under the Howard County Zoning Ordinance. <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the residential component of the development and does not add to the existing agricultural use of the land 	<p>Agricultural</p> <ul style="list-style-type: none"> • agricultural crop production • orchards • plant nursery • roadside produce sales • storage of agricultural products produced on site • tree farms <p>Residential</p> <ul style="list-style-type: none"> • dwelling, single family • fair housing facility (small) <p>Accessory Use</p> <ul style="list-style-type: none"> • child day-care home • home occupation (type 1) 	<p>Agricultural</p> <ul style="list-style-type: none"> • raising of farm animals <p>Communication/Utility</p> <ul style="list-style-type: none"> • above ground utility facility <p>General</p> <ul style="list-style-type: none"> • offsite parking lot for a church, temple, mosque or similar place of worship <p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast • fair housing facility (large) • group home <p>Public Facilities</p> <ul style="list-style-type: none"> • public park <p>Accessory Use</p> <ul style="list-style-type: none"> • artificial land or pond over 500 sq. ft. • home occupation (type 2)

3.4 AR District Development Standards

<p>Lot Width Lot Depth Lot Area Property Line Lot Frontage R.O.W.</p> <p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>Rear Yard Setback Side Yard Setback Building Envelope Front Yard Setback R.O.W.</p> <p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>Accessory Structures Primary Structure Impervious Surface R.O.W.</p> <p>R.O.W. = As Defined on Thoroughfare Plan</p>
<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 1 acre <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 120 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 50 feet on a public street with access from said public street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires hook up to municipal water and sewer for new development only <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 40 feet for the Primary Structure • 25 feet for Accessory Structures • Agricultural related accessory structures are exempt 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 50 feet when adjacent to an Arterial • 40 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for the Primary Structure • 5 feet for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 25 feet for Primary Structure • 5 feet for Accessory Structure 	<p>Maximum Building Lot Coverage:</p> <ul style="list-style-type: none"> • square footage of all primary and accessory structures cannot exceed 30% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,600 square feet for one story Primary Structure; or • 1,000 square feet for the first floor of the Primary Structure, provided that the total Finished Floor Area is 1,600 square feet or more

Additional Development Standards that Apply

<p>Accessory Structure Primary Structure detached garage shed Structure Height chimneys are exempt Gable Roof Structures (from highest gable roof) Flat Roof Structures (from highest section of flat roof)</p> <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 40 feet for the Primary Structure • 25 feet for Accessory Structures • Agricultural related accessory structures are exempt 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-0 1 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01. Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01. Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT -01. Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-0 1..... Page 6-9 • AS-02 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01. Page 6-12 	<p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01..... Page 6-13 • TU-02 Page 6-13 <p>Home Occupation</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01. Page 6-18 • LA-02 Page 6-20 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01. Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01. Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01. Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01. Page 6-29 	<ul style="list-style-type: none"> • SI-02 Page 6-30 • SI-04 Page 6-31 • SI-06 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01. Page 6-37 • PK-02 Page 6-37 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01. Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01. Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01. Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01. Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)



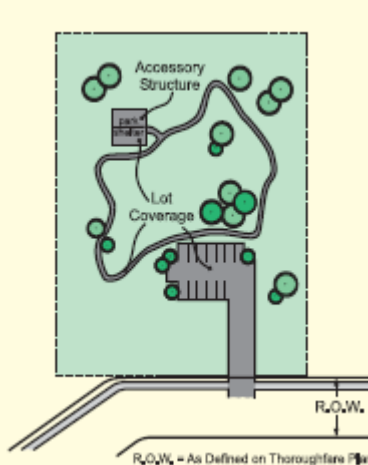
PR District

3.5 PR District Intent, Permitted Uses, and Special Exception Uses

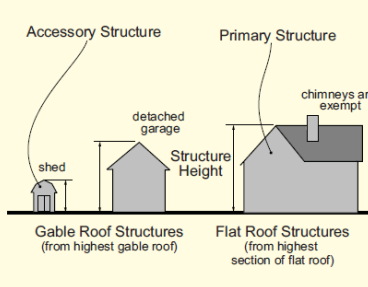
District Intent	Permitted Uses	Special Exception Uses
<p>The PR (Parks and Recreation) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> public parks, open space, playgrounds, and recreational areas <p>Application of District</p> <ul style="list-style-type: none"> existing and new development spot zoning buffer district <p>Development Standards</p> <ul style="list-style-type: none"> promote high quality natural areas for public access and recreation <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> all districts 	<p>Public Facilities</p> <ul style="list-style-type: none"> community center mature center nature preserve park <p>Institutional</p> <ul style="list-style-type: none"> government operations (non-office) public parking lot public recreation center public swimming pool recycling collection point 	<p>Public Facilities</p> <ul style="list-style-type: none"> library <p>Institutional</p> <ul style="list-style-type: none"> government office museum police, fire or rescue station <p>Business, General Business</p> <ul style="list-style-type: none"> country club golf course <p>General</p> <ul style="list-style-type: none"> off-site parking lot for a church, temple, mosque or similar place of worship

PR District

3.6 PR District Development Standards

 <p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • n/a 	 <p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 35 feet when adjacent to an Arterial • 25 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 15 feet for Primary and Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 20 feet for Primary and Accessory Structures 	 <p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all primary and accessory structures cannot exceed 50% of the Lot Area
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Additional Development Standards that Apply

 <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 35 feet for the Primary Structure • 25 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-02 Page 6-13 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-06 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 	<p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

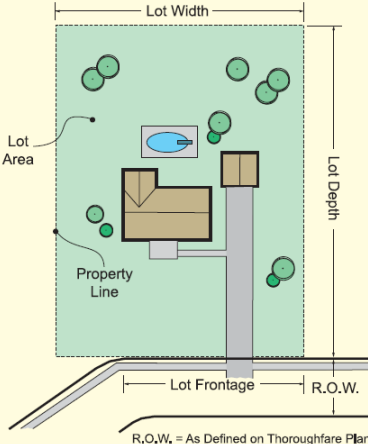
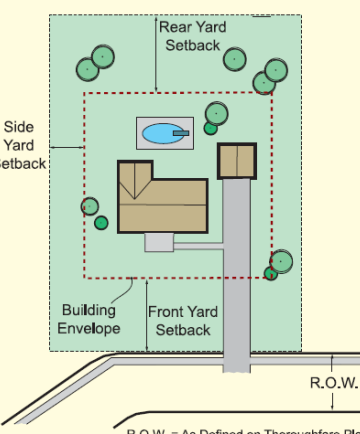
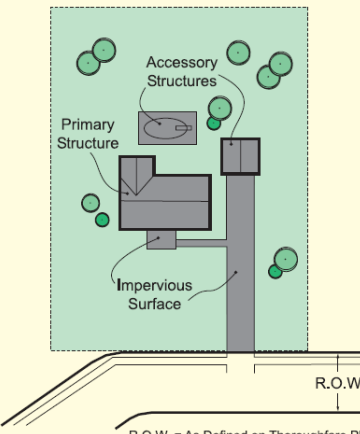
R1 District

3.7 R1 District Intent, Permitted Uses, and Special Exception Uses

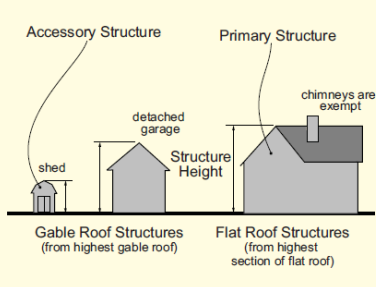
District Intent	Permitted Uses	Special Exception Uses
<p>The R1 (Very Low Density Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • single-family detached homes • large sized homes • medium to large sized lots <p>Application of District</p> <ul style="list-style-type: none"> • existing and new development • small area zoning <p>Development Standards</p> <ul style="list-style-type: none"> • promote low-impact development in concert with a natural setting <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, R2, R3, R4, R5, M1, IS, and NC <p>Planning Commission</p> <ul style="list-style-type: none"> • Should limit the use of this district within the City of Kokomo due to the low density nature of this district and to avoid exclusionary zoning practices. <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • Allow a special exception use only when it clearly is a benefit to the residential component of the development. 	<p>Residential</p> <ul style="list-style-type: none"> • dwelling, single family • fair housing facility (small) <p>Accessory Use</p> <ul style="list-style-type: none"> • child day-care home • home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast • fair housing facility (large) • group home <p>Public Facilities</p> <ul style="list-style-type: none"> • public park <p>Communication/Utility</p> <ul style="list-style-type: none"> • above ground utility facility <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> • artificial lake or pond over 500 sq. ft. • home occupation (type 2)

R1 District

3.8 R1 District Development Standards

 <p>Minimum Lot Area: 15,000 square feet</p> <p>Minimum Lot Width: 100 feet</p> <p>Maximum Lot Depth: 3 times the Lot Width</p> <p>Minimum Lot Frontage: 50 feet on a Public Street with access from said Public Street</p> <p>Sewer and Water:</p> <ul style="list-style-type: none"> Requires municipal water and sewer hookup 	 <p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> 30 feet when adjacent to an Arterial 25 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> 10 feet for the Primary Structure 5 feet for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> 20 feet for the Primary Structure 5 feet for Accessory Structures 	 <p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> Square footage of all Primary and Accessory Structures cannot exceed 35% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> 1,700 square feet for one story Primary Structures; or 1,000 square feet for the first floor of the Primary Structure, provided that the total Finished Floor Area is 1,700 square feet or more
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Additional Development Standards that Apply

 <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> 40 feet for the Primary Structure 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> AS-01 Page 6-9 AS-02 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> TU-01 Page 6-13 	<ul style="list-style-type: none"> TU-02 Page 6-13 <p>Home Occupation (HO)</p> <ul style="list-style-type: none"> HO-01 Page 6-15 HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> LA-01 Page 6-18 LA-02 Page 6-20 LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> SI-01 Page 6-29 SI-02 Page 6-30 SI-04 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> PK-01 Page 6-37 	<ul style="list-style-type: none"> PK-02 Page 6-37 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> MC-01 Page 6-54 MC-02 Page 6-54 MC-03 Page 6-54 MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

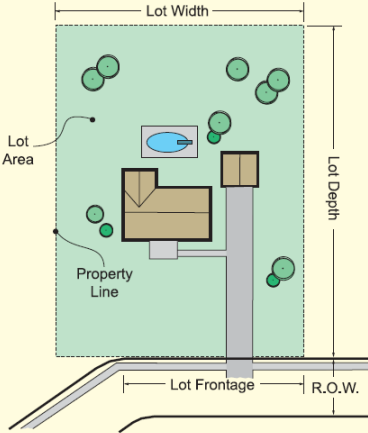
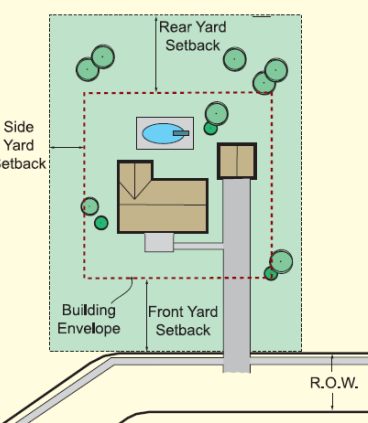
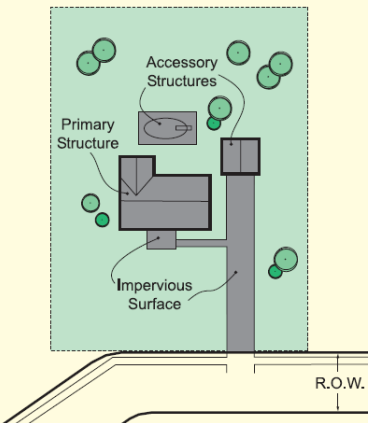
R2 District

3.9 R2 District Intent, Permitted Uses, and Special Exception Uses

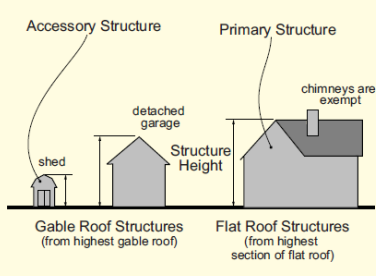
District Intent	Permitted Uses	Special Exception Uses
<p>The R2 (Low Density Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> single-family detached homes small to medium sized homes medium sized lots <p>Application of District</p> <ul style="list-style-type: none"> existing and new development small to large area zoning <p>Development Standards</p> <ul style="list-style-type: none"> promote low-impact development in concert with a natural setting <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> AG, PR, R1, R3, R4, R5, M1, M2, IS, NC, OC, and C1 <p>Planning Commission</p> <ul style="list-style-type: none"> should only use this district for the majority of new residential development within the City of Kokomo <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> allow a special exception use only when it clearly is a benefit to the residential component of the development 	<p>Residential</p> <ul style="list-style-type: none"> dwelling, single family fair housing facility (small) <p>Accessory Use</p> <ul style="list-style-type: none"> child day-care home home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> bed and breakfast fair housing facility (large) group home <p>Public Facilities</p> <ul style="list-style-type: none"> community center public park <p>Communication/Utility</p> <ul style="list-style-type: none"> above ground utility facility <p>General</p> <ul style="list-style-type: none"> off-site parking for a church, temple mosque or similar place of worship <p>Accessory</p> <ul style="list-style-type: none"> artificial lake or pond over 500 sq. ft. home occupation (type 2)

R2 District

3.10 R2 District Development Standards

 <p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 10,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 80 feet <p>Maximum Lot Depth:</p> <ul style="list-style-type: none"> • 3 times the Lot Width <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 40 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	 <p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 30 feet when adjacent to an Arterial • 25 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 8 feet for the Primary Structure • 5 feet for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 20 feet for the Primary Structure • 3 feet for Accessory Structures 	 <p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and Accessory Structures cannot exceed 40% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,400 square feet for one story Primary Structures; or • 900 square feet for the first floor of the Primary Structure, provided that the total Finished Floor Area is 1,400 square feet or more
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Additional Development Standards that Apply

 <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 45 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-02 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 	<ul style="list-style-type: none"> • TU-02 Page 6-13 <p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-02 Page 6-20 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-02 Page 6-30 • SI-04 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 	<ul style="list-style-type: none"> • PK-02 Page 6-37 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

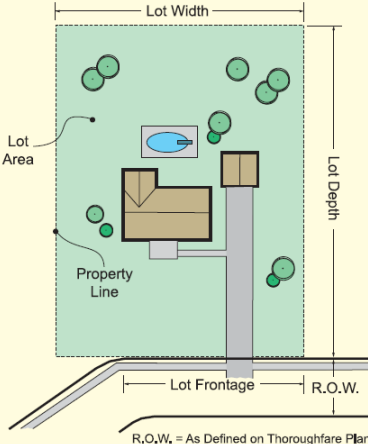
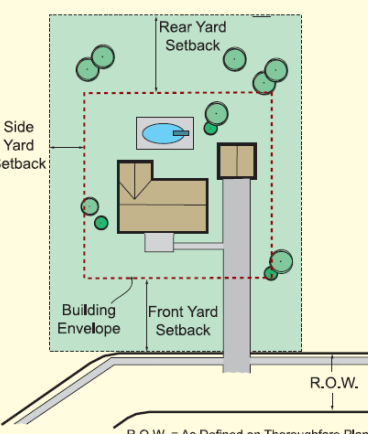
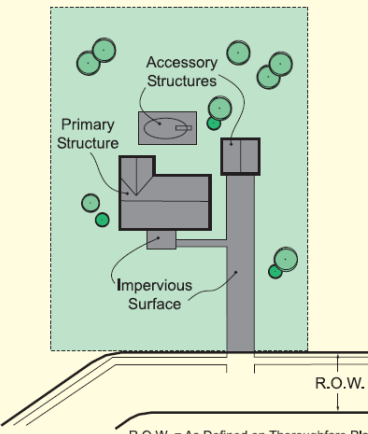
R3 District

3.11 R3 District Intent, Permitted Uses, and Special Exception Uses

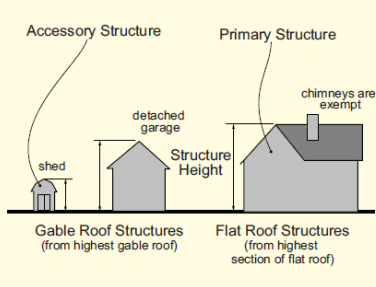
District Intent	Permitted Uses	Special Exception Uses
<p>The R3 (Medium Density Single Family Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • single-family detached homes • very limited mixes of residential uses • small to medium sized homes • small to medium sized lots <p>Application of District</p> <ul style="list-style-type: none"> • existing and new development • small to medium area zoning <p>Development Standards</p> <ul style="list-style-type: none"> • promote low-impact development in concert with a natural setting <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, R1, R2, R4, R5, M1, M2, MP, IS, NC, OC, DC, and C1 <p>Planning Commission</p> <ul style="list-style-type: none"> • should use this district for existing developments and carefully for new residential development within the City of Kokomo. • recognize that the smaller the lots, the higher the quality of design must be. <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the residential component of the development. 	<p>Residential</p> <ul style="list-style-type: none"> • dwelling, single family • fair housing facility (small) <p>Accessory Use</p> <ul style="list-style-type: none"> • child day-care home • home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast • fair housing facility (large) • group home <p>Public Facilities</p> <ul style="list-style-type: none"> • community center • public park <p>Communication/Utility</p> <ul style="list-style-type: none"> • above ground utility facility <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> • artificial land or pond over 500 sq. ft. • home occupation (type 2)

R3 District

3.12 R3 District Development Standards

 <p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 7,200 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 60 feet <p>Maximum Lot Depth:</p> <ul style="list-style-type: none"> • 3 times the Lot Width <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 30 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	 <p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 30 feet when adjacent to an Arterial • 25 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 6 feet for the Primary Structure • 3 feet for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 20 feet for the Primary Structure • 3 feet for Accessory Structures 	 <p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and Accessory Structures cannot exceed 45% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,100 square feet for one story Primary Structures; or • 800 square feet for the first floor of the Primary Structure, provided that the total Finished Floor Area is 1,100 square feet or more
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Additional Development Standards that Apply

 <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 40 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-02 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-02 Page 6-13 	<p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-02 Page 6-20 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-02 Page 6-30 • SI-04 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-02 Page 6-37 	<p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

R4 District

3.13 R4 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The R4 (Urban Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> single-family detached homes small to medium sized homes very small to small sized lots <p>Application of District</p> <ul style="list-style-type: none"> existing development only small area zoning <p>Development Standards</p> <ul style="list-style-type: none"> protect, maintain, and promote the “old residential character” in Kokomo promote limited-impact development in concert with an urban setting <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> PR, R1, R2, R3, R5, M1, M2, MP, IS, NC, OC, DC, and LI <p>Planning Commission</p> <ul style="list-style-type: none"> should use this district for existing developments and carefully for new residential development within the City of Kokomo. recognize that the smaller the lots, the higher the quality of design must be. strongly discourage the splitting of lots and creation of multifamily out of single family residences. <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> allow a special exception use only when it clearly is a benefit to the residential component of the development. utilize the surrounding property design features to determine commitments and approvals. 	<p>Residential</p> <ul style="list-style-type: none"> dwelling, single family fair housing facility (small) <p>Accessory Use</p> <ul style="list-style-type: none"> child day-care home home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> bed and breakfast fair housing facility (large) group home <p>Public Facilities</p> <ul style="list-style-type: none"> community center public park <p>Communication/Utility</p> <ul style="list-style-type: none"> above ground utility facility <p>General</p> <ul style="list-style-type: none"> off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> home occupation (type 2)

R4 District

3.14 R4 District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> 6,000 square feet/dwelling unit <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> 35 feet <p>Maximum Lot Depth:</p> <ul style="list-style-type: none"> 3 times the Lot Width <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> 25 feet on a Public Street with vehicular access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> 25 feet when adjacent to an Arterial 25 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> 5 feet per side for the Primary Structure 3 feet per side for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> 15 feet for the Primary Structure 3 feet for Accessory Structures 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> Square footage of all Primary and Accessory Structures cannot exceed 70% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> 960 square feet for one story Primary Structures; or 700 square feet for the first floor of the Primary Structure, provided that the total Finished Floor Area is 960 square feet or more

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> 40 feet for the Primary Structure 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> AS-01 Page 6-9 AS-02 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> TU-01 Page 6-13 TU-02 Page 6-13 	<p>Home Occupation (HO)</p> <ul style="list-style-type: none"> HO-01 Page 6-15 HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> LA-01 Page 6-18 LA-02 Page 6-20 LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> SI-01 Page 6-29 SI-02 Page 6-30 SI-04 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> PK-01 Page 6-37 PK-03 Page 6-37 	<p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> MC-01 Page 6-54 MC-02 Page 6-54 MC-03 Page 6-54 MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

R5 District

3.15 R5 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The R5 (Urban Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> single-family detached homes limited duplex and triplex homes small to medium sized homes very small to small sized lots <p>Application of District</p> <ul style="list-style-type: none"> existing development only small area zoning <p>Development Standards</p> <ul style="list-style-type: none"> protect, maintain and promote the “old residential character” in Kokomo promote limited-impact development in concert with an urban setting. <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> PR, R1, R2, R3, R4, M1, M2, MP, IS, NC, OC, DC, LI and MI <p>Plan Commission</p> <ul style="list-style-type: none"> should use this district for existing developments and carefully for new residential development within the City of Kokomo. recognize that the smaller the lots, the higher the quality of design must be. <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> allow a special exception use only when it clearly is a benefit to the residential component of the development. utilize the surrounding property design features to determine commitments and approvals. 	<p>Residential</p> <ul style="list-style-type: none"> dwelling, single family fair housing facility (small) <p>Accessory Use</p> <ul style="list-style-type: none"> child day-care home home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> bed and breakfast boarding house dwelling, multifamily (4 units or less) fair housing facility (large) group home <p>Public Facilities</p> <ul style="list-style-type: none"> community center public park <p>Communication/Utility</p> <ul style="list-style-type: none"> above ground utility facility <p>General</p> <ul style="list-style-type: none"> off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> home occupation (type 2)

R5 District

3.16 R5 District Development Standards

<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>
<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 4,000 square feet/dwelling unit <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 30 feet <p>Maximum Lot Depth:</p> <ul style="list-style-type: none"> • 3 times the Lot Width <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 25 feet on a Public Street with vehicular access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 25 feet when adjacent to an Arterial • 15 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 3 feet per side for the Primary Structure • 3 feet per side for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for the Primary Structure • 3 feet for Accessory Structures 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and Accessory Structures cannot exceed 75% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 860 square feet for one story Primary Structures; or • 600 square feet for the first floor of the Primary Structure, provided that the total Finished Floor Area is 860 square feet or more <p>Minimum Floor Area Per Unit:</p> <ul style="list-style-type: none"> • 850 sq. ft. average per dwelling unit in a multiple-unit Primary Structure

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 45 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-02 Page 6-9 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 	<p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-02 Page 6-13 • TU-02 Page 6-13 <p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-02 Page 6-20 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 	<ul style="list-style-type: none"> • SI-02 Page 6-30 • SI-04 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-03 Page 6-37 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

M1 District

3.17 M1 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The M1 (Low Density Multifamily Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • small-scale multifamily residential (i.e. duplex, triplex, and quadplex) • limited mixes of residential -uses • one primary structure per lot • low density <p>Application of District</p> <ul style="list-style-type: none"> • new and existing development • small area zoning <p>Development Standards</p> <ul style="list-style-type: none"> • recognize that multifamily development requires more stringent development standards to protect the quality of life of tenants <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, R1, R2, R3, R4, R5, M2, MP, IS, NC, OC, DC, C1, C2 and LL <p>Planning Commission</p> <ul style="list-style-type: none"> • should use this district for existing developments and carefully for new residential development within the City of Kokomo <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a compliment to the residential component of the development. 	<p>Residential</p> <ul style="list-style-type: none"> • dwelling, multifamily (4-units or less) • fair housing facility (small) <p>Accessory Uses</p> <ul style="list-style-type: none"> • child day-care home • home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> • assisted living facility • bed and breakfast • boarding house • dwelling, multifamily (5 to 8 units) • dwelling, single family • fair housing facility (large) • group home • nursing home • retirement community <p>Public Facilities</p> <ul style="list-style-type: none"> • community center • public park <p>Communication/Utility</p> <ul style="list-style-type: none"> • above ground utility facility <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> • home occupation (type 2)

M1 District

3.18 M1 District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 10,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 70 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 50 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 5 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 15 feet • Accessory Structure - 5 feet 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and Accessory Structures cannot exceed 65% of the Lot Area <p>Maximum Density:</p> <ul style="list-style-type: none"> • 8 units per acre <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,100 square feet per Primary Structure for single family or multifamily uses <p>Minimum Floor Area Per Unit:</p> <ul style="list-style-type: none"> • 800 square feet average per dwelling unit in a multiple-unit Primary Structure

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 45 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density & Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-03 Page 6-10 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 	<ul style="list-style-type: none"> • TU-02 Page 6-13 <p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-03 Page 6-20 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-02 Page 6-30 • SI-05 Page 6-31 	<p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-04 Page 6-37 • PK-07 Page 6-40 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

M2 District

3.19 M2 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The M2 (Multifamily Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • medium to large scale multifamily residential (i.e. apartment complexes) • limited mixes of residential uses • multiple primary structures per lot • medium to high density <p>Application of District</p> <ul style="list-style-type: none"> • new and existing development • small and zoning or spot zoning <p>Development Standards</p> <ul style="list-style-type: none"> • recognize that multifamily development requires more stringent development standards to protect the quality of life of tenants <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, R1, R2, R3, R4, R5, M1, MP, IS, NC, OC, DC, C1, C2, LI and MI <p>Planning Commission</p> <ul style="list-style-type: none"> • should use this district for existing developments and carefully for new residential development within the City of Kokomo <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a compliment to the residential component of the development. 	<p>Residential</p> <ul style="list-style-type: none"> • assisted living facility • assisted living home • dwelling, multifamily (2-4 units) • dwelling, multifamily (6-8 units) • dwelling, multifamily (9-16 units) • fair housing facility (small) • nursing home • retirement community <p>Accessory Use</p> <ul style="list-style-type: none"> • child day-care home • home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast • boarding house • dwelling, multifamily (4 units or less) • dwelling, multifamily (17 units or more) • fair housing facility (large) • group home <p>Public Facilities</p> <ul style="list-style-type: none"> • church, temple or mosque • community center • public park <p>Institutional</p> <ul style="list-style-type: none"> • child care institution/orphanage • public recreation center <p>Communication/Utility</p> <ul style="list-style-type: none"> • above-ground utility facility <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> • home occupation (type 2)

M2 District

3.20 M2 District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 25,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 100 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 50 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 5 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 25 feet • Accessory Structure - 5 feet <p>Minimum Primary Buildings Separation</p> <ul style="list-style-type: none"> • 1.5 times the required side yard setback 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and Accessory Structures cannot exceed 70% of the Lot Area <p>Maximum Density:</p> <ul style="list-style-type: none"> • 24 units per acre <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,300 square feet per Primary Structure for single family or multifamily uses <p>Minimum Floor Area Per Unit:</p> <ul style="list-style-type: none"> • 800 square feet average per dwelling unit in a multiple-unit Primary Structure

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 65 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-03 Page 6-10 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p>	<ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-02 Page 6-13 <p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-03 Page 6-20 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 	<ul style="list-style-type: none"> • SI-02 Page 6-30 • SI-05 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-04 Page 6-37 • PK-07 Page 6-40 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

M3 District

3.21 M3 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The M3 (Large Scale Multifamily Residential) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • medium to large scale multifamily residential (i.e. apartment complexes) • limited mixes of residential uses • multiple primary structures per lot • medium to high density <p>Application of District</p> <ul style="list-style-type: none"> • new and existing development • small and zoning or spot zoning <p>Development Standards</p> <ul style="list-style-type: none"> • recognize that multifamily development requires more stringent development standards to protect the quality of life of tenants <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, R1, R2, R3, R4, R5, M1, M2, MP, IS, NC, OC, DC, C1, C2, LI and MI <p>Planning Commission</p> <ul style="list-style-type: none"> • should use this district for existing developments and carefully for new residential development within the City of Kokomo <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a compliment to the residential component of the development. 	<p>Residential</p> <ul style="list-style-type: none"> • assisted living facility • assisted living home • dwelling, multifamily (6-8 units) • dwelling, multifamily (9-16 units) • dwelling, multifamily (17-50 units) • fair housing facility (small) • nursing home • retirement community <p>Accessory Use</p> <ul style="list-style-type: none"> • child day-care home • home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast • boarding house • dwelling, multifamily (5 units or less) • dwelling, multifamily (50 units or more) • fair housing facility (large) • group home <p>Public Facilities</p> <ul style="list-style-type: none"> • church, temple or mosque • community center • public park <p>Institutional</p> <ul style="list-style-type: none"> • child care institution/orphanage • public recreation center <p>Communication/Utility</p> <ul style="list-style-type: none"> • above-ground utility facility <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> • home occupation (type 2)

M3 District

3.22 M3 District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 25,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 100 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 50 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 5 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 25 feet • Accessory Structure - 5 feet <p>Minimum Primary Buildings Separation</p> <ul style="list-style-type: none"> • 1.5 times the required side yard setback 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and Accessory Structures cannot exceed 70% of the Lot Area <p>Maximum Density:</p> <ul style="list-style-type: none"> • 24 units per acre <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,300 square feet per Primary Structure for single family or multifamily uses <p>Minimum Floor Area Per Unit:</p> <ul style="list-style-type: none"> • 800 square feet average per dwelling unit in a multiple-unit Primary Structure

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 65 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-03 Page 6-10 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p>	<ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-02 Page 6-13 <p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-03 Page 6-20 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 	<ul style="list-style-type: none"> • SI-02 Page 6-30 • SI-05 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-04 Page 6-37 • PK-07 Page 6-40 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

MP District

3.23 MP District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The MP (Manufactured Home Park) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> lease-lot housing (typically mobile or manufactured homes) multiple primary structures per lot <p>Application of District</p> <ul style="list-style-type: none"> new and existing development small area or spot zoning <p>Development Standards</p> <ul style="list-style-type: none"> recognize that lease lot development requires more stringent development standards to protect the quality of life of lease holders shall be in accordance with IC 1-11-27-1 et. seq., Rule 410, IAC 6-6 and their subsequent amendments <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> AG, PR, R3, R4, R5, M1, M2, IS, NC, C1, C2 and L1 <p>Planning Commission</p> <ul style="list-style-type: none"> should use this district for existing developments and carefully for new residential development within the City of Kokomo <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> allow a special exception only when it clearly is a benefit to the residential component of the development 	<p>Residential</p> <ul style="list-style-type: none"> dwelling, mobile home fair housing facility (small) manufactured home park <p>Accessory Uses</p> <ul style="list-style-type: none"> child day-care home home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> dwelling, single family <p>Public Facilities</p> <ul style="list-style-type: none"> community center public park <p>Communication/Utility</p> <ul style="list-style-type: none"> above ground utility facility <p>General</p> <ul style="list-style-type: none"> off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> home occupation (type 2)

MP District

3.24 MP District Development Standards

<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>
<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 3 acres (130,680 square feet) <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 250 feet <p>Minimum Dwelling Site Size:</p> <ul style="list-style-type: none"> • 3,000 square feet <p>Minimum Dwelling Site Width:</p> <ul style="list-style-type: none"> • 30 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 70 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 40 feet from any street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 20 feet for the Primary and Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 20 feet for the Primary and Accessory Structures <p>Minimum Dwelling Site Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet from edge of pavement of interior roads <p>Minimum Dwelling Site Side Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for the Primary Structures • 2 feet for Accessory Structures 	<p>Minimum Dwelling Site Rear Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for the Primary Structures • 3 feet for Accessory Structures <p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and Accessory Structures cannot exceed 65% of the Lot Area <p>Minimum Main Floor Area per Unit:</p> <ul style="list-style-type: none"> • 700 square feet per Primary Structure on a Dwelling Site

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 35 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-04 Page 6-10 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-01 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 	<p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-04 Page 6-20 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-02 Page 6-30 • SI-05 Page 6-31 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-05 Page 6-38 	<p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 • ED-02 Page 6-44 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55 • MC-06 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

NC District

3.25 NC District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The NC (Neighborhood Commercial) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • small scale commercial uses that provide products and services primarily to the adjacent neighborhoods • very low impact in a neighborhood area <p>Application of District</p> <ul style="list-style-type: none"> • new and existing development • buffer district or transitional district • very limited small areas • spot zoning <p>Development Standards</p> <ul style="list-style-type: none"> • recognize the need for quality time, place and manner development standards to minimize impacts on surrounding properties and to assure residential scale and character <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • PR, R1, R2, R3, R4, R5, M1, M2, MP, IS, OC, DC, and C1 <p>Planning Commission</p> <ul style="list-style-type: none"> • rezone property for NC only after determining that the proposed use is appropriate for the surrounding area • receive written land use and development standard commitments prior to rezoning <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the surrounding areas and when traffic generation will not reduce quality of life for nearby residential areas 	<p>Residential</p> <ul style="list-style-type: none"> • dwelling, single family (upper stories) • dwelling, multifamily (upper stories) <p>Business: General Business</p> <ul style="list-style-type: none"> • bank machine/ATM • barber/beauty shop • child day-care center • coffee shop • coin laundry • delicatessen • dry cleaning service • fitness center/gym • ice cream shop • sexually oriented business, accessory • video/dvd store <p>Business Retail</p> <ul style="list-style-type: none"> • very low intensity retail • low intensity retail <p>Accessory Use</p> <ul style="list-style-type: none"> • home occupation (type 1) 	<p>Residential</p> <ul style="list-style-type: none"> • dwelling, multifamily (4 units or less) <p>Public Facilities</p> <ul style="list-style-type: none"> • church, temple or mosque • community center • library • public park <p>Institutional</p> <ul style="list-style-type: none"> • government office • post office • public recreation center • recycling collection point <p>Business: General Business</p> <ul style="list-style-type: none"> • drive-through ATM • gas station • restaurant <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • business/financial service office <p>Communication/Utility</p> <ul style="list-style-type: none"> • above-ground utility facility <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> • home occupation (type 2)

NC District

3.26 NC District Development Standards

<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>
<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 6,000 square feet <p>Maximum Lot Area:</p> <ul style="list-style-type: none"> • 30,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 55 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 45 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 3 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 20 feet • Accessory Structure - 3 feet 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all primary and accessory structures, and impervious surface cannot exceed 65% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 300 square feet for Primary Structures <p>Maximum Main Floor Area:</p> <ul style="list-style-type: none"> • 6,000 square feet for Primary and Accessory Structures combined

Additional Development Standards that Apply

	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-05 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-03 Page 6-14 	<p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-07 Page 6-32 	<p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 <p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Sexually Oriented Standards (SX)</p> <ul style="list-style-type: none"> • SX-01 Page 6-51 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

IS District

3.27 IS District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The IS (Institutional Use) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • institutionally owned lands, including state, county, and town facilities • public facilities • limited quasi-public uses • multiple primary structure per lot <p>Application of District</p> <ul style="list-style-type: none"> • existing development • new development upon demand (no "greenfield" zoning) • buffer district or transitional district • spot zoning • upon petition <p>Development Standards</p> <ul style="list-style-type: none"> • recognize the need for quality time, place and manner development standards to improve public accessibility and use of the property while minimizing impacts on surrounding properties <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, R1, R2, R3, R4, R5, M1, M2, MP, NC, OC, DC, C1, C2, LI, MI, and HI <p>Planning Commission</p> <ul style="list-style-type: none"> • rezone property for IS only after commitments have been made to develop an institutional use, and after determining that the proposed use is very appropriate for the area <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the surrounding areas and when traffic generation will not reduce quality of life for nearby residential areas 	<p>Public Facilities</p> <ul style="list-style-type: none"> • church, temple or mosque • community center • library • school (P-12) <p>Institutional</p> <ul style="list-style-type: none"> • bus station • government office • government operations (non-office) • hospital • museum • police, fire or rescue station • post office • public parking lot 	<p>Residential</p> <ul style="list-style-type: none"> • child care institution • nursing home • facility for developmentally disabled • facility for mentally ill • fair housing facility (large) <p>Institutional</p> <ul style="list-style-type: none"> • cemetery • child care institution/orphanage • drug/alcohol rehabilitation clinic • facility for developmentally disabled • facility for mentally ill • jail • juvenile detention center • light rail station • prison (minimum security) • prison (maximum security) • recycling collection point • trade or business school • university or college <p>Communication/Utility</p> <ul style="list-style-type: none"> • above ground utility facility • wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> • offsite parking lot for a church, temple, mosque or similar place of worship

IS District

3.28 IS District Development Standards

<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>	<p>R.O.W. = As Defined on Thoroughfare Plan</p>
<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 6,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 60 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 40 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 5 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 20 feet • Accessory Structure - 5 feet 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all primary and accessory structures, and impervious surface cannot exceed 70% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 900 square feet for Primary Structures

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 55 feet for the Primary Structure • 25 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-06 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-03 Page 6-14 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-07 Page 6-32 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 	<p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Telecommunications Facility (TC)</p> <ul style="list-style-type: none"> • TC-01 Page 6-46 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

OC District

3.29 OC District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The OC (Office Commercial) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> low impact office uses limited complimentary business uses stand-alone office buildings small clusters of office buildings multiple primary structures per lot <p>Application of District</p> <ul style="list-style-type: none"> new and existing development buffer district or transitional district small area zoning spot zoning <p>Development Standards</p> <ul style="list-style-type: none"> recognize the need for quality time, place and manner development standards to minimize impacts on surrounding properties and to assure residential scale and character <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> PR, R2, R3, R4, R5, M1, M2, IS, NC, DC, C1, C2, and LI <p>Planning Commission</p> <ul style="list-style-type: none"> rezone property for OC only after determining that the proposed use is appropriate for the surrounding area <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> allow a special exception use only when it clearly is a benefit to the surrounding areas and when traffic generation will not reduce quality of life for nearby residential areas 	<p>Institutional</p> <ul style="list-style-type: none"> police, fire or rescue station <p>Business: General Business</p> <ul style="list-style-type: none"> copy center <p>Business: Office/Professional</p> <ul style="list-style-type: none"> business/financial services office design/planning office general services office medical office <p>Business: Retail (6,000 square feet or less per operation)</p> <ul style="list-style-type: none"> gift shop news dealer bakery book store convenience store drug store 	<p>Residential</p> <ul style="list-style-type: none"> dwelling, single-family (upper floors) dwelling, multifamily (upper floors) <p>Public Facilities</p> <ul style="list-style-type: none"> church, temple or mosque community center library <p>Institutional</p> <ul style="list-style-type: none"> drug or alcohol rehabilitation clinic post office <p>Business: General Business</p> <ul style="list-style-type: none"> barber/beauty shop child day-care center dry cleaning service fitness center/gym health spa restaurant <p>Communication/Utility</p> <ul style="list-style-type: none"> above ground utility facility wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> off-site parking lot for a church, temple, mosque or similar place of worship

OC District

3.30 OC District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 7,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 70 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 50 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 5 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 20 feet • Accessory Structure - 5 feet <p>Minimum Primary Buildings Separation</p> <ul style="list-style-type: none"> • 1.5 times the required side yard setback 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all primary and accessory structures, and impervious surface cannot exceed 65% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,000 square feet for Primary Structures

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 55 feet for the Primary Structure • 15 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-06 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-03 Page 6-14 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-07 Page 6-32 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 	<ul style="list-style-type: none"> • PK-07 Page 6-40 <p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Telecommunications Facility (TC)</p> <ul style="list-style-type: none"> • TC-01 Page 6-46 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

DC District

3.31 DC District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The DC (Downtown Commercial) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • traditional downtown uses • mixed uses that promote a strong pedestrian oriented downtown • limited institutional and service oriented businesses • disallow residential on first floors <p>Application of District</p> <ul style="list-style-type: none"> • existing downtown area • downtown-like buildings scattered throughout the city <p>Development Standards</p> <ul style="list-style-type: none"> • recognize the need for quality time, place and manner development standards to assure that future development and modifications will reflect the existing character of the downtown • reduce parking requirements due to limited lot sizes <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • PR, R2, R3, R4, R5, M1, M2, IS, NC, OC, C1, and C2 <p>Planning Commission</p> <ul style="list-style-type: none"> • maintain zoning ordinance language that promotes a healthy downtown and encourages two story downtown structures built to the front property line <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the downtown area • allow traffic generation 	<p>Residential</p> <ul style="list-style-type: none"> • dwelling, single family (upper floors) • dwelling, multifamily (upper floors) <p>Public Facilities</p> <ul style="list-style-type: none"> • library <p>Business: General Business</p> <ul style="list-style-type: none"> • bank machine/ATM • copy center • delicatessen • dry cleaning service • farmers market • fitness center/gym • funeral home or mortuary • health spa • hotel/motel • ice cream shop • news stand • photographic studio • restaurant • sexually-oriented business, accessory • show repair • sign shop • tailor/pressing shop • tanning salon • video/dvd store <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • business/financial services office • design/planning office • general services office • medical office <p>Business: Retail</p> <ul style="list-style-type: none"> • very low intensity retail • low intensity retail • medium intensity retail <p>Institutional</p> <ul style="list-style-type: none"> • government office • police, fire or rescue station • post office • public parking lot • recreation center <p>Accessory Use</p> <ul style="list-style-type: none"> • home occupation (type 1) • outdoor seating • walk-up window services 	<p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast facility • dwelling, single family (lower floors) <p>Public Facilities</p> <ul style="list-style-type: none"> • church, temple or mosque • community center • public park <p>Business: General Business</p> <ul style="list-style-type: none"> • auto-oriented facility (low intensity) • bar/tavern • billiard/arcade room • dance/aerobics/gymnastics studio • dance/night club • karate studio • lodge or private club • movie theater • tattoo/piercing parlor <p>Communication/Utility</p> <ul style="list-style-type: none"> • above-ground utility facility <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship <p>Accessory Use</p> <ul style="list-style-type: none"> • home occupation (type 2)

DC District

3.32 DC District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 2,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 25 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 25 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 0 feet for Primary Structures • 20 feet for Accessory Structures <p>Maximum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 0 feet for Primary Structures • 5 feet for Accessory Structures <p>Maximum Side Yard Setback:</p> <ul style="list-style-type: none"> • 0 feet for Primary Structures • 5 feet for Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 0 feet for the Primary Structure • 5 feet for Accessory Structures 	<p>Minimum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all Primary and accessory structures, and impervious surfaces combined cannot be less than 75% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 1,000 square feet for Primary Structures <p>Minimum Floor Area Per Unit:</p> <ul style="list-style-type: none"> • 850 square feet average per residential dwelling unit in a Primary Structure

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 85 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-05 Page 6-11 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-03 Page 6-14 	<p>Home Occupation (HO)</p> <ul style="list-style-type: none"> • HO-01 Page 6-15 • HO-02 Page 6-16 <p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-06 Page 6-22 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-07 Page 6-32 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-07 Page 6-40 • PK-08 Page 6-41 	<p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Sexually Oriented Standards (SX)</p> <ul style="list-style-type: none"> • SX-01 Page 6-51 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

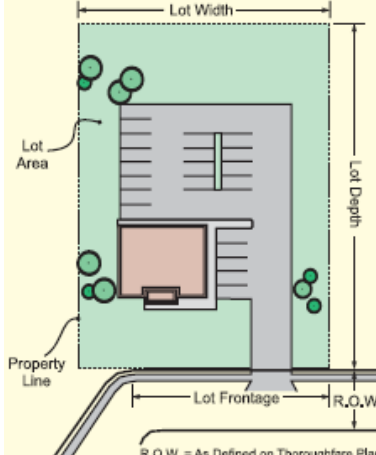
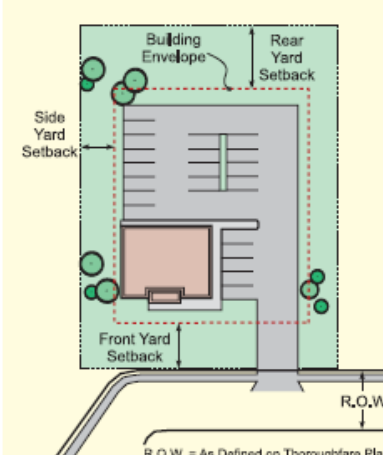
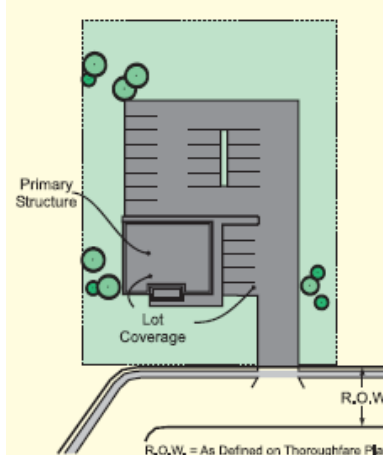
C1 District

3.33 C1 District Intent, Permitted Uses, and Special Exception Uses

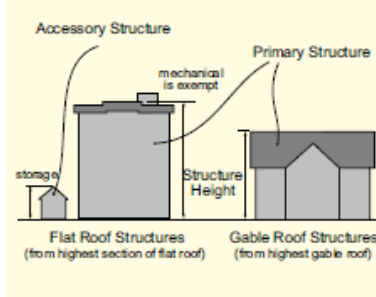
District Intent	Permitted Uses	Special Exception Uses
<p>The C1 (Small to Medium Scale General Commercial) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> low to moderate impact uses wide variety of retail, commercial, service, eating, and entertainment establishments stand-alone buildings and small strip centers <p>Application of District</p> <ul style="list-style-type: none"> new and existing development <p>Development Standards</p> <ul style="list-style-type: none"> recognize the need for quality time, place and manner development standards to minimize impacts on surrounding properties while encouraging economic vitality <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> AG, PR, R2, R3, R4, R5, M1, M2, MP, IS, NC, OC, DC, and C2 <p>Planning Commission</p> <ul style="list-style-type: none"> zone property for C1 only after determining that the site is appropriate for any of the possible uses allowed in this district require written acknowledgement of the maximum main floor area requirement <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> allow a special exception use only when it clearly is a benefit to the surrounding areas be very sensitive to the potential for light pollution, and pedestrian and vehicular safety 	<p>Business: General Business</p> <ul style="list-style-type: none"> adult day care auto-oriented business (low density) bank machine/ATM bar/tavern barber/beauty sopy billiard/arcade room bowling alley car rental cellular phone/communication shop child day-care center coffee shop coin laundry commercial batting cages copy center country club dance/aerobics/gymnastics studio dance/night club delicatessen dry-cleaning service emergency medical clinic farmers market fingernail salon fitness center/gym funeral home or mortuary health spa ice cream shop karate studio lodge or private club news stand party/event rental pet grooming studio paly center restaurant sexually oriented business, accessory show repair sign shop skate park sports fields tailor/pressing shop tanning salon video/dvd store <p>Business: Office/Professional</p> <ul style="list-style-type: none"> business/financial services office design/planning office general services office medical office <p>Business: Retail</p> <ul style="list-style-type: none"> very low intensity retail low intensity retail medium intensity retail 	<p>Business: General Business</p> <ul style="list-style-type: none"> auto-oriented business (high intensity) banquet hall commercial training facility or school driving range hotel/motel kennel (commercial) miniature golf movie theater outdoor service facility print shop skating rink tattoo/piercing parlor <p>Business: Retail</p> <ul style="list-style-type: none"> high intensity retail <p>Communication/Utility</p> <ul style="list-style-type: none"> above-ground utility facility wireless telecommunication facility <p>Public Facilities</p> <ul style="list-style-type: none"> church, temple or mosque using an existing building <p>General</p> <ul style="list-style-type: none"> off-site parking lot for a church, temple, mosque or similar place of worship

C1 District

3.34 C1 District Development Standards

 <p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 10,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 65 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 50 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	 <p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 5 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 20 feet • Accessory Structure - 5 feet 	 <p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square feet of all primary and accessory structures, and impervious surface cannot exceed 65% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 300 square feet for Primary Structures <p>Maximum Main Floor Area:</p> <ul style="list-style-type: none"> • 25,000 square feet for Primary and Accessory Structures associated with retail uses
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Additional Development Standards that Apply

 <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 40 feet for the Primary Structure • 15 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-06 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-03 Page 6-14 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-08 Page 6-33 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 	<p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Telecommunications Facility (TC)</p> <ul style="list-style-type: none"> • TC-01 Page 6-46 <p>Corridor Enhancement (CE)</p> <ul style="list-style-type: none"> • LO-01 Page 6-49 <p>Sexually Oriented Standards (SX)</p> <ul style="list-style-type: none"> • SX-01 Page 6-51 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

C2 District

3.35 C2 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The C2 (Medium to Large Scale General Commercial) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • moderate to high impact uses • wide variety of retail, commercial, service, eating, and entertainment establishments • stand-alone buildings, strip centers and malls <p>Application of District</p> <ul style="list-style-type: none"> • new and existing development <p>Development Standards</p> <ul style="list-style-type: none"> • recognize the need for quality time, place and manner development standards to minimize impacts on surrounding properties while encouraging economic vitality • assure that there are no negative effects on the natural environment <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, M1, M2, MP, IS, OC, DC, C1, and LI <p>Planning Commission</p> <ul style="list-style-type: none"> • zone property for C2 only after determining that the site is appropriate for any of the possible uses allowed in this district • be very sensitive to environmental protection <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the surrounding areas • be very sensitive to the potential for light pollution, excessive parking lots, oversized signs, aesthetics, and pedestrian and vehicular safety 	<p>Business: General Business</p> <ul style="list-style-type: none"> • auto-oriented business (low intensity) • auto-oriented business (high intensity) • bank machine/ATM • banquet hall • bar/tavern • barber/beauty shop • billiard/arcade room • bowling alley • car rental • cellular phone/communication shop • coin laundry • copy center • country club • dance/aerobics/gymnastics studio • dance/night club • driving range • dry-cleaning service • emergency medical clinic • fingernail salon • fitness center/gym • funeral home or mortuary • health spa • hotel/motel • karate studio • kennel (commercial) • lodge or private club • miniature golf • movie theater • news stand • party/event rental • pet grooming • play center • print shop • restaurant • sexually-oriented business, accessory • sexually oriented business, retail • sexually oriented business, entertainment • shoe repair • sign shop • skate park/skating rink • tailor/pressing shop • tanning salon • video/dvd store <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • business/financial services office • design/planning office • general services office • medical office <p>Business: Retail</p> <ul style="list-style-type: none"> • very low intensity retail • low intensity retail • medium intensity retail • high intensity retail 	<p>Business: General Business</p> <ul style="list-style-type: none"> • commercial training facility or school • equipment rental • publishing company • sport field <p>Business: Retail</p> <ul style="list-style-type: none"> • very high intensity retail • special handling retail • gas station <p>Communications/Utilities</p> <ul style="list-style-type: none"> • above-ground utility facility • radio/TV station • wireless telecommunications facility <p>Public Facilities</p> <ul style="list-style-type: none"> • church, temple or mosque using an existing building <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship

C2 District

3.36 C2 District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 20,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 10 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 80 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 10 feet for Primary Structures • 20 feet for Accessory Structures <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 10 feet per side plus 5 feet for each story after the second story • Accessory Structures - 5 feet per side <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • Primary Structure - 20 feet • Accessory Structure - 5 feet 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square feet of all primary and accessory structures, and impervious surface cannot exceed 70% of the Lot Area <p>Minimum Main Floor Area:</p> <ul style="list-style-type: none"> • 600 square feet for Primary Structures

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 45 feet for the Primary Structure • 20 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-06 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-03 Page 6-14 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-08 Page 6-33 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 	<p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Telecommunications Facility (TC)</p> <ul style="list-style-type: none"> • TC-01 Page 6-46 <p>Corridor Enhancement (CE)</p> <ul style="list-style-type: none"> • LO-01 Page 6-49 <p>Sexually Oriented Standards (SX)</p> <ul style="list-style-type: none"> • SX-01 Page 6-51 • SX-02 Page 6-51 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

LI District

3.37 LI District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The LI (Low Intensity Industrial/Business Park) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> low impact industrial uses business park, distribution operations, construction trades, and industrial facilities stand-alone buildings or multiple primary structures <p>Application of District</p> <ul style="list-style-type: none"> new and existing development <p>Development Standards</p> <ul style="list-style-type: none"> recognize the need for quality time, place and manner development standards to minimize impacts on surrounding properties while encouraging economic vitality do not require separation or buffering from uses with similar intensity require extensive buffers when adjacent to lesser intense land uses assure that there are no negative effects on the natural environment <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> AG, PR, M2, IS, C2, MI and HI <p>Planning Commission</p> <ul style="list-style-type: none"> zone property for LI only after determining that the site is appropriate for any of the possible uses allowed in this district require written acknowledgement of the maximum lot are requirement be very sensitive to environmental protection <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> allow a special exception use only when it clearly is a benefit to the surrounding areas assure environmental protection prior to granting a special exception be very sensitive to the potential for light pollution, noise pollution, loading bays fronting roads, oversized signs, large truck traffic, ingress/egress, and pedestrian and vehicular safety 	<p>Industrial</p> <ul style="list-style-type: none"> municipal airport <p>Business: General Business</p> <ul style="list-style-type: none"> restaurant <p>Business: Office/Professional</p> <ul style="list-style-type: none"> construction trade office design/planning office general services office <p>Business Retail</p> <ul style="list-style-type: none"> convenience store (small) very high intensity retail <p>Communication/Utilities</p> <ul style="list-style-type: none"> above-ground utility facility <p>Industrial Uses</p> <ul style="list-style-type: none"> distribution facility flex-space light assembly research center sign painting/fabrication tool and die shop welding 	<p>Institutional</p> <ul style="list-style-type: none"> government operations (non-office) municipal heliport police, fire or rescue station recycling sorting/distribution <p>Business: General Business</p> <ul style="list-style-type: none"> commercial training facility or school <p>Communication/Utilities</p> <ul style="list-style-type: none"> radio/TV station wireless telecommunications facility <p>General</p> <ul style="list-style-type: none"> off-site parking lot for a church, temple, mosque or similar place of worship <p>Industrial</p> <ul style="list-style-type: none"> self-storage facility

LI District

3.38 LI District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 15,000 square feet <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 80 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 50 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 25 feet when adjacent to an Arterial • 15 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for Primary and Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for Primary and Accessory Structures 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square feet of all primary and accessory structures, and impervious surface cannot exceed 85% of the Lot Area <p>Maximum Main Floor Area:</p> <ul style="list-style-type: none"> • 40,000 square feet for all structures combined

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 40 feet for the Primary Structure • 35 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-07 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 • TU-03 Page 6-14 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-09 Page 6-35 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 	<p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Telecommunications Facility (TC)</p> <ul style="list-style-type: none"> • TC-01 Page 6-46 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55 • MC-05 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

MI District

3.39 MI District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The MI (Moderate Intensity Industrial/Light Manufacturing) District is Intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • low to moderate impact industrial uses • business parks, distribution operations, and industrial parks • stand-alone building or multiple primary structures <p>Application of District</p> <ul style="list-style-type: none"> • new and existing development <p>Development Standards</p> <ul style="list-style-type: none"> • recognize the need for quality time, place and manner development standards to minimize impacts on surrounding properties while encouraging economic vitality • do not require separation or buffering from uses with similar intensity • assure that there are no negative effects on the natural environment • minimize light, noise, water, and air pollution <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, IS, C2, LI, and HI <p>Planning Commission</p> <ul style="list-style-type: none"> • zone property for MI only after determining that the site is appropriate for any of the possible uses allowed in this district • be very sensitive to environmental protection <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the surrounding areas • require significant buffering and separation from residential uses, environmental features, and historic areas if within the vicinity • notify the property owners within a significant region of a petition for Special Exception, rather than just nearby property owners • assure environmental protection prior to granting a special exception • be very sensitive to the potential for light pollution, noise pollution, loading bays fronting roads, oversized signs, large truck traffic, ingress/egress, and pedestrian and vehicular safety 	<p>Institutional</p> <ul style="list-style-type: none"> • government operations (non-office) • recycling sorting/distribution <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • construction trade office <p>Communication/Utilities</p> <ul style="list-style-type: none"> • above-ground utility facility • radio/TV station <p>Industrial Uses</p> <ul style="list-style-type: none"> • assembly • distribution facility • flex-space • light assembly • light manufacturing • outdoor storage • research center • self-storage facility • sign painting/fabrication • testing lab • tool and die shop • trucking terminal warehouse • welding 	<p>Institutional</p> <ul style="list-style-type: none"> • crematorium • police, fire or rescue station <p>Business: General</p> <ul style="list-style-type: none"> • junk yard • race track <p>Communication/Utilities</p> <ul style="list-style-type: none"> • sewage treatment plant • water treatment plant • wireless telecommunications facility <p>Industrial Uses</p> <ul style="list-style-type: none"> • bottled gas storage/distribution • food production/processing • incinerator • storage tanks (nonhazardous) <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple mosque or similar place of worship

MI District

3.40 MI District Development Standards

<p>Minimum Lot Area:</p> <ul style="list-style-type: none"> • 1 acre (43,560 square feet) <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 130 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 90 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 25 feet when adjacent to an Arterial • 15 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for Primary and Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for Primary and Accessory Structures 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square feet of all primary and accessory structures, and impervious surface cannot exceed 85% of the Lot Area <p>Maximum Main Floor Area:</p> <ul style="list-style-type: none"> • 120,000 square feet for all structures combined

Additional Development Standards that Apply

<p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 45 feet for the Primary Structure • 45 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-07 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-09 Page 6-35 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 	<p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Telecommunications Facility (TC)</p> <ul style="list-style-type: none"> • TC-01 Page 6-46 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55 • MC-05 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

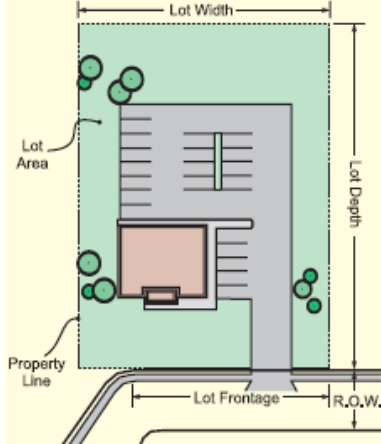
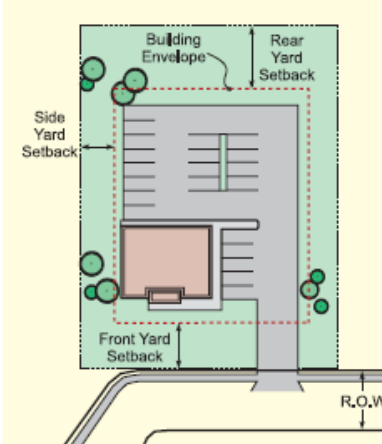
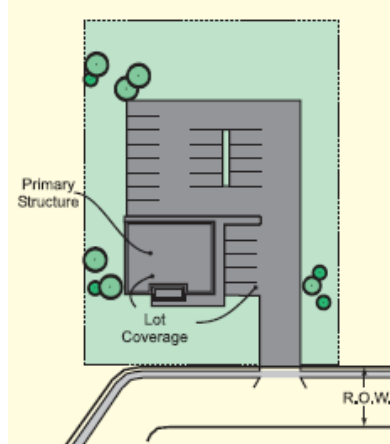
HI District

3.41 HI District Intent, Permitted Uses, and Special Exception Uses

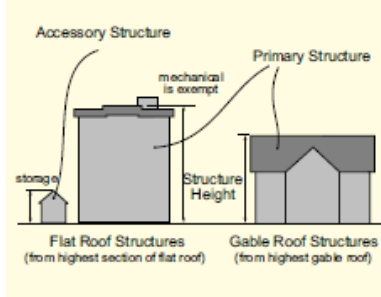
District Intent	Permitted Uses	Special Exception Uses
<p>The HI (High Intensity Industrial/Heavy Manufacturing) District is intended to be used as follows:</p> <p>Type and Intensity</p> <ul style="list-style-type: none"> • moderate to high impact industrial uses • industrial parks, manufacturing facilities and utility usage • stand-alone buildings or multiple primary structures <p>Application of District</p> <ul style="list-style-type: none"> • new and existing development <p>Development Standards</p> <ul style="list-style-type: none"> • recognize the need for quality time, place and manner development standards to minimize impact on surrounding properties while encouraging economic vitality • do not require separation or buffering from uses with similar intensity • assure that there are no negative effects on the natural environment • minimize light, noise, water, and air pollution <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> • AG, PR, IS, C2, LI and MI <p>Planning Commission</p> <ul style="list-style-type: none"> • zone property for HI only after determining that the site is appropriate for any of the possible uses allowed in this district • be very sensitive to environmental protection <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> • allow a special exception use only when it clearly is a benefit to the surrounding areas • require significant buffering and separation from residential uses, environmental features, and historic areas if within the vicinity • notify the property owners within a significant region of a petition for Special Exception, rather than just nearby property owners • assure environmental protection prior to granting a special exception • be very sensitive to the potential for light pollution, noise pollution, loading bays fronting roads, oversized signs, large truck traffic, ingress/egress and pedestrian and vehicular safety 	<p>Institutional/Public Facilities</p> <ul style="list-style-type: none"> • crematory <p>Communication/Utility</p> <ul style="list-style-type: none"> • above-ground utility facility • sewage treatment plant • water treatment plant <p>Industrial Uses</p> <ul style="list-style-type: none"> • assembly • bottled gas storage/distribution • distribution facility • food production/processing • heavy industry • light assembly • light manufacturing • outdoor storage • research center • scrap metal yard • self-storage facility • storage tanks (nonhazardous) • testing lab • tool and die shop • trucking terminal • warehouse • welding 	<p>Institutional/Public Facilities</p> <ul style="list-style-type: none"> • police, fire or rescue station <p>Business: General</p> <ul style="list-style-type: none"> • junk yard • race track <p>Communication/Utility</p> <ul style="list-style-type: none"> • electrical generation plant • wireless telecommunication facility <p>Industrial Uses</p> <ul style="list-style-type: none"> • asphalt plant • concrete plant • gravel/sand mining • incinerator • liquid fertilizer storage/distribution • sanitary land fill • storage tanks (hazardous) • waste disposal facility • waster transfer station <p>General</p> <ul style="list-style-type: none"> • off-site parking lot for a church, temple, mosque or similar place of worship

HI District

3.42 HI District Development Standards

 <p>Diagram showing Lot Width, Lot Depth, Lot Area, Property Line, Lot Frontage, and R.O.W. (Right-of-Way). R.O.W. = As Defined on Thoroughfare Plan.</p>	 <p>Diagram showing Building Envelope, Rear Yard Setback, Side Yard Setback, Front Yard Setback, and R.O.W. (Right-of-Way). R.O.W. = As Defined on Thoroughfare Plan.</p>	 <p>Diagram showing Primary Structure, Lot Coverage, and R.O.W. (Right-of-Way). R.O.W. = As Defined on Thoroughfare Plan.</p>
<p>Minimum Lot Area: 2 acres (87,120 square feet)</p> <p>Minimum Lot Width:</p> <ul style="list-style-type: none"> • 200 feet <p>Minimum Lot Frontage:</p> <ul style="list-style-type: none"> • 90 feet on a Public Street with access from said Public Street <p>Sewer and Water:</p> <ul style="list-style-type: none"> • Requires municipal water and sewer hookup 	<p>Minimum Front Yard Setback:</p> <ul style="list-style-type: none"> • 25 feet when adjacent to an Arterial • 15 feet when adjacent to a Collector or Local Street <p>Minimum Side Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for Primary and Accessory Structures <p>Minimum Rear Yard Setback:</p> <ul style="list-style-type: none"> • 5 feet for Primary and Accessory Structures 	<p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square feet of all primary and accessory structures, and impervious surface cannot exceed 85% of the Lot Area

Additional Development Standards that Apply

 <p>Diagram showing Accessory Structure, Primary Structure, mechanical is exempt, storage, Flat Roof Structures (from highest section of flat roof), and Gable Roof Structures (from highest gable roof). Structure Height is indicated.</p> <p>Maximum Structure Height:</p> <ul style="list-style-type: none"> • 70 feet for the Primary Structure • 65 feet for Accessory Structures 	<p>Lot (LO)</p> <ul style="list-style-type: none"> • LO-01 Page 6-3 <p>Setback (SB)</p> <ul style="list-style-type: none"> • SB-01 Page 6-4 <p>Sewer and Water (SW)</p> <ul style="list-style-type: none"> • SW-01 Page 6-5 <p>Density and Intensity (DI)</p> <ul style="list-style-type: none"> • DI-01 Page 6-6 <p>Floor Area (FA)</p> <ul style="list-style-type: none"> • FA-01 Page 6-7 <p>Height (HT)</p> <ul style="list-style-type: none"> • HT-01 Page 6-8 <p>Accessory Structure (AS)</p> <ul style="list-style-type: none"> • AS-01 Page 6-9 • AS-07 Page 6-11 <p>Fence and Wall (FW)</p> <ul style="list-style-type: none"> • FW-02 Page 6-12 <p>Temporary Uses (TU)</p> <ul style="list-style-type: none"> • TU-01 Page 6-13 	<p>Landscaping (LA)</p> <ul style="list-style-type: none"> • LA-01 Page 6-18 • LA-05 Page 6-21 • LA-07 Page 6-23 • LA-08 Page 6-25 <p>Environmental (EN)</p> <ul style="list-style-type: none"> • EN-01 Page 6-26 <p>Performance (PF)</p> <ul style="list-style-type: none"> • PF-01 Page 6-27 <p>Lighting (LT)</p> <ul style="list-style-type: none"> • LT-01 Page 6-28 <p>Sign (SI)</p> <ul style="list-style-type: none"> • SI-01 Page 6-29 • SI-03 Page 6-30 • SI-09 Page 6-35 <p>Parking (PK)</p> <ul style="list-style-type: none"> • PK-01 Page 6-37 • PK-06 Page 6-38 • PK-07 Page 6-40 	<p>Loading (LD)</p> <ul style="list-style-type: none"> • LO-01 Page 6-42 <p>Entrance/Driveway (ED)</p> <ul style="list-style-type: none"> • ED-01 Page 6-43 <p>Vision Clearance (VC)</p> <ul style="list-style-type: none"> • VC-01 Page 6-45 <p>Telecommunications Facility (TC)</p> <ul style="list-style-type: none"> • TC-01 Page 6-46 <p>Special Exception (SE)</p> <ul style="list-style-type: none"> • SE-01 Page 6-53 <p>Miscellaneous (MC)</p> <ul style="list-style-type: none"> • MC-01 Page 6-54 • MC-02 Page 6-54 • MC-03 Page 6-54 • MC-04 Page 6-55 • MC-05 Page 6-55
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(As amended by Ordinances No. 6375, 6426 and 6435, June 27, 2006.)

Article Four

Overlay Districts



August 12, 2003
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"AH-OL" District

4.1 District Intent, Effect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p>The Airport Hazard Overlay District (AH-OL) has been created to promote a "buffer" of appropriate land uses around the airport in order to promote the growth and ongoing operations of the municipal airport.</p> <p>The Plan Commission and BZA should strive to minimize land uses which pose a hazard to air traffic, including excessive lighting, tall structures, lighting that resembles a runway, etc. Further, the Plan Commission and BZA should restrict any land use that could be adversely affected by the noise related to air traffic.</p>	<p>Permitted Uses All uses permitted in the base zoning district are permitted in the AH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p>Special Exception Uses All uses permitted in the base zoning district as special exceptions are permitted as special exceptions in the AH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p>Restricted Land Uses</p> <ul style="list-style-type: none"> • assisted living facility • assisted living home • bed and breakfast facility • boarding house • bottled gas storage/distribution • church, temple or mosque • dwelling, single-family • dwelling, two-family • dwelling, manufactured • dwelling, multifamily • electrical generation plant • fair housing facility (large) • fair housing facility (small) • group home • hospital • incinerator • liquid fertilizer storage/distribution • manufactured home park • movie theater • nursing home • retirement community • radio/TV station • sanitary landfill/refuse dump • school (P-12) • storage tanks (hazardous) • trade or business school • university or college • wireless telecommunications facility 	<ul style="list-style-type: none"> • When the development standards outlined on the following page (Section 4.3) conflict with the base zoning district development standards in Article Six, the more restrictive shall apply. All applicable development standards in Article Six that are not addressed in Article Four will still apply in accordance with the base zoning district. • The development standards for the AH-OL shall be construed to be applicable to all Planned Developments which are overlaid by this district.

4.2 Jurisdictional Boundary for the Airport Hazard Overlay District

- A. The jurisdictional boundaries for the Airport Hazard Overlay District (AH-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Airport Hazard Overlay District (AH-OL).

4.3 Additional Development Standards for the Airport Hazard Overlay District

The following development standards are required as follows in order to promote the intent of this zoning district and meet the goals of the Kokomo Comprehensive Plan.

- A. Adjustments to lighting standards are as follows:
 - 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 be 90° cutoff luminaries.
 - b. All signage lighting shall be internally lit and shall not exceed 5 footcandle at the property line.
 - c. No lighting shall spin, oscillate, or blink within this district.
- B. Site design of any property or properties in conjunction shall not resemble an airport, taxiway, or runway.
- C. All structures within this district are encouraged to be constructed with extra sound dampening and proofing such to mitigate noise from aircraft.
- D. No structure may be located within 1,000 feet of a runway unless it is used as a part of the airport facility or aviation operation.
- E. The maximum height of any structure is 40 feet when it is 1,000 feet to 4,500 feet from any airport runway. The Planning Director may mandate a maximum height less than 40 feet if the structure is within a precision runway approach (slope of 1 to 50 from the end of runway).
- F. The maximum height of any structure is 90 feet when 4,500 feet to 7,920 feet (1 ½ miles) from any airport runway.

[Note: All property purchasers and developers should be aware that the municipal airport facility may expand in the future, thus resulting in more air traffic and larger aircraft.]

"WH-OL" District

4.4 District Intent, Effect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p>The WH-OL (Wellhead Overlay) District is intended to promote and preserve the communities drinking water quality. This District should be used as follows.</p> <p>Application of District</p> <ul style="list-style-type: none"> all areas designated by an engineering study necessary to protect Kokomo’s drinking water supply <p>Land Use Restrictions</p> <ul style="list-style-type: none"> restrict any use that utilizes or contains volatile, poisonous, toxic or other material hazardous to the potability of water <p>Development Standards</p> <ul style="list-style-type: none"> minimize the risk of contaminants getting into the community’s drinking water 	<p>Permitted Uses</p> <p>All uses permitted in the base zoning district are permitted in the WH-OL zoning district except as listed below in the “Restricted Land Uses” section.</p> <p>Special Exception Uses</p> <p>All uses permitted in the base zoning district as special exceptions are permitted as special exceptions in the WH-OL zoning district except as listed below in the “Restricted Land Uses” section.</p> <p>Restricted Land Uses</p> <ul style="list-style-type: none"> auto-oriented facility auto salvage yard bottled gas storage/distribution cemetery dry-cleaning service food production/processing gravel and sand mining heavy industry incinerator liquid fertilizer storage/distribution radio/TV station raising of farm animals rendering of farm animals sanitary landfill/refuse dump scrap yard storage tanks (hazardous) junk yard 	<ul style="list-style-type: none"> When the development standards outlined on the following page (Section 4.10) conflict with the base zoning district development standards in Article Six, the more restrictive shall apply. All development standards in Article Six that are not addressed in the following sections (Section 4.10) will still apply in accordance with the base zoning district. The development standards for the WH-OL shall be applicable to all Planned Developments that are overlaid by this district.

4.5 Jurisdictional Boundary for the Wellhead Overlay District

A. The jurisdictional boundaries for the Wellhead Overlay District (WH-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Wellhead Overlay District (WH-OL).

4.6 Additional Development Standards for the Wellhead Overlay District

The following development standards are required as follows in order to promote the intent of this zoning district and meet the goals of the Kokomo Comprehensive Plan.

A. No natural area or vegetated buffer may be treated with any herbicide, insecticide, fertilizer, or the like without EPA or DNR approval for a specific treatment and recommended frequency of treatment presented to the Planning Director in writing. Only lawn fertilizer and lawn weed control chemicals available over the counter are exempt from this rule.

"FH-OL" District

4.7 District Intent, Effect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p>The FH-OL (Flood Hazard Overlay) District is intended to minimize risk to life, protect property from damage, reduce risk of flooding, and improve storm water quality.</p> <p>Application of District</p> <ul style="list-style-type: none"> any area within the 100-year floodplain and any other areas along regulated ditches, streams, rivers, ponds, and ponds deemed necessary. <p>Land Use Restrictions</p> <ul style="list-style-type: none"> restrict any use that utilizes or contains volatile, poisonous, toxic, or otherwise hazardous to flora, fauna and the potability of water. <p>Development Standards</p> <ul style="list-style-type: none"> restrict the construction of habitable or occupiable structures within the 100-year floodplain assure no net loss of floodplain storage capacity due to building or filling within the 100-year floodplain preserve riparian corridors and buffer areas around bodies of water from direct, indirect and inadvertent disturbances and removal of plant material reduce the speed at which storm water reaches regulated ditches, streams and rivers. 	<p>Permitted Uses</p> <p>All uses permitted in the base zoning district are permitted in the FH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p>Special Exception Uses</p> <p>All uses permitted in the base zoning district as special exception uses are permitted as special exceptions in the FH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p>Restricted Land Uses</p> <ul style="list-style-type: none"> auto-oriented facility auto salvage yard bottled gas storage/distribution cemetery dry-cleaning service food production/processing gravel and sand mining heavy industry incineration liquid fertilizer storage/distribution radio/TV station raising of farm animals rendering of farm animals sanitary landfill/refuse dump scrap yard storage tanks (hazardous) junk yard 	<ul style="list-style-type: none"> When the development standards outlined on the following pages (section 4.9) conflict with the base zoning district development standards in Article Six or other Development Standards in this Article, the more restrictive shall apply. All development standards in Article Six that are not addressed in the following section (4.9) will still apply in accordance with the base zoning district. The development standards for the FH-OL shall be applicable to all Planned Developments that are overlaid by this district.

4.8 Jurisdictional Boundary for the Flood Hazard Overlay District

A. The jurisdictional boundaries for the Flood Hazard Overlay District (FH-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Flood Hazard Overlay District (FH-OL).

4.9 Additional Development Standards for the Flood Hazard Overlay District

The following development standards are required as follows in order to promote the intent of this zoning district and meet the goals of the Kokomo Comprehensive Plan.

- A. The development standards of the Flood Hazard Areas Ordinance, No. 5959, as amended, shall apply.
- B. No lot or building site, created after the adoption of this ordinance, shall locate any buildings within FH-OL.

"WR-OL" District

4.10 District Intent, Effect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p>The WR-OL (Well Restriction Overlay) District is intended to protect the community from chemicals contaminating ground water. This District should be used as follows:</p> <p>Application of District</p> <ul style="list-style-type: none"> all areas designated by an engineering study necessary for protecting the community. <p>Development Standards</p> <ul style="list-style-type: none"> restrict the drilling of water wells which may bring contaminated ground water to the surface. 	<p>Permitted Uses</p> <p>All uses permitted in the base zoning district are permitted in the WR-OL zoning district.</p> <p>Special Exception Uses</p> <p>All uses permitted as special exception uses in the base zoning district are permitted as special exceptions in the WR-OL zoning district.</p>	<ul style="list-style-type: none"> No water wells may be dug or drilled within the WR-OL District except for monitoring wells, extraction wells for a groundwater remediation system, or other wells required or approved by the Indiana Department of Environmental Management.

4.11 Jurisdictional Boundary for the Well Restriction Overlay District

- A. The jurisdictional boundaries for the Well Restriction Overlay District (WR-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Well Restriction Overlay District (WR-OL).

"AC - OL" District

4.12 District Intent, Effect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p>The AC-OL (Architecture Control Overlay) District is intended to protect, preserve and enhance the character and form of designated Districts while maintaining continuity to the surroundings. The emphasis shall be laid on the appropriate mass, scale and proportion that provides and promotes the compatibility to the surroundings, allows for sufficient penetration of light and air and relates well to the pedestrian environment. The District should be used as follows:</p> <p>Application of the District</p> <ul style="list-style-type: none"> any area with similar architectural style and/or history which Kokomo decides should be maintained or areas where maintaining similar or complimentary architectural styles is considered desirable. 	<p>Permitted Uses All uses permitted in the base zoning district are permitted in the AC-OL.</p> <p>Special Exception Uses All uses permitted as special exceptions in the base zoning district are permitted in the AC-OL.</p>	<ul style="list-style-type: none"> The basic development standards for base zoning district shall apply unless replaced by the adopted guidelines for the specific overlay district.

4.13 Jurisdictional Boundary for the Architectural Control Overlay District

- A. The jurisdictional boundaries for the Architectural Control Overlay District (AC-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Architectural Control Overlay District (AC-OL).




4.14 Architectural Review Process

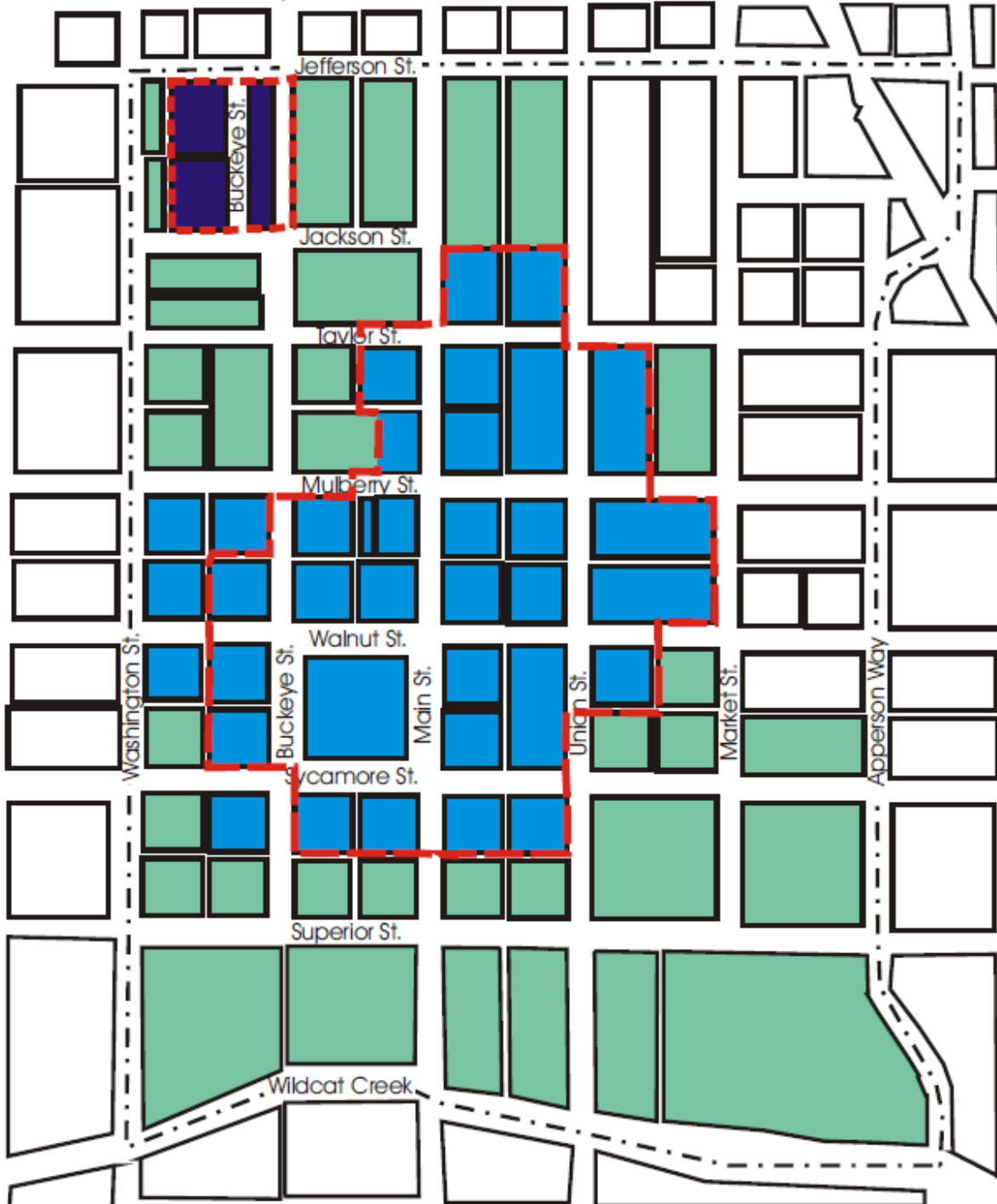
- A. Anyone proposing physical alterations to façade(s) of existing structures, construction of new structures, or replacement of sidewalks, parking lots or driveways, shall petition for an Improvement Location Permit as provided by Section .9.2.
- B. Review of petitions shall be guided by the appropriate adopted design guidelines.
- C. Design guidelines shall be prepared by the Plan Director for each Architectural Control Overlay District. The Plan Director will request comments and recommendations from the Kokomo Historic Review Board on the district design guidelines. The Architectural Control Overlay District Design Guidelines shall be reviewed by the Plan Commission. The Plan Commission, after a public hearing, may adopt, reject, continue consideration of or approve with modifications the design guidelines.

Architectural Control Ordinance Districts



AC-OL(1), Courthouse Square
 AC-OL(2), CBD Perimeter
 AC-OL(3), Railroad Station
 Central Business
 District Boundary

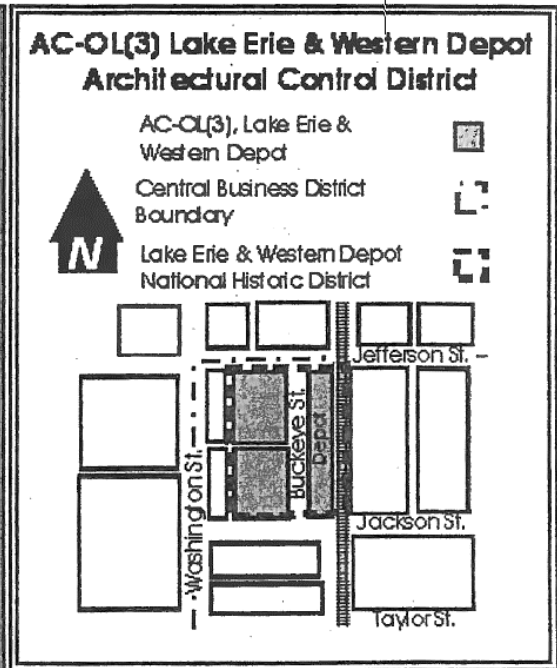
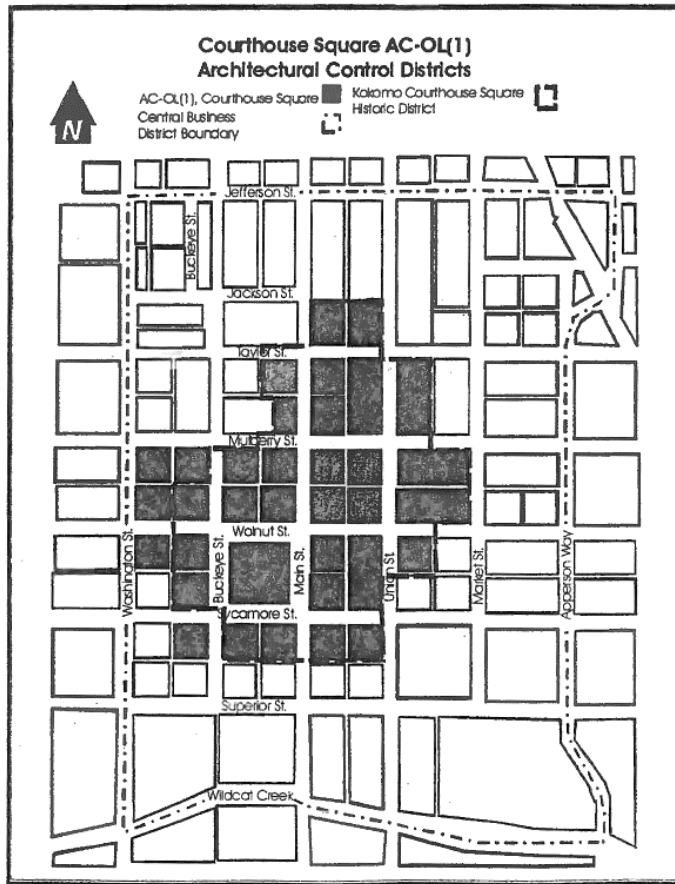
 National Historic Districts
 Kokomo Courthouse Square
 Lake Erie & Western Depot




**Architectural Control Overlay District Design Guidelines for:
 AC-OL (1), Court House Square District
 AC-OL (3), Lake Erie & Western Depot District**

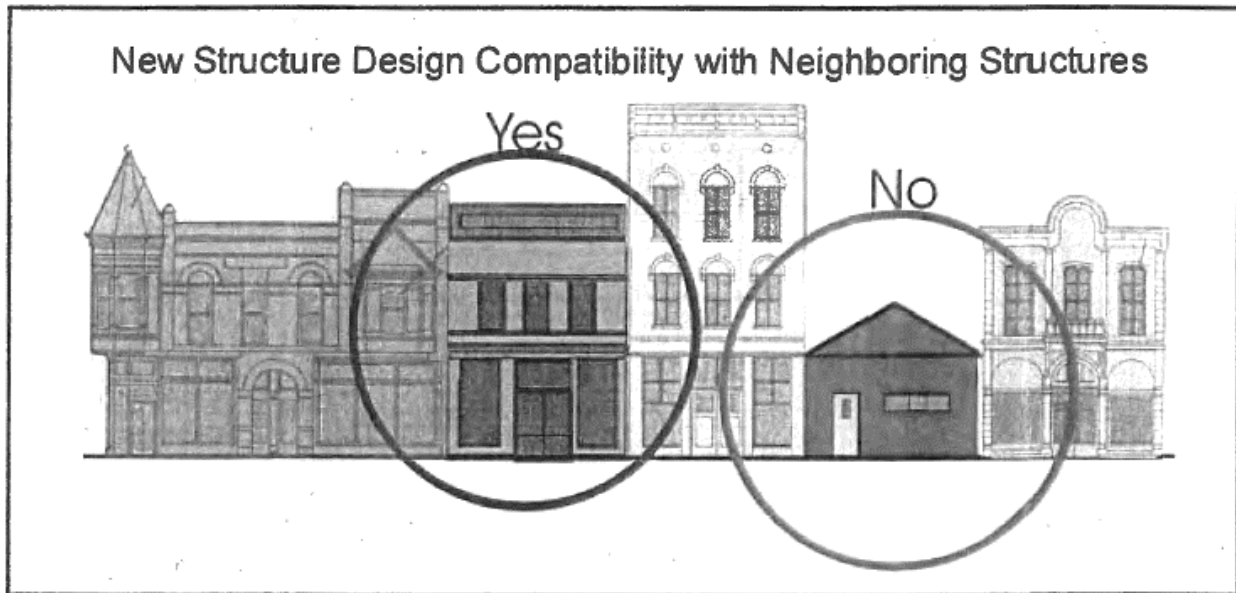
The following design guidelines are intended for promoting the intent of the overlay zoning district and meet the goals of the Kokomo Comprehensive Plan.

- A. Most structures surrounding the court house square and the remaining railroad station area have various common elements which tie individual buildings into a common image. The elements include facade articulation, windows, roofs, entrance ways, heights of structure stories, and the height, orientation and bulk of the structures. The design guidelines for the Court House Square District and the Lake Erie and Western Depot District emphasize maintaining a building's compatibility with neighboring buildings and with the streetscape in terms of the common elements. The guidelines do not encourage a particular style of architecture.
- B. Areas subject to design-guidelines for AC-OL (1) and AC-OL (3):



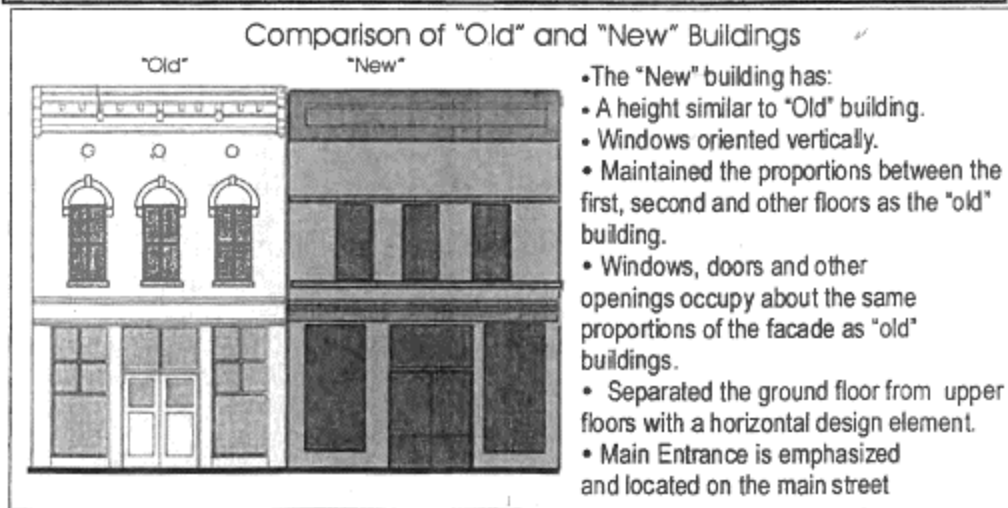
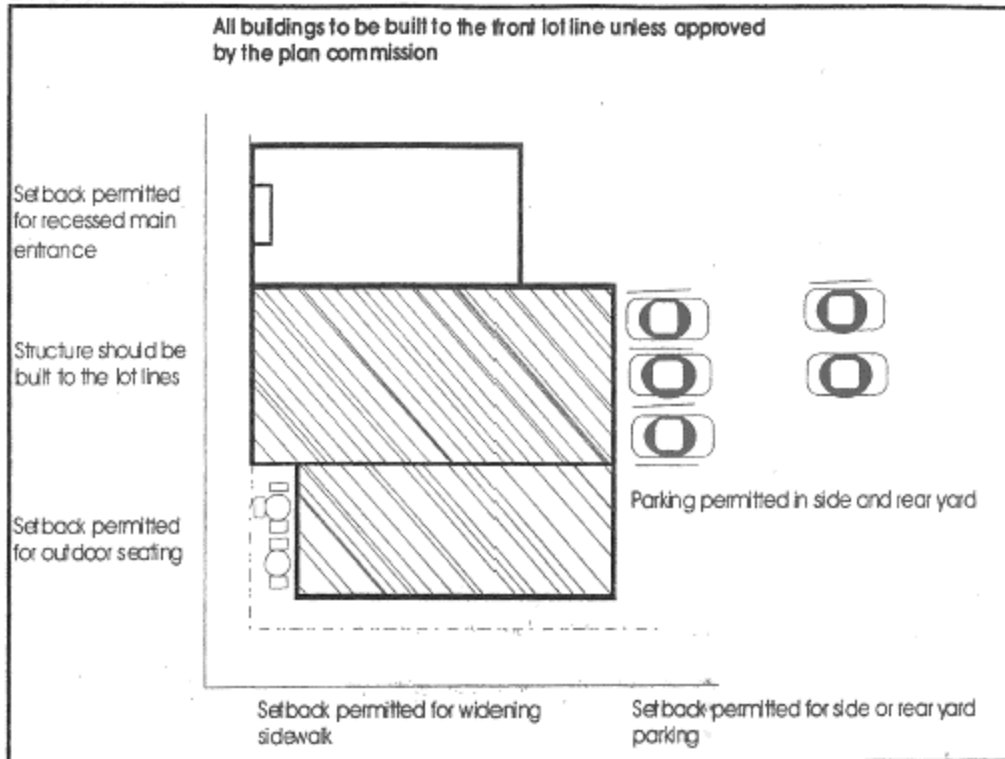
- C. Changes to existing structures:
 - a. All alterations to existing structures shall be performed so as to preserve the character of the architecture of the district.
 - b. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed.
 - c. The removal or alterations of any historic material or destruction of architectural features shall be avoided when possible.
 - d. All buildings, structures, and sites should be recognized as products of their own time. Alterations which have no historic basis are discouraged.
 - e. Contemporary designs for alterations or additions to existing properties are not discouraged when such alterations or additions do not destroy the architectural character of the structure. Design proposals for alterations to existing structures shall be compatible with the size, scale, color, material and character of the property, the immediately surrounding structures, and those in the district.
 - f. Materials in additions greater than 25 percent of the existing floor area or alterations to the exterior façade greater than 50 percent of the existing façade shall be consistent with those of new structures. Materials for additions of less than 25 percent of the existing floor area or alterations to the exterior façade of less than 50 percent should strive to be constructed out of materials that were used on the building when it was originally built.
 - g. When original materials cannot be replaced, they may be replaced with architecturally correct materials that simulate the look, dimensions and details of the original.
 - h. Replacement windows shall maintain the original window size. They shall have window dressing, muntin and trim sympathetic to the original windows.
 - i. Previous additions or alterations to the building that detract from or conceal the character of the building may be removed and the building restored to a previous condition. Improvements enhancing the original character of the building are encouraged.
 - j. Building height shall remain that of the original/previous height.
 - k. Existing structures, with blank walls along any sidewalk, should provide windows and other common elements for providing visual linkage with other buildings along or facing the sidewalk.
- D. New buildings and structures construction:
 - a. Contemporary designs are encouraged as long as the design maintains the pattern established by existing structures on the same block.
 - 1. Design proposals for new construction shall be compatible with the size, scale, color, material and character of the immediately surrounding structures, and those in the district.
 - 2. New structures shall include common elements such as Cornices, Brackets, Parapet wall, and Pedestal.
 - b. Heights:
 - 1. New structures shall be at least two stories in height or match the height of either adjoining structure.
 - 2. Stories shall maintain the heights between stories used by other structures on the same block.
 - 3. All floors above the ground level floor shall enclose a horizontal area of at least 60 percent of the ground floor area.
 - c. Location on Lot:
 - 1. New buildings and structures shall sit on the front and side property lines.
 - 2. New buildings or structures shall be oriented parallel and perpendicular to the street.

3. Façade(s) of new structures may recede from the street wall for providing room for columns, for other protruding architectural elements or for minor recesses for entrances and outdoor seating /dining provided the upper stories are built to the street wall.



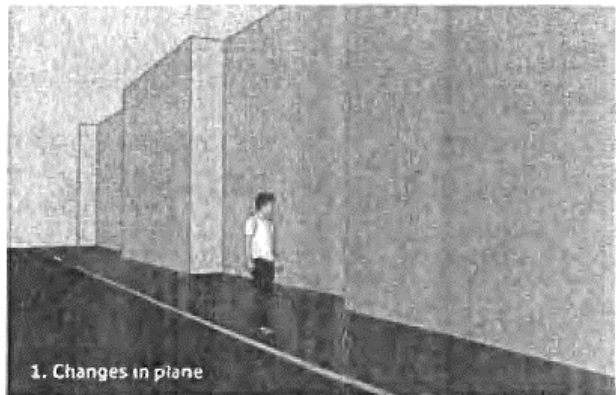
d. Building Details

1. New buildings or structures should have sufficient details for extending the rich character of adjoining buildings or structures. They need not be as intricate or elaborate as the detail on existing buildings or structures.
2. The detailing for the architectural elements may be of simple form based on the shape, proportion, texture and overall form adjoining buildings or structures, rather than attempt to copy existing patterns.
3. The overall placement and proportion of the architectural elements shall be compatible with and .of style similar to the character of the surrounding, existing structures. Patterns can be repeated for creating a sense of place, harmony and rhythm. The various architectural elements can create new innovative patterns that relate to the existing patterns rather than rigidly following a historical architectural style.
4. Façade(s) may have architectural elements, eaves, sills, balconies, bay windows, cornices which project into the right of way of streets and alleys. They shall have a minimum vertical clearance of eight feet between the projected architectural element and the sidewalk grade. They are subject to approval by the Kokomo Board of Public Works and Safety and the Plan Director.

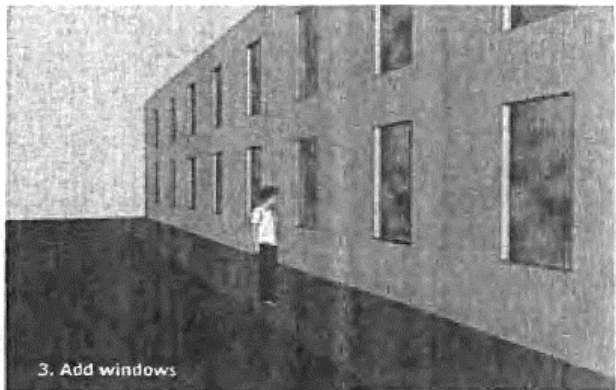
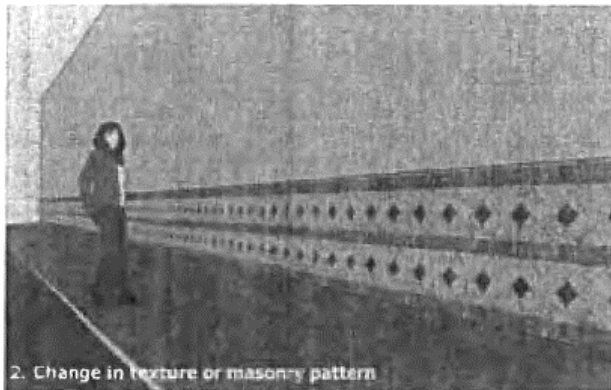


- e. Building Main Entrance
 1. The main entrance for buildings and structures shall be located on at least one of the street fronts.
 2. The main entrance design shall be in accordance with the surrounding structures.
 3. The main entrance design shall have a design which aids locating it from nearby streets and parking areas.
 4. The enhance can be inset from the sidewalk so as to minimize encroachment on the sidewalk.
- f. The windows, doorways and other openings shall maintain the proportions of windows and doorways of existing structures in the same block. It will create a uniform silhouette appearance which maintains the existing sense of place and character of the downtown.

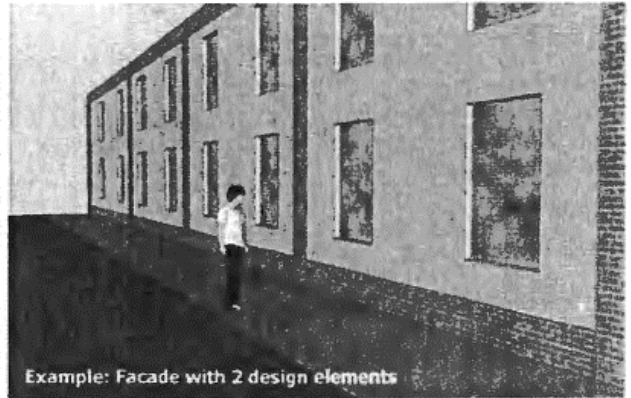
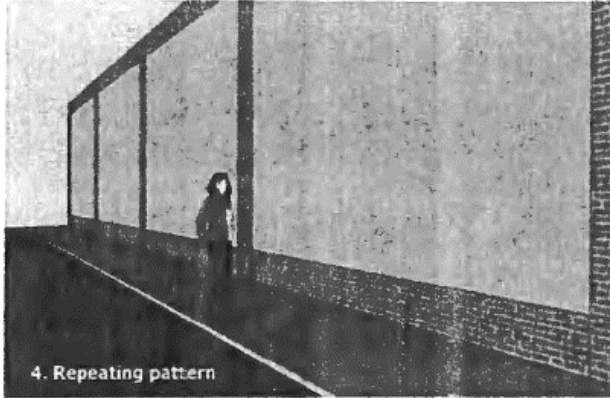
- g. New buildings and structures shall not have blank walls along any sidewalk.
- h. Long façades with lengths of greater than 100 feet shall provide additional architectural interest and variety for avoiding the effect of a single, long or massive wall with no relation to human size, by:
 1. A standardized prototype design must be modified if necessary to meet the provisions of this Article.
 2. No wall that faces a street, alley or connecting walkway may have an uninterrupted length exceeding 100 feet without including at least 2 of the following design elements:
 - (1) Change in plane such as projections or recesses with a depth of at least 3% of the length of the façade,



- (2) Distinguishable change in texture or masonry pattern,
- (3) Additional windows which comprise at least 10% of the entire façade area, or an equivalent element that subdivides the wall into human scale proportions, or



- 4) Building façades must include a repeating pattern that includes color change and texture change. At least one (1) element (texture or color change) must repeat horizontally. Both elements must repeat at intervals of no more than 30 feet, either horizontally or vertically.
- i. New buildings or structures shall use surface materials with texture and finish similar to other structures in the downtown. The use of contemporary construction and surface treatment materials is permitted if they have an expected life of at least fifty years.



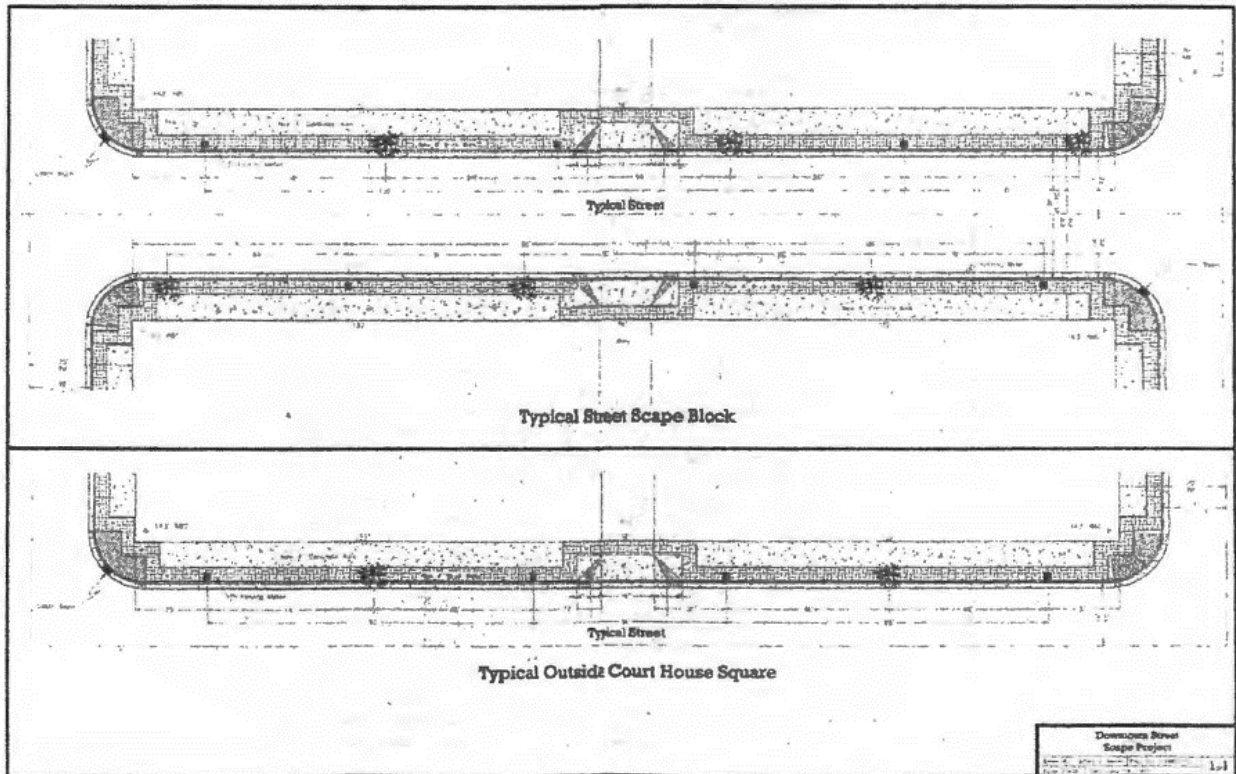
- j. Any façade facing an adjacent street shall have a finished façade. No loading docks or trash collection bins shall be placed on or along the façades facing any adjacent street.
- k. Roofs of new buildings or structures shall present the appearance of having a flat roof when viewed from the street.
- l. Building Materials:
 - 1. Primary exterior materials shall comprise 75 percent of the wall area excluding doors and windows. The permitted materials shall be architectural/commercial grade materials including:
 - (1) Kiln fired clay brick
 - (2) Stone
 - (3) Cementitious stucco
 - 2. Accent exterior materials shall be permitted on no more than 15 percent of any one façade. The permitted accent materials include:
 - (1) Fiber cement board
 - (2) Wood
 - (3) Architectural grade split face and ground face block
 - (4) Tinted/textured decorative concrete masonry units
 - (5) Synthetic stucco/Exterior Insulation and Finish system (EIFS) and other minor element provided it is located at a minimum of 8 feet above grade. At no point shall this material be permitted as a predominant exterior building material nor shall it be considered as a masonry product regardless of back-up system.
 - (6) Cast stone.
 - 3. Prohibited materials are not compatible with existing uses nor do they provide sufficient durability. The following materials are prohibited:
 - (1) Vinyl siding
 - (2) Aluminum
 - (3) Mirrored or reflective glass
 - (4) Non-textured concrete masonry unit
 - (5) Unfinished concrete block.
- E. Streetscape improvements:

In order to maintain a unified downtown image, all of streets must share common features.

 - a. All new sidewalk construction or reconstruction shall utilize the streetscape design adopted by the City of Kokomo. (Appendix A.)

- b. The use of various public art and architectural features that impart a character and maintain a sense of place in accordance with the existing downtown environment is encouraged.
- c. Surface parking lots shall provide a brick masonry half-wall or compact evergreen screen along the perimeter of the parking lot in addition to the landscaping required by Section 6.28.
- d. Parking structures shall have ground floor facades with the appearance in the same style of other structures in the Architectural Control Overlay District. Use of the ground floor for retail, office or similar uses is preferred.
- e. Surface parking lots and parking structures shall have all driveways onto minor streets. Driveways may use existing alleys for access onto major streets. Major and minor streets shall be identified in the design guidelines for the Architectural Control Overlay District.
- f. The design of decorative fences, walls and other architectural features shall be approved by the Plan Director for ensuring their compatibility with surrounding structures.

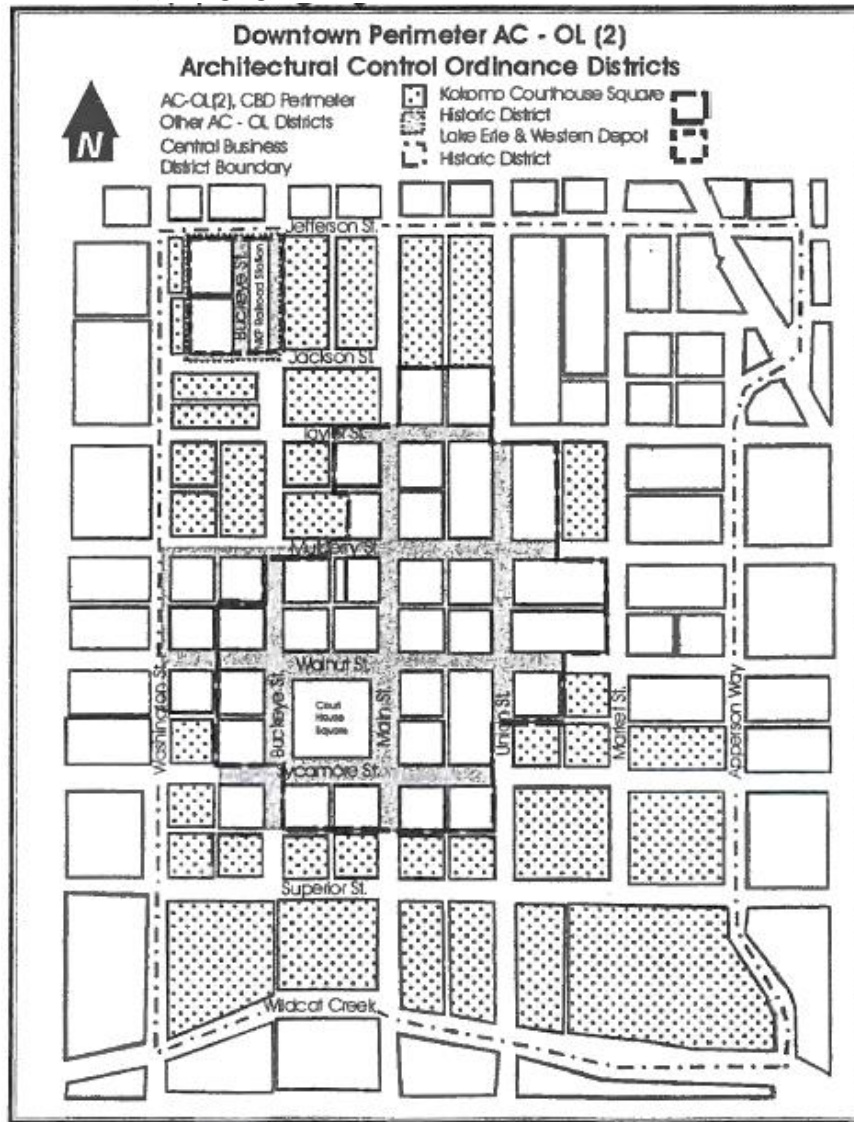
Downtown Streetscape Plan



**Architectural Control Overlay District Design Guidelines for:
AC-OL (2), Downtown Perimeter District**

The following design guidelines are intended for promoting the intent of the overlay zoning district and meet the goals of the Kokomo Comprehensive Plan.

- A. Structures in the Downtown Perimeter District are within the Central Business District (CBD) and outside the Court House Square District and Lake Erie and Western Depot District. Many of the older structures were demolished as the demand for vehicle parking grew and changes in retail merchandizing left many CBD stores empty. Other, older structures were replaced by newer structures. The Downtown Perimeter District's design guidelines emphasize supporting the Court House Square District by maintaining a denser, urban character compatible with Court House Square District buildings and streetscape. The guidelines do not encourage a particular style of architecture.
- B. Area subject to AC-OC (2) design guidelines:

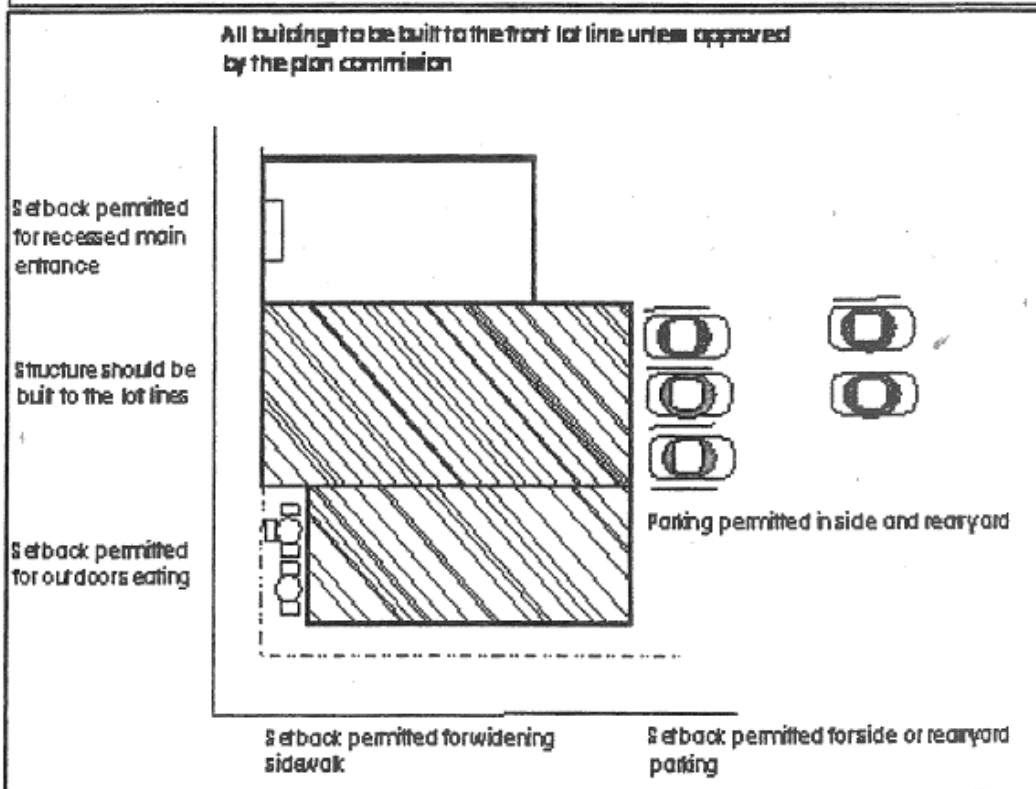
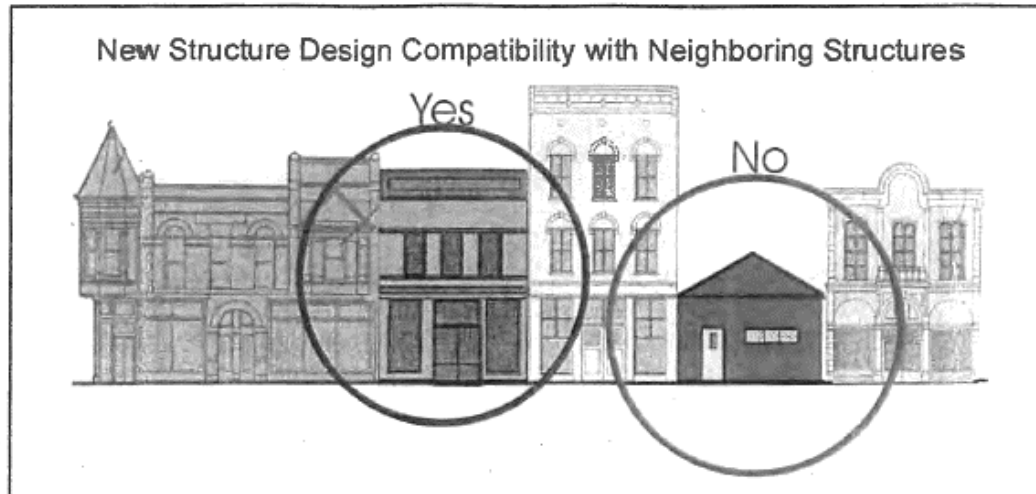


C. Changes to existing structures:

- a. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed.
- b. The removal or alterations of any historic material or destruction of architectural features shall be avoided when possible.
- c. Contemporary designs for alterations or additions to existing properties are not discouraged when such alterations or additions do not destroy the architectural character of the structure. Design proposals for alterations to existing structures shall be compatible with the size; scale, color, material and character of the property, the immediately surrounding structures, and those in the district.
- d. Materials in additions greater than 25 percent of the existing floor area or alterations to the exterior façade greater than 50 percent of the existing façade shall be consistent with those of new structures. Materials for additions of less than 25 percent of the existing floor area or alterations to the exterior façade of less than 50 percent should strive to be constructed out of materials that were used on the building when it was originally built.
- e. When original materials cannot be replaced, they may be replaced with architecturally correct materials that simulate the look, dimensions and details of the original.
- f. Previous additions or alterations to the building that detract from or conceal the character of the building may be removed and the building restored to a previous condition. Improvements enhancing the original character of the building are encouraged.
- g. Building height shall remain that of the original/previous height.
- h. Existing structures, with blank walls along any sidewalk, should provide windows and other common elements for providing visual linkage with other buildings along or facing the sidewalk.

D. New buildings and structures construction:

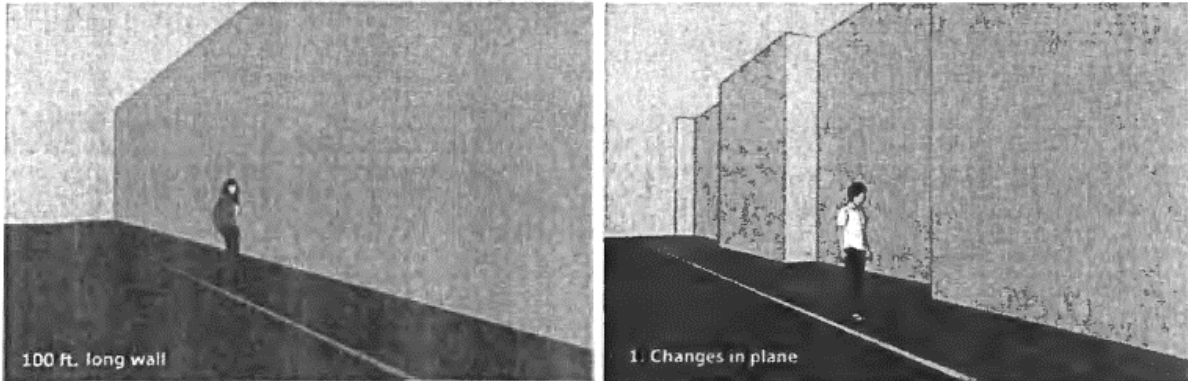
- a. Contemporary designs are encouraged as long as the design maintains the pattern established by existing structures on the same block. Design proposals for new construction shall be compatible with the size, scale, color, material and character of the immediately surrounding structures and those in the district.
- b. Heights:
 1. New structures shall be at least two stories in height or match the height of either adjoining structure.
 2. Stories shall maintain the heights between stories used by other structures on the same block.
 3. All floors above the ground level floor shall enclose a horizontal area of at least 60 percent of the ground floor area.
- c. Location on Lot:
 1. New buildings and structures shall sit on the front and side property lines.
 2. New buildings or structures shall be oriented parallel and perpendicular to the street.
 3. Façade(s) of new structures may recede from the street wall for providing room for columns, for other protruding architectural elements or for minor recesses for entrances and outdoor seating/dining provided the upper stories are built to the street wall.



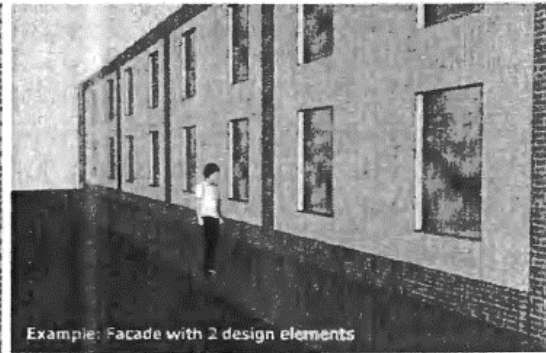
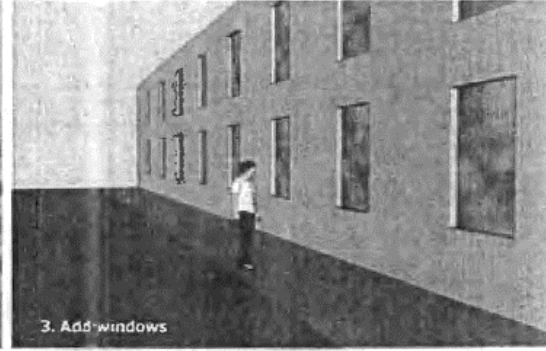
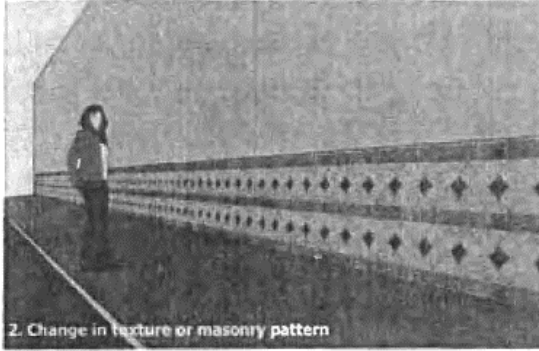
d. Building Details

1. The overall placement and proportion of architectural elements should be compatible with and of style similar to the character of the surrounding existing structures. Patterns should be repeated for creating a sense of place, harmony and rhythm. The various architectural elements can create new innovative patterns that relate to the existing patterns rather than rigidly following a historical architectural style.
2. Façade(s) may have architectural elements, eaves, sills, balconies, bay windows, cornices which project into the right of way of streets and alleys. They shall have a minimum vertical clearance of eight feet between the projected architectural element and the sidewalk grade. They are subject to approval by the Kokomo Board of Public Works and Safety and the Plan Director.

- e. Building Main Entrance
 1. The main entrance for buildings and structures shall be located on at least one of the street fronts.
 2. The main entrance design shall have a design which aids locating it from nearby streets and parking areas.
 3. The entrance can be inset from the sidewalk so as to minimize encroachment on the sidewalk.
- f. New buildings and structures shall not have blank walls along any sidewalk.
- g. Long façades with lengths of greater than 100 feet shall provide additional architectural interest and variety for avoiding the effect of a single, long or massive wall with no relation to human size, by:
 1. A standardized prototype design must be modified if necessary to meet the provisions of this Article.
 2. No wall that faces a street, alley or connecting walkway may have an uninterrupted length exceeding 100 feet without including at least 2 of the following design elements:
 - (1) Change in plane such as projections or recesses with a depth of at least 3% of the length of the façade,



- (2) Distinguishable change in texture or masonry pattern,
 - (3) Additional windows which comprise at least 10% of the entire facade area, or an equivalent element that subdivides the wall into human scale proportions, or
 - (4) Building facades must include a repeating pattern that includes color change and texture change. At least one (1) element (texture or color change) must repeat horizontally. Both elements must repeat at intervals of no more than 30 feet, either horizontally or vertically.
- h. New buildings or structures shall use surface materials with texture and finish similar to other structures in the same block. The use of contemporary construction and surface treatment materials is permitted if they have an expected life of at least fifty years.



- i. Any facade facing an adjacent street shall have a finished facade. No loading docks or trash collection bins shall be placed on or along the facades facing any adjacent street.
- j. Roofs of new buildings or structures shall present the appearance of having a flat roof when viewed from the street.
- k. Building Materials:
 1. Primary exterior materials shall comprise 75 percent of the wall area excluding doors and windows. The permitted materials shall be architectural/commercial grade materials including:
 - (1) Kiln fired clay brick
 - (2) Stone
 - (3) Cementitious stucco
 2. Accent exterior materials shall be permitted on no more than 15 percent of any one façade. The permitted accent materials include:
 - (1) Fiber cement board
 - (2) Wood
 - (3) Architectural grade split face and ground face block
 - (4) Tinted/textured decorative concrete masonry units
 - (5) Synthetic stucco/Exterior Insulation and Finish system (EIFS) and other minor element provided it is located at a minimum of 8 feet above grade. At no point shall this material be permitted as a predominant exterior building material nor shall it be considered as a masonry product regardless of back-up system.
 - (6) Cast stone.
 3. Prohibited materials are not compatible with existing uses nor do they provide sufficient durability. The following materials are prohibited:
 - (1) Vinyl siding
 - (2) Aluminum
 - (3) Mirrored or reflective glass

- (4) Non-textured concrete masonry unit
- (5) Unfinished concrete block.

E. Streetscape improvements:

In order to maintain a unified downtown image, all of streets must share common features.

- a. The use of various public art and architectural features that impart a character and maintain a sense of place in accordance with the existing downtown environment is encouraged.
- b. Surface parking lots shall provide a brick masonry half-wall or compact evergreen screen along the perimeter of the parking lot in addition to the landscaping required by Section 6.28.
- c. Parking structures shall have ground floor facades with the appearance in the same style of other structures in the Architectural Control Overlay District. Use of the ground floor for retail, office or similar uses is preferred.
- d. Surface parking lots and parking structures shall have all driveways onto minor streets. Driveways may use existing alleys for access onto major streets. Major and minor streets shall be identified in the design guidelines for the Architectural Control Overlay District.
- e. The design of decorative fences, walls and other architectural features shall be approved by the Plan Director for ensuring their compatibility with surrounding structures.

"SR 931-OL" District

4.15 District Intent, Effect on Uses, & Development Standards

District Intent	Affect on Uses	Development Standards
<p>The purpose of the SR 931-OL (SR 931 overlay district) is to establish a clear development and redevelopment standard which will facilitate new development and redevelopment opportunities along the SR 931 corridor in accordance with the US 31 Corridor Comprehensive Plan. The SR 931 overlay district includes standards for building façade, building form, parking, lighting, landscapes, access points, and procedure in order to enhance the character and the function of the corridor. The SR 931-OL applies to the sub-districts: Regional Center (RC-OL), Commercial Center (CC-OL), Neighborhood Center (NC-OL), Health/Office Center (HOC-OL), Major Industrial Center (PIC-OL), and Minor Industrial Center (SIC-OL) as indicated on Map 1: SR 931-OL District Map.</p> <p>Application of District</p> <ul style="list-style-type: none"> All areas designated in Map 1: SR 931-OL District Map. Including sub-districts: Regional Center (RC-OL), Commercial Center (CC-OL), Neighborhood Center (NC-OL), Health/Office Center (HOC-OL), Major Industrial Center (PIC-OL), and Minor Industrial Center (SIC-OL). 	<p>Permitted Uses See 4.16.1, 4.17.1, 4.18.1, 4.19.1, 4.20.1, 4.21.1, 4.22.1 for permitted uses within each sub-district within the SR-931-OL and legal nonconforming structures, lots and uses.</p> <p>Special Exception Uses See 4.16.1, 4.17.1, 4.18.1, 4.19.1, 4.20.1, 4.21.1, 4.22.1 for special exception uses within each sub-district within the SR-931-OL.</p>	<p>Where the Overlay Districts Zoning Ordinance directly conflicts with other portions of the Zoning Ordinance, this code shall prevail; however, no development may be approved that conflicts with the Comprehensive Plan. For Development Standards see 4.16.2, 4.17.2, 4.18.2, 4.19.2, 4.20.2, 4.21.2, 4.22.2, and 4.23. See 4.24.1, 4.24.2, 4.24.3, 4.24.4, 4.24.5, 4.24.6, 4.24.7, 4.24.8 for Signage Standards. See 4.25 for Parking Standards (see Articles 6.47, 6.49, 6.50). See 4.26 for Landscaping Standards (see Articles 6.23 to 6.40). See 4.27 for Architectural Standards. See 4.28 for Procedures. See 4.29 for Definitions.</p>

“RC-OL” District

4.16.1 Regional Center (RC-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Regional Center (RC-OL) is designated to serve as the primary identity and the central area along US 931 for Kokomo and Howard County. The purpose of the RC Zone is to facilitate a healthy economic and social hub for residents, visitors and businesses. The goal of the zone is to generate an urbanized field along the corridor with mixed use and lively activities such as residential, office, commercial and entertainment.</p> <p>Application of District</p> <ul style="list-style-type: none"> • Areas designated in Map 1: SR 931-OL District Map as Regional Center (RC-OL). 	<p>Accessory Uses</p> <ul style="list-style-type: none"> • Child daycare home • Home occupation (type 1) • Outdoor seating • Walk-up window services <p>Business: General Business</p> <ul style="list-style-type: none"> • Adult daycare • Bank machine/ATM • Banquet hall • Bar/tavern • Barber/beauty shop • Billiard/arcade room • Bowling alley • Cellular phone/communication • Child daycare center • Coffee shop • Copy center • Dance/aerobics/gymnastics studio • Dance/night club • Emergency medical clinic • Farmers market • Fingernail salon • Fitness center/gym • Health spa • Hotel/motel • Ice cream shop • Karate studio • Lodge or private club • Miniature golf • Movie theater • News stand • Party/event rental • Pet grooming • Photographic studio • Play center • Print shop • Restaurant • Shoe repair • Skate park • Sports fields • Tailor/pressing shop • Tanning salon • Video/DVD store <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Business/financial services office • Design/planning office • General services office • Medical office 	<p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility • Radio/TV station • Wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church temple, mosque or similar place of worship <p>Institutional</p> <ul style="list-style-type: none"> • Childcare institution/orphanage <p>Public Facilities</p> <ul style="list-style-type: none"> • Church temple, mosque or similar place of worship

	<p>Business: Retail</p> <ul style="list-style-type: none">• Very low intensity retail• Low intensity retail• Medium intensity retail <p>Institutional</p> <ul style="list-style-type: none">• Government office• Police, fire or rescue station• Post office• Public parking lot (garage)• Recreation center <p>Public Facilities</p> <ul style="list-style-type: none">• Community center• Library• Public park <p>Residential</p> <ul style="list-style-type: none">• Assisted living facility• Dwelling, multi-family (2-4 units)• Dwelling, multi-family (5-8 units)• Dwelling, multi-family (9-16 units)• Dwelling, multi-family (upper floors)• Fair housing facility (small)• Nursing home• Retirement community	
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4.16.2 Regional Center (RC-OL) District Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 20,000 square feet <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • 100 feet <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 95% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 70% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 0 feet <p>Maximum Front Yard Setback</p> <ul style="list-style-type: none"> • 20 feet <p>Minimum Side Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 0 feet for attached structure <p>Minimum Side Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 0 feet for attached structure <p>Transitional Side Yard Setback</p> <ul style="list-style-type: none"> • 10 feet + ((# of stories – 2) x 5 feet) <p>Minimum Rear Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 20 feet <p>Minimum Rear Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet <p>FLOOR AREA STANDARDS</p> <p>Minimum Main Floor Area – Primary Structure</p> <ul style="list-style-type: none"> • 1,000 square feet <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • 800 square feet <p>Minimum sleeping rooms per hotel/motel</p> <p>60</p>	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • 24 feet and 2 stories, retail outlot 1 story, hotel/motels 3 stories <p>Maximum Structure Height – Primary Structure</p> <ul style="list-style-type: none"> • 75 feet <p>Maximum Structure Height – Accessory Structure</p> <ul style="list-style-type: none"> • 25 feet <p>STRUCTURE FAÇADE STANDARDS</p> <p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 40% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 85% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Floors above Ground Floor</p> <p>80%</p>
<p>DENSITY STANDARDS</p>		
<p>Maximum Density</p> <p>24 units per acre</p>		

4.17.1 Community Center (CC-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Community Center (CC-OL) is designated as a major civic activities destination with a mix of commercial, office and residential uses at a lower density. It allows the designated area to gradually transition to a greater building height and density as one transitions to other zones.</p> <p>Application of District</p> <ul style="list-style-type: none"> • Areas designated in Map 1: SR 931-OL District Map as Community Center (CC-OL). 	<p>Accessory Use</p> <ul style="list-style-type: none"> • Child day care home • Home occupation (type 1) • Outdoor seating • Walk-up window services <p>Business: General Business</p> <ul style="list-style-type: none"> • Adult daycare • Bank machine/ATM • Banquet hall • Bar/tavern • Barber/beauty shop • Billiard/arcade room • Bowling alley • Car rental • Cellular phone/ communication • Child daycare center • Coffee shop • Coin laundry • Commercial batting cages • Copy center • Country club • Dance/aerobics/gymnastics studio • Dance/night club • Delicatessen • Driving range • Dry-cleaning service • Emergency medical clinic • Farmers market • Fingernail salon • Fitness center/gym • Funeral home or mortuary • Health spa • Hotel/motel • Ice cream shop • Karate studio • Lodge or private club • Miniature golf • Movie theater • News stand • Party/event rental • Pet grooming • Photographic studio • Play center • Print shop • Restaurant • Shoe repair • Sign shop • Skate park • Sports fields • Tailor/pressing shop • Tanning salon • Video/DVD store <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Business/financial services office • Design/planning office • General services office • Medical office 	<p>Business: General Business</p> <ul style="list-style-type: none"> • Auto oriented facility (low intensity) • Auto oriented facility (high intensity) • Tattoo/piercing parlor <p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility • Radio/TV station • Wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church, temple, mosque or similar place of worship <p>Institutional</p> <ul style="list-style-type: none"> • Childcare institution/orphanage <p>Public Facilities</p> <ul style="list-style-type: none"> • Church temple, mosque or similar place of worship

	<p>Business: Retail</p> <ul style="list-style-type: none">• Very low intensity retail• Low intensity retail• Medium intensity retail• High intensity retail <p>Institutional</p> <ul style="list-style-type: none">• Government office• Police, fire or rescue station• Post office• Public parking lot (garage)• Recreation center <p>Public Facilities</p> <ul style="list-style-type: none">• Community center• Library• Public park <p>Residential</p> <ul style="list-style-type: none">• Assisted living facility• Dwelling, multi-family (2-4 units)• Dwelling, multi-family (5-8 units)• Dwelling, multi-family (9-16 units)• Dwelling, multi-family (upper floors)• Fair housing facility (small)• Nursing home• Retirement community	
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4.17.2 Community Center (CC-OL) District Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 10,000 square feet <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • 65 feet <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 75% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 60% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 12 feet (structures less than 3,000 square feet) • 40 feet (structures greater than 3,000 square feet) <p>Maximum Front Yard Setback</p> <ul style="list-style-type: none"> • 60 feet <p>Minimum Side Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 0 feet for attached structure <p>Minimum Side Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 0 feet for attached structure <p>Transitional Side Yard Setback</p> <ul style="list-style-type: none"> • 10 feet + ((# of stories - 2) x 5 feet) <p>Minimum Rear Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 20 feet <p>Minimum Rear Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • 24 feet and 2 stories, retail outlot 1 story, hotels/motels 3 stories <p>Maximum Structure Height – Primary Structure</p> <ul style="list-style-type: none"> • 45 feet <p>Maximum Structure Height – Accessory Structure</p> <ul style="list-style-type: none"> • 15 feet
<p>DENSITY STANDARDS</p>	<p>FLOOR AREA STANDARDS</p>	<p>STRUCTURE FAÇADE STANDARDS</p>
<p>Maximum Density</p> <ul style="list-style-type: none"> • 8 units per acre 	<p>Minimum Main Floor Area – Primary Structure</p> <ul style="list-style-type: none"> • 1,000 square feet <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • 800 square feet <p>Minimum sleeping rooms per hotel/motel</p> <ul style="list-style-type: none"> • 60 	<p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 40% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 85% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 80%

4.18.1 Neighborhood Center (NC-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Neighborhood Center (NC-OL) is designated to provide a mix of neighborhood oriented commercial and low impact civic uses in more residential concentrated areas. The zone emphasizes the pedestrian and bicycle connectivity between the center and the residential neighborhood and how they function and serve the surrounding neighborhoods.</p> <p>Application of District Areas designated in Map 1: SR 931-OL District Map as Neighborhood Center (NC-OL).</p>	<p>Accessory Use</p> <ul style="list-style-type: none"> • Home occupation (type 1) <p>Business: General Business</p> <ul style="list-style-type: none"> • Bank machine/ATM • Barber/beauty shop • Child daycare center • Coffee shop • Coin laundry • Delicatessen • Dry-cleaning service • Fitness center/gym • Health clinic • Ice cream shop • Photographic studio • Shoe repair • Video/DVD store <p>Business: Retail</p> <ul style="list-style-type: none"> • Convenience store • Very low intensity retail • Low Intensity retail • Medium intensity retail <p>Institutional</p> <ul style="list-style-type: none"> • Government office • Police, fire or rescue station • Post office • Public parking lot (garage) • Recreation center <p>Public Facilities</p> <ul style="list-style-type: none"> • Community center • Library • Public park <p>Residential</p> <ul style="list-style-type: none"> • Dwelling, single family (upper floors) • Dwelling, multi-family (upper floors) 	<p>Accessory Use</p> <ul style="list-style-type: none"> • Home occupation (type 2) <p>Business: General Business</p> <ul style="list-style-type: none"> • Bar/tavern • Drive-through ATM • Gas station • Restaurant • Tattoo/piercing parlor <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Business/financial services office <p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church, temple, mosque or similar place of worship <p>Institutional</p> <ul style="list-style-type: none"> • Childcare institution/orphanage <p>Public Facilities</p> <ul style="list-style-type: none"> • Church temple, mosque or similar place of worship <p>Residential</p> <ul style="list-style-type: none"> • Dwelling, multi-family (2-4 units)

4.18.2 Neighborhood Center (NC-OL) District Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
Minimum Lot Area <ul style="list-style-type: none"> 6,000 square feet 	Minimum Front Yard Setback <ul style="list-style-type: none"> 0 feet 	Minimum Structure Height <ul style="list-style-type: none"> 24 feet and 2 stories
Minimum Lot Width <ul style="list-style-type: none"> 65 feet 	Maximum Front Yard Setback <ul style="list-style-type: none"> 20 feet 	Maximum Structure Height – Primary Structure <ul style="list-style-type: none"> 45 feet
Minimum Lot Frontage <ul style="list-style-type: none"> n/a 	Minimum Side Yard Setback – Primary Structure <ul style="list-style-type: none"> 0 feet for attached structure 	Maximum Structure Height – Accessory Structure <ul style="list-style-type: none"> 15 feet
Minimum Lot Depth <ul style="list-style-type: none"> n/a 	Minimum Side Yard Setback – Accessory Structure <ul style="list-style-type: none"> 0 feet for attached structure 	STRUCTURE FAÇADE STANDARDS
Maximum Lot Coverage <ul style="list-style-type: none"> 75% 	Transitional Side Yard Setback <ul style="list-style-type: none"> 10 feet+ ((#of stories- 2) x 5 feet) 	Minimum Transparency, Ground Floor <ul style="list-style-type: none"> 40%
Maximum Impervious Surface Coverage <ul style="list-style-type: none"> 60% 	Minimum Rear Yard Setback – Primary Structure <ul style="list-style-type: none"> 20 feet 	Maximum Transparency, Ground Floor <ul style="list-style-type: none"> 85%
DENSITY STANDARDS	Minimum Rear Yard Setback – Accessory Structure <ul style="list-style-type: none"> 5 feet 	Minimum Transparency, Floors above Ground Floor <ul style="list-style-type: none"> 25%
Maximum Density <ul style="list-style-type: none"> 8 units per acre 	FLOOR AREA STANDARDS	Maximum Transparency, Floors above Ground Floor <ul style="list-style-type: none"> 80%
	Minimum Main Floor Area – Primary Structure <ul style="list-style-type: none"> 1,000 square feet 	
	Minimum Main Floor Area per Dwelling Unit <ul style="list-style-type: none"> 800 square feet 	

4.19.1 Health/Office Center (HOC-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Health/Office Center (HOC-OL) is designated to accommodate a major medical campus and prime office space in the city. The zone permits mainly office and clinical uses, but other services that contribute to the wellbeing of the work environment such as small-scale retail and dining services, hospitality and recreation facilities are also allowed with special permissions. The zone is designed to enhance the performance standards of the area by incorporating development standards and design guidelines to facilitate and enhance aesthetics of the community.</p> <p>Application of District Areas designated in Map 1: SR 931-OL District Map as Health/Office Center (HOC-OL).</p>	<p>Business: General Business</p> <ul style="list-style-type: none"> • Child daycare center • Copy center • Hotel/motel <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Business/financial services office • Design/planning office • General services office • Medical office <p>Business: Retail</p> <ul style="list-style-type: none"> • Bakery • Book store • Convenient store • Drug store • Gift shop • News dealer • Very low intensity retail • Low intensity retail • Medium intensity retail <p>Institutional</p> <ul style="list-style-type: none"> • Government office • Health clinic • Hospital • Police, fire or rescue station • Post office • Public parking lot (garage) • Recreation center • University or college <p>Public Facilities</p> <ul style="list-style-type: none"> • Community center • Library • Public park 	<p>Business: General Business</p> <ul style="list-style-type: none"> • Barber/beauty shop • Dry-cleaning service • Fitness center/gym • Health spa • Restaurant <p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility • Wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church, temple, mosque or similar place of worship <p>Institutional</p> <ul style="list-style-type: none"> • Drug or alcohol rehabilitation clinic <p>Public Facilities</p> <ul style="list-style-type: none"> • Church temple, mosque or similar place of worship <p>Residential</p> <ul style="list-style-type: none"> • Dwelling, single family (upper floors) • Dwelling, multi-family (upper floors)

4.19.2 Health/Office Center (HOC-OL) District Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 7,000 square feet 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 0 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • 24 feet and 2 stories, hotels/motels 3 stories
<p>Minimum Lot Width</p> <ul style="list-style-type: none"> • 70 feet 	<p>Maximum Front Yard Setback</p> <ul style="list-style-type: none"> • 40 feet 	<p>Maximum Structure Height – Primary Structure</p>
<p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a 	<p>Minimum Side Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 10 feet + ((# of stories - 2) x 5 feet) 	<ul style="list-style-type: none"> • 55 feet
<p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a 	<p>Minimum Side Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet 	<p>Maximum Structure Height – Accessory Structure</p> <ul style="list-style-type: none"> • 25 feet
<p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 75% 	<p>Transitional Side Yard Setback</p> <ul style="list-style-type: none"> • n/a 	<p>STRUCTURE FAÇADE STANDARDS</p>
<p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 60% 	<p>Minimum Rear Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 20 feet 	<p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 35%
<p>DENSITY STANDARDS</p>	<p>Minimum Rear Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet 	<p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 85%
<p>Maximum Density</p> <ul style="list-style-type: none"> • n/a 	<p>FLOOR AREA STANDARDS</p>	<p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 20%
	<p>Minimum Main Floor Area – Primary Structure</p> <ul style="list-style-type: none"> • 1,000 square feet 	<p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 60%
	<p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • n/a 	
	<p>Minimum sleeping rooms per hotel/motel</p> <ul style="list-style-type: none"> • 60 	

4.20.1 Major Industrial Center (PIC-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Major Industrial Center (PIC-OL) is designated to permit light to heavy industrial development in the city at a higher density, and establishment of the zone will secure the space for future industrial use and expansion of existing facilities. The zone currently accommodates the existing major industries and the industries serve as major employers in the city.</p> <p>Application of District Areas designated in Map 1: SR 931-OL District Map as Major Industrial Center (PIC-OL).</p>	<p>Business: General Business</p> <ul style="list-style-type: none"> • Restaurant <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Construction trade office • Design/planning office • General services office <p>Business: Retail</p> <ul style="list-style-type: none"> • Convenient store <p>Industrial</p> <ul style="list-style-type: none"> • Assembly • Bottled gas storage/distribution • Distribution facility • Flex space • Food production/processing • Heavy industry • Light assembly • Light manufacturing • Research center • Scrap metal yard • Sign painting/fabrication • Storage tanks (non-hazardous) • Testing lab • Tool and die shop • Trucking terminal • Welding <p>Institutional</p> <ul style="list-style-type: none"> • Crematory • Government office • Government operations (non-office) • Municipal airport • Police, fire or rescue station • Post office • Public parking lot (garage) • Recreation center <p>Public Facilities</p> <ul style="list-style-type: none"> • Community center • Library • Public park 	<p>Communication/Utility</p> <ul style="list-style-type: none"> • Wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church, temple, mosque or similar place of worship <p>Public Facilities</p> <ul style="list-style-type: none"> • Church temple, mosque or similar place of worship

4.20.2 Major Industrial Center (PIC-OL) District Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> 87,120 square feet (2 acres) <p>Minimum Lot Width</p> <ul style="list-style-type: none"> 200 feet <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> 85% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> 60% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> 25 feet adjacent to arterial 15 feet adjacent to collector or local <p>Maximum Front Yard Setback</p> <ul style="list-style-type: none"> n/a <p>Minimum Side Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> 10 feet+ ((#of stories- 2) x 5 feet) <p>Minimum Side Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> 5 feet <p>Transitional Side Yard Setback</p> <ul style="list-style-type: none"> n/a <p>Minimum Rear Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> 20 feet <p>Minimum Rear Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> 5 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> 24 feet and 2 stories <p>Maximum Structure Height – Primary Structure</p> <ul style="list-style-type: none"> 75 feet <p>Maximum Structure Height – Accessory Structure</p> <ul style="list-style-type: none"> 60 feet
<p>DENSITY STANDARDS</p>	<p>FLOOR AREA STANDARDS</p>	<p>STRUCTURE FAÇADE STANDARDS</p>
<p>Maximum Density</p> <ul style="list-style-type: none"> n/a 	<p>Minimum Main Floor Area – Primary Structure</p> <ul style="list-style-type: none"> n/a <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> n/a 	<p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> 25% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> 60% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> 10% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> 50%

4.21.1 Minor Industrial Center (SIC-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Minor Industrial Center (SIC-OL) is designated to permit light to moderate industrial development in the city at a lower density. Besides industrial, office and auto-oriented business are also allowed in this zone. The purpose of the zone facilitates well considered facility design and sustainable construction to reduce the environmental impact to the community. The zone also emphasizes other forms of connectivity such as bicycle and pedestrian paths, as well as building forms to enhance the aesthetics in the community.</p> <p>Application of District Areas designated in Map 1: SR 931-OL District Map as Minor Industrial Center (SIC-OL).</p>	<p>Business: General Business</p> <ul style="list-style-type: none"> • Restaurant <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Construction trade office • Design/planning office • General services office <p>Business: Retail</p> <ul style="list-style-type: none"> • Convenience store <p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility • Radio/TV station <p>Industrial</p> <ul style="list-style-type: none"> • Assembly • Distribution facility • Flex space • Light assembly • Research center • Sign painting/fabrication • Testing lab • Tool and die shop • Welding <p>Institutional</p> <ul style="list-style-type: none"> • Government office • Government operations (non-office) • Municipal airport • Police, fire or rescue station • Post office • Public parking lot (garage) • Recreation center <p>Public Facilities</p> <ul style="list-style-type: none"> • Community center • Library • Public park 	<p>Business: General Business</p> <ul style="list-style-type: none"> • Commercial training facility or school • Junk yard • Race track <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church, temple, mosque or similar place of worship <p>Industrial</p> <ul style="list-style-type: none"> • Bottled gas storage/distribution • Food production/processing • Incinerator • Storage tanks (non-hazardous) <p>Institutional</p> <ul style="list-style-type: none"> • Crematory • Municipal heliport <p>Public Facilities</p> <ul style="list-style-type: none"> • Church temple, mosque or similar place of worship

4.21.2 Minor Industrial Center (SIC-OL) District Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 43,560 square feet (1 acre) <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • 130 feet <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 85% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 60% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 25 feet adjacent to arterial • 15 feet adjacent to collector or local <p>Maximum Front Yard Setback</p> <ul style="list-style-type: none"> • n/a <p>Minimum Side Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 10 feet + ((# of stories - 2) x 5 feet) <p>Minimum Side Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet <p>Transitional Side Yard Setback</p> <ul style="list-style-type: none"> • n/a <p>Minimum Rear Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 20 feet <p>Minimum Rear Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • 24 feet and 2 stories <p>Maximum Structure Height – Primary Structure</p> <ul style="list-style-type: none"> • 45 feet <p>Maximum Structure Height – Accessory Structure</p> <ul style="list-style-type: none"> • 45 feet
<p>DENSITY STANDARDS</p>	<p>FLOOR AREA STANDARDS</p>	<p>STRUCTURE FAÇADE STANDARDS</p>
<p>Maximum Density</p> <ul style="list-style-type: none"> • n/a 	<p>Minimum Main Floor Area – Primary Structure</p> <ul style="list-style-type: none"> • n/a <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • n/a 	<p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 60% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 10% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 50%

4.22.1 Corridor Residential (RES-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Corridor Residential (RES-OL) is designated to allow continue use of existing single-family dwellings along the corridor. While the zone supports existing single family residential, it can be expected that when redevelopment occurs, there will be non-residential opportunities proposed within the Zone, and the district may open up to the opportunity for such uses.</p> <p>Application of District Areas designated in Map 1: SR 931-OL District Map as Corridor Residential Center (RES-OL).</p>	<p>Accessory Use</p> <ul style="list-style-type: none"> • Child day care home • Home occupation (type 1) <p>Institutional</p> <ul style="list-style-type: none"> • Government office • Police, fire or rescue station • Post office • Public parking lot (garage) • Recreation center <p>Public Facilities</p> <ul style="list-style-type: none"> • Community center • Library • Public park <p>Residential</p> <ul style="list-style-type: none"> • Dwelling, single family • Fair housing facility (small) 	<p>Accessory Use</p> <ul style="list-style-type: none"> • Home occupation (type 2) <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church, temple, mosque or similar place of worship <p>Residential</p> <ul style="list-style-type: none"> • Bed and breakfast facility • Boarding house • Dwelling, multi-family (2-4 units) • Group home

4.22.2 Corridor Residential (RES-OL) District Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 4,000 square feet <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • 30 feet <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • 25 feet on public street with public access <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • 3 times the lot width <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 75% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 60% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 25 feet adjacent to arterial • 15 feet adjacent to collector or local <p>Maximum Front Yard Setback</p> <ul style="list-style-type: none"> • n/a <p>Minimum Side Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 3 feet <p>Minimum Side Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 3 feet <p>Transitional Side Yard Setback</p> <ul style="list-style-type: none"> • n/a <p>Minimum Rear Yard Setback – Primary Structure</p> <ul style="list-style-type: none"> • 10 feet <p>Minimum Rear Yard Setback – Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • 24 feet and 2 stories <p>Maximum Structure Height – Primary Structure</p> <ul style="list-style-type: none"> • 45 feet <p>Maximum Structure Height – Accessory Structure</p> <ul style="list-style-type: none"> • 20 feet <p>STRUCTURE FAÇADE STANDARDS</p> <p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 40% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 85% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 80%
<p>DENSITY STANDARDS</p>	<p>FLOOR AREA STANDARDS</p>	
<p>Maximum Density</p> <ul style="list-style-type: none"> • 8 units per acre 	<p>Minimum Main Floor Area – Primary Structure</p> <ul style="list-style-type: none"> • 860 square feet for the first floor • 600 square feet for the first floor with total greater than 860 square feet 	
	<p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • 850 	

4.23 SR 931-OL Sub-District Development Standards

- A. General.** Where the Overlay Districts Zoning Ordinance directly conflicts with other portions of the Zoning Ordinance, this code shall prevail; however, no development may be approved that conflicts with the Comprehensive Plan.
- B. Non-Residential Site Planning Regulations**
- a. Commercial uses shall be "master planned" in conjunction with adjacent office uses to facilitate efficient circulation and shared parking.
 - b. Where developments include several buildings, they shall be grouped to create outdoor spaces/plazas.
 - c. Open space shall be located contiguous to open space on adjacent sites to maximize their combined visual effect.
 - d. A straightforward and visually pleasant approach to building entrances shall be provided, with a drop-off area near office building entrances.
 - e. No accessory structure shall be located within any required setback.
 - f. Equipment
 - i. No storage areas, garbage containers or mechanical equipment shall be located within any required setback.
 - ii. Mechanical equipment, garbage containers, and satellite dishes shall be completely and permanently screened from view of public rights-of-way and adjoining properties. When attached to the ground, screening methods shall include a solid wall or fence enclosure of a material that matches the principal building. When roof mounted, screening methods may include parapet walls or other architectural treatments approved by the Planning Director.
 - iii. The colors and materials of all screening methods shall match and be in coordination with the colors and materials of the principal building.
 - g. Drive-Through
 - i. Where drive-through uses are permitted, drive-through windows and lanes are not permitted to front onto any street.
 - h. Service Vehicles/Trucks
 - i. Adequate on-site areas must be provided for truck access, maneuvering, loading and storage.
 - ii. Service vehicle/truck traffic must be separated from automobile traffic.
 - i. Access Regulations
 - i. Roads and driveway cuts must be aligned to create four-way intersections. Access points located on opposite sides of the street should be designed to line up the respective left turn lanes, where the road has no center median.
 - ii. Curb cuts are not permitted within 350 feet of an intersection on any arterial street, or within 300 feet of an intersection on any collector street.
 - iii. Where permitted, outlots in commercial and mixed developments shall only be accessed from internal roadways and shall share driveways and parking lots wherever feasible.
 - iv. Direct access from primary arterials to development sites is prohibited, and direct access from secondary arterials is only allowed for sites at least 8 acres in size. Direct access from secondary arterials may not occur more frequently than once every 1,000 feet.
 - v. Parcels containing a minimum of five (5) acres and a minimum parcel width of 450 feet may be granted one (1) additional driveway cut based on the merits of unique and/or unusual circumstances on a case-by-case basis and approval by the Planning Director. The driveway cut may not be permitted in all cases.

4.24.1 SR 931-0L Sub-District Signage Standards.

A. General Requirements (all sub-districts)

- a. Signage within the SR 931-0L shall be permitted subject to the standards of Article .6.34 to 6.42 of the Kokomo Zoning Ordinance unless otherwise stated below. In cases where Article 6.34 to 6.42 and the standards of the SR 931-0L are in conflict, the most strict standard shall apply.
- b. All signs must be associated with the permitted use of the property on which they are located. Off-premise signs are not allowed.
- c. Street number(s) shall be prominently placed on freestanding signage and shall not count toward the four-word limit of Designation Signs.
- d. On multi-tenant buildings, all signage must be visually consistent.
- e. Signs shall not obstruct views of authorized traffic signs or traffic control devices, create a visual obstruction at driveway entrances, be animated, cause glare, or be lit by any flashing or moving light.
- f. Reserved.
- g. In no case shall total sign area for any use exceed 500 square feet. Ground sign area does not include the supporting base below signage itself. Individual letters are to be measured as total height multiplied by total width of each letter.
- h. Lots fronting on two or more streets are permitted one sign for each street frontage. When Designation Signs are used, the Designation Signs shall not count toward an individual user's permitted signage.
- i. Directional Signs cannot exceed 4 square feet each in size and 16 square feet total for all signs, cannot exceed 3 feet in height, and must not advertise an activity.
- j. A maximum of one color plus white or black may be used on any sign. The primary colors of the sign should be black or white with the other color being used as an accent color only.
 1. Consideration may be given to a sign with more than one color other than black and white and may be approved administratively only if the colors are a muted and dark earth tone. Full color elevations of the signs must be submitted to the Planning Department in order to be approved administratively. Garish colors must be avoided, and the color scheme must relate to the associated building.
- k. Off-site signage shall comply with Kokomo Zoning Ordinance regulations.
- l. Temporary Signage is not permitted.
- m. All signs shall be constructed with individual lettering flush mounted to either the wall of the building or the face of the ground sign. Panel, box-type, or back channeling of letters is prohibited.
- n. Where designation signs and multiple ground signs are used in a development, a uniform design theme for the development shall be established and followed with each sign.

B. Additional Sign Requirements for Regional Center (RC-OL), Community Center (CC-OL), Neighborhood Commercial (NC-OL) and Health/Office Center (HOC-OL) Sub-Districts

- a. Designation Signs
 - i. Location Restrictions
 1. Designation signage shall be permitted for integrated, multi-parcel developments of at least 15 acres in size.
 2. Designation signage shall be no closer than 750 feet from any other approved and/or existing designation sign.
 - ii. General Requirements

1. Each integrated, multi-parcel development shall be permitted one (1) designation sign on each public street frontage to which the development is adjacent.
 2. Designation signage shall be designed as part of the overall "gateway" treatment that includes landscaping and other improvements such as fencing or water features.
 3. Designation signage shall be readily visible from the roadway, and shall consist of individual letters, up to a maximum of four (4) items of information, and mounted to a solid wall. Signs shall identify the development name only; identification for individual users is prohibited. Letters shall not exceed 18 inches in height, and shall be either back-lit or illuminated by ground-mounted lights.
- iii. Setback Requirements
 1. All designation signage shall be set back a minimum of ten (10) feet from the public right-of-way.
 - iv. Height Requirements
 1. Designation signage shall not exceed eighteen (18) feet in height.
 - v. Size Requirements
 1. Designation signs shall not exceed 180 square feet in size and may be two sided.
- b. Reserved.
- c. Wall Signs
- i. Location Restrictions
 1. One (1) building-mounted sign shall be permitted on each public street frontage to which the lot is adjacent.
 - ii. General Requirements
 1. Building-mounted signage shall consist of individual back-lit or industrially illuminated lettering. Panel, box-type, and back-channeled signs are not permitted in any Sub district.
 2. For multi-tenant buildings, each tenant is permitted one (1) wall sign with a maximum of three (3) items of information.
 - iii. Height Requirements
 1. On buildings up to three (3) stories in height, building-mounted signage shall not exceed two (2) feet in height. On buildings over three (3) stories in height, building mounted signage shall not exceed three (3) feet in height, with the exception in the Industrial Sub district where they shall not exceed two (2) feet in height. Other building sign size limitations will be per Article 6.34 to 6.42 —Sign Standards of the Kokomo Zoning Ordinance.

4.24.2 Regional Center (RC-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 4 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 100 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>PORTABLE SIGN (A-FRAME SIGN] STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 2 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Projecting Sign Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 200 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 300 Feet
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4.24.3 Community Center (CC-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 4 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 100 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>PORTABLE SIGN (A-FRAME SIGN) STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 2 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Projecting Sign Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 200 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 300 Feet
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4.24.4 Neighborhood Center (NC-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 3 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 50 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 6 feet <p>PORTABLE SIGN (A-FRAME SIGN) STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 2 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet. <p>Projecting Sign Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 120 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 6 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 20 square feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 150 FEET
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4.24.5 Health/Office Center (HOC-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 3 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 50 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 6 feet <p>PORTABLE SIGN (A-FRAME SIGN) STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 9 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Projecting Sign Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 120 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 6 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 20 square feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 150 FEET
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4.24.6 Major Industrial Center (PIC-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 4 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 100 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>PORTABLE SIGN (A-FRAME SIGN) STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 2 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Projecting Sign Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 200 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 300 FEET
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4.24.7 Minor Industrial Center (SIC-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 4 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 100 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>PORTABLE SIGN (A-FRAME SIGN) STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 2 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Projecting Sign Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 200 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 300 FEET
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4.24.8 Corridor Residential (RES-OL) Signage Standards

AWNING SIGNS STANDARDS <ul style="list-style-type: none">• n/a	WALL SIGNS STANDARDS <ul style="list-style-type: none">• n/a	POLE SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted
GROUND SIGNS STANDARDS <ul style="list-style-type: none">• n/a	WINDOW SIGNS STANDARDS <ul style="list-style-type: none">• n/a	ROOF SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted
PORTABLE SIGN (A-FRAME SIGN) STANDARDS <ul style="list-style-type: none">• n/a	TEMPORARY SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted	MAXIMUM OF ALL SIGNS <ul style="list-style-type: none">• n/a
PROJECTING SIGNS STANDARDS <ul style="list-style-type: none">• n/a	OFF-SITE SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted	

4.25 SR 931-0L Sub-District Parking Standards

Follow the Parking Standard of Downtown Commercial District (DC). Please refer to Article 6.47, 6.49, 6.50 in the Kokomo Zoning Ordinance.

4.26 SR 931-0L Sub-District Landscaping Standards

For Corridor Residential Sub-District (IFS-OL), follow the Landscaping Standard of Urban Residential District (R5). Please refer to Article 6.23 to 6A0 in the Kokomo Zoning Ordinance.

For Major Industrial Center (PIC-OL) and Minor Industrial Center (SIC-OL) Sub-districts, follow the Landscaping Standards for Moderate Intensity Industrial District (MI). Please refer to Article 6.23 to 6.40 in the Kokomo Zoning Ordinance.

For Regional Center (RC-OL), Community Center (CC-OL), Neighborhood Center (NC-OL) and Health/Office Center (HOC-OL) Sub-districts, follow the Landscaping Standard of Downtown Commercial District (DC). Please refer to Article 6.23 to 6.40 in the Kokomo Zoning Ordinance.

4.27 SR 931-0L Sub-District Architecture Standards

A. Architectural Review Procedure

- a. With regard to non-residential developments, architectural plans for all primary and accessory buildings shall be submitted in sufficient detail to permit an understanding of the style of the development, the design of the buildings, and the number, size, and type of structures. A complete set of color 360-degree elevations detailing the front, rear, and opposite side views of each proposed above ground structure shall be provided. Key exterior elements such as materials, windows, architectural breaks, etc. must be rendered in sufficient detail and accompanied by clear descriptions of materials specifications, colors, and textures.
 - i. If the architectural standards of the SR 931-0L district are met, the review of the architectural plans shall be completed by the Planning Staff. Appeals of Staff's interpretations shall go to the Planning Commission who shall render a decision pursuant to the procedures established

B. Non-Residential General Architecture Requirements

The following design/architecture requirements shall apply to all non-residential Sub districts within the SR 931 Overlay district.

- a. High quality building design and construction shall be provided on all elevations (360 degree architectural treatment) in all Sub districts and architectural detailing shall be focused on the building entry and on facades visible from any roadway.
- b. The scale, mass, color and proportion of the building shall reflect the character of the area in which it is located and shall be compatible with adjoining developments.
- c. Multiple buildings in developments (including accessory buildings and detached outlot buildings in commercial centers, where permitted) must incorporate coordinated architectural styles, materials, forms, features, colors and applied elements to visually tie the development together.
- d. Antennas shall be roof-mounted only, shall project no more than 12 feet above the height of the building, and shall be positioned to minimize visibility from public rights-of-way. One antenna is allowed per building, except that at buildings with more than one tenant, a maximum of two shall be allowed per building.

- e. Signage, fencing, walls and other amenities (benches, lights) must be integrated with building design and landscaping.
- f. Building Trim
 - i. The use of accent and trim elements (accent panels, banding, cornices, canopies/awnings, etc.) is recommended to add visual interest and break down the scale of facades.
 - ii. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers ("Fypon"), and EIFS as permitted in the individual Sub districts.
- g. Facades
 - i. Glazing shall not exceed 75% of any façade.
 - ii. Facade treatments shall be designed to break large facade areas into smaller facades.
 - iii. Exterior materials must be consistent on all facades, and material/finish changes should relate to the "structure" of the building.
 - iv. Colors used on building facades must be complementary. Natural, muted colors should serve as the primary façade color, with brighter colors used only as limited accents.
- h. Roofs
 - i. Pitched roofs shall be required on buildings used for all small-scale retail, service, and office uses. Small-scale shall generally mean one-story buildings; however, the design and location of some buildings, which are more than one story in height, may require pitched roofs to be used as well.
 - ii. Rooflines and roof profiles shall be varied to create visual interest. One-story buildings must incorporate sloped roofs or tall parapets to architecturally conceal roof-mounted equipment.
 - iii. All rooftop equipment, including vents greater than 1 foot in height, shall be screened from view from all ground level vantage points by parapet walls, rooftop walls or recesses in sloped roofs.
 - iv. Rooftop equipment screens and rooftop penetrations (vents) shall be of a color compatible with the overall building or roof color (not an accent color).
 - v. Roof materials should be traditional in composition and complement the architectural features of the structure.
 - vi. Where pitched roofs are required or requested; appropriate pitches shall be used based on the circumstance.
- i. All structures will be evaluated on the overall appearance of the project and shall be based on the quality of its design and its relationship to the surrounding area.

C. Additional Architecture Standards for Regional Center (RC-OL), Community Center (CC-OL), Neighborhood Commercial (NC-OL) and Health/Office Center (HOC-OL) Sub-Districts

- a. General
 - i. In pedestrian-oriented commercial areas, a continuous "street wall" of facades shall be created. There shall be easy access from parking areas to the shopping street or plaza.
 - ii. Facades shall incorporate three or more vertical planes, and create both a "rhythm" of facade bays or structural elements, and a horizontal division into a base, middle and top.
 - iii. Main building entrances must be prominently featured through porticos, recessed entrances, lighting and landscaping. Weather protection should be provided at all entrances.
 - iv. Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, tile (ceramic or porcelain), glass (clear or lightly tinted), standing seam metal roofs, slate/imitation slate roof shingles, architectural asphalt roof shingles, and EIFS ("Dryvit") as a limited trim material only.)

- v. Inappropriate, prohibited building finish materials include: wood, plywood, unfinished concrete or concrete panels, concrete masonry units, EIFS ("Dryvit") wall systems, steel or aluminum curtain wall systems, plastics, reflective glass.

D. Additional Architecture Standards for Health/Office Center (HOC-OL) Sub-District

- a. Facades shall incorporate three or more vertical planes, and create both a "rhythm" of facade bays or structural elements, and a horizontal division into a base, middle and top.
- b. Main building entrances must be prominently featured through porticos, recessed entrances, lighting and landscaping. Weather protection should be provided at all entrances.
- c. Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, tile (ceramic or porcelain), glass (clear or lightly tinted), standing seam metal roofs, slate/imitation slate roof shingles, architectural asphalt roof shingles, and EIFS ("Dryvit") as a limited trim material only.)

E. Additional Architecture Standards for Major Industrial Center (PIC-OL) and Minor Industrial Center (SIC-OL) Sub-Districts

- a. The primary facade treatment shall create both a "rhythm" of facade bays or structural elements, and a horizontal division into a base, middle and top.
- b. Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured and painted) pre-cast concrete panels, tile (ceramic or porcelain), steel/masonry composite wall systems, glass (clear or lightly tinted), standing seam metal roofs, slate/imitation slate roof shingles, architectural asphalt roof shingles, and EIFS ("Dryvit") wall systems only if at least 8' above grade, and painted concrete masonry units at rear facades only.
- c. Inappropriate, prohibited building finish materials include: wood, plywood, unfinished concrete or concrete panels, and steel or aluminum curtain wall systems plastics, reflective glass.

4.28 SR 931-OL Sub-District Procedures

A. Review Procedures

All development within the SR 931-OL District shall be subject to site plan review, Kokomo Zoning Ordinance subdivision regulations, and site development standards, in addition to the use, bulk, and site development standards of this section. The following types of development proposals shall be required to be reviewed as planned developments in the Kokomo Zoning Ordinance with Article 7, Planned Development Districts (PD):

- a. All proposed subdivisions.
- b. All development proposals that include requests for any exceptions from the standards listed for this district and/or Sub districts.
- c. All proposed uses listed as Special Exceptions in Article 4.15.11. These uses are not assumed permitted by-right and thus, there shall be no presumption of their approval.
- d. All development proposals in the Agricultural (AG) District.
- e. All other development proposals shall be required to submit all information for a detailed development plan; however, the plan shall be subject to review by City staff and the Plan Commission.

4.29 SR 931-OL Sub-District Definitions

Sign, Designation: A type of ground sign that identifies an integrated development and may identify one or more establishments within the development.

Sign, Items of Information: A word, a logo, an initial, an abbreviation, a number, a symbol, or a geometric.

Sign, Temporary: An on-premises advertising device not fixed to a permanent foundation, for the purpose of conveying information, knowledge, or ideas to the public about a subject related to the activities on the premises upon which it is located.

“US 31-OL” District

4.30 District Intent, Effect on Uses, & Development Standards

District Intent	Affect on Uses	Development Standards
<p>The purpose of the US 31-OL (US 31 overlay district) is to manage the growth and development along the new corridor on the east rim of the city. The zone addresses the appearance and the access points along the corridor. The land use is primary reserved for existing uses such as agriculture and limited residential. Due to the prime location to the highway access, future uses in the area are expected, to include office and industrial with limited retail development. The US 31 overlay district includes standards for building facade, building form, parking, lighting, landscaping, access points, and procedure in order to enhance the character and function of the corridor. The US 31-OL applies to the sub-districts: Office/Industrial/Agricultural (OIA-OL), Gateway Office (GO-OL), and Agricultural (AG-OL) as indicated on Map 1: US 31-OL District Map.</p> <p>Application of District All areas designated in Map 1: US 31-OL District Map. Including sub-districts: Office/Industrial/Agricultural (OIA-OL), Gateway Office (GO-OL), and Agricultural (AG-OL).</p>	<p>Permitted Uses See 4.31.1, 4.32.1, 4.33.1 for permitted uses within each sub-district within the US 31-OL and legal nonconforming structures, lots and uses.</p> <p>Special Exception Uses See 4.31.1, 4.32.1, 4.33.1 for special exception uses within each sub-district within the US 31-OL.</p>	<p>Where the Overlay Districts Zoning Ordinance directly conflicts with other portions of the Zoning Ordinance, this code shall prevail; however, no development may be 'approved that conflicts with the Comprehensive Plan. For Development Standards see 4.31.2, 4.32.2, 4.33.2 and 4.34. See 4.35.1, 4.35.2, 4.35.3, 4.35.4 for Signage Standards. See 4.36 for Parking Standards (see Articles 6.47, 6.49, 6.50). See 4.37 for Landscaping Standards (see Articles 6.23 to 6.40). See 4.38 for Architectural Standards. See 4.39 for Procedures. See 4.40 for Definitions.</p>

4.31.1 Office/Industrial/Agricultural (OIA-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Office/Industrial/Agricultural (OIA-01.), is designated to preserve existing farm land in the area; however, the zone also allows future developments to occur such as industrial or technology park and corporate office campus that needs visibility and good accessibility to US 31. It is anticipated that the zone will serve as a future employment and production center in the region. Zones MI, OC, AG are the base zones for this sub-district.</p> <p>Application of District All areas designated in Map 1: US 31-OL District Map, Including sub-district Office/Industrial/Agricultural (OIA-OL).</p>	<p>Agricultural</p> <ul style="list-style-type: none"> • Agricultural crop production • Orchard • Plant nursery • Roadside produce sales • Storage of agricultural products produced on site • Tree farm <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Business/financial services office • Construction trade office • Design/planning office • General services office • Medical office <p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility • Radio/TV station <p>Industrial</p> <ul style="list-style-type: none"> • Assembly • Distribution facility • Flex-space • Light assembly • Mini-warehouse storage facility • Outdoor storage • Research center • Sign painting, fabrication • Testing, lab • Tool and die slid • Trucking terminal' • Warehouse • Welding <p>Institutional</p> <ul style="list-style-type: none"> • Government office • Government operations (non-office) • Municipal airport • Police, fire or rescue station) • Post office • Public parking lot (garage) • Recreation center • Recycling sorting/distribution <p>Public Facilities</p> <ul style="list-style-type: none"> • Community center • Library • Public park 	<p>Agricultural</p> <ul style="list-style-type: none"> • Raising of farm animals <p>Communication/Utility</p> <ul style="list-style-type: none"> • Wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church temple, mosque or similar place of worship

4.31.2 Office/Industrial/Agricultural (OIA-OL) Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 1 acre <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • 130 feet <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 85% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 60% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 25 feet adjacent to arterial • 15 feet adjacent to collector or local <p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • n/a <p>Minimum Side Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 10 feet + ((# of stories — 2) x 5 feet) <p>Minimum Side Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet <p>Minimum Rear Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 20 feet <p>Minimum Rear Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • 24 feet and 2 stories <p>Minimum Structure Height - Accessory Office Attached to Main Structure</p> <ul style="list-style-type: none"> • 12 feet <p>Maximum Structure Height - Primary Structure</p> <ul style="list-style-type: none"> • 45 feet <p>Maximum Structure Height - Accessory Structure</p> <ul style="list-style-type: none"> • 45 feet <p>STRUCTURE FAÇADE STANDARDS</p> <p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 60% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 10% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 50%
<p>DENSITY STANDARDS</p>	<p>FLOOR AREA STANDARDS</p>	
<p>Maximum Density</p> <ul style="list-style-type: none"> • n/a 	<p>Minimum Main Floor Area - Primary Structure</p> <ul style="list-style-type: none"> • 1,000 square feet <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • n/a 	

4.32.1 Gateway Office (GO-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Gateway Office (GO-OL) surrounds the primary interchange on US 31, and the area connects US 31 and the SR 931 corridors. This zone is designated as a primary gateway to Kokomo, and it accommodates businesses that need high visibility. Therefore, the zone is mainly suitable for professional office, and light industry. Zone OC is the base zone for this sub-district.</p> <p>Application of District Areas designated in Map 1: US 31-OL District Map as Gateway Office (GO-OL).</p>	<p>Agricultural</p> <ul style="list-style-type: none"> • Agricultural crop production • Orchard • Plant nursery • Roadside produce sales • Storage of agricultural products produced on site • Tree farm <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • Business/financial services office • Construction trade, office • Design/planning office • General services office • Medical office <p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility <p>Industrial</p> <ul style="list-style-type: none"> • Flex-space • Light assembly • Research center <p>Institutional</p> <ul style="list-style-type: none"> • Drug or alcohol rehabilitation clinic • Post office 	<p>Business: Retail</p> <ul style="list-style-type: none"> • Gift shop • News dealer • Bakery • Book store • Convenience store • Drug store <p>Communication/Utility</p> <ul style="list-style-type: none"> • Wireless telecommunication facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church temple, mosque or similar place of worship <p>Public Facilities</p> <ul style="list-style-type: none"> • Church temple, mosque or similar place of worship • Community center • Library

4.32.2 Gateway Office (GO-OL) Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 20,000 square feet <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • 100 feet <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 95% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 70% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 25 feet adjacent to arterial • 15 feet adjacent to collector or local <p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 60 feet <p>Minimum Side Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 10 feet + ((# of stories — 2) x 5 feet) <p>Minimum Side Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet <p>Minimum Rear Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 20 feet <p>Minimum Rear Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 5 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • 24 feet and 2 stories, retail outlot 1 story (12 feet) <p>Minimum Structure Height - Accessory Office Attached to Main Structure</p> <ul style="list-style-type: none"> • 12 feet <p>Maximum Structure Height - Primary Structure</p> <ul style="list-style-type: none"> • 75 feet <p>Maximum Structure Height - Accessory Structure</p> <ul style="list-style-type: none"> • 25 feet <p>STRUCTURE FAÇADE STANDARDS</p> <p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 40% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 85% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 80%
<p>DENSITY STANDARDS</p> <p>Maximum Density</p> <ul style="list-style-type: none"> • n/a 	<p>FLOOR AREA STANDARDS</p> <p>Minimum Main Floor Area - Primary Structure</p> <ul style="list-style-type: none"> • 1,000 square feet <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • n/a 	

4.33.1 Agricultural (AG-OL) District Intent, Permitted Uses, & Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The Agricultural (AG-OL) is designated to recognize existing uses along the corridor and provide for their continued operation. Much of this area is used for agricultural purposes; however, there are areas within the zone currently used for residential and non-residential purposes. It is the purpose of this zone to allow existing uses to continue to operate and expand, however, new non-agricultural uses are discouraged. Zone AG is the base zone for this sub-district.</p> <p>Application of District Areas designated in Map 1: US 31-OL District Map as Agricultural (AG-OL).</p>	<p>Agricultural</p> <ul style="list-style-type: none"> • Agricultural crop production • Orchard • Plant nursery • Roadside produce sales • Storage of agricultural products produced on site • Tree farm 	<p>Agricultural</p> <ul style="list-style-type: none"> • Raising of farm animals <p>General Business</p> <ul style="list-style-type: none"> • Barber/beauty shop • Child daycare center • Commercial training facility or school • Dry-cleaning service • Fitness center/gyp) • Health spa • Restaurant <p>Communication/Utility</p> <ul style="list-style-type: none"> • Above-ground utility facility <p>General</p> <ul style="list-style-type: none"> • Off-site parking lot for church temple, mosque or similar place of worship

4.33.2 Agricultural (AG-OL) - Urban Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 20 acres <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 15% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 15% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 50 feet adjacent to arterial • 40 feet adjacent to collector or local <p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • n/a <p>Minimum Side Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 40 feet <p>Minimum Side Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 30 feet <p>Minimum Rear Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 40 feet <p>Minimum Rear Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 30 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • n/a <p>Maximum Structure Height - Primary Structure</p> <ul style="list-style-type: none"> • 45 feet <p>Maximum Structure Height - Accessory Structure</p> <ul style="list-style-type: none"> • 20 feet
<p>DENSITY STANDARDS</p> <p>Maximum Density</p> <ul style="list-style-type: none"> • n/a 	<p>FLOOR AREA STANDARDS</p> <p>Minimum Main Floor Area - Primary Structure</p> <ul style="list-style-type: none"> • 1,100 square feet or • 800 square feet if the total finished floor area is greater than 1,100 square feet <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • n/a 	<p>STRUCTURE FAÇADE STANDARDS</p> <p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 60% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 10% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 50%

4.33.3 Agricultural (AG-OL) - Rural Development Standards

LOT STANDARDS	SETBACK STANDARDS	HEIGHT STANDARDS
<p>Minimum Lot Area</p> <ul style="list-style-type: none"> • 20 acres <p>Minimum Lot Width</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Frontage</p> <ul style="list-style-type: none"> • n/a <p>Minimum Lot Depth</p> <ul style="list-style-type: none"> • n/a <p>Maximum Lot Coverage</p> <ul style="list-style-type: none"> • 15% <p>Maximum Impervious Surface Coverage</p> <ul style="list-style-type: none"> • 15% 	<p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • 50 feet adjacent to arterial • 40 feet adjacent to collector or local <p>Minimum Front Yard Setback</p> <ul style="list-style-type: none"> • n/a <p>Minimum Side Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 40 feet <p>Minimum Side Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 30 feet <p>Minimum Rear Yard Setback - Primary Structure</p> <ul style="list-style-type: none"> • 40 feet <p>Minimum Rear Yard Setback - Accessory Structure</p> <ul style="list-style-type: none"> • 30 feet 	<p>Minimum Structure Height</p> <ul style="list-style-type: none"> • n/a <p>Maximum Structure Height - Primary Structure</p> <ul style="list-style-type: none"> • 40 feet <p>Maximum Structure Height - Accessory Structure</p> <ul style="list-style-type: none"> • 35 feet <p>STRUCTURE FAÇADE STANDARDS</p> <p>Minimum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 25% <p>Maximum Transparency, Ground Floor</p> <ul style="list-style-type: none"> • 60% <p>Minimum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 10% <p>Maximum Transparency, Floors above Ground Floor</p> <ul style="list-style-type: none"> • 50%
<p>DENSITY STANDARDS</p>	<p>FLOOR AREA STANDARDS</p>	
<p>Maximum Density</p> <ul style="list-style-type: none"> • n/a 	<p>Minimum Main Floor Area - Primary Structure</p> <ul style="list-style-type: none"> • n/a <p>Minimum Main Floor Area per Dwelling Unit</p> <ul style="list-style-type: none"> • n/a 	

4.34 US 31-OL District Development Standards

A. General. Where the Overlay Districts Zoning Ordinance directly conflicts with other portions of the Zoning Ordinance, this code shall prevail; however, no development may be approved that conflicts with the Comprehensive Plan.

B. Non-Residential Site Planning Regulations

- a. The US 31 — OL District shall be developed as a cohesive and harmonized corridor, however, each sub-district shall have a distinctive use, purpose, and site development standards based in part on its function, location and desired appearances within the corridor.
- b. Where developments include several buildings, they shall be grouped to create outdoor spaces/plazas.
- c. Open space shall be located contiguous to open space on adjacent sites to maximize their combined visual effect.
- d. A straightforward and visually pleasant approach to building entrances shall be provided, with a drop-off area near office building entrances.
- e. No accessory structure shall be located within any required setback.
- f. Equipment
 - i. No storage areas, garbage containers or mechanical equipment shall be located within any required setback.
 - ii. Mechanical equipment, garbage containers, and satellite dishes shall be completely and permanently screened from view of public rights-of-way and adjoining properties. When attached to the ground, screening methods shall include a solid wall or fence enclosure of a material that matches the principal building. When roof mounted, screening methods may include parapet walls or other architectural treatments approved by the Planning Director.
 - iii. The colors and materials of all screening methods shall match and be in coordination with the colors and materials of the principal building.
- g. Drive-through
 - i. Where drive-through uses are permitted, drive-through windows and lanes are not permitted to front onto any street.
- h. Service Vehicles/Trucks
 - i. Adequate on-site areas must be provided for truck access, maneuvering, loading and storage.
 - ii. Service vehicle/truck traffic must be separated from automobile traffic.
- i. Access Regulations
 - i. Roads and driveway cuts must be aligned to create four-way intersections. Access points located on opposite sides of the street should be designed to line up the respective left turn lanes, where the road has no center median.
 - ii. Curb cuts are not permitted within 350 feet of an intersection on any arterial street, or within 300 feet of an intersection on any collector street.
 - iii. Where permitted, outlots in commercial and mixed developments shall only be accessed from internal roadways and shall share driveways and parking lots wherever feasible.
 - iv. Direct access from primary arterials to development sites is prohibited, and direct access from secondary arterials is only allowed for sites at least 8 acres in size. Direct access from secondary arterials may not occur more frequently than once every 1,000 feet.
 - v. Parcels containing a minimum of five (5) acres and a minimum parcel width of 450 feet may be granted one (1) additional driveway cut based on the merits of unique and/or unusual

circumstances on a case-by-case basis and approval by the Planning Director. The driveway cut may not be permitted in all cases.

4.35.1 US 31-OL District Signage Standards

A. General Requirements (all sub-districts). Base zone for Office/Industrial/Agricultural (OIA) is C2. Base zone for Gateway Office (GO) is C2. Base zone for Agricultural (AG-OL) is AG.

- a. Signage within the US 31-OL shall be permitted subject to the standards of Article 6.34 to 6.42 of the Kokomo Zoning Ordinance unless otherwise stated below. In cases where Article 6.34 to 6.42 and the standards of the US 31-OL are in conflict, the US 31-OL District standard or the most restrictive standard shall apply.
- b. All signs must be associated with the permitted use of the property on which they are located.
- c. Street number(s) shall be prominently placed on freestanding signage and shall not count toward the four word limit of Designation Signs.
- d. On multi-tenant buildings, all signage must be visually consistent
- e. Signs shall not obstruct views of authorized traffic signs or traffic control devices, create a visual obstruction at driveway entrances, be animated, cause glare or be lit by any flashing or moving light.
- f. In no case shall total sign area for any use exceed 500 square feet. Ground sign area does not include the supporting base below signage itself. Individual letters are to be measured as total height multiplied by total width of each letter.
- g. Lots fronting on two or more streets are permitted one sign for each street frontage. When Designation Signs are used, the Designation Signs shall not count toward an individual user's permitted signage.
- h. Directional Signs cannot exceed 4 square feet each in size and 16 square feet total for all signs, cannot exceed 3 feet in height, and must not advertise an activity.
- i. A maximum of one color plus white or black may be used on any sign. The primary colors of the sign should be black or white with the other color being used as an accent color only.
 - i. Consideration may be given to a sign with more than one color other than black and white and may be approved administratively only if the colors are a muted and dark earth tone. Full color elevations of the signs must be submitted to the Planning Department in order to be approved administratively. Garish colors must be avoided, and the color scheme must relate to the associated building.
 - ii. Trademark corporate logos may be exempted from color restrictions of this section at the discretion of the planning director.
- j. All signs shall be constructed with individual lettering flush mounted to either the wall of the building or the face of the ground sign. Panel, box-type, or back channeling of letters is prohibited.
- k. Where designation signs and multiple ground signs are used in a development, a uniform design theme for the development shall be established and followed with each sign.

B. Additional Sign Requirements for Office/Industrial/Agricultural (OIA) and Gateway Office (GO) sub districts. Base zone for Office/Industrial/Agricultural (OIA) is C2. Base zone for Gateway Office (GO) is C2.

- a. Designation Signs
 - i. Location Restrictions
 1. Designation signage shall be permitted for integrated, multi-parcel developments of at least 15 acres in size.
 2. Designation signage shall be no closer than 1,000 feet from any other approved and/or existing designation sign.
 - ii. General Requirements

1. Each integrated, multi-parcel development shall be permitted one (1) designation sign on each public street frontage to which the development is adjacent.
 2. Designation signage shall be designed as part of the overall "gateway" treatment that includes landscaping and other improvements such as fencing or water features.
 3. Designation signage shall be readily visible from the roadway, and shall consist of individual letters, up to a maximum of four (4) items of information and mounted to a solid wall. Signs shall identify the development name only; identification for individual users is prohibited. Letters shall not exceed 18 inches in height and shall be either back-lit or illuminated by ground-mounted lights.
 4. Signs located on, in or above the Right-of-Way of any Street or Alley are prohibited except for state signs or way finding signs.
- iii. Setback Requirements
 1. All designation signage shall be set back a minimum of ten (10) feet from the public right-of-way.
 - iv. Height Requirements
 - i. Designation signage shall not exceed eighteen (18) feet in height.
 - v. Size Requirements
 - i. Designation signs shall not exceed 180 square feet in size and may be two sided.
- b. Ground Signs
 - i. Location Restrictions
 1. Individual ground signs are prohibited in the Regional Center, Community Center, Neighborhood Commercial and Health/Office Center Sub Districts.
 - c. Wall Signs
 - i. Location Restrictions
 1. One (1) building-mounted sign shall be permitted on each public street frontage to which the lot is adjacent.
 - ii. General Requirements
 1. Building-mounted signage shall consist of individual back-lit or industrially illuminated lettering. Panel, box-type, and back-channeled signs are not permitted in any Sub-district.
 2. For multi-tenant buildings, each tenant is permitted one (1) wall sign with a maximum of three (3) items of information (See definition for items of information).
 - iii. Height Requirements
 1. On buildings up to three (3) stories in height, building-mounted signage shall not exceed two (2) feet in height. On buildings over three (3) stories in height, building mounted signage shall not exceed three (3) feet in height, with the exception in the Industrial Sub district where they shall not exceed two (2) feet in height. Other building sign size limitations will be per Article 6.34 to 6.42 —Sign Standards of the Kokomo Zoning Ordinance.

4.35.2 Office/Industrial/Agricultural (OIA-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 4 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 100 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>PORTABLE SIGN (A-FRAME SIGN) STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 2 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Projecting Sign Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 200 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Window Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 300 FEET
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4.35.3 Gateway Office (GO-OL) Signage Standards

<p>AWNING SIGNS STANDARDS</p> <p>Awning Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Awning Sign Maximum Height</p> <ul style="list-style-type: none"> • 4 feet <p>GROUND SIGNS STANDARDS</p> <p>Ground Sign Maximum Size</p> <ul style="list-style-type: none"> • 100 square feet <p>Ground Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>PORTABLE SIGN (A-FRAME SIGN) STANDARDS</p> <p>Portable Sign Maximum Size</p> <ul style="list-style-type: none"> • 32 square feet <p>Portable Sign Maximum Quantity</p> <ul style="list-style-type: none"> • 2 <p>PROJECTING SIGNS STANDARDS</p> <p>Projecting Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Projecting Sign-Maximum Height</p> <ul style="list-style-type: none"> • 10 feet 	<p>WALL SIGNS STANDARDS</p> <p>Wall Sign Maximum Size</p> <ul style="list-style-type: none"> • 200 square feet <p>Wall Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>WINDOW SIGNS STANDARDS</p> <p>Window Sign Maximum Size</p> <ul style="list-style-type: none"> • 40 square feet <p>Window Sign Maximum Height</p> <ul style="list-style-type: none"> • 8 feet <p>TEMPORARY SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>OFF-SITE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted 	<p>POLE SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>ROOF SIGNS STANDARDS</p> <ul style="list-style-type: none"> • Not Permitted <p>MAXIMUM OF ALL SIGNS</p> <ul style="list-style-type: none"> • 300 FEET
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4.35.4 Agricultural (AG-OL) Signage Standards

AWNING SIGNS STANDARDS <ul style="list-style-type: none">• n/a	WALL SIGNS STANDARDS <ul style="list-style-type: none">• n/a	POLE SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted
GROUND SIGNS STANDARDS <ul style="list-style-type: none">• n/a	WINDOW SIGNS STANDARDS <ul style="list-style-type: none">• n/a	ROOF SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted
PORTABLE SIGN (A-FRAME SIGN) STANDARDS <ul style="list-style-type: none">• n/a	TEMPORARY SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted	MAXIMUM OF ALL SIGNS <ul style="list-style-type: none">• n/a
PROJECTING SIGNS STANDARDS <ul style="list-style-type: none">• n/a	OFF-SITE SIGNS STANDARDS <ul style="list-style-type: none">• Not Permitted	

4.36 US 31-OL Sub-District Parking Standards

For retail and commercial uses, parking standards shall follow Downtown Commercial District (DC) in the Kokomo Zoning Ordinance. Please refer to Article 6.47, 6.49, 6.50 in the Kokomo Zoning Ordinance.

For office and industrial uses, parking standards shall follow Low Intensity Industrial District (LI). Please refer to Article 6.47, 6.49, 6.50 in the Kokomo Zoning Ordinance.

Unless otherwise stated in Article 4.36, the following standards should follow Kokomo Zoning Ordinances. In case the standards of Article 4.36 and the Kokomo Zoning Ordinances are different, the most restrictive standards shall apply.

4.37 US 31-OL Sub-District Landscaping Standards

For Office, Industrial, Agricultural Sub district:

If the use is agricultural, reference to the Landscaping Standards for Agriculture District (A G). Please follow Article 6.23 to 6.30 in the Kokomo Zoning.

If the use is office or industrial, follow the Landscaping Standards for Light Intensity Industrial/ (Business Park) District (LI). Please fo11ow Article 6.23 to 6.30 in the Kokomo Zoning.

Unless otherwise stated in Article 4.37, the following standards should follow Kokomo Zoning Ordinances. In case the standards of Article 4.37 and the Kokomo Zoning Ordinances are different, the most restrictive standards shall apply.

4.38 US 31-OL Sub-District Architecture Standards

A. Architectural Review Procedure

- a. With regard to non-residential developments, architectural plans for all primary and accessory buildings shall be submitted in sufficient detail to permit an understanding of the style of the development, the design of the buildings, and the number, size, and type of structures. A complete set of color 360-degree elevations detailing the front, rear, and opposite side views of each proposed above ground structure shall be provided. Key exterior elements such as materials, windows, architectural breaks, etc. must be rendered in sufficient detail and accompanied by clear descriptions of materials specifications, colors, and textures.
 - i. If the architectural standards of the US 31-OL district are met, the review of the architectural plans shall be completed by the Planning Staff. Appeals of Staffs interpretations shall go to the Planning Commission who shall render a decision pursuant to the established procedures.

B. Non-Residential General Architecture Requirements

The following design/architecture requirements shall apply to all non-residential sub districts within the US 31 Overlay district.

- a. High quality building design and construction shall be provided on all elevations (360-degree architectural treatment) in all Sub-districts and architectural detailing shall be focused on the building entry and on facades visible from any roadway.
- b. The scale, mass, color and proportion of the building shall reflect the character of the area in which it is located and shall be compatible with adjoining developments.

- c. Multiple buildings in developments (including accessory buildings and detached outlot buildings in commercial centers, where permitted) must incorporate coordinated architectural styles, materials, forms, features, colors and applied elements to visually tie the development together.
- d. Antennas shall be roof-mounted only, shall project no more than 12 feet above the height of the building, and shall be positioned to minimize visibility from public rights-of-way. As a special exception, communication antennas for television and radio may exceed the height requirements listed in this section subject to approval by the planning commission. One antenna is allowed per building, except that at buildings with more than one tenant, a maximum of two shall be allowed per building.
- e. Signage, fencing, walls and other amenities (benches, lights) must be integrated with building design and landscaping.
- f. Building Trim
 - i. The use of accent and trim elements (accent panels, banding; cornices, canopies/awnings, etc.) is recommended to add visual interest and break down the scale of facades.
 - ii. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers ("Fypon"), and EIFS as permitted in the individual Sub-districts.
- g. Façade
 - i. Glazing shall not exceed 75% of any façade.
 - ii. Façade treatments shall be designed to break large façade areas into smaller façades.
 - iii. Exterior materials must be consistent on all facades, and material/finish changes should relate to the "structure" of the building.
 - iv. Colors used on building facades must be complementary. Natural, muted colors should serve as the primary façade color, with brighter colors used only as limited accents.
- h. Roofs
 - i. Pitched roofs shall be required on buildings used for all small-scale retail, service, and office uses. Small-scale shall generally mean one-story buildings; however, the design and location of some buildings, which are more than one story in height, may require pitched roofs to be used as well.
 - ii. Rooflines and roof profiles shall be varied to create visual interest. One-story buildings must incorporate sloped roofs or tall parapets to architecturally conceal roof-mounted equipment.
 - iii. All rooftop equipment, including vents greater than 1 foot in height, shall be screened from view from all ground level vantage points by parapet walls, rooftop walls or recesses in sloped roofs.
 - iv. Rooftop equipment screens and rooftop penetrations (vents) shall be of a color compatible with the overall building or roof color (not an accent color).
 - v. Roof materials should be traditional in composition and complement the architectural features of the structure.
 - vi. Where pitched roofs are required or requested; appropriate pitches shall be used based on the circumstance.
- i. All structures will be evaluated on the overall appearance of the project and shall be based on the quality of its design and its relationship to the surrounding area.

C. Additional Architecture Standards for Gateway Office (GO) Sub District

- a. Facades shall incorporate three or more vertical planes, and create both a "rhythm" of façade bays or structural elements, and a horizontal division into a base, middle and top.

- b. Main building entrances must be prominently featured through porticos, recessed entrances, lighting and landscaping. Weather protection should be provided at all entrances.
- c. Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, tile (ceramic or porcelain), glass (clear or lightly tinted), standing seam metal roofs, slate/imitation slate roof shingles, architectural asphalt roof shingles, and EIFS ("Dryvit") as a limited trim material only.

D. Additional Architecture Standards for Office/Industrial/Agricultural (OIA) Sub District

- a. The primary façade treatment shall create both a "rhythm" of façade bays or structural elements, and a horizontal division into a base, middle and top.
- b. Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured and painted) pre-cast concrete panels, tile (ceramic or porcelain), steel/masonry composite wall systems, glass (clear or lightly tinted), standing seam metal roofs, slate/imitation slate roof shingles, architectural asphalt roof shingles, and EIFS ("Dryvit") wall systems only if at least 8' above grade, and painted concrete masonry units at rear façades only.
- c. Inappropriate, prohibited building finish materials include: wood, plywood, unfinished concrete or concrete panels, steel or aluminum curtain wall systems plastics, reflective glass.

4.39 US 31-0L Sub-District Procedures

A. Review Procedures

All development within the US31-0L District shall be subject to site plan review, Kokomo Zoning Ordinance subdivision regulations, and site development standards, in addition to the use, bulk, and site development standards of this section. The following types of development proposals shall be required to be reviewed as planned developments in the Kokomo Zoning Ordinance with Article 7 Planned Development Districts (PD).

- a. All proposed subdivisions.
- b. All development proposals that include requests for any exceptions from the standards listed for this district and/or Sub districts.
- c. All proposed uses listed as Special Exceptions in Article 4.16.1. These uses are not assumed permitted by-right and thus, there shall be no presumption of their approval.
- d. All development proposals in the Agricultural (AG) District.
- e. All other development proposals shall be required to submit all information for a detailed development plan; however, the plan shall be subject to review through the standard Planned Development process.

B. Appeal Process

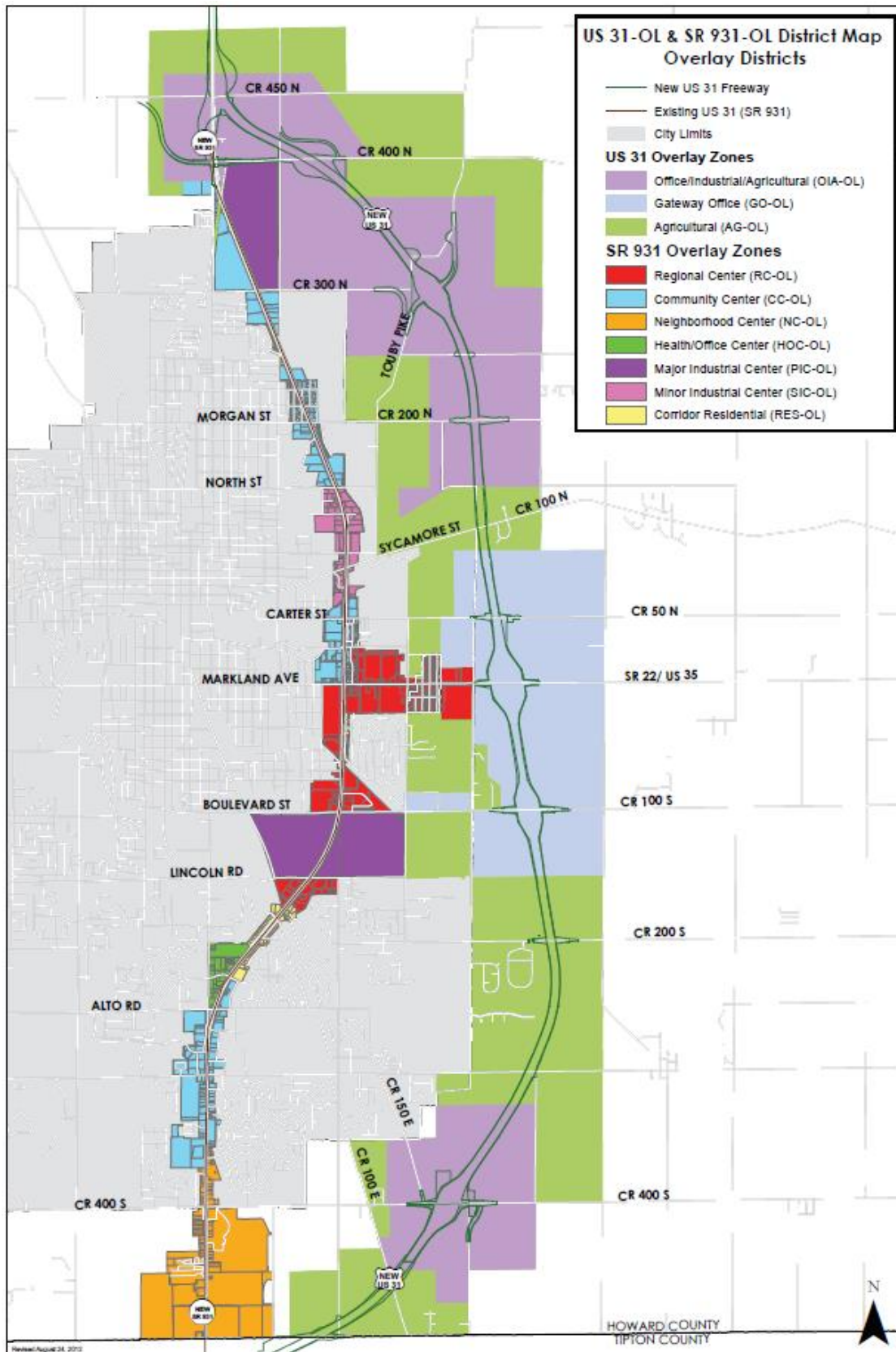
Appeals of Staffs interpretations shall go to the Planning Commission who shall render a decision pursuant to the established procedures.

4.40 US 31-0L Sub-District Definitions

Sign, Designation: A type of ground sign that identifies an integrated development and may identify one or more establishments within the development.

Sign, Items of Information: A word, a logo, an initial, an abbreviation, a number, a symbol, or a geometric.

Sign, Temporary: An on-premise advertising device not fixed to a permanent foundation, for the purpose of conveying information, knowledge, or ideas to the public about a subject related to the activities on the premises upon which it is located.



Article Five

Official Zoning Map



August 12, 2003
© 2003, *Bradley E. Johnson, AICP*

Article Five

Official Zoning Map

5.1 Official Zoning Map Title

The official zoning map shall be formally known as the "Kokomo Zoning Map, 2003" and it may be cited and referred to as the "Official Zoning Map" or the "Zoning Map."

5.2 Official Zoning Map

The "Kokomo Zoning Map, 2003" is hereby incorporated as part of the Kokomo Zoning Ordinance, 2003.

5.3 Location of the Official Zoning Map

The official zoning map will be located in the office of the Planning Director.

5.4 Official Zoning Map Copies

Copies of the official zoning map may be made and distributed to interested persons. The official zoning map copies shall be labeled as copies and have the date which they were last modified printed on them.

5.5 Zoning District Boundaries

The zoning district boundaries shall be shown on the official zoning map. The abbreviations for the zoning districts appearing in this Zoning Ordinance shall be used to identify the zoning districts on the map. Planned developments shall be shown on the map by abbreviations as noted in this Zoning Ordinance (Article Two and Seven) and shall also be identified by the number and date of passage of the ordinance approving the planned development.

5.6 Regular Revisions

The official zoning map should be formally revised annually, or as the Plan Commission determines necessary. During interim periods of time, hand drawn lines and text on the official zoning map will be appropriate to note zoning changes. Copies may be made after the amendments are noted, and each copy shall be noted as an update with the "date last changed" noted on the map. Other revisions may be made to correct drafting or other errors and omission in the prior map but shall not have the effect of amending the official zoning map except as adopted by the Common Council.

5.7 Damaged, Destroyed or Lost Official Zoning Map

In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret due to the nature or number of changes, the Common Council may, by resolution, adopt a new official zoning map which shall, to the extent possible, duplicate the accuracy of the damaged, destroyed or lost map.

5.8 Official Zoning Map Standards

District boundaries on the official zoning map shall be interpreted as follows:

- A. District boundaries shown within or parallel to the lines of roads, easements, and transportation rights-of-way shall be deemed to follow the center line of the affected road, easement, or right-of-way.
- B. District boundaries indicated as following section or fractional sectional lines, platted lot lines, or city or town corporation lines shall be construed as following such lines.
- C. District boundaries indicated as parallel to section or fractional sectional lines, platted lot lines, city or town corporation lines, shall be construed as parallel to the affected line.
- D. District boundaries indicated as approximately following the center line of streams, rivers, or other bodies of water shall be construed to follow such center lines.
- E. Where a district boundary line divides a lot at the time such line is adopted, the regulations for the less restricted portion of such lot shall extend not more than 25 feet into the more restricted portion, provided the lot has frontage on a street in the less restricted district. Further, the exact location of where the line crosses the property shall be determined by the Planning Director.
- F. The vacation of streets shall not affect the location of the district boundaries.
- G. When the Planning Director cannot definitely determine the location of a district boundary by the center lines, by scale or dimensions stated on the official zoning map, because the boundary does not clearly coincide with a property line, the Director may refuse action and the Plan Commission may interpret the location of the district boundary with reference to the scale of the official zoning map and the purposes set forth in all relevant provisions of this Zoning Ordinance.

Article Six

Development Standards



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Article Six - Development Standards

Section Name	Page Number	Section Name	Page Number
Lot Standards (LO)	6-4	Lighting Standards (LT)	6-35
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Sewer and Water Standards (SW)	6-7	Parking Standards (PK)	6-56
Density and Intensity Standards (DI)	6-8	Loading Standards (LD)	6-63
Floor Area Standards (FA)	6-9	Entrance and Driveway Standards (ED)	6-64
Height Standards (HT)	6-10	Vision Clearance Standards (VC)	6-66
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Landscaping Standards (LA)	6-22	Miscellaneous Standards (MC)	6-76
Environmental Standards (EN)	6-32	Wins to Energy Systems Standards (WE)	6-79
Performance Standards (PF)	6-34		

6.1 Development Standards Applicability

All new structures, structure alterations, structure relocations, structure demolitions, structure additions, structure enlargements, uses of land, changes in the use of land, expansion of existing uses and the like are subject to all development standards and regulations for the applicable zoning district.

6.2 How to Use this Article

Article Six 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 Article Three 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 3-7, the four-digit code "LY-01" can be found under the "Additional Development Standards that Apply" section in the Very Low Density Residential (RI) District. Therefore, the Development Standards in the section labeled "LY-01" (on page 6-3) would apply to Very Low Density Residential (R2) District.]

- B. Refer to the icons used below each development standard section in Article Six. Each development standard section begins with a four-digit code and introductory sentence followed by square icons with zoning district abbreviations (i.e. CO for the Conservation District or NC for the Neighborhood Commercial District). These district icons note that the following development standard section applies to that district.

[As an example, on page 6-3, the R2 icon can be found under the LY-01 development standard section. Therefore, the language in LY-01 would apply to the R2 district.]

Lot Standards (LO)

6.3 LO-01

This Lot Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following standards apply:

- A. Minimum Lot Area: The minimum lot area shall be as per each two-page layout in Article Three.
- B. Maximum Lot Area: The maximum lot area shall be as per each two-page layout in Article Three.
- C. Minimum Dwelling Site Area: The minimum dwelling site area shall be as per each two-page layout in Article Three.
- D. Minimum Lot Width: The minimum lot width shall be as per each two-page layout in Article Three.
- E. Minimum Dwelling Site Width: minimum dwelling Site width shall be as per each two-page layout in Article Three.
- F. Maximum Lot Depth: The maximum lot depth shall be as per each two-page layout in Article Three.
- G. Minimum Lot Frontage: The minimum lot frontage shall be as per each two-page layout in Article Three, except that the lot frontage requirement for a cul-de-sac lot is 1/4 the distance required for standard lots.
- H. If one or more of the above listed lot standards does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.
- I. Only one primary structure is permitted per lot unless specifically provided otherwise.

Setback Standards (SB)

6.4 SB-01

This Setback Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following setback standards apply:

- A. Minimum Front Yard Setback: Article Three establishes for each district the minimum front yard setback for the district. Where one or more lots are improved, the depth of the front yard need not be more than the average depth of the front yards of the lots adjoining either side. An unimproved lot on either side shall be considered as having a front yard depth of the district in which it is located. The minimum front yard setback is measured from the greater of the existing right-of-way or the proposed right-of-way shown on the Thoroughfare Plan.
- B. Minimum Dwelling Site Front Yard Setback: The minimum dwelling site front yard setbacks shall be as per each two-page layout in Article Three.
- C. Minimum Side Yard Setback: The minimum side yard setbacks shall be as per each two-page layout in Article Three.
- D. Maximum Side Yard Setback: The maximum side yard setbacks shall be as per each two-page layout in Article Three.
- E. Minimum Dwelling Site Side Yard Setback: The minimum dwelling site side yard setbacks shall be as per each two-page layout in Article Three.
- F. Minimum Rear Yard Setback: The minimum rear yard setbacks shall be as per each two-page layout in Article Three.
- G. Minimum Dwelling Site Rear Yard Setback: The minimum dwelling site rear yard setback shall be as per each two-page layout in Article Three.
- H. If one or more of the above listed types of setbacks does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.
- I. The following site features are exempt or partially exempt from the setback requirements as stated.
 - a. Fences and walls are exempt from setbacks in this section but must abide by the fence and wall standards in this article.
 - b. Utility poles, lines, and junction boxes are exempt from the setbacks in this section.
 - c. Landscaping is exempt from this section but must abide by the landscaping standards.
 - d. Driveways in single family residential districts are exempt. Driveways off of alleys may be permitted.
 - e. Entrances and driveways in commercial, industrial, multifamily and institutional districts are exempt from front yard setbacks but must abide by the entrance and driveway standards in this article.

Setback Standards (SB)

(continued)

- J. Every part of a required yard shall be open from its lowest point to the sky, unobstructed, except for the projection of sills, belt courses, cornices, and ornamental features not exceeding four (4) inches. Open balconies and cornices may project into a front yard not more than three and one half (3 ½) feet.
- K. When the lot is a corner lot at the intersection of two (2) streets on which there are lots fronting both streets within the block affected, there shall be a front yard on each street side of such corner lot conforming to the depths established by this ordinance, except that the available building width of such lot need not be reduced to less than thirty (30) feet. No accessory building on such lot shall project beyond the front yard lines as established for either street.

Sewer and Water Standards (SW)

6.5 SW-01

This Sewer and Water Standards section applies to the following districts:

**AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI,
HI**

The following sewer and water standards apply:

- A. Sewer and Water: Municipal sewer and water hookup is required when it is noted as such on the two-page layout in Article Three for each particular zoning district. Proposed hookups shall be installed according to the permit requirements of the appropriate authorities.
- B. If there is not a notation for sewer and water on the two-page layout for a zoning district, then sewer and water hookup is not required.

Density and Intensity Standards (DI)

6.6 DI-01

This Density and intensity Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following density and intensity standards apply:

- A. Maximum Density: The maximum density shall be as per each two-page layout in Article Three.
- B. Minimum Lot Coverage: The minimum lot coverage shall be as per each two-page layout in Article Three.
- C. Maximum Lot Coverage: The maximum lot coverage shall be as per each two-page layout in Article Three.
- D. If one or more of the above listed density or intensity standard does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.

Floor Area Standards (FA)

6.7 FA-01

This Floor Area Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following floor area standards apply:

- A. The following lot standards apply to all primary and accessory structure, and land uses unless otherwise stated in this zoning ordinance.
 - a. Minimum Main Floor Area (as per each two-page layout in Article Three)
 - b. Maximum Main Floor Area (as per each two-page layout in Article Three)
 - c. Minimum Floor Area Per Unit (as per each two-page layout in Article Three)
- B. A single-family dwelling shall be at least twenty-three (23) feet wide for sixty percent (60%) of its length.
- C. If one or more of the floor area standards does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.

Height Standards (HT)

6.8 HT-01

This Height Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following height standards apply:

- A. **Maximum Structure Height:** The maximum structure height shall be as per each two-page layout in Article Three except that the maximum height may be increased by up to twenty (20) feet if the following conditions are met:
 - a. The structure can be served by the Kokomo Fire Dept tinent and/or includes adequate fire suppression measures deemed appropriate by the Kokomo Fire Department.
 - b. The side yards and rear yards shall be increased one (1) foot for each additional one (1) foot increase in height above the height permitted in each two-page layout.
 - c. The additional height will not cause increased shadows on adjacent properties.
- B. **Minimum Structure Height:** The minimum structure height shall be as per each two-page layout in Article Three.
- C. If either of the above listed types of height standards does not appear on the two-page layout for a zoning district, then height requirements do not apply to that particular zoning district.
- D. The following structures or building features are exempt or partially exempt from the maximum structure height standard as stated:
 - a. Church steeples are allowed up to a height of 60 feet.
 - b. Water towers are allowed up to a height of 150 feet.
 - c. Noncommercial radio and television antennae are allowed up to a height of 70 feet.
 - d. Chimneys are allowed to extend 10 feet above the roofs highest point.
 - e. Mechanical appurtenances are allowed to extent 10 feet above the roofs highest point, but must be:
 1. located such that it is not visible from adjacent private and public streets, or
 2. shielded from view with a parapet or other architectural feature such that it is not visible from adjacent private or public streets.
 - f. Elevator bulkheads are allowed to extent 15 feet above the roofs highest point, but must be:
 1. located such that it is not visible from adjacent private and public streets, or
 2. shielded from view with a parapet or other architectural feature such that it is not visible from adjacent private and public streets, or
 3. be constructed with the same or predominant exterior building materials, or
 4. architecturally integrated into the building's designs as to not look like an elevator bulkhead.

Accessory Structure Standards (AS)

6.9 AS-01

This Accessory Structure Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following accessory structure standards apply:

- A. Accessory structures shall comply with all development standards for the subject Zoning District unless specified otherwise.
- B. Accessory structures must relate to the primary structure and its uses; and be commonly and usually used in connection to the specific primary use.
- C. Accessory structures must not be used as residences.
- D. Accessory structures must not encroach on any platted easement.
- E. An accessory structure must be located to the rear or side of the primary structure unless specifically permitted otherwise. Accessory structures are allowed in front yards facing watercourses or lakes.
- F. A mobile home, manufactured home, recreational vehicle, semi-tractor trailer, shipping containers, truck cargo boxes, boat or motor vehicle may not be used as an accessory structure in any zoning district.
- G. Accessory structures are not permitted on a lot prior to any primary structure being constructed except where the accessory structure is being used in conjunction with the act of constructing a primary structure or for agricultural purposes.
- H. Dumpsters, compactors, and other trash receptacles are not regulated as accessory structures. See MC-06 on page 52 in this Zoning Ordinance. .
- I. Swimming pools must abide by this zoning ordinance as well as Indiana State Code (675 IAC 20).
- J. Accessory structures, other than swimming pools, must be at least six (6) feet from other structures on the same or adjoining lots.

6.10 AS-02

This Accessory Structure Standards section applies to the following districts:

AR, R1, R2, R3, R4, R5

The following accessory structure standards apply:

- A. No more than 2 enclosed accessory structures (i.e. detached garage, pool house, shed, etc.) are permitted on a lot. This regulation does not restrict the number of non-enclosed accessory structures on a lot.
- B. The cumulative square footage of all enclosed accessory structures cannot exceed 1500 square feet or 100% of the square footage of the primary structure, whichever is less.

Accessory Structure Standards (AS)

(continued)

6.11 AS-03

This Accessory Structure Standards section applies to the following districts:

M1, M2, M3

The following accessory structure standards apply:

- A. No more than one (1) detached garage or carport facility per primary structure.
- B. No more than one (1) additional enclosed accessory structure (i.e. pool house, storage building, etc.) per primary structure. This regulation does not restrict the number of non-enclosed accessory structures on a lot.
- C. The cumulative square footage of all enclosed accessory structures and carports cannot exceed 50% of the square footage of the primary structure(s).
- D. The exterior finish and facade of each enclosed accessory structure must match or closely resemble the finish and facade materials used on the primary structure. Further, enclosed accessory structures must have a residential appearance and character suited for a residential district.

6.12 AS-04

This Accessory Structure Standards section applies to the following district:

MP

The following accessory structure standards apply:

- A. Management offices, sales offices, storage, mini-warehouses, laundry, dry cleaning facilities, and other structures customarily incidental to manufactured home parks or mobile home parks are permitted, provided the following criteria are met.
 - a. The Accessory Structure is subordinate to the residential component of the park and adds aesthetic value to the park; and
 - b. The Accessory Structure is located, designed and intended to serve only the needs of the park; and
 - c. The establishments located within the Accessory Structure present no visible evidence of their business nature to areas outside the park.
- B. Each manufactured home or mobile home is entitled to two (2) accessory structures. The total area of all accessory structures may not exceed 20% of the dwelling site. Permitted accessory structures are as follows:
 - carport
 - decks/patios
 - garage (attached or detached)
 - gazebos
 - greenhouses
 - hot tubs
 - mini barns
 - sheds

Accessory Structure Standards (AS)

(continued)

- sport courts
 - boat houses
- C. Model manufactured or mobile homes as sales units are permitted provided that the number of model homes is limited to 5% of the authorized number of dwelling sites in the park. Model homes must comply with all standards set forth in the MP District. One (1) unit may be used as a sales office.

6.13 AS-05

This Accessory Structure Standards section applies to the following districts:

NC, DC

The following accessory structure standards apply:

- A. No more than one (1) enclosed accessory structures (i.e. detached garage, shed, storage building, etc.) is permitted per primary structure. This regulation does not restrict the number of non-enclosed accessory structures on a lot.
- B. The cumulative square footage of all enclosed accessory structures cannot exceed 500 square feet or 50% of the square footage of the primary structure, whichever is less.
- C. The exterior finish and facade of each enclosed accessory structure must match or closely resemble the finish and facade materials used on the primary structure. Further, enclosed accessory structures must have an appropriate appearance and character suited for the adjacent district.

6.14 AS-06

This Accessory Structure Standards section applies to the following districts:

IS, OC, C1, C2

The following accessory structure standards apply:

- A. No more than 2 enclosed accessory structures (i.e. detached garage, shed, storage building, etc.) are permitted on a lot. This regulation does not restrict the number of non-enclosed accessory structures on a lot.
- B. The cumulative square footage of all enclosed accessory structures cannot exceed 1500 square feet or 50% of the square footage of the primary structure(s), whichever is less.
- C. The exterior finish and facade of each enclosed accessory structure must match or closely resemble the finish and facade materials used on the primary structure. Further, enclosed accessory structures must have a commercial appearance and character suited for a commercial district.

Accessory Structure Standards (AS)

(continued)

6.15 AS-07

This Accessory Structure Standards section applies to the following districts:

LI, MI, HI

The following accessory structure standards apply:

- A. There is no limit to the number of enclosed accessory structures (i.e. detached garage, shed, storage building, etc.) on a lot.
- B. The exterior finish and facade of each enclosed accessory structure must match or closely resemble the finish and facade materials used on the primary structure. Further, enclosed accessory structures must have a commercial or industrial appearance and character suited for an industrial district.

Fence and Wall Standards (FW)

6.16 FW-01

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

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP

The following fence and wall standards apply:

- A. All fences and walls:
 - a. Must present the non-structural face outward (e.g., the finished side outward).
 - b. Are permitted up to the property line. However, a fence must not be closer than 2 feet from any public right-of-way. In addition, fence and wall footers shall not cross the property line.
 - c. Must not be greater than 6 feet in height in the side yard and rear yard or greater than 4 feet in height in the front yard.
 - d. Must not exceed 70% opacity when used in the front yard (e.g., cannot be a solid screen).
 - e. Must abide by the vision clearance regulations.
 - f. Must not incorporate security wire, barbed wire, or sharpened top spikes.

6.17 FW-02

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

NC, IS, OC, C1, C2, LI, MI, HI

The following fence and wall standards apply:

- A. All fences and walls must present the non-structural face outward (the most aesthetically pleasing side toward neighboring properties).
- B. The maximum heights of a fence or wall is as follows:
 - a. 6 feet in a side yard.
 - b. 6 feet in a rear yard.
 - c. 5 feet in a front yard.
- C. Structural posts and columns between fence sections may extend up as much as 5% higher than the maximums stated above.
- D. Fences and walls are permitted up to the property line. However, a fence must not be closer than 2 feet from any public right-of-way. In addition, fence and wall footers shall not cross the property line.
- E. Fences and walls must abide by the vision clearance regulations.
- F. Must not incorporate security wire, barbed wire, or sharpened top spikes.

Temporary Use/Structure Standards (TU)

6.18 TU-01

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

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following temporary use and structure standards apply:

- A. Temporary uses or structures must meet all standards for a permanent use or structure.
- B. If the intent is for a temporary use or structure to transition to a permanent use or structure and it is not disclosed at the time of application the transition to a permanent use or structure will not be permitted for one (1) year from the application date.
- C. The Planning Director may extend the duration of a temporary use or structure one (1) time with findings of substantial need. The duration of the extension cannot exceed the lengths of the originally permitted time (e.g. if the originally permitted time was 14 days, the extension cannot exceed another 14 days).
- D. All temporary uses or structures must be removed and the original site reverted to its original condition. Such reversion to the original state must be completed prior to the expiration of the temporary use or structure permit.

6.19 TU-02

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

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3

The following temporary use and structure standards apply:

- A. Garage sales and yard sales are permitted for a total of 14 days per calendar year. No permit is required unless an applicant wishes to exceed the permitted duration. Upon successful completion of a temporary use/structure permit, a petitioner may be granted up to a total of 28 days per calendar year for a garage or yard sale, at the discretion of the Planning Director.
- B. Roadside stands are permitted for a total of 14 days per calendar year. No permit is required unless an applicant wishes to exceed the permitted duration. Upon successful completion of a temporary use/structure permit, a petitioner may be granted up to a total of 28 days per calendar year for a roadside stand, at the discretion of the Planning Director.
- C. Tents for a private party or event are permitted for a total of 14 days per calendar year. No permit is required unless an applicant wishes to exceed the permitted duration. Upon successful completion of a temporary use/structure permit, a petitioner may be granted up to a total of 28 days per calendar year for a private party tent, at the discretion of the Planning Director.
- D. Construction trailers for a residential construction project are permitted for up to 12 months. A temporary use/structure permit is required.

Temporary Use/Structure Standards (TU)

(continued)

6.20 TU-03

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

NC, IS, OC, DC, C1, C2, LI

The following temporary use and structure standards apply:

- A. Construction trailers for a commercial or industrial construction project are permitted for up to 12 months. A temporary use/structure permit is required. The Planning Director shall have discretion as to the placement, quantity, duration and size of construction trailers used.
- B. Roadside stands, outdoor sales or events are permitted for a total of 14 days per calendar year. No permit is required unless an applicant wishes to exceed the permitted duration. A petitioner may be granted a temporary use/structure permit for up to 60 days per calendar year. The permit may be extended for up to 2 additional 60-day periods during the same calendar year at the discretion of the Planning Director after his inspection of the permitted site. The Planning Director shall have discretion as to the placement, quantity, duration, site condition and size of temporary use/structure permitted roadside stands, outdoor sales or events.
- C. Roadside sales of fireworks are not permitted under any circumstances.

Home Occupation Standards (HO)

6.21 H0-01 (Type 1)

This Home Occupation Standards section applies to the following districts:

AG, AR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, DC

The following home occupation standards apply:

- A. The home occupation must not involve retail sales (i.e. walk-in sales) or manufacturing operations.
- B. The home occupation must not involve the employment of any person other than those residing at the location of the home occupation.
- C. The equipment used for the business must be limited to computers, fax machines, telephones, copy machines, and other small office equipment.
- D. There may not be any exterior storage or display of products, equipment or materials used in connection with the home occupation.
- E. No more than 15% of the total floor area of the primary structure may be used for the home occupation.
- F. There shall not be any exterior, structural or aesthetic alterations to the dwelling unit to accommodate the home occupation.
- G. There shall not be any room additions, structural or aesthetic alterations that change the residential character of the dwelling unit to accommodate the home occupation.
- H. There may not be additional entrances to the dwelling unit for the purpose of conducting business or to accommodate the business.
- I. Business operations in any accessory structure are not permitted.
- J. The home occupation may not generate any additional traffic.
- K. No signage for the business is allowed on or off the property.
- L. No business practice, function, equipment, or process shall create electrical interference, odors, noise, vibration, light, smoke, fumes, or anything offensive.
- M. The home occupation may not demand increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical systems beyond what is standard for a residence.
- N. No additional parking may be added to the property on which the residence is located to accommodate the home occupation.
- O. Use of commercial vehicles for pickup and deliveries other than from the U.S. Postal Service, UPS, and other express couriers is not permitted.
- P. A home office, telecommuting office, professional service, design service, catalog business, internet business, clergy office or the like is permitted.
- Q. The following types of business are not permitted as home occupations:
 - medical clinic of any kind
 - clothing shop
 - funeral home
 - tourist home
 - animal hospital

Home Occupation Standards (HO)

(Continued)

- kennel
 - trailer rental
 - automobile, motor vehicle, or equipment repair of any kind
 - painting of automobiles, motor vehicles, or equipment of any kind
 - photo developing
 - television, radio or other electronics repair
 - tooling, welding, or machining of any kind
 - retail or manufacturing of any kind
 - tool or equipment rental of any kind
 - restaurant or similar establishment
 - salvage operation of any kind
 - freight or trucking operation of any kind
 - contractor business
 - landscaping/lawncare business
 - fortune telling
 - tattooing, piercing or body art
 - similar businesses
- R. Any home occupation may be deemed not permitted if in a public hearing on the matter the Board of Zoning Appeals rules the home occupation to be a nuisance. Any person reasonably affected by the home occupation or the Planning Director may request such a hearing.
- S. Uses not specifically mentioned will be interpreted by the Planning Director or BZA as to whether the use is permitted or not.

6.22 HO-02 (Type 2)

This Home Occupation Standards section applies to the following districts:

AG, AR, R1, R2, R3, R4, R5, NC, DC

The following home occupation standards apply:

- A. The home occupation must not involve retail sales (i.e. walk-in sales) or manufacturing operations.
- B. At least one (1) member residing on the premises must be the primary operator of the business and that business must be that person's primary work.
- C. The equipment used for the business must be limited to computers, fax machines, telephones, copy machines, small office equipment, beautician/barber chair and mechanical equipment used for purely domestic or hobby purposes.
- D. There must not be any exterior storage or display of products, equipment or materials used in connection with the home occupation.

Home Occupation Standards (HO)

(Continued)

- E. No more than 25% of the total floor area of the primary structure shall be used for the home occupation.
- F. There shall not be any exterior, structural or aesthetic alterations to the dwelling unit to accommodate the home occupation.
- G. There shall not be any room additions, structural or aesthetic alterations that change the residential character of the dwelling unit to accommodate the home occupation.
- H. There shall not be any additional entrances to the dwelling unit for the purpose of conducting business or to accommodate the business.
- I. Accessory structures may be used provided the use does not create a nuisance.
- J. Minimal traffic generation due to the business will be permitted.
- K. A small sign not exceeding 2 square feet will be allowed on the primary structure. No off-site signs or signs in the yard of the property shall be permitted.
- L. No business practice, function, equipment, or process shall create electrical interference, odors, noise, vibration, light, smoke, fumes, or anything offensive beyond the property lines for the dwelling unit.
- M. The home occupation may not demand increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical systems beyond what is standard for a residence.
- N. One (1) additional parking space shall be added to the property on which the residence is located to accommodate the home occupation.
- O. Use of commercial vehicles for pickup and deliveries other than from the U.S. Postal Service, UPS, and other express couriers is not permitted.
- P. A home office, telecommuting office, professional service, domestic crafts (i.e. weaving, sewing, dressmaking), furniture repair, art and music training, tutoring, hair cutting/styling, design service, catalog business, internet business, clergy office or the like is permitted.
- Q. The following types of business shall not be permitted:
 - medical clinic of any kind
 - clothing shop
 - funeral home
 - tourist home
 - animal hospital
 - kennel
 - trailer rental
 - automobile, motor vehicle or equipment repair of any kind
 - painting of automobiles, motor vehicles, or equipment of any kind
 - photo developing
 - television, radio or other electronics repair
 - tooling, welding, or machining of any kind

Home Occupation Standards (HO)

(Continued)

- tool or equipment rental of any kind
 - restaurant or similar establishment
 - salvage operations of any kind
 - freight or trucking operations of any kind
 - contractor's business
 - landscaping/lawn care business
 - fortune telling
 - tattooing, piercing or body art
 - similar businesses
- R. Any home occupation may be deemed not permitted if in a public hearing on the matter the Board of Zoning Appeals rules the home occupation to be a nuisance. Any person reasonably affected by the home occupation or the Planning Director may request such a hearing.
- S. Uses not specifically mentioned will be interpreted by the Planning Director or BZA as to whether the use is permitted or not.

Landscaping Standards (LA)

6.23 LA-01 [General Landscaping Standards]

This Landscaping Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following landscape standards apply:

- A. Softscape material (i.e. trees, shrubs, mounds, etc.) and hardscape material (i.e. accent lighting, retaining walls, sculpture, etc.) may extend into any existing or proposed right-of-way with the written permission of the Board of Public Works.
- B. Softscape material and hardscape material may extend into an existing or proposed easement with the written permission from the utilities using or which may use the easement.
- C. The landowner and their successors in interest are responsible for the regular maintenance of all landscaping elements.
- D. All softscape material shall be maintained free from disease, pests, weeds, litter and erosion.
- E. All hardscape material shall be refinished, repaired, cleaned and/or replaced periodically to maintain a structurally and aesthetically sound condition.
- F. Any softscape material required by this Zoning Ordinance, the Plan Commission, or the Board of Zoning Appeals that dies, or is otherwise removed, must be replaced within 60 days of death. The Planning Director may grant up to a 90-day extension due to the weather.
- G. The use of species native to the region is encouraged.

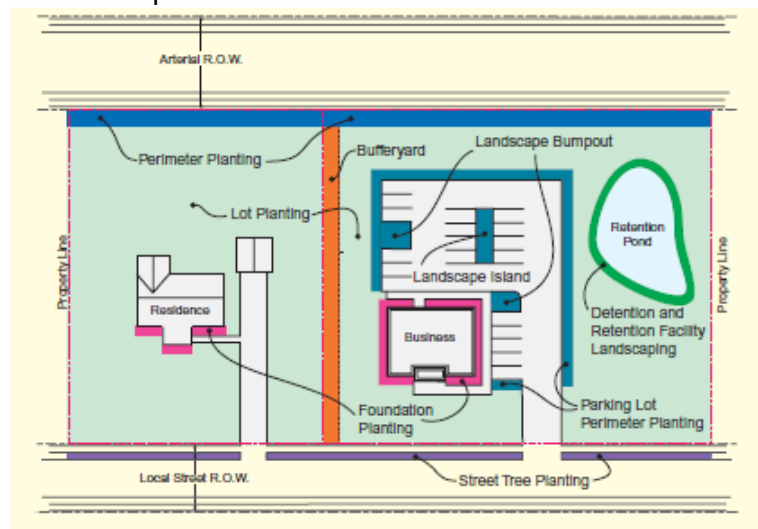
Landscaping Standards (LA)

(continued)

H. Under no circumstances may the species identified and listed in Schedule A - Invasive, Pest or Poor Characteristic Plants, be used for minimum planting requirements in this ordinance.

Schedule A		Pest Plants
Scientific Name	Common Name	
Acer ginnala	Amur maple	
Acer platanoides	Norway maple	
Ailanthus altissima	Tree-of-heaven	
Albizia julibrissin	Mimosa	
Euonymus alata	Winged wahoo-burning bush	
Euonymus fortunei	Winter creeper	
Ligustrum spp.	Privets	
Ligustrum vulgare	Privet	
Lonicera japonica	Japanese honeysuckle	
Lythrum salicaria	Purple loosestrife	
Pinus nigra	Austrian pine	
Polygonum cuspidatum	Japanese knotweed	
Pueraria lobata	Kudzu vine	
Rhamnus cathartica	Common buckthorn	
Rhamnus davurica	Dahurian buckthorn	
Rhamnus frangula	Alder buckthorn	

I. This ordinance recognizes the need for landscaping requirements in four different areas on a property. They are yard planting areas, parking lot planting areas, foundation planting areas, and buffer yard areas. The below image conceptually demonstrates the location of each landscape area.



Landscaping Standards (LA)

(continued)

- J. Under no circumstances may any artificial plant be installed and/or counted as part of the minimum planting required in the Zoning Ordinance.
- K. The preservation of an existing healthy tree shall constitute a credit toward the minimum landscape requirements in this ordinance. A credit will be given per tree that contributes to and satisfies the intent of a particular section of the landscape standards in this article. The following credits shall be granted for an existing tree as follows:
 - a. For each preserved deciduous tree over 2 inches but less than five 5 inches diameter at breast height (DBH) a credit for 2 deciduous tree shall be granted.
 - b. For each preserved deciduous tree over 5 inches but less than 8 inches DBH a credit for 3 deciduous trees shall be granted.
 - c. For each preserved deciduous tree over 8 inches but less than 12 inches DBH a credit for 4 deciduous trees shall be granted.
 - d. For each preserved deciduous tree over 12 inches DBH a credit for 5 deciduous trees shall be granted. The Planning Director may grant larger credits for trees over 12 inches DBH upon request.
 - e. For each preserved evergreen tree over 6 feet tall but less than 10 feet tall shall be granted credit for 2 evergreen trees.
 - f. For each preserved evergreen tree over 10 feet tall shall be granted credit for 3 evergreen trees. The Planning Director may grant larger credits for evergreen trees over 10 feet tall upon request.
- L. Any trees to be preserved must have orange construction fencing installed around them at or beyond their drip lines.
- M. Any trees marked "Do Not Remove" on the site plan that are removed or injured beyond repair must be replaced by one or more similar specie trees with a cumulative DBH of 1.25 times the DBH of the tree which was to be preserved.
- N. All deciduous trees planted for a buffer yard must have at least a 1.5-inch caliper and all evergreens must be at least 3 feet in height when planted.
- O. All tree caliper's must be measured using DBH.
- P. If the applicant can produce evidence that the planting area is unsuitable for the required tree due to soil or site conditions, the applicant may substitute another type of tree as approved by the Planning Director.
- Q. The use of rock, stone, sand or gravel as a primary groundcover is discouraged. Rock, stone, sand or gravel used for landscaping of any planting area shall not exceed 36 square feet per tree or shrub planted or preserved.

6.24 LA-02 [Single Family Residential Planting Standards]

This Landscaping Standards section applies to the following districts:

AG, AR, R1, R2, R3, R4, R5

Landscaping Standards (LA)

(continued)

The following landscaping standards apply:

- A. Lots with less than 10,000 square feet shall be required to plant one (1) tree in the yard planting area.
- B. Lots over 10,000 square feet but less than 20,000 square feet shall be required to plant 2 trees in the yard planting area.
- C. Lots over 20,000 square feet shall be required to plant 3 trees plus one (1) additional per every 10,000 square feet over 20,000 square feet.
- D. All primary structures shall have a minimum of 2 shrubs or trees planted in the foundation planting area (e.g. along each side of a home's foundation facing a street). These foundation planting shall be within 6 feet of the foundation.
- E. Substitutions or alterations of minimal planting required may be reviewed and approved by the Planning Director but must be equal to or greater than that which is required.

6.25 LA-03 [Multifamily Residential Planting Standards]

This Landscaping Standards section applies to the following districts:

M1, M2, M3

The following landscaping standards apply:

- A. Lots with less than 10,000 square feet shall be required to plant 2 trees in the yard planting area.
- B. Lots over 10,000 square feet but less than 20,000 square feet shall be required to plant 3 trees in the yard planting area.
- C. Lots over 20,000 square feet shall be required to plant 4 trees plus one (1) more per every 10,000 square feet over 20,000 square feet.
- D. All primary structures shall have a minimum of one (1) shrub or tree planted per 20 lineal feet of foundation facing a street or parking area. These foundation planting shall be located within 10 feet of the foundation.
- E. Substitutions or alterations of minimal planting required may be reviewed and approved by the Planning Director but must be equal to or greater than that which is required.

6.26 LA-04 [Manufactured Home Park Planting Standards]

This Landscaping Standards section applies to the following districts:

MP

The following landscaping standards apply:

- A. Each manufactured home park shall be required to plant two (2) trees per 15,000 square feet of lot area. These planting may be located on dwelling sites or common areas.

Landscaping Standards (LA)

(continued)

- B. For every 10 dwelling sites in a manufactured home park one (1) tree must be planted in the yard planting area.
- C. All dwelling sites shall have a minimum of 2 shrubs or trees planted in the foundation planting area or next to the main entrance into the home. These foundation planting shall be within 6 feet of the foundation.
- D. All common or administrative buildings shall have a minimum of one (1) shrubs or trees planted per 20 lineal feet of foundation facing a street or parking area. These foundation planting shall be located within 10 feet of the foundation.
- E. Substitutions or alterations of minimal planting required may be reviewed and approved by the Planning Director but must be equal to or greater than that which is required.

6.27 LA-05 [Commercial/Industrial Landscaping Standards]

This Landscaping Standards section applies to the following districts:

NC, IS, OC, C1, C2, LI, MI, HI

The following landscaping standards apply:

- A. Lots with less than 20,000 square feet shall be required to plant 2 trees in the yard planting area.
- B. Lots over 20,000 square feet but less than 40,000 square feet shall be required to plant 3 trees in the yard planting area.
- C. Lots over 40,000 square feet shall be required to plant 4 trees plus one (1) additional tree per every 20,000 square feet over 40,000 square feet.
- D. Foundation planting are required for all primary structures when they face a street or parking area.
- E. Foundation planting must be provided at a ratio of one (1) tree or large shrub per 50 lineal feet of foundation facing a street or parking area. These foundation planting shall be located within 30 feet of the building's foundation. The foundation planting shall not be placed at regular intervals. Rather, clustering and variation of distance between the plant and the foundation is required.
- F. Parking lot plantings are required for all parking lots. The quantity and tvne depends on the, number of parking spaces.
 - a. All parking lots shall be screened by a continuous tree row with shrubs between the trees along any portion of a parking lot near any property line. Individual trees shall be planted at a rate of at least 1 tree per 30 feet of yard length. The tree row and shrubs shall form a continuous visual screen. Retaining existing shrubs and/or trees as part of the tree row is encouraged.
 - b. Additional parking lot plantings are required for any parking lot over 20 spaces. Parking lots over 20 spaces must provide perimeter and interior landscaping as follows:

Landscaping Standards (LA)

(continued)

1. One (1) tree per 30 lineal feet of circumference around the parking lot with shrubs between the trees.
 2. One (1) tree per 30 lineal feet of a parking lot facing a public street with shrubs between the trees.
 3. Parking lot landscape islands or bump-outs must be placed at the end of each row of parking and within each row of parking at a maximum interval of one per fifteen (15) lineal adjacent parking spaces. Islands or bump-outs must be ~~150~~ 360 square feet in area or greater, bordered by a concrete curb, contain at least two trees, and be mulched or hardy ground cover used (i.e. plant material, shrubs).
- G. Substitutions or alterations of minimal plantings required may be reviewed and approved by the Planning Director but must be equal to or greater than that which is required.

6.28 LA-06 (Parking Lot Planting Standards)

This Landscaping Standards section applies to all newly constructed, reconstructed, or resurfaced off-street parking areas containing 20 parking spaces or more, regardless of whether the improvements of the parking lot or increase of parking spaces occurs at 1 time or in successive stages. The following landscaping standards apply:

- A. Parking lot plantings are required for any parking lot with at least 20 spaces. Parking lots with at least 20 spaces must provide perimeter landscaping as follows:
- a. One (1) tree or shrub per 20 parking spaces must be planted. It is strongly recommended to not plant ornamental trees or trees with surface root growth.
 - b. Trees and shrubs may be spaced irregularly in informal groupings.
 - c. The trunk of any tree or shrub must not be planted within 4 feet of the parking lot edge or impervious surface.
 - d. The petitioner may plant the required tree and shrub plantings around the perimeter or in parking lot landscape islands or bump-outs. No landscape island or bump-out may be less than 150 square feet in area. All islands must be mulched or use a hardy ground cover (i.e., plant material).
- B: Substitutions or alterations of minimal plantings required may be reviewed and approved by the Planning Director but must be equal to or greater than that which is required.
- C. Reasonable substitutions for trees and shrubs in an urban environment may include:
- a. Brick masonry half-walls used along perimeter areas of a parking lot (generally, 10 feet of wall can be substituted for 1 tree or shrub).
 - b. Large planters with plants (generally, 2 large planters can be substituted for 1 tree or shrub).

Landscaping Standards (LA)

(continued)

- c. Earthen berms with hardy ground cover (generally, 10 feet of berm 30 inches tall can be substituted for 1 tree or shrub).
- d. Window boxes with plants (generally, 15 lineal feet of window boxes can be substituted for 1 tree or shrub).
- e. Combinations of the above items will also be considered by the Planning Director.
- D. In the event the petitioner and Planning Director cannot reach an agreement for substitutions which are equal to or greater than the required standards, then the standard requirements shall be required.
- E. The BZA approval of a special exception of an off-site parking lot may include additional conditions as it deems necessary.

6.29 LA-07 [Bufferyard Planting Standards]

This Landscaping Standards section applies to the following districts:

M1, M2, M3, MP, NC, IS, OC, C1, C2, LI, MI, HI

The following landscaping standards apply:

- A. The bufferyard standards only apply along the property lines where the two (2) conflicting Zoning Districts meet.
- B. The property which is zoned for higher intensity uses is responsible for installing the bufferyard.
- C. A natural or irregular row and spacing of trees is preferred in a bufferyard.
- D. The following matrix determines the type of bufferyard which must be installed. First find the Zoning District of the Subject Property (across the top). Second, find the Zoning District of the Adjacent property (in the left column). Where the two intersect on the matrix there is the letter "A", "B", "C", "D" or a blank space. When there is a blank space no bufferyard is required. If an "A", "B", "C" or "D" is indicated in the matrix, a bufferyard is mandatory.

Landscaping Standards (LA)

(continued)

Adjacent District	Zoning District of Subject Property											
	M1	M2	MP	NC	IS	OC	DC	C1	C2	LI	MI	HI
AG		A	A	B	B	B		B	B	B	B	B
PR	A	A	A	A	A	B		B	B	C	C	D
R1	A	B	B	B	B	C		C	C	C	D	D
R2	A	B	B	B	B	C		C	C	C	D	D
R3		B	B	B	B	C		C	C	C	D	D
R4		A	B	A	B	B		C	C	C	C	D
R5		A	B	A	B	B		C	C	C	C	D
M1		A	B	A	B	B		C	C	C	C	D
M2			A	A	B	B		B	C	C	C	C
M3			A	A	B	B		B	C	C	C	C
MP				A	B	B		B	C	C	C	C
NC					A	A		B	B	B	C	C
IS						A		A	B	B	B	C
OC								A	A	A	B	C
DC												
C1										A	B	B
C2										A	B	B
LI												A
MI												
HI												

A = "A" Buffer Yard B = "B" Buffer Yard C = "C" Buffer Yard D = "D" Buffer Yard

- E. Bufferyard "A": If bufferyard "A" is required the following standards must be met.
- One (1) canopy tree and one (1) evergreen tree must be planted for every 70 feet of contiguous boundary with the conflicting district. All numbers shall be rounded up to the nearest multiple of 70.
 - All trees must be planted between 5 and 15 feet from the property line that is contiguous to the conflicting property.
- F. Bufferyard "B": If bufferyard "B" is required the following standards must be met.
- An additional 10 feet of setback is required in addition to the normal setback. A lot established, before the effective date of this ordinance, may substitute a solid wall, compact evergreen screen or board fence of uniform color having a height of not less than five (5) feet for the 10 feet additional setback. Any compact evergreen screen shall screen any ground level windows on adjoining lots from any lights on the lot at the time of planting.
 - One (1) canopy tree and 2 evergreen trees must be planted for every 50 feet of contiguous boundary with the conflicting district. All numbers shall be rounded up to the nearest multiple of 50.

Landscaping Standards (LA)

(continued)

- c. All trees must be planted between 5 and 15 feet from the property line.
- G. Bufferyard "C": If bufferyard "C" is required the following standards must be met.
 - a. An additional 20 feet of setback is required in addition to the normal setback. A lot established before the effective date of this ordinance may substitute a solid wall, compact evergreen screen or board fence of uniform color having a height of not less than five (5) feet for the 20 feet additional setback. Any compact evergreen screen shall screen any ground level windows on adjoining lots from any lights on the lot at the time of planting.
 - b. One (1) canopy tree must be planted for every 30 feet of contiguous boundary with the conflicting district. All numbers shall be rounded up to the nearest multiple of 30.
 - c. One (1) evergreen tree must be planted for every 50 feet of contiguous boundary with the conflicting district. All numbers shall be rounded up to the nearest multiple of 50.
 - d. Irregular spacing is allowed, but no two trees shall be planted more than 60 feet from one another.
 - e. A 5-foot-tall opaque fence, or 4-foot-tall undulating berm, may be used along 90% of the entire length of the abutting property lines as a substitute for either 50% of the evergreen trees required or 25% of the canopy trees required.
 - f. All trees must be planted between 5 and 25 feet from the property line of the subject property.
- H. Bufferyard "D": If bufferyard "D" is required the following standards must be met.
 - a. An additional 30 feet of setback is required in addition to the normal setback. A lot established, before the effective date of this ordinance, may substitute a solid wall, compact evergreen screen or board fence of uniform color having a height of not less than five (5) feet for the 30 feet additional setback. Any compact evergreen screen shall screen any ground level windows on adjoining lots from any lights on the lot at the time of planting.
 - b. A 6-foot-tall opaque fence, or 5-foot-tall undulating berm, and/or a row of evergreen trees, that are 6 feet in height when planted and no more than 12 feet apart, must also be placed parallel to the property line and at least 25 feet back from the property line.
 - c. One (1) canopy tree must be planted for every 40 feet of contiguous boundary with the conflicting district. All numbers shall be rounded up to the nearest multiple of 40.
 - d. One (1) evergreen tree must be planted for every 50 feet of contiguous boundary with the conflicting district. All numbers shall be rounded up to the nearest multiple of 50.

Landscaping Standards (LA)

(continued)

- e. The trees required in "c" and "d" above are required to be irregularly spaced. No two trees shall be more than 60 feet from one another.
- f. The trees required in "c" and "d" above are required to be planted within 20 feet of the property line.
- l. The Planning Director may lessen these requirements by as much as 25% due to site conditions or special site features.

6.30 LA-08 [Expressway Bufferyard Standards]

This Bufferyard Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, C1, C2, LI, MI, HI

The following bufferyard standards apply to properties which are adjacent to an expressway:

- A. All primary structures must be a minimum of 100 feet from the lot line that is adjacent to the expressway. In addition, the following buffer requirements apply:
 - a. A staggered row of deciduous canopy trees must be planted such that there is one tree every 30 feet along the entire property line that abuts the expressway.
 - b. Additionally, a 6-foot-tall fence, or 5-foot-tall undulating berm, or a row of evergreen trees no less than 12 feet apart must also be planted parallel to the property line and the evergreen trees must be at least 20 feet from the deciduous canopy trees.
 - c. All trees must be planted between 10 and 40 feet from the property line and within the subject property.
- B. Trees, vegetation, irrigation systems, fences, walls and other landscape elements shall be considered as elements of the project in the same manner as parking and other site details. The applicant and/or landowner, and their successors in interest, are responsible for the regular maintenance of all landscaping elements so that they are kept in good condition. All landscaping must be maintained free from disease, pests, weeds and litter. All landscape structures such as fences and walls must be repaired and replaced periodically to maintain a structurally and aesthetically sound condition.
- C. Any landscape element that dies, or is otherwise removed, must be promptly replaced based on the requirements of Article Six.
- D. The Planning Director may waive the requirements for a wall or berm if the expressway has a natural or built feature that serves the same purpose.

Environmental Standards (EN)

6.31 EN-01

This Environmental Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following environmental standards apply:

- A. Erosion Prevention: All land, regardless of slope, from which structures or natural cover has been removed or otherwise destroyed, must be appropriately graded and seeded after the removal or destruction of said natural cover to prevent erosion. Any development or site improvement shall provide erosion control measures in accordance with local erosion control ordinances, adopted guidelines and standards, and all State and Federal requirements.
- B. Alterations to Shoreline: No alteration of a shoreline, wetland or bed of a stream or creek shall be made until written approval is obtained from the appropriate government agency and the provisions of this Zoning Ordinance are complied with. Alterations include, among other things, filling of a stream, creek, regulated ditch or wetlands, and dredging of a stream, creek or ditch.
- C. Retention, Detention, and Pond Edges:
 - a. The use of engineered hard edges is not permitted except around inlets and outlets. The use of engineered hard edges may not exceed 5% of lineal feet of the total edge of any retention facility, detention facility, or pond. "Rip-rap" above the water level is discouraged.
 - b. All retention ponds shall be designed in a manner to allow a person or child to stand-up when within 5 feet of the water's edge. For this reason, the maximum depth of water within 5 feet of the water's edge (shore line) shall not exceed 2 feet in depth.
 - c. All retention facilities shall allow a person or child to walk out if they inadvertently fall into the retention facility. For this reason, the maximum slope into and out of the retention pond shall be 1 foot of rise per every 8 feet of run (1:8 slope).
- D. Waste Disposal: No waste materials such as garbage, rubbish, trash, construction material, gasoline, oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature that may contaminate, pollute, or harm the waters may be deposited, located, stored, or discharged on any lot in a way that would be likely to runoff, seep, or wash into surface or ground water.
- E. Fuel Storage: No flammable or explosive liquids, solids, or gasses as specified by the State Fire Marshal may be stored in bulk above ground, except tanks or drums of fuel connected directly with energy devices or heating appliances located and operated on the same lot as the tanks or drums of fuel.
- F. Debris/Refuse: Debris, refuse, trash, construction material, garbage, litter, unfinished buildings without proper permits, scrap metals, or rotting wood may not accumulate on any property.

Environmental Standards (EN)

(continued)

- G. Plumbing Systems: Any development or site improvements shall provide adequate, operational plumbing systems to connect to public water and sanitary sewer systems. The systems shall conform to the standards adopted by the appropriate governing body.
- H. Drainage: Any development or site improvement shall include adequate provisions for accommodating surface drainage, storm water detention and storm sewer system design in accordance with local drainage ordinances, adopted drainage design guidelines and standards, and all State and Federal requirements.

Performance Standards (PF)

6.32 PF-01

This Performance Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following performance standards apply:

- A. Air Pollution: No use on a property shall release 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 to conflict with public air quality standards.
- B. Electrical Disturbance: No use on a property 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 local Fire Departments shall be readily available and apparent when any activity involving the handling and storage of flammable or explosive materials is conducted.
- D. Noise: Noise levels shall not exceed the following:
 - a. No use on a property shall produce sustained noise over 50 decibels when adjacent to residential uses or 70 decibels when adjacent to all other uses. Decibels levels apply at all times of the day and shall be measured at any property line.
 - b. No use on a property shall produce repetitive noise over 70 decibels when adjacent to residential uses or 83 decibels when adjacent to all other uses. Decibels levels apply at all times of the day and shall be measured at any property line.
 - c. No use on a property shall produce short bursts of noise over 83 decibels when adjacent to any land use. Decibels levels apply at all times of the day and shall be measured at any property line.
 - d. Any noise that exceeds the above limits shall be muffled or otherwise controlled so as not to exceed these limits. Public safety sirens and related apparatus used solely for public purposes shall be exempt from this standard.
- E. Odor: No use on a property shall emit across lot lines any gas or matter with a bad odor in such quantity as to be readily detectable at any point along such lines.
- F. Vibration: No use on a property shall cause vibrations detectable beyond lot lines without the aid of instruments.

Lighting Standards (LT)

6.33 LT-01

This Lighting Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following lighting standards apply:

- A. All lot lighting must be shielded with opaque material to prevent direct lighting on streets, alleys, and adjacent properties.
- B. All ground lighting used to cast light on building facades, features of buildings or signs must have shields to assure that light does not project beyond the building or sign and must utilize the least amount of light necessary to light the facade, building feature or sign. The light fixture and bulb must be shielded from view of any street, sidewalk, or parking lot.
- C. Lighting fixtures and poles for parking lots must all be consistent in color, size, height, and design.
- D. All parking lot lights must utilize cutoff luminaires with 90° or less of an angle (down-lighting).
- E. Parking lot lights must not exceed 25 feet in height.
- F. All freestanding lights and lights mounted on walls or facades must have cutoff luminaires with 90° or less of an angle (down-lighting).
- G. All lighting fixtures and poles within a single development must be consistent in style, design and color.
- H. Lighting from a property may not cause more than a 1/2 foot candle of illumination beyond the property line of that property. The only exceptions to this standard are as follows:
 - a. When the subject property is zoned for business use and the adjacent property is also zoned for business or industrial use, then the allowable light at the property line is one (1) foot candle (only on the sides of the property that are adjacent to the similar Zoning District).
 - b. When the subject property is zoned for industrial use and the adjacent property is also zoned for industrial use, then the allowable light at the property line is 2 1/2 foot candles (only on the sides of the property that are adjacent to the similar Zoning District).
- I. Measurements of light readings shall be taken along any property line of the subject property with a light meter facing the center of the property at a height of 6 feet.
- J. Commercial, industrial and institutional parking lots and entryways must be illuminated sufficiently to provide a safe and secure lighted area for patrons and employees. Broken or non-functioning light fixtures and poles must be repaired to working condition within five (5) days.

Sign Standards (SI)

6.34 SI-01 (General Sign Standards)

This Sign Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following sign standards apply:

- A. Except as otherwise provided herein, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign without first obtaining a sign permit from the Planning Director.
- B. Abandoned Signs: A sign, all mountings, and related components shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign within ten (10) days after the owner's receipt of the notice to remove the sign, the Planning Director should follow the procedure in H. Removal of Signs.
- C. Illuminated Signs: All illuminated signs shall comply with the following standards:
 - a. All illuminating elements shall be kept in satisfactory working condition and immediately repaired or replaced if damaged or burned out.
 - b. All electrical wiring for permanent signs shall be in conduit and shall meet or exceed all applicable electrical codes.
 - c. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways.
 - d. The light from any illuminated sign shall be shaded, shielded, or directed such that the light intensity or brightness will not be objectionable to the surrounding properties. No light shall shine directly onto an adjacent property.
- D. Exempt Signs: The following items are allowed and are exempt from the sign provisions of this Zoning Ordinance, except as listed in subsection "e" below.
 - a. Flags of any country, state, unit of local government, institution of higher learning, or similar institutional flags.
 - b. Names of buildings, date of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or denoted on a commemorative plaque made of bronze, brass, or other permanent material and made an integral part of the structure. No commercial messages or logos are permitted on such signs.
 - c. Signs of a noncommercial nature and in the public interest erected by an officer of the City, including signs to promote safety, no trespassing, traffic signs, memorial plaques, historical interest signs, and signs directing people to public and quasi-public facilities.
 - d. Utility signs used to mark cables, pipes and lines for public and private utilities except if determined to be a hazard by the Planning Director.

Sign Standards (SI)

(continued)

- e. Under no circumstances may an exempt sign exceed the maximum height standard for its district, or be placed in the vision clearance triangle, or otherwise constitute a public hazard.
- f. Freedom of speech signs (e.g. political campaign or anti-policy signs) are permitted. They shall not exceed eighteen (18) square feet in size in agricultural or residential zoning districts; or thirty-two (32) square feet in commercial or industrial districts. These signs shall not include changeable copy.
- E. Prohibited Signs: The following types of signs are expressly prohibited in all Zoning Districts.
 - 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 purport to be, are imitations of, or resemble an official traffic sign or signal.
 - d. Signs which bear the words "stop", "slow", "caution", "danger", "warning", or similar words.
 - e. Lights that resemble an emergency or road equipment vehicle.
 - f. Signs in a right of way.
 - g. Signs that hide or partially hide from view any traffic or roadway sign, signal or device.
 - h. Signs within the vision clearance triangle.
 - i. Signs that extend above the roof line or parapet of a building.
 - j. Signs mounted on the roof of a structure.
 - k. Signs that have blinking, flashing, or fl uttering lights.
 - l. Signs that have changing light intensity, brightness or color, or give such illusion.
 - m. Signs that obstruct any door, fire escape, stairway, or opening intended to provide entrance or exit for a building or structure.
 - n. Signs placed on vehicles parked on public or private property primarily for the purpose of displaying the sign. Prohibited signs do not include those displayed on vehicles parked for the purpose of lawfully making deliveries or random sales or service. Prohibited signs do not include vehicle, which are customarily used for transporting persons or properties, and vehicles parked at a driver's place of residence during non-business hours or for incidental purposes.
 - o. Any sign that is not expressly permitted in this Zoning Ordinance.
 - p. Signs which contain statements, words, or pictures of an obscene, indecent, or immoral character, such as will offend public morals or decency.
 - q. Advertising benches.
 - r. Temporary or moveable signs that have been altered or fixed to the ground to create a permanent sign.

Sign Standards (SI)

(continued)

- s. Permanent signs with changeable copy encompassing more than fifty percent (50%) of the total sign area.
- t. Off-premise signs.
- F. Noncommercial message: Noncommercial messages are permitted on all permitted signs.
- G. Sign Area: the following items are used for determining the area of signs:
 - a. Single Faced Signs — Area shall be determined by the smallest circle, triangle or rectangle that can be used to enclose the sign, exclusive of supporting members that bear no message.
 - b. Double Faced Signs — The area of such signs shall be determined in the same manner as single faced signs and shall be allowed on each side, provided that the facings are back-to-back. A V-type sign may be permitted, if the greatest point of separation between the sign faces does not exceed 15 feet.
 - c. Multi-faced Signs - Area shall be determined by the smallest circle, triangle or rectangle that can be used to enclose the largest single surface or largest cross-section of the sign, exclusive of supporting members that bear no message.
- H. Removal of Signs
 - a. Whenever a sign within the city, by reason of its dilapidated, decayed or rotten condition, shall become dangerous to public or private safety or property or has been rendered obsolete, the Planning Director shall notify the sign owner to have the sign removed within ten (10) days after the owner's receipt of the notice to remove the sign. Thereafter, should the sign not be removed, the Planning Director shall give notice of the condition to the City Code Enforcement Department.
 - b. The order of the Planning Director to remove a sign is not appealable to the Board of Zoning Appeals but shall be subject to review by the hearing authority designated under the Kokomo City Code in the same manner as any manner brought before the hearing authority under the city ordinance concerning enforcement of building standards. The hearing authority may confirm, modify, or rescind the order of the Planning Director as to the sign made subject to the Planning Director's order.
- I. Permitted Signs not requiring an Improvement Location Permit

Except as may be otherwise specifically provided in this chapter, the following signs are allowable in all zoning districts established in this Zoning Ordinance and shall not require an improvement location permit.

 - a. Residential identification sign. One residential identification sign for each residential dwelling may be affixed to a mailbox, fence or structure. In addition, house numbers not to exceed three (3) square feet depicting the address of the property are permitted.
 - b. Building directories. An exterior building directory on a multiple tenancy structure shall not exceed six (6) square feet in area.

Sign Standards (SI)

(continued)

- c. Directional or warning signs. Signs erected by a duly constituted governing body or public utility such as traffic-control and safety signs, handicapped parking signs, railroad signs, entrance and exit signs, municipal facility signs, public directional signs, and memorial plaques are permitted. If such signs are illuminated, the light source shall not be directed towards any street or any adjoining property in a residential zone if at all avoidable. Such identifying ingress and egress points of a property shall be placed in such a manner as not to interfere with the visibility of motorists or pedestrians.
- d. Home occupation signs. Home occupation signs are permitted only under standards set in Section 6.22 HO-02 Home Occupation Standards (HO). (NOTE: these standards require an ILP.)
- e. On-premise directional signs. On-premise directional signs shall be allowed for the purpose of directing traffic on the same premise as the sign or signs. Such signs shall not exceed four (4) square feet and shall not be located in any public right-of-way and any such sign, including a structure to which it is attached, shall not exceed five (5) feet in height.
- f. On-premise warning signs. Signs located on-premise warning the public against hunting, fishing, dumping, trespassing, dangerous animals, swimming or the like shall be permitted. Such signs must be attached to a fence or structure. Such signs shall be no more than four (4) square feet in area.
- g. Public service sign. A public service sign can be any specifically licensed sign, permitted by legislative body, by franchise, or by any special permit of the City Plan Commission. A public service sign may be a sign established by a public service agency as an aid to safety or service. A public service sign may also be a governmental or traffic sign.
- h. Real estate signs. Two (2) real estate signs are permitted on any property being sold, leased, or developed if they are not illuminated, not located in the existing right-of-way, and are no larger than eighteen (18) square feet in any residential district, or thirty-two (32) square feet in any commercial or industrial district. Such signs shall be removed no later than thirty (30) days after the sale, lease, or development of the property has been completed.
- i. Seasonal displays and decorations. Seasonal displays and decorations for events such as religious or civic holidays, are permitted unless they advertise a product or service.
- j. On-premise construction signs. Construction signs having a maximum sign surface area of thirty-two (32) square feet shall be permitted in all zoning districts and shall be limited to one sign per entrance for each parcel of land, provided that an improvement location permit shall be required prior to placement to be removed within thirty (30) days after completion or occupancy of the project.

Sign Standards (SI)

(continued)

J. Signs Requiring Improvement Location Permits

The following provisions shall apply to signs for which an improvement location permits are required, and shall designate total cumulative signage, maximum sign areas, zoning districts in which sign are permitted, sign location, and separation distances required, where appropriate. Improvement location permits, as required in this section, shall be obtained prior to sign placement from the City Plan Commission office. An improvement location permit is required for any alteration to an existing sign or sign face (re-facing) except in cases of minor repairs. Signs regulated by this section shall include the following:

- a. On-premise wall signs.
- b. On-premise gateway signs. Gateway signs which identify a planned district or plat, including office parks, industrial parks, or subdivisions, shall be permitted in all zoning districts and shall be permitted to be placed on both sides of the ingress point, provided that the combined sign surface area of the two such signs does not exceed two hundred (200) square feet.
- c. On-premise ground signs.
- d. On premise identification signs. Identification signs shall be permitted in all zoning districts under specific zone regulations, or where a use is allowed as a nonconforming use or is permitted by reason of a variance granted by the Board of Zoning Appeals, provided that the placement of such signs shall be subject to the obtaining of an improvement location permit.
- e. On-premise institutional signs. One sign shall be permitted per frontage in the IS zoning district.
- f. On-premise portable signs. One sign is permitted per premise. Off-premise portable signs are not permitted. Portable signs may not be altered or fixed to the ground or other structure to create a permanent sign.
- g. On-premise projecting signs.
 1. Allowable in NC, IS, OC, DC, CI, C2, LI, MI, and HI districts only, a projecting sign shall be placed at a distance not greater than two (2) feet from the face of the wall to which it is attached. No projecting sign or part thereof shall extend nearer to the curb line than five (5) feet, nor be placed lower than ten (10) feet above grade or sidewalk level. No projecting sign shall be erected to a height of greater than sixty (60) feet above grade or higher than the cornice of any building which is three (3) stories or more in height. No projecting sign shall be erected to a height greater than sixty (60) feet above grade or higher than the cornice of any building which is three (3) stories or more in height.

Sign Standards (SI)

(continued)

2. Any moveable part of the projecting sign shall have an area no to exceed twenty (20) square feet to a vertical sign, or twenty (20) square feet for a horizontal sign.
- h Pole Signs. A pole sign shall have a minimum of ten (10) feet between the bottom of the face of the sign and ground level and no more than twenty (20) feet in height. If

the pole sign is supported by more than one pole, the space between the poles shall not be enclosed in a manner that infringes upon the minimum clear zone of ten (10) vertical feet as herein established.

K. All signs are required to undergo regular sign maintenance in order to remain in good repair

6.35 SI-02 [Residential Temporary Signs]

This Temporary Sign Standards section applies to the following districts:

AR, R1, R2, R3, R4, R5, M1, M2, M3, MP

The following sign standards apply:

- A. Two (2) temporary signs no larger than 18 square feet each in size are allowed without a permit for the duration of a temporary event (i.e. garage sale, yard sale, sale of property, etc.). A grace period of one (1) week is allowed for the removal of said sign. These signs shall not include changeable copy.
- B. One (1) temporary sign no larger than 32 square feet in size is allowed without a permit for one (1) week during each calendar year. This sign may include changeable copy.
- C. This temporary sign shall be at least 5 feet from any property line.
- D. This temporary sign shall not exceed 5 feet in height.

6.36 SI-03 [Commercial and Industrial Temporary Signs]

This Temporary Sign Standards section applies to the following districts:

NC, IS, OC, DC, C1, C2, LI, MI, HI

The following sign standards apply:

- A. Two (2) temporary signs no larger than 32 square feet each in size are allowed without a permit for the duration of a temporary event or special promotion. A grace period of one (1) week is allowed for the removal of said sign. A third temporary sign no larger than thirty (30) square feet in size and used for the same purpose is allowed if the subject property has over 200 lineal feet of frontage on a public street or has a primary structure over 50,000 square feet. These signs shall not include changeable copy (for these, see E below).
- B. A temporary sign shall be at least ten (10) feet from the property line.
- C. Streamers, pennants, and inflatables are allowed without a permit for grand openings or special promotions. Such devices shall be permitted under the following conditions:

Sign Standards (SI)

(continued)

- a. Such devices shall not pose a risk to pedestrian or vehicular safety.
- b. Such devices shall be at least ten (10) feet or a distance equivalent to the height of the inflatable device from the property line, whichever is greater.
- D. Temporary signs in windows are allowed without a permit as follows:
 - a. Window signs shall only be used on first floor windows.
 - b. No single window shall exceed 70% coverage by a sign.
 - c. The number of windows on a structure's first floor used for signs shall not exceed 50% of the total number of windows.
- E. Additional temporary signs require a temporary sign permit and must meet the following standards:
 - a. Only one (1) temporary sign permit shall be issued per calendar year location and temporary signs shall not be displayed for more than a consecutive thirty (30) day period.
 - b. Any additional temporary sign shall not exceed one hundred twenty (120) square feet in size.
 - c. The maximum number of additional temporary signs permitted per property at any time shall be one (1) per location.
 - d. Such signs shall not pose a risk to pedestrian or vehicular safety.
 - e. Such devices shall be at least ten (10) feet from the property line.

6.37 SI-04 [Residential Permanent Signs]

This Permanent Sign Standards section applies to the following districts:

AR, R1, R2, R3, R4, R5

The following sign regulations apply:

- A. A permanent wall sign no larger than 3 square feet in size is allowed per dwelling unit without a permit.
- B. Special illumination of any wall sign is not permitted.
- C. A permanent gateway ground sign, no larger than 40 square feet in sign area, is allowed at the primary entrance of a subdivision or development containing more than 20 lots or dwelling units.

6.38 SI-05 [High Intensity Residential Permanent Signs]

This Permanent Sign Standards section applies to the following districts:

M1, M2, M3, MP

The following regulations apply:

- A. A permanent wall sign no larger than 10 square feet in size is allowed per apartment building or manufactured home park without a permit.
- B. Special illumination of any wall sign is not permitted.

Sign Standards (SI)

(continued)

- C. A permanent gateway sign, no larger than 40 square feet in size is allowed when a multifamily development includes 20 or more dwelling units or a manufactured home park contains 20 or more dwelling sites.

6.39 SI-06 [Miscellaneous Permanent Signs]

This Miscellaneous Permanent Sign Standards section applies to the following districts:

AG, AR, PR

The following sign regulations apply:

- A. A permanent wall sign no larger than 10 square feet in size is allowed on one (1) primary structure without a permit.
- B. A ground sign per primary entrance to a public space or place not exceeding 5 feet in height and 40 square feet in area is allowed without a permit.

6.40 SI-07 [Low Intensity Commercial Permanent Signs]

This Permanent Sign Standards section applies to the following districts:

NC, IS, OC, DC

The following sign regulations apply:

All signs require a permit unless otherwise specified.

- A. Single-tenant structure on a lot shall be regulated as follows:
 - a. Any combination of wall, ground, awning, projecting or permanent window signs are allowed.
 - b. The cumulative square footage of all permanent signs shall not exceed 150 square feet or 2 square feet times the length of the primary structure's facade(s) facing a public roadway, whichever is less, subject to Section 6.40.H.a.
 - c. Any single wall sign shall not exceed 120 square feet in area and 6 feet in height, subject to Section 6.40.H.f.
 - d. Any single ground sign shall not exceed 50 square feet per side in area and 6 feet in height, subject to Section 6.40.H.b.
 - e. Any single awning sign shall not exceed 20 square feet in area and 3 feet in height.
 - f. Any single window sign shall not exceed 20 square feet in area and 3 feet in height.
 - g. Any single projecting sign shall not project more than 2 feet from the face of the building wall to which it is attached; project nearer than 5 feet of the curb; extend lower than 10 feet above the grade of sidewalk level; nor exceed 20 square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.
- B. Multi-tenant structures on a lot with 2 or more tenants shall be regulated as follows:
 - a. Tenant Signs:

Sign Standards (SI)

(continued)

1. Any combinations of wall, awning, projecting sign or permanent window signs are allowed per tenant space.
 2. The cumulative square footage of all permanent signs per tenant space shall not exceed 150 square feet or 2 square feet times the length of the tenant's facade which includes the primary entrance, whichever is less, subject to Section 6.40.H.a.
 3. Any single wall sign shall not exceed 120 square feet in area and 6 feet in height, subject to Section 6.40.H.f.
 4. Any single awning sign shall not exceed 20 square feet in area and 3 feet in height.
 5. Any single window sign shall not exceed 20 square feet in area and 3 feet in height.
 6. Any single projecting sign shall not project more than 2 feet from the face of the building wall to which it is attached; project nearer than 5 feet of the curb; extend lower than 10 feet above the grade of sidewalk level; nor exceed 20 square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.
- b. Multi-Tenant Structure(s) Signs:
1. A multi-tenant structure(s) is permitted any combination of wall signs, projecting signs, awning signs, 1 gateway sign at the primary entrance into the multi-tenant structure(s), and single secondary gateway sign(s) at any entrance into the multi-tenant structure(s) off a street not used by the primary entrance, in addition to any tenant signs.
 2. The cumulative square footage of all multi-tenant structure(s) permanent signs shall not to exceed 1 square foot times the length of the facade(s) facing public roadways up to a maximum of 150 square feet per facade, subject to Section 6.40.H.
 3. Any single gateway sign shall not exceed 150 square feet in area per side and 15 feet in height, subject to Section 6.40.H.c.
 4. A secondary gateway sign shall not exceed 50 square feet in area per side and 15 feet in height, subject to Section 6.40.H.d.
 5. Any single tenant sign on a gateway sign shall not exceed 35 square feet per side and is in addition to signs permitted for the tenant by 6.41 B. b.
 6. Any single tenant sign on a secondary gateway sign shall not exceed 15 square feet per side and is in addition to signs permitted for the tenant by 6.41 B. b.
 7. Any single wall sign shall not exceed 150 square feet in area and 6 feet in height, subject to Section 6.40.H.f.
 8. Any single awning sign shall not exceed 20 square feet in area and 3 feet in height.

Sign Standards (SI)

(continued)

9. Any single window sign shall not exceed 20 square feet in area and 3 feet in height.
 10. Any single projecting sign shall not project more than 2 feet from the face of the building wall to which it is attached; project nearer than 5 feet of the curb; extend lower than 10 feet above the grade of sidewalk level; nor exceed 20 square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.
- C. Directional signs are permitted on a lot as follows.
 - a. Directional signs shall only contain language and icons to guide pedestrians or motor vehicles into, out of, or around a development.
 - b. Any single directional sign shall not exceed 4 square feet in area and 4 feet in height.
 - c. No more than 2 directional signs shall be used per curb cut onto a public street.
 - D. All permanent signs must be located on the lot for which they relate unless approved as a special exception.
 - E. On lots without a structure a permanent noncommercial ground sign up to 24 square feet in area is permitted.
 - F. All permanent ground signs shall be located at least ten (10) feet from the property line.
 - G. The maximum cumulative square footage of signs and the maximum area of certain signs for single tenant structures, tenant signs within multi-tenant structures, and multi-tenant structure(s) permanent signs are increased where the structures have facades facing higher speed public roadways or where the facades have very large setbacks from the public roadways.
 - a. The cumulative maximum sign area for facades, facing public roadways with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in A.b., B.a.2. or B. b.2. Each façade facing different public roadways is calculated separately.
 - b. The maximum sign area for a single ground sign per single-tenant structure, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in A. d.
 - c. The maximum sign area for a multi-tenant structure(s) gateway sign, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in B.b.3.

Façade (Average) Setback	Added Cumulative Maximum Sign Area
0 ft. to 200 ft.	+ 0 sq. ft.
201 ft. to 400 ft.	+ 100 sq. ft.
Over 400 ft.	+ 200 sq. ft.

- d. The maximum sign area for a multi-tenant structure(s) secondary gateway sign, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 50 square feet to the maximum size listed in B.b.4.

Sign Standards (SI)

(continued)

- e. The cumulative maximum sign area for a facade with a very large setback from a public roadway is increased by adding the amount indicated in the table below to the maximum size listed in A. b. or B.b.2.

Façade (Average) Setback	Add to Maximum Area for One Wall Sign
0 ft. to 200 ft.	+ 0 sq. ft.
201 ft. to 400 ft.	+ 100 sq. ft.
Over 400 ft.	+ 200 sq. ft.

Each façade facing different public roadways is calculated separately. The façade setback is measured from and perpendicular to the centerline of the public roadway. Facades with changes in wall plane such as projections or recesses which have different setback distances or which are not parallel to the public roadway centerline use the average of the setbacks measured at 100-foot intervals along the public roadway centerline.

- f. The maximum sign area for one wall sign on a façade with a very large setback from a public roadway is increased by adding the amount indicated in the table above to the maximum size listed in A. c., B.a.3, or B.b.7.
- g. The cumulative maximum sign area for a façade facing a higher speed public roadway and having a very large setback from the public roadway adds both H.a. and H.e. amounts.

6.41 SI-08 [Medium Intensity Business Permanent Signs]

This Permanent Sign Standards section applies to the following districts:

C1, C2

The following sign regulations apply:

All signs require a permit unless otherwise specified.

- A. A single-tenant structure on a lot shall be regulated as follows:
- Any combination of wall, ground, pole, awning, projecting or permanent window signs are allowed.
 - The cumulative square footage of all permanent signs shall not exceed 300 square feet or 2 square feet times the length of the primary structure's facade(s) facing a public roadway, whichever is less, subject to Section 6.41.J.a.1.
 - Any single wall sign shall not exceed 200 square feet in area and 8 feet in height, subject to Section 6.41.J.b.2.
 - Any single ground sign shall not exceed 100 square feet per side in area and 8 feet in height, subject to Section 6.41.J.a.2.
 - Any single pole sign shall not exceed 100 square feet per side in area and 20 feet in height, subject to Section 6.41.J.a.2.

Sign Standards (SI)

(continued)

- f. Any single awning sign shall not exceed 40 square feet in area and 4 feet in height.
 - g. Any single window sign shall not exceed 40 square feet in area and 4 feet in height.
 - h. Any single projecting sign shall not project more than three (3) feet from the face of the building wall to which it is attached; project nearer than five (5) feet of the curb; extend lower than eight (8) feet above the grade of sidewalk level; nor exceed twenty (20) square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.
- B. Multi-tenant structure(s) on a lot with 2 or more tenants shall be regulated as follows:
- a. Tenant Signs:
 - 1. Any combinations of wall, awning, projecting sign or permanent window signs are allowed per tenant space.
 - 2. The cumulative square footage of all permanent signs per tenant space shall not exceed three hundred (300) square feet or 2 square feet times the length of the tenant's façade which includes the primary entrance, whichever is less, subject to Section 6.41.J.a.1.
 - 3. Any single wall sign shall not exceed 120 square feet in area and 8 feet in height, subject to 6.41.J.b.2.
 - 4. Any single awning sign shall not exceed 40 square feet in area and 4 feet in height.
 - 5. Any single window sign shall not exceed 40 square feet in area and 4 feet in height.
 - 6. Any single projecting sign shall not project more than three (3) feet from the face of the building wall to which it is attached; project nearer than five (5) feet from the curb; extend lower than eight (8) feet above the grade of sidewalk level; nor exceed twenty (20) square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.
 - b. Multi-Tenant Structure(s) Signs:
 - 1. A multi-tenant structure(s) is permitted any combination of wall signs, projecting signs, awning signs, one (1) gateway sign at the primary entrance into the multi-tenant structure(s), and single secondary gateway sign(s) at any entrance into the multi-tenant structure(s) off a street not used by the primary entrance, in addition to any tenant signs.
 - 2. The cumulative square footage of all multi-tenant structure(s) permanent signs shall not exceed one (1) square foot times the length of the facade(s) facing public roadways up to a maximum of 250 square feet per façade, subject to Section 6.41.J. [For example: If a multi-tenant structure(s) has 150 feet of façade

Sign Standards (SI)

(continued)

facing a public roadway then it would be allowed to have a gateway sign up to 150 square feet in size for the multi-tenant structure(s).]

3. Any single gateway sign shall not exceed 200 square feet in area per side and 20 feet in height, subject to Section 6.41.J.a.4.
 4. A secondary gateway sign shall not exceed 50 square feet in area per side and 15 feet in height, subject to Section 6.41.J.a.4.
 5. Any single tenant sign on a gateway sign shall not exceed 35 square feet per side and is in addition to signs permitted for the tenant by 6.41.B.b.
 6. Any single tenant sign on a secondary gateway sign shall not exceed 15 square feet per side and is in addition to signs permitted for the tenant by 6.4.B.b.
 7. Any single wall sign shall not exceed 200 square feet in area and 8 feet in height, subject to 6.41.J.b.2.
 8. Any single awning sign shall not exceed 40 square feet in area and 4 feet in height.
 9. Any single window sign shall not exceed 40 square feet in area and 4 feet in height.
 10. Any single projecting sign shall not project more than three (3) feet from the face of the building wall to which it is attached; project nearer than five (5) feet from the curb; extend lower than eight (8) feet above the grade of the sidewalk level; nor exceed twenty (20) square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.
- C. Directional signs are permitted on a lot as follows.
- a. Directional signs shall only contain language and icons to guide pedestrians or motor vehicles into, out of, or around a development.
 - b. Any single directional sign shall not exceed 4 square feet in area and 5 feet in height.
 - c. No more than 2 directional signs shall be used per curb cut onto a public street.
- D. When considering a variance for an off-premises sign, the Board of Zoning Appeals may consider the following guidelines:
- a. The maximum area of display surface per off-premises sign shall not exceed 300 square feet per side.
 - b. Only one sign board per side is permitted.
 - c. The minimum separation between any two off-premises signs on both side of all streets or highways shall be 1000 feet.
 - d. Off-premises signs shall not be located closer than 25 feet to any existing or proposed right of way of any street or highway.
 - e. All off-premises signs shall be at least 150 feet from any residential zone and from the nearest property line of any school, church, or institution for human care.

Sign Standards (SI)

(continued)

- Existing signs erected before enactment of this ordinance shall be exempt from this requirement.
- f. Off-premises signs shall have a maximum height of 50 feet from the grade to the top edge of the sign. Grade shall be defined as the level of the street or highway from which the sign is intended to be viewed.
 - g. Off-premises signs shall have a 10-foot clearance from grade to the bottom edge of the sign, including any embellishments.
 - h. Back-to-back off-premises signs may be separated in the shape of the letter "V" if the greatest point of separation between the two sign faces does not exceed 15 feet.
 - i. Embellishments allowed shall not exceed 200 square feet in area. Maximum embellishment of cutouts shall be: above the sign board, 6 feet; below the sign board, 1 foot; and any sides of the sign board, 3 feet.
 - j. Any existing off-premises sign may be upgraded to a multi-display off-premises sign where the off-premises sign complies with the standards of 6.41.D. of this ordinance (See 8.6. Nonconforming Signs) Compliance may require removal of other nearby off-premises signs.
- E. No two ground or pole signs may be within 75 feet of one another.
 - F. All permanent signs must be located on the lot for which they relate unless approved as a special exception.
 - G. On lots without a structure a permanent noncommercial ground sign up to 24 square feet in area is permitted.
 - H. All permanent ground signs shall be located at least ten (10) feet from the property line.
 - I. A pole sign shall have a minimum clear zone of 10 feet between the bottom of the face of the sign and ground level. If the pole sign is supported by more than one pole, the space between the poles shall not be enclosed in a manner that infringes upon the minimum clear zone.
 - J. The maximum cumulative square footage of signs and the maximum area of certain signs for single tenant structures, tenant signs within multi-tenants structures, and multi-tenant structure(s) permanent signs are increased where the structures have facades facing higher speed public roadways or where the facades have very large setbacks from the public roadways.
 - a. Higher Speed Roadways
 1. The cumulative maximum sign area for facades, facing public roadways with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in A. b., B.a.2., or B. b. 2. Each façade facing different public roadways is calculated separately.
 2. The maximum sign area for one pole sign or ground sign per single-tenant structure, along a public roadway with posted speed limits greater than 43 miles

Sign Standards (SI)

(continued)

per hour, is increased by adding 100 square feet to the maximum size listed in A. d. and A. e.

3. The maximum sign area for a multi-tenant structure(s) gateway sign, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in B.b.3.
4. The maximum sign area for a multi-tenant structure(s) secondary gateway sign, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 50 square feet to the maximum size listed in B.b.4.

Façade (Average) Setback	Added Cumulative Maximum Sign Area
0 ft. to 200 ft.	+0 sq. ft.
201 ft. to 400 ft.	+100 sq. ft.
Over 400 ft.	+200 sq. ft.

b. Very Large Setback Facades

1. The cumulative maximum sign area for a facade with a very large setback from a public roadway is increased by adding the amount indicated in the table below to the maximum size listed in A. b., B.a.3, or B.b.2.

Façade (Average) Setback	Added to Maximum Area for One Wall Sign
0 ft. to 200 ft.	+0 sq. ft.
201 ft. to 400 ft.	+100 sq. ft.
Over 400 ft.	+200 sq. ft.

Each façade facing different public roadways is calculated separately. The façade setback is measured from and perpendicular to the centerline of the public roadway. Facades with changes in wall plane such as projections or recesses which have different setback distances or which are not parallel to the public roadway centerline use the average of the setbacks measured at 100-foot intervals along the public roadway centerline.

2. The maximum sign area for one wall sign on a facade with a very large setback from a public roadway is increased by adding the amount indicated in the table below to the maximum size listed in A. c., B.a.3, or B.b.7.
- c. The cumulative maximum sign area for a facade facing a higher speed public roadway and having a very large setback from the public roadway adds both J.a.1. and J.b.1. amounts.

Sign Standards (SI)

(continued)

6.42 SI-09 [High Intensity Business Permanent Signs]

This Permanent Sign Standards section applies to the following districts:

LI, MI, HI

The following sign regulations apply:

- A. A single-tenant structure on a lot shall be regulated as follows:
 - a. Any combination of wall, ground, pole, awning, projecting sign or permanent window signs are allowed.
 - b. The cumulative square footage of all permanent signs shall not exceed 300 square feet or 2 square feet times the length of the primary structure's facade(s) facing a public roadway, whichever is less, subject to Section 6.42.J.a.1.
 - c. Any single wall sign shall not exceed 200 square feet in area and 8 feet in height.
 - d. Any single ground sign shall not exceed 100 square feet per side in area and 8 feet in height.
 - e. Any single pole sign shall not exceed 100 square feet per side in area and 20 feet in height.
 - f. Any single awning sign shall not exceed 40 square feet in area and 4 feet in height.
 - g. Any single window sign shall not exceed 40 square feet in area and 4 feet in height.
 - h. Any single projecting sign shall not project more than three (3) feet from the face of the building wall to which it is attached; project nearer than five (5) feet of the curb; extend lower than eight (8) feet above the grade of sidewalk level; nor exceed twenty (20) square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.
- B. Multi-tenant structure(s) on a lot with 2 or more tenants shall be regulated as follows:
 - a. Tenant Signs:
 1. Any combination of wall, projecting sign or awning signs is allowed per tenant space.
 2. The cumulative square footage of all permanent signs per tenant space shall not exceed three hundred fifty (350) square feet or 2 square feet times the length of the tenant's facade(s) facing a public roadway, whichever is less, subject to Section 6.42.J.a.1.
 3. Any single wall sign shall not exceed 300 square feet in area and 8 feet in height, subject to 6.42.J.b.2.
 4. Any single awning sign shall not exceed 40 square feet in area and 4 feet in height.
 5. Any single window sign shall not exceed 40 square feet in area and 4 feet in height.
 6. Any single projecting sign shall not project more than three (3) feet from the face of the building wall to which it is attached; project nearer than five (5) feet from

Sign Standards (SI)

(continued)

the curb; extend lower than eight (8) feet above the grade of sidewalk level; nor exceed twenty (20) square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.

b. Multi-Tenant Structure(s) Signs:

1. A multi-tenant structure(s) is permitted any combination of wall signs, projecting signs, awning signs, one (1) gateway sign at the primary entrance into the multi-tenant structure(s), and a secondary gateway sign(s) at any entrance into the multi-tenant structure(s) off a street not used by the primary entrance, in addition to any tenant signs.
2. The cumulative square footage of all multi-tenant structure(s) permanent signs shall not exceed one (1) square foot times the length of the facade(s) facing public roadways up to a maximum of 250 square feet per facade, subject to Section 6.42.J.a.1.
3. Any single gateway sign shall not exceed 200 square feet in area per side and 20 feet in height, subject to Section 6.42.J.a.4.
4. A secondary gateway sign shall not exceed 50 square feet in area per side and 15 feet in height, subject to Section 6.42.J.a.4.
5. Any single tenant sign on a gateway sign shall not exceed 35 square feet per side and is in addition to signs permitted for the tenant by 6.42.B.b.
6. Any single tenant sign on a secondary gateway sign shall not exceed 15 square feet per side and is in addition to signs permitted for the tenant by 6.4.B.b.
7. Any single wall sign shall not exceed 300 square feet in area and 8 feet in height, subject to 6.42.J.b.2.
8. Any single awning sign shall not exceed 40 square feet in area and 4 feet in height.
9. Any single window sign shall not exceed 40 square feet in area and 4 feet in height.
10. Any, single projecting sign shall not project more than three (3) feet from the face of the building wall to which it is attached; project nearer than five (5) feet from the curb; extend lower than eight (8) feet, above the grade of the sidewalk level; nor exceed twenty (20) square feet in sign area per face. Projecting signs may encroach on street right of way where the building adjoins the street right of way and the sign is approved by the Kokomo Board of Public Works and Safety.

c. Directional signs are permitted on a lot as follows.

- a. Directional signs shall only contain language and icons to guide pedestrians or motor vehicles into, out of, or around a development.
- b. Any single directional sign shall not exceed 4 square feet in area and 5 feet in height.
- c. No more than 2 directional signs shall be used per curb cut onto a public street.

Sign Standards (SI)

(continued)

- D. When considering a variance for an off-premises sign, the Board of Zoning Appeals may consider the following guidelines:
 - a. The maximum area of display surface per off-premises sign shall not exceed 300 square feet per side.
 - b. Only one sign board per side is permitted.
 - c. The minimum separation between any two off-premises signs on both side of all streets or highways shall be 1000 feet.
 - d. Off-premises signs shall not be located closer than 25 feet to any existing or proposed right-of-way of any street or highway.
 - e. All off-premises signs shall be at least 150 feet from any residential zone and from the nearest property line of any school, church, or institution for human care. Existing signs erected before enactment of this ordinance shall be exempt from this requirement.
 - f. Off-premises signs shall have a maximum height of 50 feet from the grade to the top edge of the sign. Grade shall be defined as the level of the street or highway from which the sign is intended to be viewed.
 - g. Off-premises signs shall have a 10-foot clearance from grade to the bottom edge of the sign; including any embellishments.
 - h. Back-to-back off-premises signs may be separated in the shape of the letter "V" if the greatest point of separation between the two sign faces does not exceed 15 feet.
 - i. Embellishments allowed shall not exceed 200 square feet in area. Maximum embellishment of cutouts shall be: above the sign board, 6 feet; below the sign board, 1 foot; and any sides of the sign board, 3 feet.
 - j. Any existing off-premises sign may be upgraded to a multi-display off-premises sign where the off-premises sign complies with the standards of 6.41.D. of this ordinance (See 8.6. Nonconforming Signs) Compliance may require removal of other nearby off-premises signs.
- E. No two ground or pole signs may be within 75 feet of one another.
- F. All permanent signs must be located on the lot for which they relate unless approved as a special exception.
- G. On lots without a structure a permanent noncommercial ground sign up to 24 square feet in area is permitted.
- H. All permanent ground signs shall be located at least ten (10) feet from the property line.
- I. A pole sign shall have a minimum clear zone of 10 feet between the bottom of the face of the sign and ground level. If the pole sign is supported by more than one pole, the space between the poles shall not be enclosed in a manner that infringes upon the minimum clear zone.
- J. The maximum cumulative square footage of signs and the maximum area of certain signs for single tenant structure, tenant signs within multi-tenant structures and multi-tenant structure(s) permanent signs are increased where the structures have facades

Sign Standards (SI)

(continued)

facing higher speed public roadways or where the facades have very large setbacks from the public roadways.

a. Higher Speed Roadways

1. The cumulative maximum sign area for facades, facing public roadways with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in A. b., B.a.2., or B. b. 2. Each façade facing different public roadways is calculated separately.
2. The maximum sign area for one pole sign or ground sign per single-tenant structure, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in A. d. and A. e.
3. The maximum sign area for a multi-tenant structure(s) gateway sign, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 100 square feet to the maximum size listed in 13.b.3.
4. The maximum sign area for a multi-tenant structure(s) secondary gateway sign, along a public roadway with posted speed limits greater than 43 miles per hour, is increased by adding 50 square feet to the maximum size listed in B.b.4.

Façade (Average) Setback	Added Cumulative Maximum Sign Area
0 ft. to 200 ft.	+0 sq. ft.
201 ft. to 400 ft.	+100 sq. ft.
Over 400 ft.	+200 sq. ft.

b. Very Large Setback Facades

1. The cumulative maximum sign area for a facade with a very large setback from a public roadway is increased by adding the amount indicated in the table below to the maximum size listed in A. b., B.a.3, or B.b.2.

Façade (Average) Setback	Added to Maximum Area for One Wall Sign
0 ft. to 200 ft.	+0 sq. ft.
201 ft. to 400 ft.	+100 sq. ft.
Over 400 ft.	+200 sq. ft.

Each facade facing different public roadways is calculated separately. The façade setback is measured from and perpendicular to the centerline of the public roadway. Facades with changes in wall plane such as projections or recesses which have different setback distances or which are not parallel to the public roadway centerline use the average of the setbacks measured at 100-foot intervals along the public roadway centerline.

Sign Standards (SI)

(continued)

2. The maximum sign area for one wall sign on a facade with a very large setback from a public roadway is increased by adding the amount indicated in the table below to the maximum size listed in A. c., B.a.3, or B.b.7. above respectively.
- c. The cumulative maximum sign area for a facade facing a higher speed public roadway and having a very large setback from the public roadway adds both J.a.1. and J.b.1. amounts.

Parking Standards (PK)

6.43 PK-01

This Parking Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following parking regulations apply:

- A. Each parking space must be at least 180 square feet with a minimum width of nine (9) feet. Any handicap accessible parking spaces must have a width of a minimum of eight (8) feet and an adjacent access aisle of at least five (5) feet wide. Spaces shall have handicap accessible parking space signs that are not obscured when vehicles are parked in the spaces. One in every eight accessible parking spaces shall have an access aisle of eight (8) feet instead of five feet and shall be signed "van accessible".
- B. Off-street parking spaces may not fully or partially be in a public right-of-way or utility easement.
- C. Vehicles or trailers of any type without current license plates or in an inoperable condition shall be prohibited in residential zone districts other than in completely enclosed buildings and in rear yards.
- D. Vehicles or trailers of any type without current license plates or in an inoperable condition shall be prohibited in commercial zone districts unless fully screened and shall not be parked or stored in any zone unless specifically authorized under the terms of this Zoning Ordinance.
- E. No vehicle or tractor/trailer of any type may be used for the purpose of personal storage.
- F. Guard rails, regardless of material or style, and concrete barricades are prohibited in parking lots. Small parking bumpers, blocks or stops placed at one end of an individual parking space are permitted.

6.44 PK-02

This single family detached parking standards section applies to the following districts:

AG, AR, R1, R2, R3

The following parking regulations apply:

- A. Two off-street parking spaces are required per dwelling unit. Neither of the off-street parking spaces required may include spaces within car ports or garages.

Parking Standards (PK)

(continued)

6.45 PK-03

This urban residential parking standards section applies to the following districts:

R4, R5

The following parking regulations apply:

- A. Two off-street parking spaces are required per dwelling unit. Up to 50% of the off-street parking spaces required may include spaces within car ports or garages.

6.46 PK-04

This multifamily residential parking standards section applies to the following districts:

M1, M2, M3

The following parking regulations apply:

- A. Two paved off-street parking spaces are required per dwelling unit, except at assisted living homes, assisted living facilities, and nursing homes where only one off-street parking space per two (2) dwelling units is required.
- B. Visitor parking spaces cannot include spaces in car ports or garages. Further, any off-street parking space may not fully or partially be in a public right-of-way or utility easement.
- C. Parking lots shall have the same setbacks as the primary structure in the district which they are located. Entrance and exit drives may be within the setback area.

6.47 PK-05

This Parking Standards section applies to the following districts:

MP

The following parking regulations apply:

- A. Two off-street paved parking spaces are required per dwelling site.
- B. In manufactured or mobile home parks one (1) additional space per 2 dwelling sites is required for visitor parking and shall be spread evenly throughout the development.
- C. Visitor parking spaces cannot include spaces in car ports or garages.

6.48 PK-06

This Parking Standards section applies to all off-site parking lots and the following districts:

PR, NC, IS, OC, C1, C2, LI, MI, HI

The following parking regulations apply:

- A. All parking lots for commercial, industrial, institutional, business, public and private employee parking, offices, organizations, and places of assembly must be paved.
- B. Expansion of an existing gravel, stone, rock, dirt, sand or grass lot is not permitted.
- C. All ingress/egress into parking areas must be paved.

Parking Standards (PK)

(continued)

- D. Parking lots may project into the front yard setback by 25% of the minimum front yard setback. Parking lots may project into the side yard setback by 50% of the minimum front yard setback. Entrance and exit drives may be located within the setback area.
- E. No more than 25% of all parking shall be in front of the primary structure.
- F. Parking spaces shall be striped so as to show each parking space.
- G. Parking aisle widths shall be as follows:
 - a. 90-degree angle space - 24 feet wide parking aisle
 - b. 60-degree angle space - 18 feet wide parking aisle
 - c. 45-degree angle space - 14 feet wide parking aisle
- H. Parking areas shall be designed to prevent vehicles from maneuvering in the public right-of-way; such as backing out into streets or alleys.
- I. Parking areas must be constructed to allow proper drainage.
- J. Parking spaces prescribed in this section must be located either on the premises or on a lot approved by the Plan Commission excluding public parking areas. All required off-street parking spaces, however, must be located within 800 feet of the subject lot.
- K. A single or group of adjacent properties may utilize a shared parking area if the number of spaces required for each use is adequate. The following requirements apply to shared parking:
 - a. Each lot must have at least 80% of the total spaces required for its use available at any given time.
 - b. A written reciprocal parking agreement signed by all property owners shall be demonstrated.
 - c. The Planning Director must approve the shared parking area and written parking agreement.
- L. To reduce traffic congestion and hazards along roadways, off-street parking shall be required for business and industrial uses. The minimum number of parking spaces shall be determined by adding up the spaces required for each applicable statement below. The numbers below do not guarantee the quantity needed per use, only minimums are expressed. The petitioner must calculate additional parking spaces that may be necessary.

Parking Standards (PK)

(continued)

Employee parking for office, commercial, institutional, communication/utilities, and industrial uses.	One (1) parking space per employee that potentially can be working at any given time. Businesses with multiple shifts must also provide one (1) additional parking space per two (2) employees on the largest abutting shift. Subtract one (1) parking space per sixty (60) employees and subtract one thirtieth (1/30th) of the total employee spaces if the property is within five hundred (500) feet of a bus or mass transit stop.
Visitor parking for office, institutional and industrial uses.	One (1) visitor parking space per twenty (20) employees working at any given time up to three hundred (300) total employees, plus one (1) visitor space per fifty (50) employees for the amount over three hundred (300) employees.
Visitor parking for nursing home, hospital, or similar facilities.	One (1) visitor space per three (3) beds in a hospital or nursing home facility.
Visitor parking for hotel, motel and other overnight stay facilities.	One (1) visitor parking space per rental unit.
Automobile, tractor, boat, bus or similar sales facility.	Two (2) parking space plus one (1) per sales person working on any given shift.
Restaurants, food services, theater, community center, auditorium, conference center, church racetrack, bars, nightclub or similar facility that seats people.	Parking spaces must equal one third (1/3rd) of the allowable seating capacity.
Furniture, appliance, or similar large item sales facility.	One (1)-parking space per four hundred (400) sq. ft. of GFA up to 30,000 sq. ft. and one (1) parking space per 600 sq. ft. above 30,000 sq. ft.
Hardware, home improvement, lumberyard auto parts stores or similar moderate size item sales facility.	One (1) parking space per three hundred (300) sq. ft. of GFA up to 30,000 sq. ft. and one (1) parking space per 400 sq. ft. above 30,000 sq. ft.
Fitness center, health spa, skating rink or similar facilities.	One (1) parking space per three hundred (300) sq. ft. of GFA.

Retail stores, grocery stores, gasoline stations, banks, liquor store, and similar high-volume facilities.	One (1) parking space per two hundred fifty (250) sq. ft. of GFA up to 40,000 sq. ft. and one (1) per four hundred (400) sq. ft. up to 80,000 sq. ft. and one (1) per six hundred (600) sq. ft. above 80,000 sq. ft.
Day-care or similar facility.	One (1) parking space per every ten (10) children enrolled. This number of spaces may be reduced by 1/4 in trade for passenger loading spaces.
Airport, heliport or similar facility.	One (1) parking space per five (5) aircraft tie-downs and hangar spaces, plus one (1) per every three (3) waiting room and classroom seats.
Self-storage, warehouse, or similar facility.	One (1) parking space per 5000 sq. ft. for a single tenant facility or one (1) space per six leasable storage units. Loading areas may account for up to 1/4 of this requirement. Storage buildings without a main office are not required to have additional parking. Storage buildings with a main office should have at least 3 parking spaces. Indoor storage facilities should have at least 10 spaces
Body shop, vehicle repair, car wash or similar facility.	One (1) parking space per interior service bay and per car wash stall.
Medical facility, clinic, doctor's office or similar facility.	One (1) parking space per treatment or examination room/space.
Barber/beauty shop, fingernail salon, tanning salon, or similar facility	One and one-half (1.5) parking space per operator station and tanning booth.
Governmental offices, service commercial, libraries, organizational office, repair shop, or similar facility.	One (1) parking space per eight hundred (800) sq. ft. of GFA.
Public or private school, trade or business school, or similar functioning facility.	One (1) parking space per two (2) elementary classrooms; and two (2) parking space per junior high classroom; and one (1) parking space per five (5) high school students; and one (1) space per two (2) students in a trade or business school.
Swimming pool, sport fields, recreational fields, or similar facility.	Twenty (20) spaces per sport field; and one (1) space per 100 sq. ft. of water surface.
Golf course, driving range, batting cages, bowling alley, or similar facility.	Thirty (30) parking spaces per nine (9) holes; and one (1) space per driving range or batting cage lane; and two (2) spaces per alley.

Parking Standards (PK)

(continued)

- M. If a use is not clearly noted above, the Planning Director shall determine into which category the uses best fit, therefore determining the parking requirements.
- N. Parking lots shall be designed to not allow pooling water, be constructed on a stone sub-base, and have at least 4 inches of finish paving surface (e.g. concrete, asphalt, and brick pavers).

6.49 PK-07

This Parking Standards section applies to off-site parking lots and the following districts:

PR, M1, M2, M3, NC, IS, OC, DC, C1, C2, LI, MI, HI

When a parking lot is required in the above districts, the following parking regulations apply:

- A. Parking lots shall be paved with a minimum of either:
 - a. Three (3) inches of hot asphalt concrete pavement on eight (8) inches of compacted aggregate base on a compacted subgrade; or
 - b. Six (6) inches of concrete pavement on a compacted subgrade.
- B. All paved parking lots shall have appropriate bumper guards where required for safety.
- C. Handicap Accessible Parking
Handicap accessible parking spaces shall be provided as follows:

Total Parking Spaces in Lot	Minimum Number of Handicap Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and greater	20 plus 1 per 100 over 1000
At medical outpatient units and facilities	10 percent of total spaces serving outpatient unit
At units or facilities specializing in treatments or services for persons with mobility impairments	20 percent of total

Any such handicap accessible spaces are counted towards the total number of parking spaces required by the parking standards sections.

Parking Standards (PK)

(continued)

6.50 PK-08

This Parking Standards section applies to the following districts:

DC

The following parking standards apply:

- A. Off-street parking is not required.

Loading Standards (LD)

6.51 LD-01

This Loading Standards section applies to the following districts:

NC, IS, OC, DC, C1, C2, LI, MI, HI

The following loading standards apply:

- A. All off-street loading berths shall be located on the same lot as the use to be served
- B. No portion of a vehicle using a loading dock shall project into a street or alley right-of-way.
- C. No loading dock shall it be located in front of the primary structure or on a side which faces a public street unless fully screened.
- D. A loading dock shall have an adequate accessibility from an appropriate roadway, maneuvering apron and vertical clearance for truck deliveries. Truck maneuvering in the right-of-way shall not be permitted.

Entrance and Driveway Standards (ED)

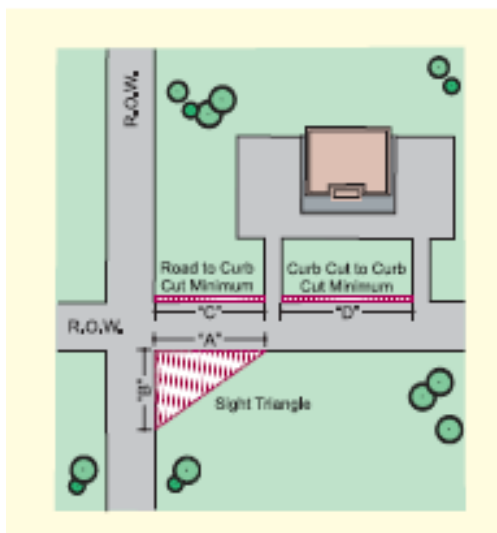
6.52 ED-01

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

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following entrance and drive standards apply:

- A. All classification of roads shall be based on the Thoroughfare Plan as found and maintained in the Kokomo Comprehensive Plan.
- B. Under no circumstances shall a lot have more than 2 driveways per street frontage.
- C. No entrance or driveway shall be permitted to be installed:
 - a. Within 100 feet of any intersecting road if along an arterial or collector road (see "C" below in the illustration). If the property is not large enough to achieve a 100-foot separation, then the driveway shall be installed at a location farthest from the intersection.
 - b. Within 50 feet of any intersecting road if along a local road (see "C" below in the illustration). If the property is not large enough to achieve a 50-foot separation, then the driveway shall be installed at a location farthest from the intersection.
- D. The distances for the above standards shall be determined by measuring from right of way line to the curb or edge of pavement (whichever is less) of the entrance or drive.
- E. No two entrances or drives shall be permitted to be installed:
 - a. Within 100 feet of one another if along an arterial or collector road (see "D" below in the illustration).
 - b. Within 50 feet of one another if along a local street (see "D" below in the illustration).
- F. The distances for the above standards shall be determined by measuring from the curb or edge of pavement to the curb or edge of pavement (whichever is less) of each entrance, or drive.



Entrance and Driveway Standards (ED)

(continued)

- G. No entrance or driveway shall exceed the following pavement widths for two-way traffic (if one-way, the measurements shall be 1/2 of the below measurements):
 - a. 34 feet if from a commercial, industrial, or institutional zoning district onto an arterial or collector road.
 - b. 30 feet if from a commercial, industrial, or institutional zoning district onto a local street.
 - c. 30 feet if from a multifamily residential zoning district onto an arterial or collector road.
 - d. 28 feet if from a multifamily residential zoning district onto a local street.
 - e. 28 feet if from a single-family residential zoning district onto any type of street.
- H. The distances for the above standards shall be determined by measuring from the outside edges of the curb or pavement, -whichever is more, of the entrance, or driveway.
- I. The City Engineer may determine if the following are necessary:
 - a. An acceleration or deceleration lane, or
 - b. A passing blister at a new entrance or drive.
 - c. Wider shoulders or approaches for accommodating vehicle turning radii.
- J. The Plan Commission may require multi-lot residential developments to provide interior, local street access instead of allowing multiple driveway access points to arterials or collectors.
- K. The Plan Commission may require multi-lot commercial and industrial developments to provide frontage roads, shared driveways, and other alternate access instead of allowing multiple driveway access points to arterials or collectors.

6.53 ED-02

This Entrance/Drive Standards section applies to the following districts:

MP

The following entrance and drive standards apply:

- A. Manufactured or mobile home parks with 40 or more dwelling sites shall have:
 - a. At least 2 access points shall be required into and out of the manufactured or mobile home park.
 - b. Individual dwelling sites may only have driveways on interior roads.

Vision Clearance Standards (VC)

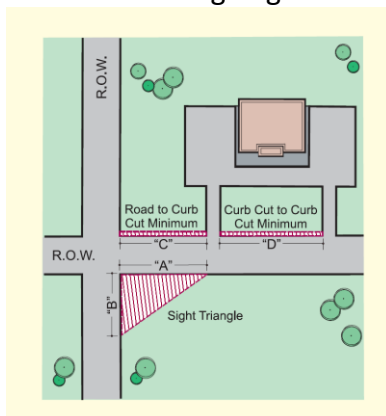
6.54 VC-01

This Vision Clearance Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following vision clearance standards apply:

- A. A clear area must be maintained at every intersection. A vision clearance triangle (also called sight triangle or intersection sight triangle) is used to describe and determine the area on a property to be maintained free of visual obstruction.
- B. The vision clearance triangle is illustrated below. Lengths "A" and "B" are the legs of the triangle along the right-of-way of a public street.
 1. The triangle leg length along the right of way of the local or minor road that has the stop shall be 20 feet, and
 2. The triangle leg length along the arterial, collector or major road shall vary according to the approach speed and in accordance to able of values included within the City of Kokomo Traffic Standards.
- C. No primary or accessory structure, landscaping, fence, wall, ground sign or other obstructions shall be permitted within the visibility clearance triangle. However, the following exceptions may be permitted:
 1. Landscaping shall not exceed 30 inches above the existing ground or pavement elevation.
 2. Pole mounted signs shall have a vertical sight clearance under the sign of at least ten (10) feet (vertical sight clearance equals the area clear from the ground to bottom of sign). Ground mounted signs shall not exceed 30 inches in height.
 3. Species of trees to be planted shall be those for which the maximum diameter of the tree trunk (DBH) at full growth is 12 inches.
 4. Existing trees shall be pruned such that the lowest limbs are no lower than 8 feet above the ground level.
 5. No fences shall be allowed within the vision clearance triangle along arterials and collectors, but may be installed along local roads, not exceeding 30 inches in height and shall be installed outside of the street right-of-way and no closer than 12 feet from the existing edge of the roadways.



Telecommunication Facility Standards (TC)

6.55 TC-01

This Telecommunication Facilities Standards section applies to the following districts:

IS, OC, C1, C2, LI, MI, HI

The following telecommunication facility standards apply:

- A. No new tower shall be permitted unless the applicant demonstrates to the BZA that no existing tower or structure can accommodate the applicant's proposed antenna. Supporting evidence may consist of any of the following conditions:
 - a. No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements.
 - b. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
 - c. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
 - d. The applicant's proposed system would cause electromagnetic interference with the system on the existing tower or structure, or the system on the existing tower or structure would cause interference with the applicant's proposed system.
 - e. The fees, cost, or contractual provisions required by the owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs are considered reasonable if they conform to contractual terms standard in the industry or do not exceed the cost of new tower development.
 - f. The applicant demonstrates that there are other limiting factors that render existing towers or structures unsuitable.
- B. New towers shall be designed structurally and electrically to accommodate the applicant's antennas and comparable antennas for at least 2 additional users and shall not exceed a maximum height of 199 feet or the FAA allowed maximum for the site if less than the maximum. Towers must also be designed to allow for future rearrangement of antennas on the tower and accept antennas mounted at different heights.
- C. The holder of a permit for a tower must allow collocation for at least 2 additional users and must not make access to the tower and tower site for the additional users economically unfeasible. If additional user(s) demonstrate (through an independent arbitrator or other pertinent means, with the cost to be shared by the holder of the permit and the proposed additional user) that the holder of a tower permit has made access to such tower and tower site economically unfeasible, then the permit shall become null and void.
- D. Towers shall not be located within a distance equal to the height of the tower of any dwelling or residential district.
- E. The setback requirements for the zoning district the telecommunication facility is placed apply to all towers, guy wire anchors and tower accessory structures.

Telecommunication Facility Standards (TC)

(continued)

- F. The tower location shall provide for the maximum amount of screening of the facilities. The site shall be landscaped and maintained with a buffer of plant materials that effectively screens the view of all tower accessory structures, equipment and improvements at ground level from adjacent properties. The standard buffer shall consist of a landscaped strip at least 4 feet wide outside the perimeter of the area where tower accessory structures and equipment are located at ground level. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived by the Board of Zoning Appeals. Existing mature vegetation and natural land forms on the site shall be preserved to the maximum extent possible or replaced with vegetative screening meeting the intent of this section.
- G. All towers shall be reasonably protected against unauthorized access. The bottom of the tower from ground level to 12 feet above ground shall be designed to preclude unauthorized climbing and shall be enclosed with a minimum of a 6-foot-high chain link fence with locked gate. Other options may be required by the Board such as an 8-foot-tall wooden privacy fence and security fence, with vehicular gate. Sheet metal or plastic slats are not permitted. No part of any tower or antenna, except for guy wires and anchors, shall extend beyond the fenced enclosure.
- H. At least 2 signs shall be mounted on the fenced enclosure, on or adjacent to the gate prohibiting entry without authorization, warning of the danger from electrical equipment and/or unauthorized climbing of the tower and identifying the owner of the tower and telephone number for contact in case of emergency. Each sign shall be 3 square feet in size. Additionally, one (1) no trespassing sign is permitted on each fence side.
- I. No commercial message or sign shall be affixed to any tower or antenna.
- J. All towers, antennas and accessory structures shall use building materials, colors, textures, screening and landscaping that blend the facilities with the surrounding natural features and built environment to the greatest extent possible. The tower shall be a color that minimizes visibility unless otherwise required by FAA or FCC regulations.
- K. All metal towers shall be constructed or treated with corrosion resistant material.
- L. Adequate parking spaces shall be provided on each site so that parking on public road right-of-way will not be necessary. Additional parking may be required by the Planning Director if the minimum parking proves to be inadequate.
- M. An access driveway must be installed and must be 12 feet wide unless an existing drive of equal width is already in place. Any access driveway must be paved in public rights-of-way but may be stone or slag in other areas.
- N. All towers and antennas shall comply with all FCC and FAA rules and regulations.
- O. Design and installation of all towers and antennas shall comply with the manufacturer's specifications and with ANS/TIA/EIA standards. Plans shall be approved and stamped by a professional engineer registered in the State of Indiana.

Telecommunication Facility Standards (TC)

(continued)

- P. Installation of all towers and antennas shall comply with all applicable state and local building and electrical codes.
- Q. The monopole design is the preferred tower structure, but self-supporting is also allowed. Use of guy or lattice towers must be justified on the basis of collocation opportunities or specific structural requirements. Monopoles may be hidden in silos, church steeples, smokestacks etc.
- R. Towers and antennas shall not be illuminated in any way unless required by FCC or FAA regulations. FCC or FAA regulations must be demonstrated to the Planning Director prior to installation.
- S. No temporary mobile communication sites are permitted except in the case of equipment failure, equipment testing, equipment replacement, or in the case of an emergency situation authorized by the Planning Director. Use of temporary mobile communication sites for testing purposes shall be limited to 7 working days, and the use of temporary mobile communication sites for equipment failure, equipment replacement, or in case of emergency situations, shall be limited to 30 days, unless extended in writing by the Planning Director.
- T. A letter of credit or bond in the amount of \$10,000 shall be filed with the City of Kokomo Board of Public Works to provide for removal of a wireless communication facility and site restoration in the event that removal should be required. The improvement location permit for a wireless communication facility shall not be issued until the Board of Public Works has notified the Planning Director of their acceptance of the letter of credit or bond.
- U. All unused towers and antennas must be removed at the expense of the service provider and/or owner, within 6 months of cessation of operation or use, unless a written exemption is provided by the Planning Director. After the facilities are removed, the site shall be restored to its original condition or as close as feasibly possible. Specifically, all structures and anchoring elements shall be removed above grade and 4 feet below ground level, so that the site is suitable for redevelopment. If removal and/or restoration is not completed within 90 days of the expiration of the 6-month period specified herein, the Planning Director is authorized to request the City of Kokomo Board of Public Works to complete the removal and site restoration. The cost shall be assessed against the letter of credit or bond described above.

Corridor Enhancement Standards (CE)

6.56 CE-01

This Corridor Enhancement Standards section applies to the following districts:

C1, C2

The following corridor enhancement standards apply:

- A. **Traffic Management:** The design and location of proposed street access points must minimize congestion. The entrances, streets and internal traffic facilities must be compatible with existing and planned streets in adjacent developments. Shared driveways and internal connections to adjacent sites are required wherever feasible.
- B. **Pedestrian Access:** The design of the proposed development plan must provide adequate pedestrian connections within the development and safe street crossings to adjacent land. This includes a sidewalk along adjacent street(s). The Plan Commission may determine that an alternative to a sidewalk along adjacent street(s) better serves the purpose of connecting commercial destinations.
- C. **Facades greater than 100 feet in length:** In order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size, the following additional standards apply for facades greater than 100 feet in length. A standardized prototype design must be modified if necessary to meet the provisions of this Article.
 - a. No wall that faces a street or connecting walkway may have an uninterrupted length exceeding 100 feet without including at least 2 of the following design elements:
 - change in plane (recess or projection),
 - distinguishable change in texture or masonry pattern,
 - add windows which comprise at least 10% of the entire facade area, or
 - an equivalent element that subdivides the wall into human scale proportions.
 - b. Any change in wall plane such as projections or recesses must have a depth of at least 3% of the length of the facade.
 - c. Building facades must include a repeating pattern that includes color change and texture change. At least one (1) element (texture or color change) must repeat horizontally. Both elements must repeat at intervals of no more than 30 feet, either horizontally or vertically.
- D. **Facades Generally:** The building facade facing any adjacent street must have a finished facade. No loading docks or trash collection bins may be placed on or along the facades that face any adjacent street.
- E. **Entrances:** Each establishment on a site shall have clearly defined, highly visible customer entrances featuring at least 2 of the following:
 - canopies or porticos,
 - recesses/projections,
 - arcades,
 - peaked roof forms,
 - arches,

Corridor Enhancement Standards (CE)

(continued)

- display windows, or
 - architectural details such as tile work and moldings which are integrated into the building structure and design.
- F. Central Features and Community Space: Proposed developments or projects that include over 150,000 square feet must comply with the following standards. This square footage requirement applies to any combination of buildings or lots in a cohesive commercial project or development.
- a. Each development or project must contribute to the establishment or enhancement of community and public spaces by providing at least 2 of the following:
- patio/seating area,
 - pedestrian plaza with benches,
 - transportation center (bus station, etc.),
 - window shopping walkway,
 - outdoor playground area,
 - water feature,
 - clock tower, or
 - other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the Plan Commission, adequately enhances the development's community and public spaces.
- b. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

Sexually Oriented Business Standards (SX)

6.57 SX-01

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

NC, DC, C1, C2

The following sexually oriented business standards apply:

- A. Accessory Sexually Oriented Retail Business: Any business with at least 10% but less than 40% of its stock in trade or of gross public floor area devoted to the sale, rental or display of sexually oriented materials must abide by the following regulations.
 - a. The business must restrict access to any person under the age of 18 to either the entire business or to a separate room or section containing all of the sexually oriented materials.
 - b. If restricting access to the entire business, then the business:
 1. Shall not be open to any person under the age of 18.
 2. Shall provide a sign at the entrance stipulating that persons under 18 are not permitted inside.
 3. Shall have access controlled by electronic or other means to provide assurance that persons under age 18 will not easily gain admission or the general public will not accidentally enter such business; or provide continuous video or window surveillance of the business entrance(s) by store personnel.
 4. Shall not display sexually oriented materials in windows. Any existing windows shall be maintained as visually "neutral" in the store facade with non-explicit displays. Any sexually oriented materials, on display within the store, shall be screened so they are not visible to persons looking at window displays.
 - c. If restricting access to a separate room or section, then the room or section:
 1. Shall not be open to any person under the age of 18.
 2. Shall have a sign at the entrance stipulating that persons under 18 are not permitted inside.
 3. Shall be physically and visually separated from the remainder of the business by an opaque wall of durable material, reaching at least eight feet high or to the ceiling, whichever is less.
 4. Shall 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.
 5. Shall have access controlled by electronic or other means to provide assurance that persons under age 18 will easily not gain admission or the general public will not accidentally enter such room or section; or provide continuous video or window surveillance of the room by store personnel.

Sexually Oriented Business Standards (SX)

(continued)

6. Shall not display sexually oriented materials in any business windows. Any existing windows shall be maintained as visually "neutral" in the store facade with non-explicit displays. Any sexually oriented materials, on display within the room or section, shall be screened so they are not visible to persons outside the room or section.

6.58 SX-02

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

C2

The following sexually oriented business standards apply:

- A. Sexually Oriented Retail Business - Any business with at least 40% of stock in trade or of gross public floor area devoted to the sale, rental or display of sexually oriented materials must abide by the following regulations.
 - a. The business shall not locate within 1,000 foot radius of a church or other religious institution, residential use or zoning district, public, private or parochial schools (K-12), parks, playgrounds, licensed child care centers, licensed child care homes, licensed child care institutions, registered child care ministry, libraries, nature trails, public swimming pools, museums, reservoirs open to public use, sexually oriented entertainment business, or other sexually oriented retail business. The distance is measured from the nearest property line to, the nearest property line in all directions.
 - b. The business shall not locate within 1,000 feet of the right-of-way of any state or federal highway or other designated community gateway streets as measured from the nearest property line. The following streets are designated community gateway streets:
 1. Davis Road from the intersection with Washington Street to the north city limits;
 2. Washington Street from north city limits to the intersection with South Lafountain Street;
 3. South Lafountain Street from the intersection with Washington Street to the intersection with S.R. 931 or Reed Road.
 4. Alto Road from the east city limits to the west city limits;
 5. Dixon Road from the north city limits to the south city limits;
 6. Sycamore Street from the east city limits to the west city limits;
 7. Markland Avenue from the east city limits to the west city limits;
 8. S.R. 931 or Reed Road; and
 9. Center Road from the east city limits to the west city limits.
 - c. The business shall not be open to any person under the age of 18.

Sexually Oriented Business Standards (SX)

(continued)

- d. The business shall not display sexually oriented materials in windows. Any existing windows shall be maintained as visually "neutral" in the store facade with non-explicit displays.
- e. The business shall not offer on-site entertainment.
- B. Sexually Oriented Entertainment Business: A Sexually oriented entertainment business shall abide by the following regulations.
 - a. The business shall not locate within 1,000 foot radius of a church or other religious institution, residential use or zoning district, public, private or parochial schools (K-12), parks, playgrounds, licensed child care centers, licensed child care homes, licensed child care institutions, registered child care ministry, libraries, nature trails, public swimming pools, museums, reservoirs open to public use, sexually oriented entertainment business, or other sexually oriented retail business. The distance is measured from the nearest property line to the nearest property line in all directions.
 - b. The business shall not locate within 1,000 feet of the right-of-way of any state or federal highway or other designated community gateway streets as measured from the nearest property line. The following streets are designated community gateway streets:
 - 1. Davis Road from the intersection with Washington Street to the north city limits;
 - 2. Washington Street from north city limits to the intersection with South Lafountain Street;
 - 3. South Lafountain Street from the intersection with Washington Street to the intersection with S.R. 931 or Reed Road;
 - 4. Alto Road from the east city limits to the west city limits;
 - 5. Dixon Road from the north city limits to the south city limits
 - 6. Sycamore Street from the east city limits to the west city limits;
 - 7. Markland Avenue from the east city limits to the west city limits;
 - 8. S.R. 931 or Reed Road; and
 - 9. Center road from the east city limits to the west city limits.
 - c. The business shall not be open to any person under the age of 18.
 - d. The business shall not display sexually oriented materials in windows. Any existing windows shall be maintained as visually "neutral" in the store façade with non-explicit displays.
 - e. The business shall offer entertainment only in rooms or spaces which each have a gross public floor area of at least 1,000 square feet, excluding restrooms, hallways and entryways. Such rooms or spaces shall not be subdivided by temporary or permanent walls or dividers.
 - f. Shall not sell, rent or display sexually oriented materials.

Special Exception Standards (SE)

6.59 SE-01

This Special Exception Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following special exception standards apply:

- A. The development standards assigned to each zoning district are considered appropriate for the permitted uses within that district. However, the development standards are not considered appropriate for all special exception uses within a zoning district. For instance, some business 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 standard sections within Article Six shall apply to all Special Exception Uses. 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 district, the development standards for that district must be used as a guideline.
- D. In situations where the special exception use is not a permitted use in any district, the most stringent development standards may be assigned by the Board of Zoning Appeals as appropriate.
- E. The approval process and criteria for Special Exceptions is in Article Nine of this Zoning Ordinance.
- F. All special exceptions must meet the following requirements:

Special Exception	Development Standard Requirements
All Single Family Residential Uses	Development standards from R1 District
All Multifamily Residential Uses	Development standards from M1 District
All Other Residential Uses	Development standards from R1 District
Institutional/Public Facility Uses	Development standards from IS District
Business: Auto Sales/Services Uses	Development standards from C2 District
Business: Food Sales/Service Uses	Development standards from C1 District
Business: General Business Uses	Development standards from C1 District
Business: Office/Professional Uses	Development standards from OC District
Business: Retail Uses	Development standards from C2 District
Business: Personal Service Uses	Development standards from C1 District
Business: Recreation Uses	Development standards from PR District
Communication/Utility Uses	Development standards from I1 District
Industrial Uses	Development standards from I2 District

Miscellaneous Standards (MC)

6.60 MC-01

This Miscellaneous Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following miscellaneous standards apply:

- A. Storage or parking of recreational vehicles is subject to the following conditions:
- B. At no time may anyone occupy or use a parked or stored recreational vehicle for living, sleeping or housekeeping purposes, except as outlined below.
- C. A property owner may allow a recreational vehicle to park on the owner's property for up to 15 consecutive days, but not to exceed 30 total days in any one calendar year to allow a visit by the recreational vehicle's occupant or maintenance of such a vehicle.
- D. No more than one (1) recreational vehicle may be stored or parked outdoors on a residential parcel at any one time.
- E. A recreational vehicle shall not be parked on a parcel without a primary building.
- F. The owner of a recreational vehicle may store or park the recreational vehicle behind or alongside the primary building in such a manner that no part of the vehicle projects beyond the front of the primary structure, side yard setback, or rear yard setback.
- G. A recreational vehicle shall not block a sidewalk.
- H. A recreational vehicle shall not be used for personal storage.

6.61 MC-02

This Public Improvement Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following public improvement standards apply:

- A. Developments are permitted only if the public streets, drainage facilities, and utilities are adequate to serve the proposed development.
- B. If a public street, drainage facility, or public utility is deemed inadequate to handle the anticipated impact of the development the development project shall not be permitted.
- C. The petitioner may volunteer to overcome the inadequate public street, drainage facility, or public utilities by negotiating or coordinating a remedy with the City Engineer, Board of Public Works, and/or Common Council. Upon execution of a written contract the adequate public facility standard shall be deemed to be met.
- D. When public improvements are being completed by the petitioner, performance and maintenance guarantees for such improvements shall be determined.

Miscellaneous Standards (MC)

(continued)

6.62 MC-03

This Miscellaneous Standards section applies to the following districts:

AG, AR, PR, R1, R2, R3, R4, R5, M1, M2, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following miscellaneous standard applies:

- A. Street addresses must be posted on all primary structures and be visible from primary roadway and/or be posted on mailbox or other suitable structures visible from primary roadway.

6.63 MC-04

This Miscellaneous Standards section applies to the following districts:

AR, M1, M2, MP, NC, IS, OC, DC, C1, C2, LI, MI, HI

The following miscellaneous standards apply:

- A. Dumpsters, trash and recycle containers/receptacles, compactors and similar containers must be screened on all sides by a fence or wall. Glass or similar translucent and breakable materials shall not be used.
- B. The height of the enclosure must be at least six (6) feet tall so as to completely block the view of the dumpster, trash and recycle containers/receptacles, compactors, or similar containers.

6.64 MC-05

This Miscellaneous Standards section applies to the following districts:

LI, MI, HI

The following miscellaneous standards apply:

- A. Temporary or long-term storage of construction and recycling materials and byproducts, pallets and like materials must be completely shielded from view with at least a 6-foot privacy fence on all sides. The stacked materials may not exceed the fence line in height.
- B. Outdoor storage of products or materials for sale must be approved by the Planning Director.

6.65 MC-06

This Miscellaneous Standards section applies to the following districts:

MP

The following miscellaneous standard applies:

- A. Manufactured or Mobile Home Parks must be in accordance with IC 16-11-27-1 et. seq., Rule 410 IAC 6-6 and their subsequent amendments, the State Board of Health requirements, and the requirements of this Zoning Ordinance.
- B. Each manufactured or mobile home in a manufactured or mobile home park must be tied down and have perimeter skirting.

Miscellaneous Standards (MC)

(continued)

6.66 MC-07

This Miscellaneous Standards section applies to the following districts:

AG, PR, R1, R2, R3, R4, R5

The following miscellaneous standard applies:

- A. Dumpsters, trash and recycle containers/receptacles, compactors, and similar containers must not be stored so as to be visible from the roadway. This standard does not apply on days of regular trash/recycle pick-up.

6.67 – 6.69 Reserved

Wind to Energy System (WE)

6.70 WE-01 [Wind to Energy System, Very Small]

This Wind Energy System Standards section applies to the following zoning districts:

AG, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, C1, C2, LI, MI, HI

The following standards apply to Very Small Wind to Energy Systems:

- A. Supporting structure:
 - 1. Any very small wind to energy system tower or supporting structure placed on the roof of a primary or accessory structure shall not exceed the height of the structure's roof by fifteen (15) feet.
 - 2. Any very small wind to energy system supported primarily by a tower or pole shall comply with the standards for small wind to energy systems (6.71).
- B. Rotor Diameter: The maximum rotor diameter shall be ten (10) feet.
- C. Safety: The rotors (blades) shall not extend horizontally beyond the roof of the primary or accessory structure.
- D. Abandoned systems: A very small wind to energy system shall be considered abandoned if use as a wind to energy system is discontinued for one (1) year or more. The Plan Commission or the Planning Director may require removal of it after a ninety-day (90) notice period.
- E. Illumination: Very small wind to energy systems shall not be illuminated in any way unless required by FCC or FAA regulations. FCC or FAA regulations shall be demonstrated to the Planning Director prior to installation.

6.71 WE-02 [Wind to Energy System, Small]

This Wind Energy System Standards section applies to the following zoning districts:

AG, PR, R1, R2, R3, R4, R5, M1, M2, M3, MP, NC, IS, OC, C1, C2, LI, MI, HI

The following standards apply to Small Wind to Energy Systems:

- A. Tower Types: Permitted small wind to energy system tower types include tilt-up monopole, guyed monopole, guyed lattice and lattice.
- B. Height:
 - 1. The maximum small wind to energy system tower height shall not exceed 189 feet or the product of 0.455 times the lot width at the proposed tower location, whichever is less.
 - 2. The maximum small wind to energy system height shall not exceed 199 feet or sum of the maximum small wind to energy system tower height plus ten (10) feet.
- C. Rotor Diameter: The maximum rotor diameter shall be ten (10) feet.
- D. Setbacks:
 - 1. Small wind to energy system towers shall be located a minimum of 1.1 times the tower height from all property lines and rights-of-way.
 - 2. Small wind to energy system towers shall not be located in the front yard (i.e. forward of any part of the building's foundation).

Wind to Energy System (WE)

(continued)

- E. Safety:
 - 1. The rotors (blades) shall have 20 feet of ground clearance.
 - 2. If guy wires are used, the wires must be sleeved in a bright colored material extending seven (7) feet above the ground or surrounded by fence at least four (4) foot tall from the guy wire anchor to the point where the guy wires have at least seven (7) feet of clearance.
- F. Signs: No signs shall be attached to small wind to energy system towers except safety notices and information required by the manufacturer.
- G. Abandoned systems: A small wind to energy system shall be considered abandoned if use as a wind to energy system is discontinued for one (1) year or more. The Plan Commission or the Planning Director may require removal of it after a ninety-day (90) notice period.
- H. Illumination: Small wind to energy systems shall not be illuminated in any way unless required by FCC or FAA regulations. FCC or FAA regulations shall be demonstrated to the Planning Director prior to installation.

6.72 WE-03 [Wind to Energy System, Large]

This Wind Energy System Standards section applies to the following zoning districts:

AG, PR, IS, LI, MI, HI

The following standards apply to Large Wind to Energy Systems:

- A. Prerequisites:
 - 1. A minimum twenty (20) acre lot shall be required for a single large wind to energy system. All additional large wind to energy systems shall require two (2) additional acres in lot area per system. For example, five (5) large wind-to-energy systems would require a minimum twenty-eight (28) acre lot.
 - 2. The Large Wind to Energy System towers are at least 1,000 ft. from the property line of any residence other than a residence on the same lot as the tower.
 - 3. The applicant shall obtain an advisory opinion from the Kokomo Board of Aviation Commissioners.
 - 4. The applicant shall obtain a Special Exception from the Board of Zoning Appeals.
- B. Tower Types: Large wind to energy systems must utilize tubular towers and shall be white, gray, earth tones or similar colors. Lattice type towers are not permitted except when used for temporary meteorological towers.
- C. Setbacks:
 - 1. Large wind to energy system towers shall be setback a minimum of 500 feet from all property lines; or
 - 2. Large wind to energy system towers may be placed closer to the property line if both of the following requirements have been met:

Wind to Energy System (WE)

(continued)

- a. The wind to energy system tower shall at a minimum be setback from the property line a distance equal to the large wind to energy system height; and
 - b. A non-encroachment easement has been secured from the adjacent property owners to prohibit inhabitable structures from being built within 500 feet of the large wind to energy system.
- D. Safety: The rotors (blades) shall have a minimum of thirty (30) feet ground clearance.
- E. Signs: No signs shall be attached to large wind to energy system towers except safety notices or information required by the manufacturer.
- F. Abandoned systems: A large wind to energy system shall be considered abandoned if use as a wind to energy system is discontinued for one (1) year or more. The Plan Commission or the Planning Director may require removal of it after a ninety-day (90) notice period.
- G. Illumination: Large wind to energy systems shall not be illuminated in any way unless required by FCC or FAA regulations. FCC or FAA regulations shall be demonstrated to the Planning Director prior to installation.

Gas Station Standards (GS)

6.73 GS-01

This Gas Station Standards section applies to Gas Stations in all Zoning Districts, permitted by right, Special Exception, or Variance.

In addition to the standards of the applicable Zoning District and any applicable Overlay District, the following Gas Station Standards shall apply:

A. Location: Gas Stations shall be prohibited in the following locations:

1. Within five thousand five hundred (5500) feet of Lot with an existing Gas Station, measured as the shortest distance between the two (2) properties.
2. Within five hundred (500) feet of a residentially zoned or residentially used Lot, measured as the shortest distance between the two (2) properties.

B. Primary Building Standards:

1. Building Materials:

- a. A minimum of fifty percent (50%) of building façades, exclusive of windows, doors and loading berths, shall consist of Masonry Materials.
- b. A minimum of three (3) building materials, excluding windows, doors and roofing materials shall be used.
- c. No more than fifty percent (50%) of all other façades, exclusive of windows, doors, and loading berths, may be covered with metal, fiber cement siding, polymeric cladding, E.I.F.S., or stucco exterior building materials.
- d. E.I.F.S shall be prohibited within eight (8) feet of the ground.
- e. All façades shall be supplemented with the use of more than one color, texture (e.g., rough, smooth, striated), or the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves).
- f. All façades shall be constructed with the same building material quality and level of architectural detail.

2. Building Elevations:

- a. Horizontal Design: All building façades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof.

- b. Offsets: Façades that face a Right-of-way shall be designed with offsets (projecting or recessed) at intervals of not greater than forty (40) feet. Offsets shall extend the entire vertical plane of the façade and shall be a minimum depth of four (4) feet and a minimum aggregate length of twenty percent (20%) of the horizontal plane of the overall façade. This offset requirement may be satisfied by varying the setbacks of façade sections and/or by incorporating architectural elements (e.g., arcades, columns, ribs, piers, and pilasters) if such architectural elements meet the interval requirements of this standard.

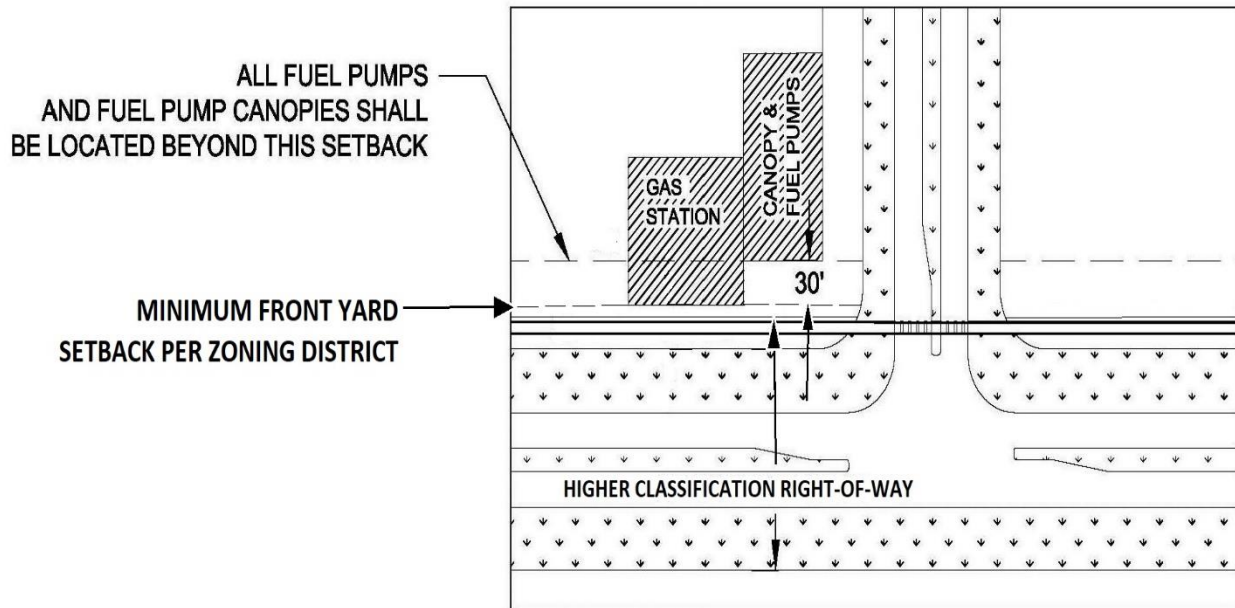
3. Roof Design:

- a. Material: Quality roof materials such as tile, slate, cedar shake with fire protection, 30-year asphalt shingles, dimensional asphalt or fiberglass shingles, high-quality standing seam metal roofing, or high-quality metal shingle roofing shall be used on all Structures. Metal roofs shall have a low-gloss finish to reduce glare.
 - b. Minimum Pitch: The minimum roof pitch of the Building's primary or main roof shall be 5:12. Elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
 - c. Roof Form: The roof form and pitch design of a building shall include three (3) or more sloped roof planes.
4. External Wall Protrusions: Gutters, downspouts, vents, wall-mounted Mechanical Equipment, and other external wall protrusions shall be visually integrated with the architectural style of the Structure. The color shall be selected to complement or to be consistent with the building materials.
 5. Mechanical Screening: All roof or ground-mounted Mechanical Equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped or fenced on all sides not facing the building, to provide full screening.

C. Canopy Standards:

1. Materials: The support Structures for canopies shall be wrapped in Masonry Materials to complement the Primary Building. Canopy fascia and canopy roof materials shall match the color and texture of the Primary Building.
2. Height: In order to reduce the visual impact of the canopy Structure and corresponding lighting, the maximum height of the canopy clearance shall be sixteen (16) feet and the maximum top of the canopy shall be twenty-two (22) feet. The maximum width of the canopy fascia shall be thirty (30) inches.

3. **Roof Design:** A canopy shall include a pitched or sloped roof between 5:12 and 10:12, and with a minimum roof height above the canopy fascia of two and one-half (2.5) times the width of the canopy fascia.
4. **Setback:** Vehicular fuel pumps and canopies shall be setback a minimum of thirty (30) feet farther from the Right-of-way line than the Established Front Yard of the Primary Building to which fuel pumps or canopies are appurtenant or associated as illustrated in Figure 6.73(1): Fuel Canopy Location. If the Lot contains more than one Established Front Yard, then the Planning Director or Plan Commission may approve a location within the Established Front Yard of the Right-of-Way with the lowest classification in the Thoroughfare Plan.



Self-Storage Facility Standards (SS)

6.74 SS-01

This Self-Storage Facility Standards section applies to Self-Storage Facilities in all Zoning Districts, permitted by right, Special Exception, or Variance.

In addition to the standards of the applicable Zoning District and any applicable Overlay District, the following Self-Storage Facility Standards shall apply:

- A. Minimum Lot Size: Two (2) acres
- B. Minimum Building Height: One (1) story
- C. Minimum Building Size: 4,500 sf
- D. Architectural Standards:
 - 1. Building Orientation Overhead doors to individual storage units shall not be visible from a Right-of-Way or adjoining Residential District.
 - 2. Building Materials:
 - a. A minimum of fifty percent (50%) of building façades, exclusive of windows, doors, and loading berths, shall consist of Masonry Materials, textured precast concrete, or textured tilt-up concrete.
 - b. E.I.F.S shall be prohibited within eight (8) feet of the ground.
 - 3. Exterior Facades: In order to avoid the appearance of long, unbroken facades, those facades which face a Right-of-way or adjoining Residential District shall include a vertical change in material, texture, or color every forty (40) feet with the width of the change being at least six (6) feet.
- E. Windows: Two-story buildings shall include windows or faux windows on the second story of all facades visible from a Right-of-way or adjoining Residential District.
- F. Renovated Buildings: Existing Buildings being renovated into a self-storage facility shall comply with the architectural standards of this Section. If the existing Building does not meet the Building Materials requirements of Section 6.74(D)(2), then brick veneer shall be permitted in lieu of Masonry Materials as the required fifty percent (50%) Building Material.

Article Seven

Planned Developments



August 12, 2003
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PD District Intent and Permitted Uses

7.1 PD District Intent, Permitted Uses and Miscellaneous Standards

District Intent	Permitted Uses	Miscellaneous Standards
<p>The purposes of these regulations are to provide greater design flexibility in the development of land when consistent with the Comprehensive Plan and intent of the Zoning Ordinance and Subdivision Control Ordinance.</p> <p>The use of planned development zoning classifications shall be encouraged when its use promotes</p> <ol style="list-style-type: none"> 1) mixed use developments, and/or 2) provides for an economy of shared services and facilities, and/or 3) greater compatibility with surrounding areas and/or 4) the creation of attractive, healthful, efficient and stable environments for living, shopping or working. <p>The planned development regulations and procedures may apply to the further development of existing developed lands or to vacant lands. Further, they generally only apply to larger tracts of land.</p> <p>Planned development regulations are intended to encourage innovations in land development techniques so that the growing demands of the community may be met with greater flexibility, variety in type, design and layout of sites and buildings. Planned development projects should also encourage a more efficient use of land so that resulting economies may accrue to the benefit of the community at large.</p> <p>Examples of this concept would include the preservation of existing trees or wetlands, and the inclusion of recreation areas within new subdivisions.</p>	<p>All uses are subject to the discretion and approval of the Plan Commission. No uses are granted by right.</p> <p>In general, the uses that will be considered in a planned development are: Uses-designated as Permitted Uses or Special Exceptions in the base zoning district.</p> <p><i>(For example, if the previous zoning was R2 and the proposed planned development district is PD-R2, the Permitted Uses and Special Exceptions allowed in the R2 district would generally be appropriate.)</i></p> <p>All other land uses will be reviewed and considered at the discretion of the Plan Commission. Mixed uses will be considered and may be encouraged when appropriate. All land uses proposed in a PD must be complementary to one another, and be in the spirit of the Comprehensive Plan, the previous zoning district, surrounding land uses and adjacent zoning districts.</p>	<p>Minimum Land Area:</p> <ul style="list-style-type: none"> • 5 acres to qualify for any PD <p>Minimum PD Property Frontage:</p> <ul style="list-style-type: none"> • 200 feet on a Public Street with access from said Public Street <p>Maximum Lot Coverage:</p> <ul style="list-style-type: none"> • Square footage of all primary and accessory structures, and impervious surface, including roads to be deeded to the City, cannot exceed 65% of the lot area <p>Minimum Open Space:</p> <ul style="list-style-type: none"> • 20% (gross area) for residentially dominant planned developments • 10% (gross area) for commercially dominant planned developments

7.2 General

Planned developments are a special district that can be pursued by an applicant in which a stand-alone ordinance regulating that development is drafted and which binds the development to its unique language.

7.3 Rezoning to a Planned Development District

- A. Planned development districts can only be created from the R1, R2, R3, M1, M2, NC, OC, C1, C2, LI, MI, and HI zoning districts. From each of these zoning districts (called base zoning district) the following planned development districts can be created once the detailed development plans are approved by the Plan Commission. They are:
- R1 Districts can only be rezoned to PD-R1
 - R2 Districts can only be rezoned to PD-R2
 - R3 Districts can only be rezoned to PD-R3
 - M1 Districts can only be rezoned to PD-M1
 - M2 Districts can only be rezoned to PD-M2
 - NC Districts can only be rezoned to PD-NC
 - OC Districts can only be rezoned to PD-OC
 - C1 Districts can only be rezoned to PD-C1
 - C2 Districts can only be rezoned to PD-C2
 - LI Districts can only be rezoned to PD-LI
 - MI Districts can only be rezoned to PD-MI
 - HI Districts can only be rezoned to PD-HI
- B. No other zoning district can be rezoned directly to a PD District. If an applicant wants a planned development district based on a different base zoning district a successful rezoning request to change the existing zoning district to the preferred base zoning district must first be accomplished.

7.4 Mixed Uses Within Planned Developments

Planned developments may contain mixed uses. Depending on the previous zoning the maximum overall gross square footage allowed by type is as follows:

Base Zoning District	PD District	Residential	Commercial	Industrial
R1	PD-R1	100%	15%	0%
R2	PD-R2	100%	20%	0%
R3	PD-R3	100%	30%	0%
M1	PD-M1	100%	40%	0%
M2	PD-M2	100%	50%	0%
NC	PD-NC	40%	100%	0%
OC	PD-OC	50%	100%	0%
C1	PD-C1	40%	100%	0%
C2	PD-C2	40%	100%	0%
LI	PD-LI	0%	40%	100%
MI	PD-MI	0%	30%	100%
HI	PD-HI	0%	20%	100%

7.5 Origination of Proposals

Any applicant may propose a planned development district in accordance with the procedures hereinafter established. Further, the applicant making such a proposal must intend to act as developer or sponsor of the development. A parcel or site proposed for a planned development need not be under single ownership. However, if not under single ownership, the multiple owners must have a contractual agreement not to develop the parcels separately, but in accordance with a single, unified plan, and in which the separate owners have given their express intentions to enter into such private agreements and to assure its completion as planned to the satisfaction of the Plan Commission.

7.6 Limitation of Rezoning

Any initiative of the Plan Commission to amend the Zoning Ordinance or Subdivision Control Ordinance that would affect an approved planned development before its completion, shall not be enforced on the planned development. Only in the case that the planned development is no longer in conformity with the Approved Detailed Construction or Development Plans or is not proceeding in accordance with the time requirements imposed herein or by agreement, will the new amendments of the Zoning Ordinance or Subdivision Control Ordinance apply.

7.7 Drafting of a Planned Development Ordinance

The Planning Director shall be the author of a planned development ordinance. In the planned development ordinance, the general intent of the Zoning Ordinance and Subdivision Control Ordinance shall be used as a foundation for regulations. Development standards and subdivision regulations that assure public safety shall be included.

Article Eight

Nonconforming Structures, Lots, and Uses



August 12, 2003
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Nonconforming Structures, Lots, and Uses

8.1 Intent

Upon adoption of this Zoning Ordinance and Official Zoning Map, some buildings, structures, lots, and uses may no longer conform to the regulations of the zoning district in which they are located. For this reason, Article Eight has been generated to provide the rules, policies and regulations that apply to these buildings, structures, lots, And uses referred to as Legal-Nonconforming.

8.2 Distinction Between Nonconforming and Legal-Nonconforming

A building, structure, or lot which was constructed or is being used without an approved building permit, improvement location permit or approval from the BZA or Plan Commission is considered nonconforming. A nonconforming property shall be subject to actions and penalties allowed by this Zoning Ordinance and all other applicable municipal law and must be altered to conform with all applicable standards and regulations of this Zoning Ordinance. Further, a nonconforming building, structure, lot or use is created at the fault of the owner, tenant or property manager.

Legal-Nonconforming differs from nonconforming (illegal) in that the reason for the nonconformance is caused by a change to the Zoning Ordinance. The building, structure, lot or use has not changed, but due to the Zoning Ordinance change, the property no longer conforms to the policies and standards of the zoning district in which the property resides. When this situation occurs, the property is deemed Legal-Nonconforming or another term commonly used is "Grandfathered."

8.3 Nonconforming Buildings and Structures

- A. Any continuously occupied, lawfully established structure or building prior to the effective date of this Zoning Ordinance, or its subsequent amendments, that no longer meets the design standards due to the reasons listed below shall be deemed a Legal-Nonconforming Building or Structure.
- B. Legal-Nonconforming Building(s) or Structure(s) no longer meet one (1) or more of the following development standards of this Zoning Ordinance:
 - Front, Side and Rear Yard Setbacks,
 - Maximum Lot Coverage,
 - Minimum Main Floor Area,
 - Minimum Finished Floor Area,
 - Height,
 - Temporary Structures,
 - Landscaping,
 - Parking,
 - Accessory Structures, or

- Any other provision of this Zoning Ordinance that is applicable to the building or structure.
- C. A Legal-Nonconforming building or structure may continue provided that it remains the same or fits within the below described tolerances:
- a. Any Legal-Nonconforming building or structure shall not be enlarged or altered in a manner that increases its nonconformity but any building or structure or portion thereof may be altered to decrease its nonconformity.
 - b. Any Legal-Nonconforming building or structure which is damaged or destroyed by more than 66% of its fair market value shall thereafter conform to the regulations of the district in which it is located.
- D. If a building or structure is moved for any reason, for any distance, it shall thereafter conform to the provisions of this Zoning Ordinance.

8.4 Nonconforming Lots of Record

- A. All legally established and recorded lots prior to the effective date of this Zoning Ordinance, or its subsequent amendments, that no longer meet the lot standards listed below shall be deemed a Legal-Nonconforming Lot of Record. A Legal-Nonconforming Lot of Record no longer meets one (1) or more of the following lot standards of this Zoning Ordinance:
- Lot Area,
 - Lot Width,
 - Lot Depth,
 - Lot Frontage, or
 - Any other provision of this Zoning Ordinance that is applicable to Lots.
- B. Legal-Nonconforming Lots of Record may be built upon only if the proposed use is permitted and all development standards of the applicable Zoning District of this Zoning Ordinance are met.

8.5 Nonconforming Uses of Structures, Land, or Structures and Land in Combination

Any continuous, lawful use of structures, land, or structures and land in combination established prior to the effective date of this Zoning Ordinance or its subsequent amendments that is no longer a permitted use in the district where it is located shall be deemed a Legal-Nonconforming Use. A Legal-Nonconforming use may continue provided that it remains otherwise lawful, subject to the following conditions:

- A. No existing structure devoted to a Legal-Nonconforming use shall be enlarged, expanded, increased, extended, constructed, reconstructed, moved, or structurally altered unless it:
- a. Complies with section 8.5 D for limited and small expansions, or
 - b. Changes the use of the structure to a use permitted in the district in which it is located, or
 - c. Changes the use to a less intensive Nonconforming Use and is approved by the Planning Director or Plan Commission.

- B. No building or structure shall be constructed in connection with an existing Legal-Nonconforming use of land.
- C. Any Legal-Nonconforming use of a structure may be extended throughout any parts of a building which were plainly arranged or designed for such use at the effective date of this Zoning Ordinance or its subsequent amendments, but no such use shall be extended to occupy any land outside the building.
- D. In the case of a Legal-Nonconforming use of structure, the structure may be expanded two times only. Each of the two expansions may not exceed 10% of the existing floor area. The expansion shall conform to all applicable development standards except for landscaping, unless a variance of developmental standards is received from the Board of Zoning Appeals. If the structure is a commercial or industrial use in a residential district, the Planning Director shall assign appropriate parking, landscaping and other common development standards for such uses.
- E. If no structural alterations are made, a Legal-Nonconforming use of structure or structure and land in combination may be changed to another Legal-Nonconforming use, provided that the Planning Director shall make specific findings that the proposed use is equally appropriate or more appropriate to the district than the existing Legal-Nonconforming use. The Planning Director may impose appropriate development standards from Article Six common for such a use.
- F. If a Legal-Nonconforming use is discontinued or abandoned for 12 consecutive months, except when government action impedes access to the premises, any subsequent use of such land, structure or land and structure shall conform to the provisions of this Zoning Ordinance.
- G. When a Legal-Nonconforming use is superseded by a permitted use, it shall thereafter conform to regulations of the district. The Legal-Nonconforming use may not thereafter be resumed.
- H. Where a Legal-Nonconforming use applies to a structure, removal of the structure shall eliminate the nonconforming structure of the land.
- I. Where a Legal-Nonconforming use applies to a structure that is damaged or destroyed more than 66% of its fair market value at the time of destruction. The Legal-Nonconforming use may continue, but the structure must be rebuilt to conform to the current zoning regulations. In this situation, the Legal Nonconforming use must not be expanded such that the property becomes more nonconforming.

8.6 Nonconforming Signs

Any sign lawfully existing on the effective date of this Zoning Ordinance, or amendment thereto, that does not conform to all the standards and regulations of this Zoning Ordinance is considered a Legal-Nonconforming sign.

- A. Signs which existed prior to the time this Zoning Ordinance was passed and were in conformance with previous ordinances will be legally nonconforming until such time a major change is made to the sign. Major changes include changing the size, changing the height, adding lights, altering lighting, and/or relocation.
- B. All registered Legal-Nonconforming signs shall be kept in good repair, safe, neat, clean and attractive condition. In the event nonconforming signs are not kept in said condition

or are demolished by any force whatsoever to the extent of 50% or more of the fair market value of the sign structure, said signs shall then be made to conform to this Zoning Ordinance.

- C. A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Plan Commission or Planning Director shall give the owner 30 days written notice to remove it. Upon failure to comply with this notice, the Plan Commission or Planning Director may remove the sign at cost to the property owner or lessee.
- D. Legal nonconforming signs which are structurally altered by a major change, relocated, or replaced shall comply immediately with all provisions of this Zoning Ordinance.

8.7 Repairs and Maintenance

The following applies to Legal-Nonconforming structures or buildings, and Legal-Nonconforming uses of structures, or structures and land in combination.

- A. Work may be done for ordinary repairs or replacement of walls, heating, fixtures, wiring, or plumbing; under the condition that the square footage and volume of usable space existing when the structure became nonconforming shall not be increased.
- B. If a structure or portion of a structure were to become unsafe or condemned due to lack of repairs or maintenance and is declared by an authorized official to be unsafe or condemned due to physical condition, the building or structure shall be restored, repaired or rebuilt within 6 months of the declaration. If the improvements have not been made within the 6 months, all future improvements must conform to all standards and regulations within this Zoning Ordinance.
- C. If a building or structure becomes unsafe or unlawful due to physical condition and is razed, the building or structure shall be rebuilt in conformity with the district in which it is located.
- D. Nothing in this Section shall be deemed to prevent the strengthening, repairing, or restoring to a safe condition of any building or structure or part thereof declared to be unsafe by any official charged with protecting public safety upon order of such official.

8.8 Nonconforming Pole Signs in the State Road 931 Overlay District

- A. Pole signs are not a permitted use in the SR 931 Overlay District. See Zoning Ordinance §§ 4.24.2 to 4.24.8. Any lawfully nonconforming pole sign existing in the SR 931 Overlay District on or after November 1, 2016 shall be discontinued over a reasonable period of time, and by no later than January 1, 2022, all lawfully nonconforming pole signs in the SR 931 Overlay District shall be brought into compliance with the Kokomo Zoning Ordinance. After January 1, 2022, all lawfully nonconforming pole signs in the SR 931 Overlay District shall lose their lawful nonconforming status.

This section does not apply to multi-tenant structure signs or lawfully nonconforming signs greater than 100 square feet.

Article Nine

Processes, Permits and Fees



August 12, 2003
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Processes, Permits, and Fees

9.1 Types of Petitions

The following section recognizes and outlines each of the permit, formal approval and appeals.

- A. The Plan Commission hereby requires that a complete application and filing fee be submitted for the following formal petitions (permits, formal approvals, and appeals):
 - Improvement Location Permit
 - Certificate of Occupancy
 - Sign Permit
 - Development Plan Approval
 - Development Standard Variance
 - Special Exception
 - Zoning Amendments (rezoning)
 - Planned Development
 - Administrative Appeal
 - Questionable Land Use Appeal
- B. All application forms may be obtained through the Planning Director's office. Fees shall be paid at the Planning Director's office at the time of submission of the application.
- C. A project shall not proceed without first successfully being granted the applicable permits, formal approvals, and/or appeals. Any project that proceeds otherwise is subject to fines, penalties and court action (see Article Ten).
- D. The Planning Director shall have up to 5 days after filing of an application for determining the application is complete and ready to be accepted. Incomplete applications may not be acted on.

Improvement Location Permit

9.2 Improvement Location Permit

The following procedure applies to an improvement location permit petition.

- A. The City of Kokomo hereby requires that an improvement location permit be obtained for the:
 - a. Erection of a structure or building.
 - b. Relocation of a structure or building.
 - c. Addition to a structure or building.
 - d. Structural alteration of a structure or building.
 - e. Use of a lot.
 - f. Changes of use.
 - g. Expansion of use.
 - h. Filling of land altering the existing natural drainage.
- B. No Improvement Location Permit shall be issued by the Planning Director unless the project is in conformity with the provisions of this Ordinance.
- C. The following information must be presented with the application for an improvement location permit:
 - a. The common address for the subject lot and parcel number,
 - b. A site location map showing the context around the subject lot,
 - c. Plans drawn to scale showing the actual dimensions and shape of the lot to be built upon or used,
 - d. The exact sizes and locations of all structures, buildings, wells, and septic systems already existing,
 - e. The location and dimensions of the proposed building(s) or alteration, or use, including changes to all paved areas,
 - f. Setback distances from all property lines, and from existing and proposed road right of ways,
 - g. Width and length of all entrances and exits to and from the lot, and
 - h. Location of floodplain boundaries or wetlands.
- D. The Plan Commission or Planning Director may require additional information to be submitted with the application to determine conformance with and provide for the enforcement of this Zoning Ordinance including but not limited to:
 - a. Elevations of the existing or proposed building or alteration,
 - b. Detailed description of the existing or proposed uses of the building and land,
 - c. The number dwelling units or rental units the building is designed to accommodate,
 - d. Utility locations and sizes,
 - e. Landscape plan,
 - f. Lighting Plan, and
 - g. Copy of drainage approval (if applicable).

Improvement Location Permit

(continued)

- E. The approved plans and application materials are retained by the Plan Commission. The Plan Commission or Planning Director may require site plans to be prepared by a land surveyor, architect or engineer licensed in the State of Indiana.
- F. Expiration of Permits:
 - a. If the work described in any improvement location permit has not begun within 12 months from the date of issuance, said permit shall expire. No written notice shall be given to the persons affected.
 - b. Completion of Work: If the work described in any Improvement Location Permit has not been completed within 2 years of the date of issuance, said permit shall expire. No written notice of expiration shall be given to the persons affected. Work shall not proceed unless and until a new Improvement Location Permit has been obtained.
 - c. The Planning Director may give 3 extensions for up to 3 months each for work completion. Requests for extensions must be received within one (1) month of the expiration. A fee will be charged.
 - d. Completion of Landscaping: if work described in any Improvement Location Permit is completed and occupied within 2 years of the date of issuance, then any landscaping required by this ordinance or proposed on the Improvement Location Permit shall be completed within 6 months of occupying or starting use of the permitted improvement.
- G. Improvement location permits issued on the basis of plans and applications submitted only authorize the use, arrangement, and construction set forth in such approved plans and applications. Any other use, arrangement, or construction not authorized shall be deemed as a violation of this ordinance and subject to a stop work order, an order of removal, mitigation, or fines and penalties.
- H. Exempt: The following activities are permitted without an improvement location permit, provided all other applicable standards are met.
 - a. Normal plowing and preparing the land for farming, gardens, and yards.
 - b. Trimming and/or removal of trees and shrubs for maintenance and/or site preparation.
 - c. Earth movement related to farming and other agricultural activity.
 - d. Drain tile laying and ditch maintenance.

Certificate of Occupancy

9.3 Certificate of occupancy

The following regulations and procedures apply to receive a Certificate of occupancy.

- A. The City of Kokomo hereby requires that a certificate of occupancy be obtained prior to a building being occupied or utilized for each of the following situations:
 - a. Erection of a new single-family residence, multifamily building, business building, industrial facility, or similar building that people will occupy permanently or temporarily.
 - b. Build-out of a flex commercial, flex office, flex industrial space, or the like.
 - c. Relocation of a single-family residence, multifamily building, business building, industrial facility, or similar building that people will occupy permanently or temporarily.
 - d. Addition to a single-family residence, multifamily building, business building, industrial facility, or similar building that people will occupy permanently or temporarily. Parts of an existing building that are not a part of the addition may continue to be occupied.
 - e. Change in the use of an existing building.
 - f. Or similar situations in which the Planning Director requires a certificate of occupancy.
- B. The City of Kokomo also requires that a certificate of occupancy be obtained prior to a temporary building being occupied or utilized for each of the following types of building:
 - a. Temporary classrooms,
 - b. Sales trailers,
 - c. Model homes,
 - d. Or similar type of building in which the Planning Director requires a certificate of occupancy.
- C. It is unlawful and a violation of this Zoning Ordinance for anyone to occupy or utilize a building until the certificate of occupancy is issued by the Planning Director if required under Sections 9.3 A or B. Anyone who is required to obtain a certificate of occupancy and fails to do so is subject to a stop work order, mitigation and/or fines and penalties.
- D. For a certificate of occupancy to be issued each of the following must be successfully completed.
 - a. Legally obtain an improvement location permit and building permit.
 - b. Pass a final inspection by the Building Inspector.
 - c. Submit an application for the certificate of occupancy to be issued.
 - d. Receive approval from the Planning Director.
- E. A certificate of occupancy shall be issued after all requirements of the improvement location permit have been completed. However, due to weather or other circumstances, a temporary certificate of occupancy, for a period not to exceed 12 months, may be issued without the required (a) landscaping, (b) building finishes, (c) parking lot finishes, or the like provided some sort of surety has been posted to satisfy the Planning Director.

Sign Permit

9.4 Sign Permit

The following procedure applies to sign permit petitions for permanent signs.

- A. An application for a permit shall be filed with the Planning Director and shall be accompanied by information as may be required by the Planning Director to assure compliance with the laws and regulations of the Zoning Ordinance, including, but not limited to:
 - Name and address of the owner of the lot on which the sign is located or is to be located.
 - Name and address of the owner of the sign (if different).
 - Drawings of the sign with the dimensions drawn to scale.
 - Drawing of the lot showing the proposed location of the sign with lot and sign dimensions drawn to scale.
 - Description of the sign, including the materials, lighting and structure to be used.
 - The size and location of all signs on the same lot or owned or leased by the petitioner.
- B. An application for a permit shall be reviewed and approved by the Planning Director.
- C. If any sign is erected, placed, installed or otherwise established on any property before obtaining a permit as required herein, the sign shall be in violation of the Zoning Ordinance and subject to a stop work order, an order of removal, mitigation; and/or fines and penalties.
- D. A sign permit issued under the provisions of this Zoning Ordinance shall not be deemed to constitute permission or authorization to maintain an unlawful sign nor shall it be deemed as a defense in an action to remove an unlawful sign.
- E. A sign permit shall become null and void if work has not been started within 6 months of the date of the permit or completed within 12 months of the date of the permit.
- F. The following shall not be required to have a sign permit unless otherwise specified.
 - a. Changeable. ropy - The changing of copy (text) on a sign or portion of a sign, unless said change alters the size, height, or bulk of the sign.
 - b. Maintenance - Painting, repainting, cleaning or other normal maintenance and repair of a sign or sign structure, provided the sign area is not altered, the lighting is not made brighter, or the sign's structure is not altered.
 - c. Exempt Signs - exempt signs as described in 6.34 (SI-01).

Temporary Sign Permit

9.5 Temporary Sign Permit

The following procedure applies to sign permit petitions for temporary signs.

- A. An application for a permit shall be filed with the Planning Director and shall be accompanied by information as may be required by the Planning Director to assure compliance with the laws and regulations of the Zoning Ordinance, including, but not limited to:
 - Name and address of the owner of the lot on which the sign is to be located.
 - Name and address of the owner of the sign.
 - Clear and legible drawings or photographs of the temporary sign with the dimensions.
 - Clear and legible drawing of the lot showing the proposed location of the sign and drawn to scale.
 - Description of the device to be used (structure, lighting, attachments, etc.).
 - Period of time the device is intended to be used.
- B. An application for a permit shall be reviewed and approved by the Planning Director.
- C. If any sign is erected, placed, installed or otherwise established on any property before obtaining a permit as required herein, the sign shall be in violation of the Zoning Ordinance and subject to a stop work order, an order of removal, mitigation, and/or fines and penalties.

Development Plan Approval

9.6 Development Plan Approval:

The following procedure applies to development plan petitions.

A. Development Plan Approval Authority

The Planning Director has been delegated the authority to approve certain development plan approvals. All other development plan approvals must be approved by the Planning Commission. The types of development plan approvals delegated to the Planning Director are outlined later in this section.

B. Development Plan Approval Process for Petitions Delegated to the Planning Director

- a. Applicants are encouraged to submit a conceptual site plan to the Planning Director for an informal conference to discuss the existing conditions of the site and the proposed development.
- b. No later than 15 days after receiving a conceptual site plan and other data, Planning Director will return a copy of said plan to the applicant with recommendations.
- c. All development plan approval petitions shall:
 1. Make known any requests for waiver of development requirements in connection with a development plan approval on the application form and submit supporting information with the application or the waiver will not be considered.
 2. Include all relevant plan and documentation as required below.
- d. The Planning Director may refer any proposed development to the Plan Commission if the Planning Director decides the full Commission review is warranted. Upon referral to the Plan Commission, the petition will follow the process set forth in Section 9.6 C.
- e. Any development plan approval which has been delegated to the Planning Director may occur without public notice and without a public hearing.
- f. The Planning Director will have 45 days from the date of filing to approve or disapprove a development plan petition in writing.
- g. Any interested party may appeal the decision of the Planning Director to the Plan Commission within 30 days of the written decision.
- h. The Planning Director may impose conditions or require written commitment as a condition of approval, if the conditions are reasonably necessary to satisfy the intent of the Kokomo Comprehensive Plan or Zoning Ordinance.
- i. The Planning Director may require the applicant to furnishing a surety that guarantees the timely completion of a proposed public improvement in the development plan petition. The surety must be satisfactory to the City of Kokomo.
- j. The Planning Director shall make and sign written findings concerning each decision to approve or disapprove a development plan. The findings of fact must support the following statements.
 1. Is consistent with the Comprehensive Plan,

Development Plan Approval

(continued)

2. Is consistent with the intent of the zoning district, as described in Article Three, and
 3. Satisfies the intent of this Zoning Ordinance.
- C. Development Plan Approval Process for Petitions Going to the Planning Commission
- a. The applicant is encouraged to submit a conceptual site plan to the Planning Director for an informal conference to discuss the existing conditions of the site and the proposed development.
 - b. No later than 15 days after receiving a conceptual site plan and other data, Planning Director will return a copy of said plan to the applicant with recommendations.
 - c. All development plan approval petitions shall:
 1. Be filed at least eighteen (18) days prior to the initial date at which they are to be considered by the Plan Commission or Technical Advisory Commission.
 2. Make known any requests for waiver of development requirements in connection with a development plan approval on the application form and submit supporting information with the application or the waiver will not be considered.
 3. Include all relevant plan and documentation as required below.
 4. Submit one copy of the Plan Commission Development Plan Approval checklist with items checked off indicating their completion and that they are shown on the plans as applicable. Failure to complete or show items checked off may result in continuance of the petition until the following regularly scheduled Plan Commission meeting.
 5. The Plan Commission shall determine if the Development Plan site is in a flood plain. The Plan Commission will follow the procedures of the Flood Hazard Areas Ordinance, No. 5959, as amended, Section 6, for any site located in a flood plain before setting the date for hearing the petition.
 - d. Any development plan approval the Plan Commission reviews shall have a public hearing. Notification of public hearing will be as outlined in Section 9.20.
 - e. The Plan Commission shall either approve, disapprove or continue consideration of the proposed development plan petition.
 - f. The Plan Commission may impose conditions or require written commitments as a condition of approval if they are reasonably necessary to satisfy the development requirements specified in this Article.
 - g. The Plan Commission may require the applicant to furnish a surety that guarantees the timely completion of a proposed public improvement in the development plan petition. The surety must be satisfactory to the City of Kokomo.
 - h. The Plan Commission will make written findings concerning each decision to approve or disapprove a development plan. The Planning Director is responsible for signing written findings of the Plan Commission. The findings of fact must support the following statements.

Development Plan Approval

(continued)

1. The project is consistent with the Comprehensive Plan,
 2. The project is consistent with the intent of the subject zoning district, as described in Article Three, and
 3. The project satisfies the intent of this Zoning Ordinance.
- D. Amendments and Minor Modifications
- a. The applicant may amend the development plan prior to a vote by the Plan Commission. If the Plan Commission feels that the proposed amendment needs additional time for review; the Plan Commission may continue the consideration until the next Plan Commission Meeting.
 - b. The applicant may amend the development plan any time prior to determination by the Planning Director. If the Planning Director feels that the proposed amendment needs additional time for review; the amended development plan may be considered a new filing and reviewed within the time frame set forth above for the review of development plans by the Planning Director.
 - c. Minor Modifications to an approved development plan may be approved by the Planning Director if the modification is in the spirit and intent of the overall development and does not involve:
 1. an increase in height, area, bulk or intensity of land uses,
 2. the designation of additional land uses,
 3. the reduction of buffer yards,
 4. the addition of driveways or access points, or
 5. the reduction of parking for any use.
 - d. The Planning Director shall report in writing to the Plan Commission the authorized minor modifications. Any interested party may appeal a decision of the Planning Director regarding the minor modification of an approved development plan to the Plan Commission within 30 days of the decision.
- E. Multifamily Residential, Commercial, and Industrial Development Plans Intent: To promote innovative and creative design in higher density residential districts in order to further enhance the quality of life for the citizens of Kokomo.
- a. In proposed developments, the Plan Commission must review the development plan. These development plan approval processes are required to submit:
 1. Site Plan (see Section 9.6.F for more information)
 2. Building elevations (see Section 9.6.G for more information)
 3. Sign Plan (see Section 9.6.H for more information)
 4. Lighting Plan (see Section 9.6.1 for more information)
 5. Landscape Plan (see Section 9.6.3 for more information)
 - b. In order to receive development plan approval, the applicant must satisfy all of the development standards of the proper district. In addition, the following development standards apply.

Development Plan Approval

(continued)

1. Signage: All signs must be designed to create a unified and consistent sign package for the development.
 2. Interior private roads: Interior private roads must meet construction criteria for public roads. Road widths may vary from the City's standards, so long as emergency access is possible.
 3. Traffic Management: The design and location of proposed street access points must minimize congestion. The entrances, streets and internal traffic facilities must be compatible with existing and planned streets in adjacent developments. Additional driveways may be required to ensure safe emergency access based on fire department and City Engineer review.
 4. Traffic circulation pattern: The design and layout of the development must have a clear circulation pattern that is sensitive to topography and other natural features.
 5. Lighting: All lighting must be designed to create a unified and consistent lighting package for the development. Lighting standards in parking areas may not exceed 20 feet in height. All lighting must have cutoff luminaires (shielded down lighting) and be consistent with the architectural style of the primary building.
 6. Variation in housing design: In order to prevent monotony and improve orientation, at least every third structure must vary in design and color.
 7. Open Space: Developments that are 5 or more acres must have a minimum of 10% of the total lot area developed as usable open space and be accessible to all residents within the development and their guests by way of sidewalk or other finished footpath.
- F. Site Plan Data
- A site plan submitted in pursuit of development plan approval shall be drawn to a scale of not more than 1 inch equals 100 feet and shall include the following information. The Planning Director at his/her discretion may waive or relax any of the site plan requirements below, as circumstances dictate.
- a. Description:
 1. Name and address of the applicant.
 2. Proof of ownership.
 3. Proposed name of development (if applicable).
 4. Address of the site.
 5. Legal description of the real estate.
 6. Name and address of land surveyor.
 7. Legend and notes, including a graphic scale, north point, and date.
 - b. Existing and Proposed conditions:

Development Plan Approval

(continued)

1. Boundary line of site indicated by a solid heavy line including all dimensions of the site.
2. Layout, number and dimensions of lots.
3. Building setback lines.
4. Location and dimensions of all existing structures including paved areas.
5. Location and dimensions of all proposed structures including paved areas indicated by crosshatching.
6. Layouts of existing and proposed streets, alleys and access easements; including their names, within 200 feet of the development. The names of streets shall conform so far as practicable to the names of streets on the same approximate alignment existing in the vicinity of the development
7. Location of any proposed and existing driveway and its width at the lot line.
8. All proposed improvements to the street system both on and off-site.
9. Measurement of curb radius and/or taper.
10. Parcels of land proposed to be dedicated or temporarily reserved for public use or set aside for use in the development such as parks, recreation, conservation areas, wetlands, etc., which shall be designated and labelled as such including dimensions.
11. Location of natural streams, regulated drains, 100-year floodplains, floodway, water courses, marshes, wooded areas, wetlands, historic features, existing structures, dry wells, utility lines, fire hydrants and any other significant feature(s) that may influence the design of the development.
12. The species and caliper size at breast height of all trees over (6-inch caliper and all flowering trees and shrubs over 6 feet in height.
13. All trees and/or shrubs to be preserved. These shall be marked "Do Not Remove". Care should be taken to attempt to preserve all trees with a caliper size of 24 inches at breast height or greater.
14. Location of orange construction fencing that is required to be installed during construction around the dripline of each tree to be preserved that is marked "DNR".
15. Location, width and purpose of existing and proposed easements.
16. Use of each structure including parking labelled with approximate density or size. For example, number of parking spaces required and provided, gross floor area of office or retail space (labelling whether office or retail).
17. Structures designated to be razed shall be indicated as such.
18. Distance of all structures including parking from the front, rear and side lot lines. This distance is measured from the point where the structure is closest to the lot lines.
19. Any other information requested in writing by the Plan Commission or the Planning Director.

Development Plan Approval

(continued)

20. Utility lines serving buildings.
21. Existing and proposed topography.
22. The outline of buildings and parking lots on adjoining properties within fifty (50) feet of the mutual property line.
23. Outline of any driveways across the streets from the property and within 100 feet of the side property lines.

G. Building Elevation Data

Building elevations submitted in pursuit of development plan approval shall include the following information. The Planning Director may waive or relax any of the building elevation requirements below, as circumstances dictate.

- a. Description:
 1. Proposed name of development (if applicable).
 2. Address of the site.
 3. Legend and notes, including a graphic scale, and date.
- b. Proposed conditions:
 1. Elevations for each facade of the building.
 2. Type of building materials to be used for all wall, window, roof and architectural features shall be specified.
 3. Proposed colors for all materials and features shall be specified.
 4. Any other information requested in writing by the Plan Commission or the Planning Director.

H. Sign Plan Data

Sign Plans submitted in pursuit of development plan approval shall include the following information. The Planning Director may waive or relax any of the Sign Plan requirements below, as circumstances dictate.

- a. Description:
 1. Proposed name of development (if applicable).
 2. Address of the site.
 3. Legend and notes, including a graphic scale, and date.
- b. Existing and Proposed conditions:
 1. A site plan indicating the location of any existing and proposed freestanding or ground signs.
 2. Elevations of proposed signs including size, materials, color and illumination details.
 3. Placement, size, color and illumination details for any existing or proposed wall, projecting or window sign.
 4. Any other information requested in writing by the Plan Commission or the Planning Director.

Development Plan Approval

(continued)

I. Lighting Plan Data

Lighting Plans submitted in pursuit of development plan approval shall include the following information. The Planning Director may waive or relax any of the Lighting Plan requirement below, as circumstances dictate.

a. Description:

1. Proposed name of development (if applicable).
2. Address of the site.
3. Legend and notes, including a graphic scale, and date.
4. Boundary lines of the site including all dimensions of the site.

b. Existing and Proposed conditions:

1. Location and dimensions of all existing and proposed structures, parking areas, etc.
2. Type and location of all exterior lighting fixtures, including wattage and type of light.
3. Intensity of lighting at base of light structure and at the lot line measured in foot candles. Measurements shall be given as if the light meter were facing the center of the property at a height of 6 feet.
4. If building lighting is proposed, elevations for each facade of the building indicating the location, type and intensity of lighting at the lot line measured in foot candles. Measurements shall be given as if the light meter were facing the center of the property at a height of 6 feet.
5. Any other information requested in writing by the Plan Commission or the Planning Director.

J. Landscape Plan Data

Landscape Plans submitted in pursuit of development plan approval shall include the following information. The Planning Director may waive or relax any of the Landscape Plan requirements below, as circumstances dictate.

a. Description:

1. Proposed name of development (if applicable).
2. Address of the site.
3. Legend and notes, including a graphic scale, and date.
4. Boundary Lines of the site.

b. Existing and Proposed conditions:

1. Location and dimensions of all existing and proposed structures, parking areas, etc.
2. Location of all floodway and floodway fringe areas within the site.
3. Existing elevations and proposed contour lines at 2-foot intervals
4. Proposed sidewalk or pedestrian ways
5. Size, species and spacing (on center) of all proposed landscaping material
6. Location of any existing and proposed freestanding or ground signs.

Development Plan Approval

(continued)

7. Any other information requested in writing by the Plan Commission or the Planning Director.
 - c. Preparation of plans by a licensed landscape architect or landscape contractor with at least two (2) years' experience as a landscape contractor is required for any development plan with more than 50 parking spaces. Preparation of other development plans by a landscape architect or landscape contractor is encouraged.
- K. Written Commitments
- a. Any written commitments which are part of a Development Plan approval by the Plan Commission or Planning Director shall take effect upon approval of the Development Plan. Upon approval, the applicant shall record the written commitments. A copy of the recorded written commitment shall be submitted to the Planning Director before issuance of any Improvement Location Permits for the Development Plan.
 - b. A written commitment shall be considered a covenant running with the land and is binding on the Development Plan applicant, the owner of the property which is the site of the Development Plan, any subsequent owners of the property, and any person who acquires an interest in the property.
 - c. Enforcement — Written commitments may be enforced in accordance with Article 10, Enforcement and Penalties.
 - d. Modification and Termination — A written commitment required for a Development Plan approval may be modified or terminated by the Plan Commission at a public hearing. The owner of the property, the Planning Director or the Plan Commission may initiate the request to modify or terminate the written commitment.

Development Standard Variance

9.7 Development Standard Variance:

The following procedure applies to Development Standard Variance Petitions.

- A. The applicant shall submit a variance application, required supportive information, and application fee.
- B. The Board of Zoning Appeals (BZA) will then review:
 - The variance application,
 - Required supportive information,
 - Testimony of the applicant, and
 - Testimony of the public.
- C. At the BZA hearing the Planning Director may submit a report containing factual information about the petition.
- D. The BZA may approve, deny or table the petition (the Board has discretionary powers). The BZA may add conditions to an approval. Approvals shall only be granted upon findings of fact in compliance with IC 36-7-4-900 et seq. and the requirements of this Zoning Ordinance.
- E. The Planning Director shall refuse to accept a petition for a variance within 6 months of the date of the first denial and 12 months from the date of any denial thereafter when said petition involves the same subject matter. However, the Planning Director shall have the authority and discretion to determine that a petition containing major changes may justify re-filing within said 6- and 12-month periods.
- F. The Board may grant a variance from the development standards of this Zoning Ordinance (such as height, bulk, area) if, after a public hearing, it makes findings of facts in writing, that:
 - a. the approval will not be injurious to the public health, safety, morals, and general welfare of the community; and
 - b. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
 - c. The strict application of the terms of this Zoning Ordinance will result in a Practical Difficulty. This situation shall not be self-imposed, nor be based on a perceived reduction of or restriction of economic gain.
- G. The Board may permit or require the owner of a parcel of property to make written commitments and record it in the County Recorder's Office concerning the use or development of that parcel or may impose conditions upon that grant of variance.
- H. A developmental standards variance granted by the Board shall run with the parcel until such time as the property conforms with this Zoning Ordinance as written.
- I. The Board of Zoning Appeals may enforce any condition and/or commitment it has imposed as if it were a standard of this Zoning Ordinance.
- J. Written Commitments

Development Standard Variance

(continued)

- a. Any written commitments which are part of a Development Standards Variance approval by the BZA shall take effect upon approval of the Variance. Upon approval, the applicant shall record the written commitments. A copy of the recorded written commitment shall be submitted to the Planning Director before issuance of any Improvement Location Permits for the variance.
- b. A written commitment shall be considered a covenant running with the land and is binding on the variance applicant, the owner of the property which is the site of the variance, any subsequent owners of the property, and any person who acquires an interest in the property.
- c. Enforcement — Written commitments may be enforced in accordance with Article 10, Enforcement and Penalties.
- d. Modification and Termination — A written commitment required for a variance approval may be modified or terminated by the BZA at a public hearing. The owner of the property, the Planning Director or the BZA may initiate the request to modify or terminate the written commitment.

Special Exception

9.8 Special Exception

The following procedure applies to Special Exception Petitions.

- A. The applicant shall submit a Special Exception application, required supportive information, and application fee prior to the regularly scheduled Board of Zoning Appeals meeting.
- B. At their next regularly scheduled public meeting, the BZA shall then review:
 - The special exception application,
 - Required supportive information,
 - Testimony of the applicant, and
 - Testimony of the public.
- C. The BZA may approve, deny, or table the petition. The BZA may add conditions to an approval.
- D. The Planning Director shall refuse to accept a petition for a Special Exception within 6 months of the date of the first denial and 12 months from the date of any denial thereafter when said petition involves the same subject matter. However, the Planning Director shall have the authority and discretion to determine that a petition containing major changes may justify re-filing within said 6- and 12-month periods.
- E. To be eligible for the granting of a special exception under this section, a person must first receive a determination from the Planning Director that a special exception is required for the intended use, change of use or for the expansion, extension, or enlargement of a use. There shall be no cases or applications, nor any particular situation in which these rules authorize special exceptions without the approval of the BZA. Further, no previous applications shall set a precedence for any other application before the BZA.
- F. The Board may grant a special exception for a use in a district if, after a hearing, it makes findings of facts in writing, that:
 - a. the proposal will not be injurious to the public health, safety, morals, and general welfare of the community;
 - b. the requirements and development standards for the requested use as prescribed by this Zoning Ordinance will be met;
 - c. granting the exception will not subvert the general purposes served by this Zoning Ordinance and will not permanently injure other property or uses in the same district and vicinity; and
 - d. the proposed use will be consistent with the character of the district therein, the spirit and intent of this Zoning Ordinance, and the Kokomo Comprehensive Plan.
- G. When considering a Special Exception, the Board of Zoning Appeals may take into consideration the following items as they relate to the proposed use:
 - a. topography and other natural site features;
 - b. zoning of the site and surrounding properties;
 - c. driveway locations, street access and vehicular and pedestrian traffic;
 - d. parking amount, location, design;

Special Exception

(continued)

- e. landscaping, screening, buffering;
 - f. open space and other site amenities;
 - g. noise production and hours of operation;
 - h. design, placement, architecture; and building material of the structure;
 - i. placement, design, intensity, height, and shielding of lights;
 - j. traffic generation; and,
 - k. general site layout as it relates to its surroundings.
- H. The Board may impose such reasonable conditions upon its approval as it deems necessary to find that the above criteria will be served.
- I. The Board may permit or require the owner of the parcel of property to make a written commitment concerning the use or development of the parcel as specified under IC 36-7-4-921 'and have such commitment recorded in the County Recorder's Office.
- J. The Board may limit special exceptions to a specific individual and/or a specific time period and for a specific use.
- K. A use authorized by special exception may not be changed, expanded, extended, or enlarged unless reauthorized by the Board under the procedures set forth in these rules for granting a special exception.
- L. If the Board grants the special exception, it shall direct the applicant to apply for a Building Permit and/or an improvement Location Permit within 4 months or the special exception will be void. If such application complies with all Ordinances and rules, a Building Permit and/or an Improvement Location Permit for the use authorized by special exception shall be issued.
- M. A special exception granted for a specific use ceases to be authorized and is void if that use is not 50% established within a twelve-month period of the date the special exception was granted. A special exception granted for a specific use ceases to be authorized and is void if that use is discontinued at that site for a consecutive 6 months.
- N. A special exception may be terminated by the Board of Zoning Appeals as follows:
- a. Upon the filing of an application by an interested person or a member of the staff, and after which a public hearing is held with notice to the property owner; and,
 - b. At the public hearing a finding is made by the Board that one or more of the following has not been complied with:
 - The terms of this Zoning Ordinance,
 - The conditions placed on approval, and
 - The written commitments made in conjunction with the original special exception application.
- O. Written Commitments
- a. Any written commitments which are part of a Special Exception approval by the BZA shall take effect upon approval of the Special Exception. Upon approval the applicant shall record the written commitments. A copy of the recorded written

Special Exception

(continued)

- commitment shall be submitted to the Planning Director before issuance of any Improvement Location Permits for the Special Exception.
- b. written commitment shall be considered a covenant running with the land and is binding on the Special Exception applicant, the owner of the property which is the site of the Special Exception, any subsequent owners of the property, and any person who acquires an interest in the property.
 - c. Enforcement — Written commitments may be enforced in accordance with Article 10, Enforcement and Penalties.
 - d. Modification and Termination —A written commitment required for a Special Exception approval may be modified or terminated by the BZA at a public hearing. The owner of the property, the Planning Director or the BZA may initiate the request to modify or terminate the written commitment.

Zoning Amendment

9.9 Zoning Amendment

The following procedure applies to Zoning Amendment Petitions (Zoning Map/rezoning).

- A. The applicant shall submit an application, required supportive information, and application fee.
- B. The Plan Commission will then review the application and required supportive information. The Plan Commission may recommend approval, recommend denial or table the petition.
- C. At the Planning Commission meeting the Planning Director may submit a report containing factual information about the petition and a statement for support or denial of the petition.
- D. If the petition has not been tabled, it will then be forwarded to Common Council for review. The Common Council will review the application, required supportive material and Plan Commission recommendation. The Council may approve, deny or table the petition after three readings.
- E. Upon reviewing a zoning amendment petition the following should be considered:
 - The Comprehensive Plan.
 - Current conditions and character of structures and uses in each district.
 - The most desirable use for which the land in each district is adapted.
 - The conservation of property values throughout the jurisdiction.
 - Responsible development and growth.
- F. Written Commitments
 - a. The Plan Commission may permit or require written commitments concerning use or development of the property which is the subject of a Zoning Amendment petition.
 - b. If the Common Council adopts (as certified) the petition, then the owner of the property shall have the written commitment recorded and submit a copy of the recorded written commitment to the Planning Director before the Zoning Amendment can become effective.
 - c. A written commitment shall be considered a covenant running with the land and is binding on the Zoning Amendment applicant, the owner of the property which is the site of the Zoning Amendment, any subsequent owners of the property, and any person who acquires an interest in the property.
 - d. Enforcement — Written commitments may be enforced in accordance with Article 10, Enforcement and Penalties.
 - e. Modification and Termination — A written commitment required for a Zoning Amendment approval may be modified or terminated by the Plan Commission at a public hearing. The owner of the property, the Planning Director or the Plan Commission may initiate the request to modify or terminate the written commitment. However, a written commitment terminates if the zoning for the parcel changes in the future.

Planned Development Approval

9.10 Planned Development Approval

- A. The general procedure for establishing a planned development (PD) is as follows:
 - a. Prior to filing for a rezone petition, the applicant must submit a conceptual sketch plan to the Planning Director. The Planning Director will make a cursory review of the conceptual plan and give the applicant comments within thirty (30) days of submission.
 - b. The applicant files a rezone petition to the PD classification and detailed development plan to the Plan Commission. If a subdivision plat is necessary prior to an improvement Location permit it shall be filed at this time and shall follow those procedures set forth in the Kokomo Subdivision Control Ordinance.
 - c. The Plan Commission will schedule a public hearing for the rezoning of the property and for review of the detailed development plan.
 - d. The Plan Commission will give a favorable or unfavorable recommendation to the Common Council to grant or deny the rezoning request.
 - e. The Common Council will, within 30 days, review the rezoning petition, the recommendation from the Plan Commission and vote to approve or disapprove the request.
 - f. If the Common Council approves the rezoning, the land is officially rezoned, and the applicant may move forward with the detailed development plan approval process.
 - g. The Official Zoning Map must be amended to reflect the zoning change, date of approval by the Common Council, and the docket number.
 - h. The Plan Commission must approve the detailed development plan prior to the issuance of an improvement location permit. If a subdivision plat is required, the secondary plat must be approved prior to the issuance of an improvement location permit pursuant to the Kokomo Subdivision Control Ordinance.
 - i. When approved, the detailed development plan shall be stamped and signed by the Plan Commission president and secretary. The applicant may then begin procedures for obtaining Improvement Location and Building Permits.

[Note: Detailed descriptions of each general step outlined above are discussed in the following sections.]

- B. Conceptual Site Plan Review
 - a. Prior to filing for a rezone petition, the applicant shall submit a conceptual site plan to the Planning Director. The Planning Director shall review the conceptual site plan and give the applicant comments within 30 days of submission.
 - b. In reviewing the conceptual site plan the extent to which the proposal fulfills the intent of Article Seven and the spirit and intent of the Comprehensive Plan will be considered.
 - c. The applicant may, if desired, also submit the conceptual site plan for the Plan Commission to review.

Planned Development Approval

(continued)

- d. After the applicant has received conceptual review, he/she may file a rezone petition to the PD classification and detailed development plan to the Plan Commission.

C. Conceptual Site Plan Data

The scale of the plan shall not exceed 1 inch equals 100 feet. The conceptual site plan may include any additional graphics which will explain the features of the development. The following shall be included in the conceptual site development plan submission:

a. Description.

1. Name and address of the applicant.
2. Proof of ownership.
3. Proposed name of development (if applicable).
4. Address of the site.
5. Legal description of the real estate.
6. Name and address of land surveyor.
7. Legend and notes, including a graphic scale, north point, and date.
8. A separate location map, to scale, showing the boundary lines of adjacent land and the existing zoning of the area proposed to be developed as well as the adjacent land.

b. Existing and Proposed Conditions.

1. Existing and proposed layout of streets, open space and other basic elements of the plan.
2. Existing and proposed easements and their purpose.
3. Location of natural streams, regulated drains, 100-year floodplains, floodway, water courses, marshes, wooded areas, isolated preservable trees, wetlands, historic features, existing structures, dry wells, utility lines, fire hydrants and any other significant feature(s) that may influence the design of the development.
4. General description of, location of, and types of structures on the site.
5. Proposals and plans for handling traffic, parking, sewage disposal, tree preservation and removal, lighting, signage, landscaping, and other pertinent development features.
6. A general statement of the covenants to be made a part of the planned development as well as the order and estimated time of development.
7. A statement of the proposed order of development of the major elements of the project. This includes phasing, if applicable, and the order and content of each phase.
8. The land use categories within the development, including proposed densities of said uses.

D. Filing Procedure

- a. The applicant shall submit for review the rezoning request and detailed development plan 30 days prior to a scheduled Plan Commission public hearing.

Planned Development Approval

(continued)

- b. The petition shall be signed by the owner or owners of all real estate involved in the petition for the planned development or shall have attached thereto letters of consent to change to a PD classification by all such owners prior to the filing.
 - c. If a subdivision plat is necessary in conjunction with the rezone petition, the primary (preliminary) plat shall also be filed at this time for review by the Plat Review Committee and shall follow those procedures set forth in the Kokomo Subdivision Control Ordinance. However, any such approval shall be conditioned upon Common Council approving the rezone request to a PD district.
 - d. The Plan Commission will schedule a public hearing for the rezoning of the property and for review of the detailed development plan.
- E. Detailed Development Plan Data
- The scale of the plan shall not exceed 1 inch equals 100 feet. The detailed development plan may include any additional graphics which will explain the features of the development. The following shall be included in the detailed development plan submission:
- a. All documents and information included in the conceptual site plan, as updated and/or amended.
 - b. Improvement plans for all infrastructure improvements required or proposed in the PD.
 - c. Proposed covenants, conditions or restrictions.
 - d. Compilation of information shall:
 - 1. Include an index identifying all documents included in the detailed development plan.
 - 2. Include a cover sheet indicating that it is the detailed development plan and indicating the date and case number.
 - 3. Be bound together and all documents submitted on paper 8-1/2 x 11 inches in dimension, except for the maps, sketches, plans and conceptual layout(s) which must be folded to 8 1/2 inches x 11 inches.
- F. Detailed Development Plan Approval
- a. In their review of the detailed development plan the Plan Commission should consider the extent to which the proposal fulfills the intent of Article Seven and the spirit and intent of the Comprehensive Plan.
 - b. Upon review, the Plan Commission will give a favorable or unfavorable recommendation to the Common Council to grant or deny the rezoning.
 - c. The Plan Commission may permit or require written commitments concerning the use or development of the property in connection with a favorable recommendation of the rezoning request or detailed development plan approval of a PD.

Planned Development Approval

(continued)

- d. If the Plan Commission gives an unfavorable recommendation, the applicant may revise the proposed detailed development plan and resubmit the revised detailed development plan within 30 days to the Plan Commission.
 - e. The Common Council will, within 30 days, review the rezoning petition, the recommendation from the Plan Commission and vote to approve or disapprove the request.
 - f. If the Common Council disapproves the rezoning, the applicant must wait one (1) year before resubmitting another petition.
 - g. If the Common Council approves the rezoning, the land is officially rezoned.
 - h. The Official Zoning Map must be amended to reflect the Zoning Change, date of approval by the Common Council, and the docket number.
 - i. Prior to signing of the detailed development plan surety shall be posted (if applicable) in an amount that is consistent with the cost of improvements outlined in the approved improvement plans.
 - j. Detailed development plan approval is required prior to the issuance of an improvement location permit. If a subdivision plat is required, the secondary (final) plat must be approved prior to the issuance of an improvement location permit pursuant to the Kokomo Subdivision Control Ordinance.
 - k. The Plan Commission may specify any additional plan documentation or supporting information not already stated that is required prior to the issuance of an improvement location permit.
 - l. When approved, the detailed development plan shall be stamped and signed by the Plan Commission President and Secretary.
 - m. All written commitments shall be recorded with the Howard County Recorder and must clearly state that they are enforceable by, as a minimum, the Plan Commission.
 - n. Upon 100% completion of the development the public properties shall be dedicated to the City if required or allowed by the detailed development plan. Also, the Plan Commission or representative(s) will review the completed project for compliance to the detailed development plan.
- G. Minor Modifications
- a. The Planning Director may from time to time in its administration of the PD, approve minor modifications of the Development Plan or Improvement (construction) Plans without a public hearing in a manner consistent with the purpose or intent of the overall development. Such modifications shall not include any increase in density, any reduction in aesthetic treatment, any alteration of frontage, any change in type of use, or any change in access points.
 - b. An adversely affected party may appeal any decision by the Planning Director to the Plan Commission within 30 days of the determination. The Plan Commission has the authority to establish rules governing the nature of proceedings and notice required to make a modification under Article Seven.

Planned Development Approval

(continued)

H. Covenants and Maintenance

- a. Covenants, when required by the Plan Commission, shall be set forth in detail. Furthermore, covenants shall provide for the release of restrictions upon execution of a document so stating and suitable for recording, bearing signatures of the Plan Commission President and Secretary, upon authorization by the Plan Commission and signatures of all the owners of property in the area involved in the petition for whose benefit the covenant was created. Covenants required by the Plan Commission shall provide that their benefits be specifically enforceable by the Commission. An executed recorded copy shall be provided to and maintained in the Plan Commission office.
- b. Adequate provision shall be made for a private organization (i.e., Home Owner Association) with direct responsibility to, and control of the property owners involved to provide for the operation and maintenance of all common facilities if such facilities are a part of the planned development, and, in such instance legal assurances shall be provided which show that the private organization is self-perpetuating.
- c. All common facilities not dedicated to the public shall be maintained by the aforementioned private organization in such a manner that adequate access is provided at all times to vehicular traffic so that fire, police, health, sanitation, and public utility vehicles can serve the properties contiguous or adjacent thereto, and so that said vehicles will have adequate turning area. All streets and roadways not dedicated to the public shall be operated and maintained at no expense to any governmental unit.

I. Recording

All approved covenants, commitments, and plats thereof shall be recorded in the office of the Howard County Recorder's Office within 10 days of approval. The developer shall provide 2 copies bearing recording information to the Plan Commission for its records.

J. Construction

- a. No construction or installation work may commence on any public improvements until satisfactory improvement plans and specifications have been submitted and approved by the Plan Commission and until the applicant provides, at least 48 hours' notice to the City Engineer or entity having jurisdiction of the public facility, in order that inspections may be made as the work progresses.
- b. All development shall be in conformity with the approved detailed development plan and improvement plans. Any material deviation from the plans is subject to appropriate enforcement action.

K. Extension, Abandonment, Expiration

- a. An extension, not to exceed 12 months, for accomplishing any matters set forth within Article Seven may be granted by the Plan Commission for good cause shown.

Planned Development Approval

(continued)

- b. Upon the abandonment of a development authorized under this section (abandonment shall be deemed to have occurred when no (or minimal) improvements have been made pursuant to the approved detailed development and improvement plans for 9 consecutive months), or upon the expiration of 3 years from the approval of the detailed development and improvement plans for a development which has not been completed, the land will revert to the base zoning district. The Plan Commission may grant one (1) 12-month extension. If an extension for expiration is granted such extension shall be recorded.

L. Rules of Procedure

All proceedings brought under this section are subject to the Rules of Procedure of the Plan Commission, where not described otherwise herein.

M. Written Commitments

- a. The Plan Commission may permit or require written commitments concerning use or development of the property which is the subject of a petition for rezoning to Planned Development.
- b. If the Common Council adopts (as certified by the Plan Commission) the petition, then the owner of the property shall have the written commitment recorded and submit a copy of the recorded written commitment to the Planning Director before the Planned Development can become effective.
- c. A written commitment shall be considered a covenant running with the land and is binding on the Planned Development applicant, the owner of the property which is the site of the Zoning Amendment, any subsequent owners of the property, and any person who acquires an interest in the property.
- d. Enforcement — Written commitments may be enforced in accordance with Article 10, Enforcement and Penalties.
- e. Modification and Termination — A written commitment required for a Planned Development approval may be modified or terminated by the Plan Commission at a public hearing. The owner of the property, the Planning Director or the Plan Commission may initiate the request to modify or terminate the written commitment. However, a written commitment terminates if the zoning for the parcel changes in the future."

Administrative Appeal

9.11 Administrative Appeal

The following procedure applies to Administrative Appeal Petitions:

- A. The applicant shall submit a written statement specifying the grounds for the appeal and any applicable supporting material within 30 days of the decision alleged to be in error.
- B. The administrative official or body from the which appeal is taken shall transmit to the Board of Zoning Appeals all documents, plans and papers constituting the record of action from which the appeal is taken.
- C. Administrative appeals require public notice in the newspaper per I.C. 5-3-1-2 and 5-3-1-4.
- D. At their next regularly scheduled public meeting, the BZA shall then review:
 - The written statement and supportive material submitted by the applicant;
 - The record of action supplied by the administrative official or body from the which appeal is taken;
 - The testimony of the applicant; and
 - The testimony of the administrative official or body from which the appeal is taken.
- E. The BZA may grant, deny, or table the appeal. The BZA may add conditions to any application which was approved at the appeal stage.

Questionable Land Use Appeal

9.12 Questionable Land Use Appeal

The following procedure applies to questionable land use appeal petitions:

- A. The petitioner shall submit a written statement specifying the grounds for the appeal and any applicable supportive material to the Planning Director. This will also include:
 - a. The proposed land use,
 - b. The existing zoning district,
 - c. The lot's address,
 - d. The property owner's name, address, and contact information.
 - e. The property petitioner's name, address, and contact information (if different).
- B. The Planning Director will review the petition for a Questionable Land Use and determine if the proposed land use is significantly like a permitted or special exception land use or if the proposed land use is not significantly like a permitted or special exception land use.
- C. If the proposed land use is significantly like a permitted or special exception land use in the subject zoning district, then the Planning Director may approve, deny or forward the decision to the BZA. If the Planning Director approves the land use, the petitioner will receive written notice of said approval. If the Planning Director denies the land use, the petitioner may appeal the Planning Director's decision to the BZA. And if the Planning Director forwards it to the BZA for a decision, the information shall be forwarded to the BZA and will be scheduled for a hearing at the earliest BZA meeting with sufficient space on the docket.
- D. If the proposed land use is not significantly like a permitted or special exception land use in the subject zoning district the Planning Director must forward the decision to the BZA.
- E. If the decision is forwarded to the BZA, the decision will be made by majority vote once all the information is presented to the BZA in a regularly scheduled meeting. The BZA may approve or deny the petition for a questionable land use.

Article Ten

Enforcement and Penalties



August 12, 2003
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Enforcement and Penalties

10.1 Authority

The Plan Commission, Board of Zoning Appeals, and/or the Planning Director and their delegates are designated to enforce the provisions, regulations, and intent of this Zoning Ordinance.

10.2 Violations

Complaints made pertaining to the Zoning Ordinance may be investigated by the Planning Director. Also, any violations suspected by the Plan Commission, Common Council or Planning Director shall be investigated by the Planning Director. Action may or may not be taken depending on the findings. The degree of action will be at the discretion of the investigating person(s) and should reflect what is warranted by the violation.

10.3 Inspection of Property

Standard Inspections: Inspections of property may be conducted by the Planning Director or City Engineer either from a right-of-way, property suspected of a violation, or adjacent property. The inspector shall attempt to present sufficient evidence of their authorization (identification, badge, or paperwork) and described the purposed of the inspection to the owner, tenant, or occupant at the time of inspection. In the event no one is present to demonstrate said authorization, the inspector may conduct the inspection.

10.4 Responsibility of Violations

- A. Except as provided in subsection 10.4(B), the owner, tenant, and/or occupant of any property or building, or part thereof, shall be responsible for the violation. Architects, builders, developers, or agents thereof may also be found responsible for the violation if evidence of their involvement or negligence is found. Ultimately, if fault is not clearly found in whole or in part in persons other than the Owner, the Owner shall be held responsible in whole or in part as warranted by the Plan Commission, Board of Zoning Appeals or Planning Director.
- B. In the case of a temporary sign, as defined in Article 11 hereof, including any related streamers, banners, or inflatable devices, the Owner of said temporary sign and/or other related materials shall be presumed responsible for the violation unless it can be shown that the Owner is not responsible for the violation. In such a case the person responsible for the violation shall be held responsible in whole or in part as warranted by the Plan Commission, Board of Zoning Appeals or Planning Director.

10.5 Liability

A structure that is erected or converted, or land use in violation of this Zoning Ordinance or its subsequent amendments may be deemed a common nuisance and the owner or possessor of the structure or land is liable for said nuisance.

10.6 Violations During the Construction/Building Process

The Plan Commission or Planning Director may place a stop-work-order or violation notice on any lot improvement process. Stop-work-orders shall be issued by written notice which shall state the violation and that the work or the illegal activity must stop immediately until the matter is resolved. This letter shall be posted in a conspicuous place or be delivered/mailed to the owner, developer, property manager, tenant, or occupant. The Plan Commission or Planning Director must meet with the persons(s) served the stop-work-order notice within 7 days of such a request. A memorandum of agreement shall be drafted stating the conditions in which construction or action may be resumed. The memorandum of agreement must be signed by the owner, developer, property manager, tenant, or occupant that has caused or is responsible for the violating and the Planning Director or Plan Commission President.

A. Reasons for a Stop-Work-Order include:

- Not complying with Development Standards and or any regulations of the Zoning or Subdivision Control Ordinance.
- Not obtaining an Improvement Location Permit
- Not meeting the conditions or commitments of a special exception, variance, or Building Permit.
- Not meeting the conditions of Development Commitments, Development Plans, Detail Plans, or covenants which are enforceable by the Plan Commission.
- Not obtaining any other permit necessary for site/property improvement as called out in local Code, Zoning Ordinance, or Subdivision Control Ordinance.
- Illegal use or expansion of use of building/structures or building/structures and land in combination.

10.7 Types of Violations

The following items shall be deemed civil zoning violations, enforceable by the Plan Commission, and/or Planning Director. Penalties may be imposed based on the provisions set forth in this Article.

- A. The placement of a primary structure, accessory structure, sign, structures or any other element which does not conform with the provisions or explicit intent of the Zoning Ordinance as determined by the Plan Commission or Planning Director.
- B. The erection of a primary structure, accessory structure, sign, structures or any other element which does not conform with the provisions or explicit intent of the Zoning Ordinance as determined by the Plan Commission or Planning Director.
- C. Failure to obtain an Improvement Location Permit or any other required permit under this Zoning Ordinance when required prior to initiation of improvements, change of land use, or other modifications regulated under this Zoning Ordinance.
- D. Conducting a use or uses that do not comply with the provisions or explicit intent of the Zoning Ordinance.
- E. Any failure to comply with and/or any regulations of the Zoning Ordinance, including, but not limited to the following: Development Standards, Improvement Location Permit, Development Plan, Planned Development or Conditions imposed.

- F. Proceeding with work under a stop-work-order or a violation of a memorandum of agreement.
- G. Any failure to comply with commitments made in connection with a rezoning, approval of a development plan, detailed plan, special exception, variance, or other similar o documentable commitment, including verbal agreements during official Plan Commission, Common Council, or BZA meetings.
- H. Failure to obtain a Certification of Occupancy.

10.8 Procedure for Violations

There shall be a three-step procedure for violations of this Zoning Ordinance. These steps are as follows:

A. Notice of Violation

1. Except as provided in subparagraph (2) hereof, the Plan Commission or the Planning Director shall issue a notice of violation by certified mail to the person(s) who have committed a violation. The notice of violation will state that a violation has occurred; that it must be corrected within 15 days of the postmark on the notice of violation; and that if the violation is not corrected, the fines listed in the notice of violation will be imposed.
2. In the case of a violation of Section 9.5 of this Ordinance, Temporary Sign Permit, no time is allowed for correction in paragraph A(1) of this section. All other provisions of paragraph (A)(1) shall apply.
3. If the violation is corrected within the respective 15-day business day period provided for herein, no further action shall be taken, and no fines will be imposed.
4. The Planning Director may grant an extension of the 15-day period provided for in subsections (A)(1) and (A)(2) respectively if the person (2) in violation has made a significant effort to correct the violation but cannot meet the deadline. The Planning Director may require a memorandum of agreement in order to extend the deadline.

B. Fine Imposition

1. If the violation stated in the notice of violation is not corrected within the time allowed, and no extension having been granted, the fine shall be imposed. Except as hereinafter provided, the person (s) in violation shall pay the fine and correct the violation within 10 days of the violation or face additional fines. In the case of a violation of Section 9.5 of this ordinance, should the violation not be corrected within 5 business days of the notice of violation, the person(s) in violation shall be subject to being cited for additional violations and fines.
2. The Planning Director may extend the time period to correct the violation if, in the judgment of the Planning Director, the violator has made substantial progress to correct the violation.

C. Failure to pay fines or comply

If the person(s) in violation refuses to pay the fine and/or correct the violation, the Plan Commission or the Planning Director may impose additional fines and/or take legal action.

D. Additional Notice

It is not mandatory that a violator receives more than one notice of violation before legal action is taken. The Plan Commission or the Planning Director shall determine the action necessary to remedy a violation if a notice of violation is not effective.

10.9 Fines and Penalties

In addition to any other remedies, including injunctive relief provided herein, any person, firm, partnership, corporation or other entity who or which shall violate any provision of this Zoning Ordinance shall, upon conviction thereof, be fined in any sum not less than fifty dollars (\$50.00), nor more than two thousand five hundred dollars (\$2,500), with each day constituting a separate violation of this Zoning Ordinance.

10.10 Appeals or Trials

Any person receiving a notice of violation may appeal the violation to the Board of Zoning Appeals.

- A. A written statement from the person in violation shall be submitted to the Planning Director via Certified Mail at least 3 days prior to the date the fine is due.
- B. The Planning Director shall set the date for hearing the appeal before the Board of Zoning Appeals and notify the person of the date of the certified mail. Collection on the fines will be postponed until the BZA has made a ruling as to the violation., Fines will not accumulate during the appeals process.
- C. The person may appeal the ruling of the BZA. to the court of jurisdiction as provided in IC36-7-4-1003. Collection of fines will be postponed until the court has made a ruling as to the appeal. Fines will not accumulate during the court appeals process.

10.11 Enforcement, Remedies, and Injunctive Relief

All remedies and enforcement shall comply with the powers set forth in IC 36-7-4-1000 et seq. and all other applicable state law.

- A. The Plan Commission or any enforcement official designated by the Zoning Ordinance may bring an action in the Circuit or Superior Court of the County to evoke any legal, equitable, or special remedy, for the enforcement of any ordinance or regulation created under IC 36-7-4, and its subsequent amendments this includes but is not limited to the Zoning Ordinance and Subdivision Control Ordinance.
- B. The plan commission or any enforcement official designated by the Zoning Ordinance may also bring an action in the Circuit or Superior Court of the County to enforce:
 - a. All agreements between plan commission or its designees which have been recorded as covenants in connection with a subdivision plat, a development plan, or a planned development.
 - b. All commitments made in accordance with IC 36-7-4 et seq.
 - c. MI conditions imposed in accordance with IC 36-7-4 et seq.
- C. The Board of Zoning Appeals, or any enforcement official designated by this Ordinance may bring action in the Circuit or Superior Court of the County to restrain a person violating IC 36-7-4 et seq. which includes but is not limited to the Zoning Ordinance and Subdivision Control Ordinance.

- D. The Board of Zoning Appeals or any enforcement official designated by this Ordinance may also bring an action in the Circuit or Superior Court of the County for a mandatory injunction, directing to remove a structure erected in violation of this Ordinance or applicable state code.
- E. If the Board of Zoning Appeals, or its designated enforcement official is successful in its action, the respondent shall bear all cost of the action.
- F. An action to enforce a commitment made in accordance with IC 36-7-4 et seq. may be brought in the Circuit or Superior Court of the County by:
 - a. Any person who is entitled to enforce a commitment made in accordance with IC 36-7-4 et seq. under the rules of the Plan Commission or the board of Zoning Appeals in force at the time the commitment was made; or,
 - b. Any other specifically affected person who was designated in the commitment.

10.12 Alternate Violation Procedures

- A. The Planning Director or his duly authorized designee(s), upon verification of a civil zoning violation, will issue a civil violation to any responsible party(ies) who commit(s) a civil zoning violation. The citation may be served by personal service or by certified mail or by placement in a conspicuous place.
- B. Schedule of Monetary Fines
 - 1. The civil monetary fine for a First Civil Zoning Violation of the Zoning Ordinance shall be one hundred dollars (\$100.00).
 - 2. For a repeated civil zoning violation by the same violator, the following fines shall apply:
 - a. Second Violation \$200.00
 - b. Third Violation \$300.00
 - c. Fourth Violation \$400.00
 - d. Each violation after the fourth \$500.00
- C. Trial for Civil Zoning Violation
 - 1. Upon issuance of the citation, the Planning Director shall forward a copy of the citation to the designated enforcement entity and the Circuit or Superior Court of Howard County, Indiana, shall schedule the case for trial. The Plan Commission is responsible for the enforcement of this ordinance. All procedures will be in compliance with the Indiana Rules for Civil Procedure and will adopt Court cost recovery for infractions according to the State of Indiana.
 - 2. In proceedings before the Court for a Civil Zoning Violation:
 - a. The designated enforcement entity has the burden of proving the Civil Zoning Violation and the violator committed the infraction, by a preponderance of the evidence presented at trial;
 - b. The violator may question all witnesses who appear for the designated enforcement entity and produce evidence or witnesses on the violator's behalf.
 - 3. A person found guilty of a civil zoning violation is liable for the fine, Court costs and fees.

4. Seeking a civil penalty as authorized in this Section, does not prevent the Plan Commission from seeking alternative relief from the Court in the same action, or from seeking injunctive relief available under the law of the State of Indiana, or any other remedy in a separate action for the enforcement of the Zoning Ordinance; and
5. When a violator has been guilty of a Civil Zoning Violation, the Court may impose additional civil penalties and grant appropriate relief to abate or halt the violation, and the Court may direct that payment of the civil monetary fine or additional civil penalties be suspended or deferred under conditions established by the Court. If a violator fails to pay the civil penalty or violates the terms of any other order imposed by the Court, the failure is contempt.

Article Eleven

Definitions



August 12, 2003

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Definitions

11.1 General:

The definitions contained in this Article shall be observed and applied in the interpretation of all Articles in this Zoning Ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future; words used in the singular number shall include the plural and the plural the singular; words used in the masculine gender shall include the feminine.

11.2 Defined Words:

The following terms shall have the following meanings:

Abandonment: The relinquishment of property or a cessation of the use of the property for a continuous period of one year by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

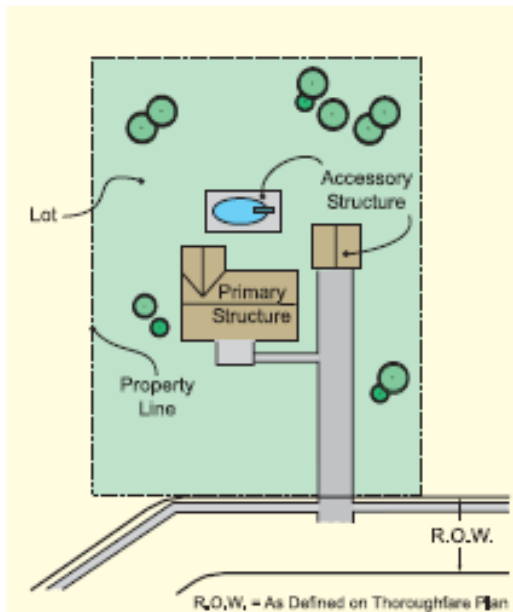
Abandoned Item: Any item which is no longer used for its designed and intended purpose. The factors used in determining whether or not an item has been abandoned include but are not limited to the following:

- Present operability and functional utility of the item;
- The date of last effective use of the item;
- The condition of disrepair or damage;
- The last time an effort was made to repair or rehabilitate the item;
- The status of registration or licensing of the item;
- The age and degree of obsolescence;
- The cost of rehabilitation or repair of the item when compared to its market value; or
- The nature of the area and location of the item.

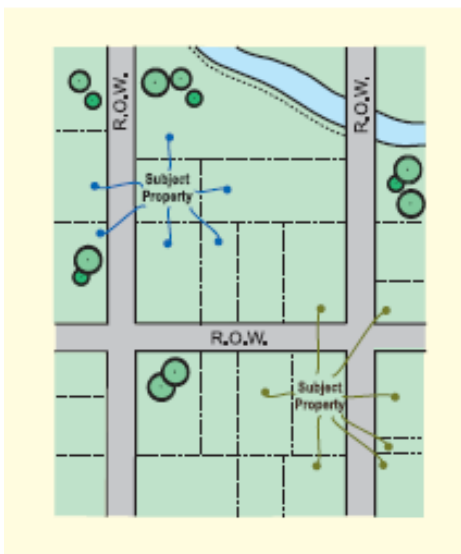
Accessory Structure: A building or structure which:

- Is subordinate to a primary building or structure in area, intent, and/or purpose,
- Contributes to the comfort, convenience, or necessity of occupants of the primary building, structure, or principal use,
- Does not alter or change the character of the premises,
- Is located on the same zoning lot as the primary building, structure, or use,
- Conforms to the setback, height, lot coverage, and other requirements of this Zoning Ordinance,
- Is not designed for human occupancy as a dwelling or commercial use,
- Accessory structures include, but are not limited to the following:
 - a. antennas or satellite dishes
 - b. bath houses or saunas
 - c. decks or gazebos
 - d. garages or car ports
 - e. greenhouses
 - f. hot tubs

- g. mini barns, storage building, and sheds
- h. swimming pools and sport courts



Adjacent Property: Any property adjacent to or directly diagonal to the subject property. Properties across a public right of way (ROW) are also considered adjacent. The illustration below notes the properties that would be considered adjacent to two different subject properties.



Advisory Plan Commission: A plan commission serving a single local government jurisdiction established as defined under the Indiana Code, 36-7-1-2 (1983) as amended. The Kokomo Plan Commission is an Advisory Plan Commission.

Agriculture: The use of land for agriculture purposes, including farming, dairying, pasturage, apiculture, agriculture, horticulture, floriculture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any accessory uses shall be secondary to that of the normal agricultural activities.

"Agriculture" does not include feed lots, stock yards, or the commercial feeding of garbage or offal to swine or other animals.

Agriculture District: Refers to the AG District.

Alley: A public right-of-way, other than a street, road, crosswalk, or easement, that provides secondary access for the special accommodation of abutting property.

ANS: American National Standard

Antenna: Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic or radio waves.

Applicant: The owner, owners, or legal representative of real estate who makes application to the Kokomo Plan Commission and/or Board of Zoning Appeals for action by said commission or board affecting the real estate owned thereby.

Arterial Street: See Street, Arterial.

Assisted Living Facility: see Nursing Home.

Attached Building: A building that is structurally connected to another building by a foundation, wall, or roof line. Carports, garages, porch awnings and the like are considered attached buildings and must abide by all regulations pertaining to primary structures.

Auto Oriented Facility: A facility where a service is rendered or a sales transaction is made while the patron is typically not required to exit his/her vehicle, or a facility that includes services rendered directly on, to, or for vehicles. Auto-oriented business facilities include, but are not limited to, drive-through restaurants, drive-in restaurants, car washes (all types), and other similar auto service facilities. The sale of vehicles (new or used) and gas stations are not included within this definition.

Auto Repair, Major: Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame, or fender straightening or repair; and overall painting of vehicles.

Auto Repair, Minor: Incidental repairs, replacement of parts, and motor service to automobiles but excluding any operation specified under "Automobile Repair, Major".

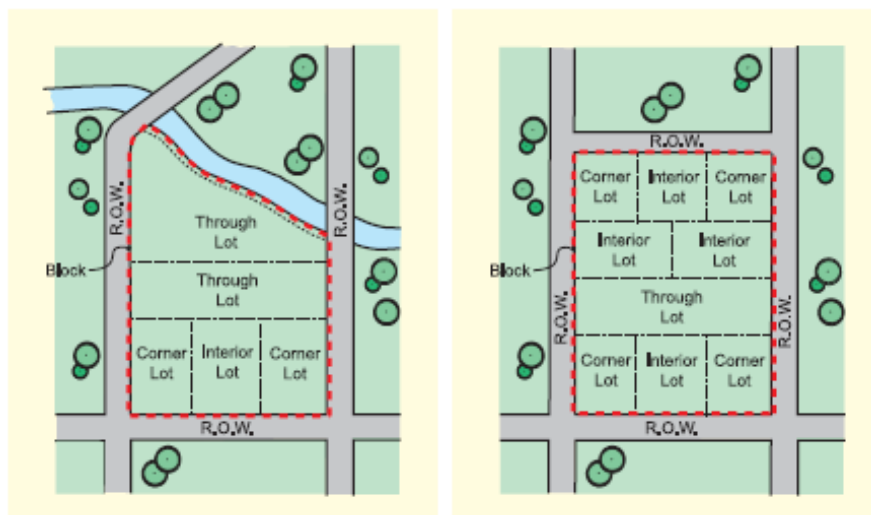
Base District Zone: A base district zone is the existing zoning district of the subject lot:

- prior to the approval of a planned development, or
- prior to the effects of an overlay district.

Bed and Breakfast Facility: An owner occupied or employee of the owner-occupied residence containing no more than 6 guest rooms for hire, for lodging by prearrangement for periods not to exceed 3 consecutive weeks and providing for occasional meals daily (usually breakfast) and not a hotel, boarding house or motel.

Berm: A man-made, formed, earth mound of definite height and width used for landscaping and screening purposes, the intent of which is to provide a transition between uses of differing intensity or to screen uses from sight.

Block: Property abutting on one side of a street and lying between the 2 nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway, or the end of a dead-end street.



Board: See Board of Zoning Appeals.

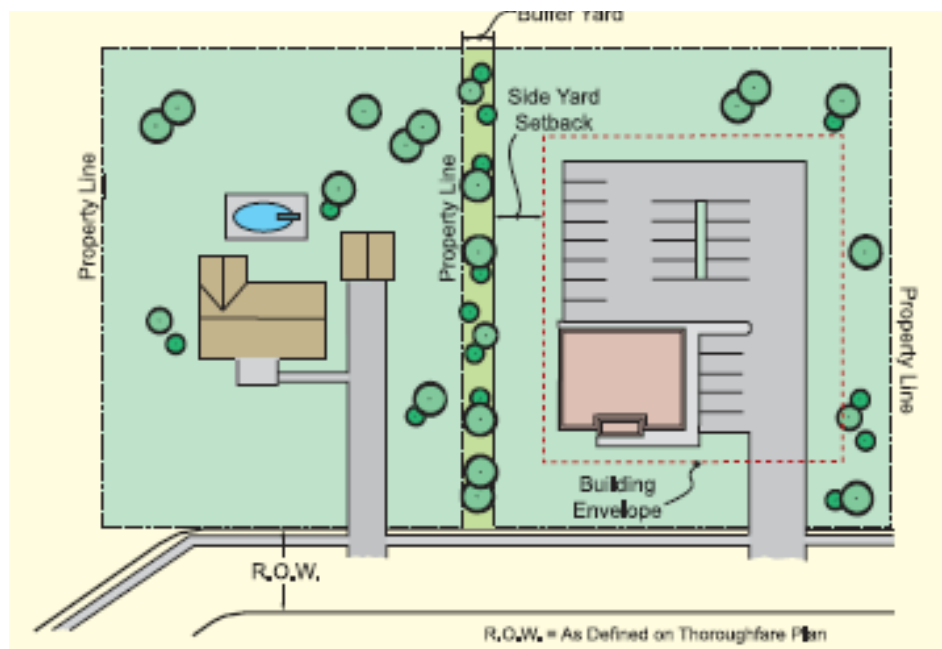
Board of Zoning Appeals: The Kokomo Board of Zoning Appeals or any division thereof.

Boarding House: A building or part of a building that contains accommodation facilities for lodging, and typically with meals reserved solely for the occupants thereof for a fee. Boarding houses do not include bed and breakfasts, multifamily dwellings, hotels or motels.

Bond: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Plan Commission. All bonds shall be approved by the Commission wherever a bond is required by these regulations.

Buffer Landscaping: Any trees, shrubs, walls, fences, berms, space, or related landscaping features required under this. Zoning Ordinance for buffering lots from adjacent properties or public rights-of-way for the purpose of increasing visual shielding or other aspects of privacy and/or aesthetics.

Buffer Yards: An area adjacent to front, side and rear property lines, measured perpendicularly from adjacent property lines and/or right-of-way lines, intended to provide attractive spaces to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other and from the right-of-way. Buffers also help to maintain existing trees or natural vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. Buffer yards are in addition to (separate from) front, rear, or side yard setbacks.



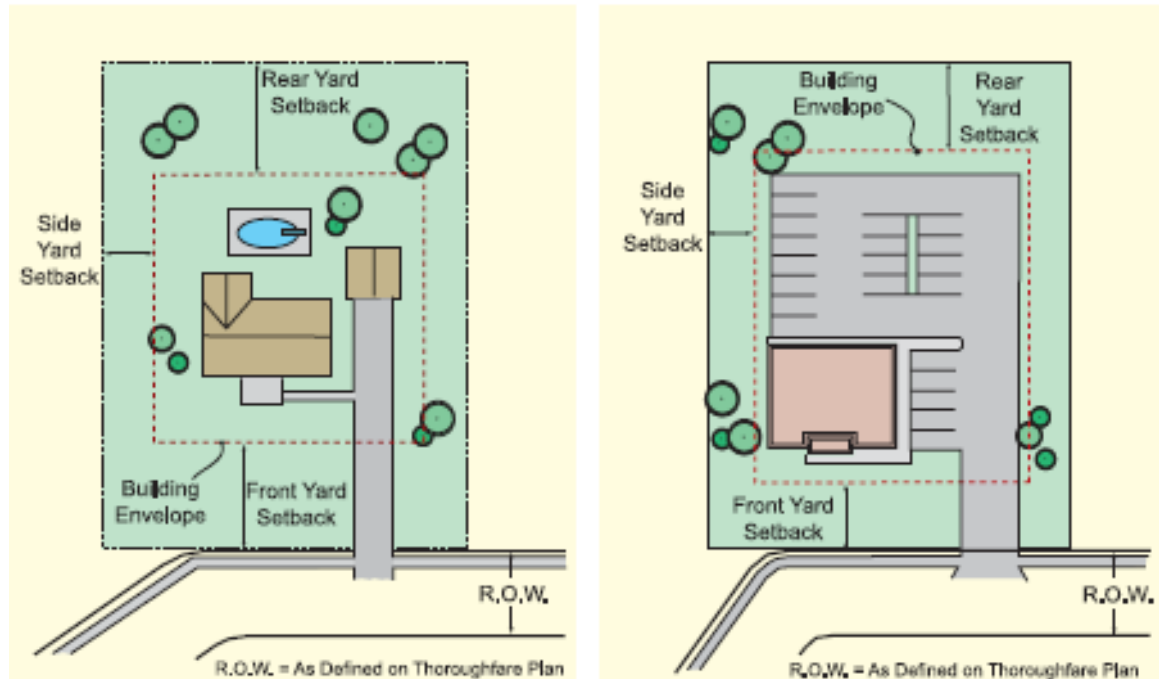
Building: A structure having a roof, supported by columns or walls, for the shelter, support, or enclosure of persons, property, or animals; and when separated by division walls from the ground up and without openings, each portion of such building shall be deemed as a separate building.

Building Area: The horizontal area of the buildings on a lot, measured from the outside exterior walls, excluding open areas or terraces, unenclosed porches or decks, and architectural features that project no more than two feet.

Building Code: The Indiana Building Code which establishes and controls the standards for constructing all forms of permanent structures and related matters.

Building Height: see Structure Height.

Building Envelope: The setback lines that establishes an area on a lot in which building can occur.



Bus: A motor vehicle designed for carrying more than ten (10) passengers exclusive of the driver.

Business: The engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services, or the maintenance or operation of offices, recreational, or amusement enterprises.

Business Day: The days Monday through Friday excluding federal and state holidays.

Business Districts: Refers to the NC, IS, OC, DC, C1 and C2 Districts.

BZA: See Board of Zoning Appeals.

Campground: Any site, lot, field, or tract of land designed with facilities for short term occupancy by recreational vehicles and other camping equipment but not including mobile homes.

Cemetery: Property used for interring of the dead. It includes any crematory, mausoleum, or mortuary operated in conjunction with and on the same property.

Central Water System: A community water supply system including existing and new wells and/or surface water sources and intakes, treatment facilities, and distribution lines and includes such of the above facilities established by the developer to serve a new subdivision or commercial/ industrial development.

Central Sewer System: A community sewer system including collection and treatment facilities owned and maintained by the City of Kokomo.

Certificate of Occupancy: A certificate stating that the occupancy and use of a building or structure complies with the provisions of all applicable Zoning Ordinance provisions.

Child Care Home: An establishment providing non-overnight care, supervision, and protection of children in private residences which is ancillary to the primary use as residential. A residential structure in which at least (6) children (not including the children for whom the provider is parent, stepparent, guardian, custodian, or other relative) at any time receive child care from a provider: (1) while unattended by a parent, legal guardian or custodian; (2) for regular compensation; and (3) for more than 4 hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The term includes class I child care home and class II child care home as defined in IC 12-7-2-33.7 and IC 12-7-2-33.8.

Child Care Center: Any institution operated for the care of children, licensed pursuant to I.C. 12-3-2-3.1, et seq., and as defined by Indiana Code Section 12-3-2-3.

Child Care Institution: (A) a residential facility that provides child care on a twenty-four (24) hour basis for more than 10 children; or (B) a residential facility with a capacity of not more than 10 children that does not meet the residential structure requirements of a group home; or (C) operates under a license issued under IC 12-17.4; provides for delivery of mental health services that are appropriate to the needs of the individual; and complies with the rules adopted under IC 4-22-2 by the Division of Family and Children.

Children's Home: see Child Care Institution.

City: The City of Kokomo.

Clinic: An establishment in which human patients are admitted for medical or dental study or treatment and in which the services of at least two physicians or dentists are provided.

Collocation: The location of more than one antenna of more than one governmental or commercial wireless communication service provider on the same tower structure.

Collocation Site: A site on an existing or proposed telecommunication tower that can be used for the installation and/or mounting of antennas or radio or cellular communication equipment that operates on a different frequency from the initial user.

Commission: See Advisory Plan Commission

Commercial Boarding Facility: An establishment used for boarding, holding, overnight stays or training of animals that are not the property of the owner of such establishment

Comprehensive Plan: Refers to the Kokomo Comprehensive Plan. The plan includes goals, objectives and strategies for land use, growth management, transportation/thoroughfares, community facilities and services, environment concerns, infrastructure, aesthetics and identity, economic development, and parks and recreation. The plan was developed and adopted by the Commission pursuant to the I.C. 36-7-4-500 series and includes any part and/or policies separately adopted and any amendment to such plan and/or policies, or parts thereof.

Condition of Approval: Stipulations or provisions set forth by the Board of Zoning Appeals or Plan Commission required as a prerequisite for approval of a petition.

Condominium: Real estate lawfully subject to I.C. 32-1-6 (1-31), (the Horizontal Property Law), by the recording of condominium instruments, in which undivided interests in the common areas and facilities are vested in the condominium unit owners.

Construction Plan(s): The maps or drawings showing the specific location and design of improvements to be installed in accordance with the requirements of this Zoning Ordinance and the Indiana Building Code as a condition of approval.

Contractor: A person who offers undertaking for others the construction, demolition, installation, or removal of structures and other physical improvements including making changes to land surfaces.

Contractor, Landscape: A contractor offering undertaking changes to land by planting or removing vegetation and by reshaping, adding or removing land.

County: Howard County, Indiana.

Covenants: Private and legal restrictions of various kinds on the usage of lots, typically within a subdivision and applied by the subdivider. In the case of public health, safety and welfare, covenants may be applied by the Plan Commission, that are recorded with the plat and deed. Covenants can also be placed on commercial and industrial developments. Unless specifically agreed to, covenants are not enforceable by the Plan Commission or its designees. However, they are enforceable in civil court by interested or affected parties.

Cul-De-Sac: A street having one (1) end open to traffic and being permanently terminated by a vehicular turnaround at the other end.

DBH: Diameter-at-breast-height is a tree trunk diameter measured in inches at a height of 4.5 feet above the ground. If a tree splits into multiple trunks below 4.5 feet, the trunk is measured at its most narrow point beneath the split.

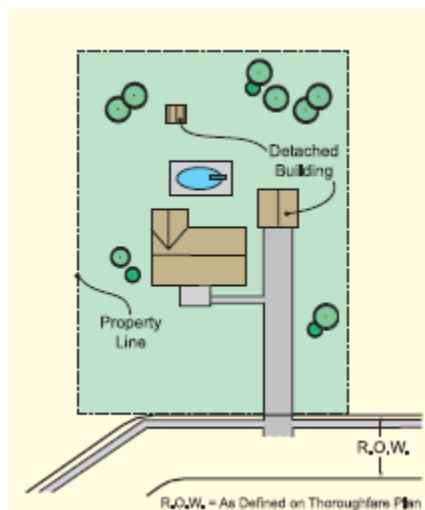
Dance/Night Club: An establishment for entertainment with table seating, stage (or area) for musical performances, and floor area designated for dancing.

Day, Business: See Business Day.

Day Care Center: See Child Care Center.

Dedication: The setting apart of land or interests in land for use by the municipality or public by ordinance, resolution, or entry in the official minutes as by the recording of a plat.

Detached Building: A building that has no structural connection with the primary building or any other building or structure.



Developer: The owner or legal representative of land proposed to be subdivided or residentially/commercially/industrially utilized.

District: Areas within the City of Kokomo for which uniform zoning regulations governing use, height, area, size, intensity of use of buildings and land, and open spaces about buildings, are established by this Zoning Ordinance. Districts are drawn on the Official Zoning Map.

Domestic Pets: Animals commonly used as household pets, protection, companions, and for assistance to disabled persons. Domestic pets shall include animals that are cared for and treated in a manner acceptable for pet dogs, cats, and birds. Domestic pets shall include, but not be limited to, dogs; cats, parakeets, parrots, finches, lizards, spiders, guinea

pigs, hamsters, gerbils, rats, mice, rabbits, aquarium fish, ferrets, and snakes if cared for in the manner described above.

Drives, Private: See Street, Private.

Duplex: See Dwelling, Two-Family.

Dwelling: A building or structure or portion thereof, conforming to all requirements applicable to the District in which it is located, all Building Codes, and that is used exclusively for residential occupancy, including single-family dwelling units, two-family dwelling units, and multifamily dwelling units, but excluding hotels, motels, and boarding houses.

Dwelling, Manufactured Home: A single-family dwelling unit designed and built in a factory, installed as a permanent residence, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (1974 U.S.C. 5401 et seq.), and which also complies with the following specifications:

- Was constructed after January 1, 1981, and exceeds nine hundred fifty (950) square feet of occupiable space per I.C. 36-7-4(d),
- Is attached to a permanent foundation of masonry construction and has a permanent concrete or concrete block perimeter enclosure constructed in accordance with the One- and Two-Family Dwelling Code;
- Has wheels, axles, and towing chassis removed;
- Has a pitched roof with a minimum rise of 2/12; and
- Consists of two (2) or more sections which, when joined, have a minimum dimension of 23' in width for at least 60% of its length.

Dwelling, Mobile Home: A transportable dwelling unit which is a minimum of 8' in width and which is built on a permanent foundation or tied down with perimeter skirting when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained therein, and which was manufactured either:

- Prior to June 15, 1976 and bears a seal attached under Indiana Public Law 135, 1971, certifying that it was built in compliance with the standards established by the Indiana Administrative Building Council, or
- Subsequent to or on June 15, 1976 and bears a seal, certifying that it was built in compliance with the Federal Mobile Home Construction and Safety Standards.

Dwelling, Multifamily: A residential building designed for or occupied by 3 or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single-Family: A detached residential dwelling unit designed for and occupied by one (1) family.

Dwelling Site: A site within a manufactured home park and/or mobile home park with required improvements and utilities that is leased for the long-term placement of a manufactured home and/or mobile home.

Dwelling, Two-Family: A residential building containing 2 dwelling units designed for occupancy by not more than 2 families.

Dwelling Unit: Any structure or portion thereof designed for or used for residential purposes as a self-sufficient or individual unit by one (1) family or other social association of persons and having permanently installed sleeping, cooking, and sanitary facilities.

Easement: A grant by a property owner to specific persons, the general public, corporations, utilities, or others, for the purpose of providing services or access to the property.

EIA: Electronic Industrial Association.

Expressway: Any roadway that operates at a high service level, consists of limited access, is divided, carries region-wide traffic and is generally classified as part of the interstate system.

FAA: Federal Aviation Administration.

Facing: A building facade on the side of the building's lot with frontage on a roadway is facing the roadway. A building may have multiple facades facing different roadways.

Fair Housing Facility (large): To prevent the discrimination of mentally or physically disabled persons, these facilities have been identified as types of housing that are permitted in certain districts, but still must meet "nondiscriminatory" health, fire, safety and building regulations. These facilities include:

- 1) Group homes for children in need of service under IC 31-34-1 or children who have committed a delinquent act under IC 31-37-2-2, IC 31-37-2-3, or IC 31-37-2-5; and specifically, a facility that houses more than ten (10) children.
- 2) Residential Facility for the Developmentally Disabled which provides residential services for more than eight (8) developmentally disabled individuals as described in I.C. 12-28-4.

Fair Housing Facility (small): To prevent the discrimination of mentally or physically disabled persons, these facilities have been identified as types of housing that are permitted in any single-family or multifamily residential zoning districts, but still must meet "nondiscriminatory" health, fire, safety and building regulations. These facilities include:

- 1) Group homes for children in need of service under IC 31-34-1 or children who have committed a delinquent act under IC 31-37-2-2, IC 31-37-2-3, or IC 31-37-2-5; and specifically, a facility that houses not more than ten (10) children.

- 2) Residential Facility for the Developmentally Disabled which provides residential services for eight (8) developmentally disabled individuals or less as described in I.C. 12-28-4.
- 3) Residential Facility for the Mentally Ill which provides residential services for mentally ill individuals as described in 1.C. 12-28-4. No two Residential Facilities for the Mentally Ill shall be within 3,000 feet of one another in the Kokomo planning jurisdiction as stated in Indiana Code.

Family: An individual, or 2 or more persons related by blood, marriage, or adoption, or a group of not more than 3 persons, not related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit.

FBFM: Flood Boundary and Floodway Map.

FCC: Federal Communications Commission.

FEMA: Federal Emergency Management Agency.

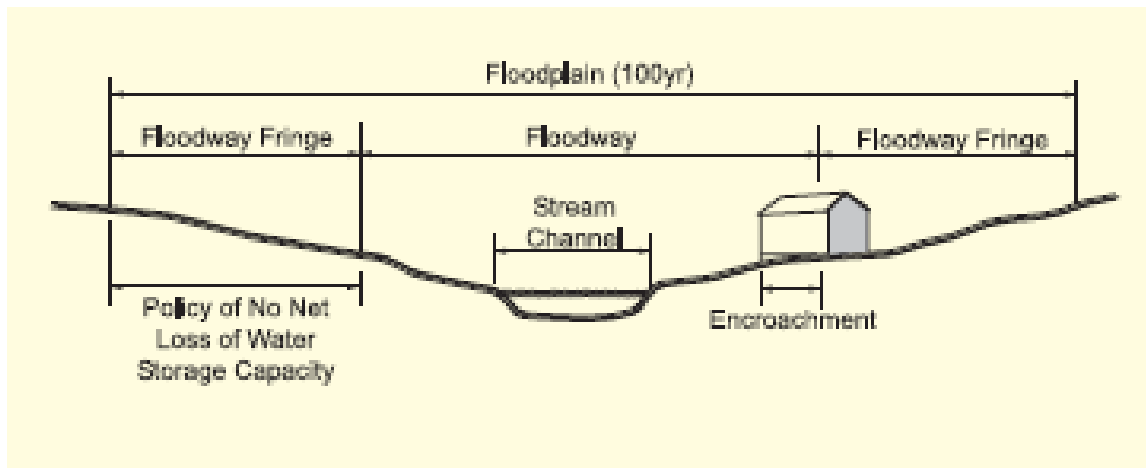
Fenestration: The arrangement of windows on a wall.

FHBM: Flood Hazard Boundary Map.

Finished Floor Area: See Floor Area, Finished.

FIRM: Flood Insurance Rate Map.

Floodplain: The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by flood water. The flood plain includes the channel, floodway, and floodway fringe. Flood plain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration.



Flood Protection Grade (FPG): The elevation of the regulatory flood plus two feet at any given location in the SFHA.

Floor Area: The sum of all horizontal surface areas of all floors of all roofed portions of a building enclosed by and within the surrounding exterior walls or roofs, or to the center line(s) of party walls separating such buildings or portions thereof. Floor area of a building shall exclude exterior open balconies and open porches.

Floor Area, Finished: That portion of floor area constructed, completed, and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, working, entertainment, common space linking rooms, areas for personal hygiene, or combination thereof. Floor area or portion thereof used only for storage purposes and not equipped for the facilities mentioned above shall not be considered Finished Floor Area.

Floor Area, Main: That portion of Finished Floor Area located on the first (or nearest ground level) floor of the dwelling unit. The Main Floor Area of a primary structure does not include a garage, carport, deck, unfinished storage, patio, or open porch.

Foundation: The supporting member of a wall or structure.

Freeway: See Expressway.

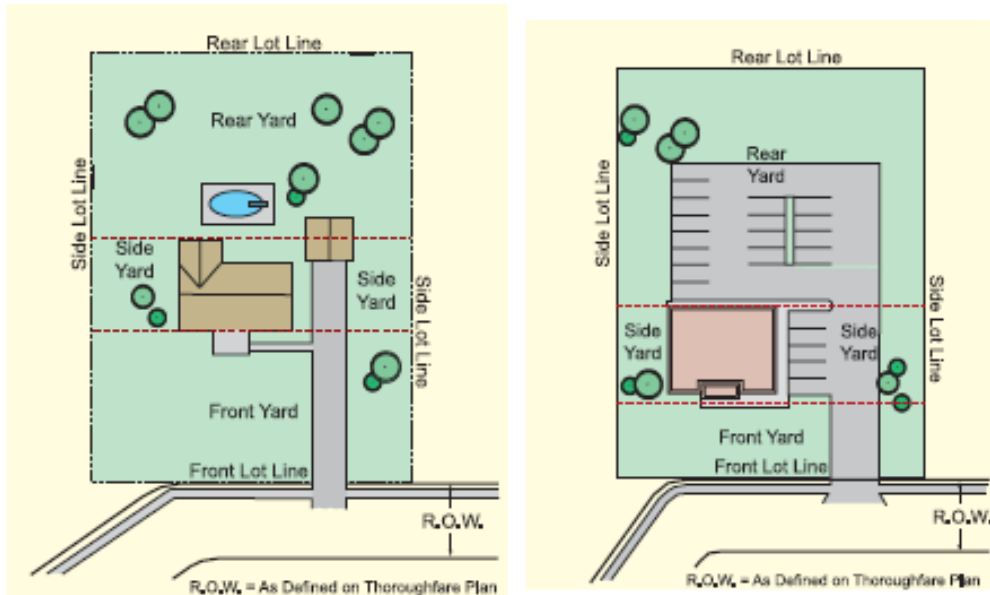
Front Line: With respect to a building, the foundation line that is nearest the front lot line.

Front Lot Line:

- A. For an interior or through lot, the line marking the boundary between the lot and the abutting street, right-of-way or a Lake or watercourse; and
- B. For a corner lot, the line marking the boundary between the lot and each of the abutting streets.

(SEE GRAPHICS FOR "FRONT YARD")

Front Yard: The horizontal space between the nearest foundation of a building or structural appurtenance, or roof eaves (whichever is closer) to the Front Lot line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the Front Lot line.



Frontage: See Lot Frontage.

Garage: An attached or detached structure whose principal use is to house motor vehicles or personal property for the accommodation of related dwelling units or related business establishments.

Gas Station: The retail dispensing or sale of vehicle fuels, including but not limited to gasoline, gas/oil mixtures, diesel fuel, compressed natural gas, and hydrogen, through fixed approved dispensing equipment by customers or employees. Accessory uses may include uses such as the sale of convenience items, food, lubricants, batteries, car washes, and similar accessory uses. This definition shall not include providing any automotive services or repairs such as oil changes, tire-rotation, and lubrication services.

Gross Floor Area: The sum of all horizontal floor area of all floors within a building.

Group Home: A facility that houses not more than ten (10) children that are either (A) in need of service under IC 31-34-1; or (B) children who have committed a delinquent act under IC 31-37-2-2, IC 31-37-2-3, or IC 31-37-2-5. Group homes are not subject to covenants, deeds or other instruments pertaining to the transfer, sale, lease, or use of property that would permit the residential use of property but prohibit the use of that

property as a group home as a matter of State public policy reasons. Group homes cannot be prohibited on the grounds that they are a business, the persons living in a group home are not related, or any other reason. All group homes must abide by IC 12-17,4-5 and must be a licensed facility with the State, meeting fire codes, building codes, and specific group home regulations.

Hardship: A difficulty with regard to one's ability to improve land stemming from the application of the development standards of this Zoning Ordinance, which may or may not be subject to relief by means of variance. In and of themselves, self-imposed situations and claims based on a perceived reduction of or restriction on economic gain shall not be considered hardships. Self-imposed situations include: the purchase of land with actual or constructive knowledge that, for reasons other than physical characteristics of the property, the development standards herein will inhibit the desired improvement; any improvement initiated in violation of the standards of this Zoning Ordinance; any result of land division requiring variance from the development standards of this Zoning Ordinance in order to render that site buildable.

Height: See Structure Height.

High Intensity Retail: See Retail, High Intensity.

Hobby Farming: The use of land for purposes, including: dairying, pasturage, apiculture, agriculture, horticulture, floriculture, and animal and poultry husbandry. Processing and storage of harvested produce or other end products shall not be allowed on site. The hobby farming use(s) shall not exceed 40% of the land area of the lot and shall abide by all setback regulations. Hobby farming cannot be the principal income source for the owner, operator or household on site.

Hobby farming shall not include feed lots, stock yards, Or the commercial feeding of garbage or offal to swine or other animals.

Home Occupation #1: Specified activities or business practices that may be carried on in a residence that have little to no impact to structure or surroundings within residential Zoning Districts. These activities or business practices do not allow the loss of the residential district's character or function as a residential area or neighborhood. To regulate minimal business practices within residential districts, development standards for home occupations have been established and can be found in Article Six Section 6.21 Subsection HO-01.

Home Occupation #2: Reasonable business practices that may be carried on in a residence that have minimal impact within residential Zoning Districts. These business practices do not allow the loss of the residential district's character or function as a residential area or neighborhood. To regulate reasonable business practices for home occupations, development standards have been established and can be found in Article Six Section 6.22 Subsection HO-02.

Hotel: A building in which temporary lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public. Compensation is usually assessed on a day-to-day basis.

Hospital: An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

Impervious Surface: Any material that prevents absorption of storm water into the ground such as concrete or asphalt, including gravel, rock, and stone.

Improvement Location Permit: A permit issued under the Zoning Ordinance prior to receiving a building permit, permitting a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, occupy, use, improve, remove, convert, or demolish any building or structure within its jurisdiction, or permitting a person to change the condition of the land.

improvement: Any permanent structure that becomes part of, placed upon, or is affixed to real estate, or any alteration to the land. In the case of the Park and Recreation District, this excludes paved walkways and plantings.

Incidental: A minor occurrence or condition which is customarily associated with a permitted use and is likely to ensue from normal operations.

Industry, Light: See Manufacturing, Light.

Industry, Heavy: See Manufacturing, Heavy.

Industrial District: Refers to the LI, MI and HI Districts.

Initial User: The applicant, person, organization or corporation that originally applies to the City of Kokomo for approval for the installation of an antenna or other radio or cellular communication equipment or for approval for the construction of a telecommunication tower or facility.

Interior Lot: See Lot, Interior.

Intersection: (1) The prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two (2) streets that join at, or approximately

at, right angles; or, (2) The area within which vehicles traveling upon 2 different streets joining at any other angle may come in conflict.

Interstate: See Expressway.

Jurisdiction: See Planning Jurisdiction.

Junk: An automobile, truck, other motor vehicle, watercraft, large appliances, furniture or like materials which have been damaged to such an extent that they cannot be operated under their own power or used and/or will require major repairs before being made usable. This also includes such a vehicle which does not comply with State, County, or City vehicle licensing or other laws or ordinances.

Junk Yard: A place, usually outdoors, where waste or discarded used property, including but not limited to automobiles, farm implements and trucks, is accumulated and is or may be salvaged for reuse or resale. This does not include industrial scrap metal or accumulation of organic matter.

Kennel (Commercial): A place primarily for keeping more than 4 adult dogs, or other small animals that are ordinarily bred for sale as pets, including temporary care facilities for animals for compensation.

Kennel (Private): A place for keeping up to 4 adult dogs, or other small animals for personal use and enjoyment which is subordinate to the principal use. Private kennels are not regulated in this Zoning Ordinance and are permitted in all districts.

Landscaping: The improvements of a lot with grass, shrubs, trees, and other vegetation and/or ornamental objects. Landscaping may include pedestrian walks, flower beds, berms, fountains and other similar natural and man-made objects designed and arranged to produce an aesthetically pleasing effect.

Legal Nonconforming Building or Structure: Any continuously occupied, lawfully established structure or building prior to the effective date of this Zoning Ordinance, or its subsequent amendments, that no longer meets the development standards.

Legal Nonconforming Lot of Record: Any legally established and recorded lot prior to the effective date of this Zoning Ordinance, or its subsequent amendments, that no longer meet the lot-specific development standards.

Legal Nonconforming Sign: Any sign lawfully existing on the effective date of this Zoning Ordinance, or amendment thereto, that does not conform to all the standards and regulations of this Zoning Ordinance.

Legal Nonconforming Use: Any continuous, lawful use of structures, land, or structures and land in combination established prior to the effective date of this Zoning Ordinance or its subsequent amendments that is no longer a permitted use in the district where it is located.

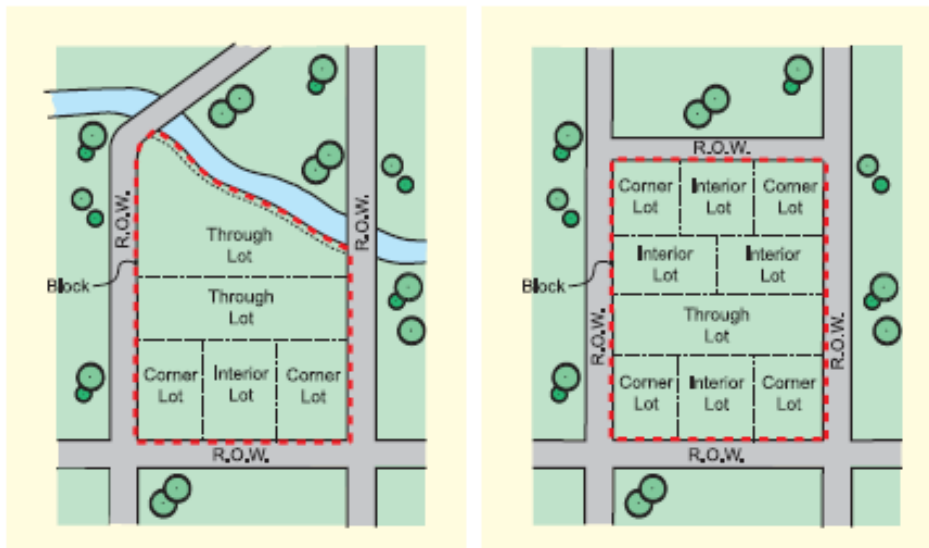
Letter of Map Amendment (LOMA): An amendment to the currently effective FEMA map that establishes that a property is not located in a Special Flood Hazard Area (SFHA). A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR): An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Local Street: See Street, Local.

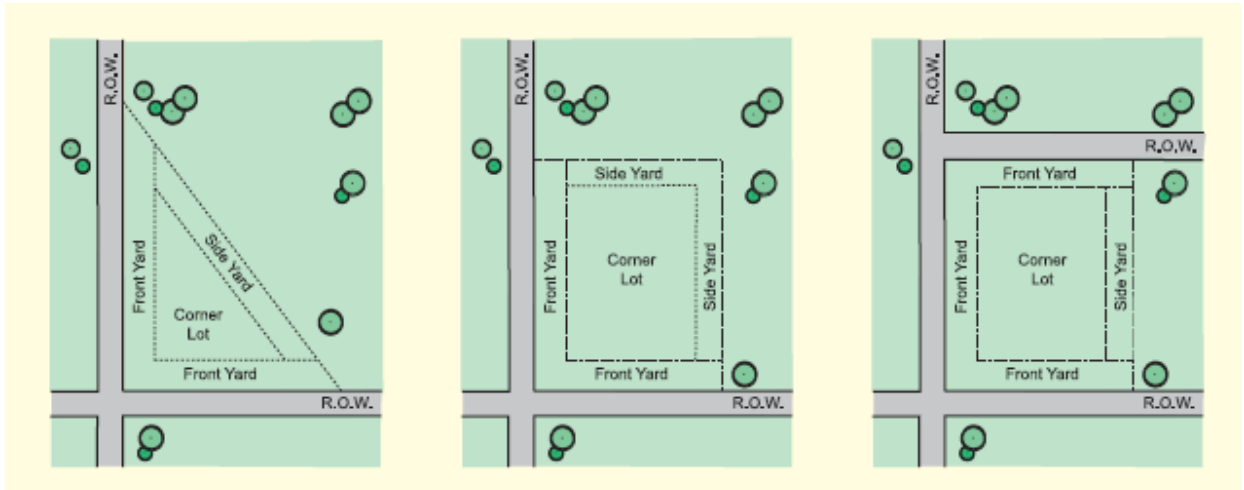
Lot: A piece, parcel or tract of land designated by its owner or developer to be used, developed or built upon as a unit under single or multiple ownership or control.

Lot Types: There are generally three types of lots identified in this Zoning Ordinance: Interior Lots, Corner Lots, and Through Lots. In all other Districts, a lot may only contain one primary structure. In M1 and M2 Districts, a lot may contain more than one primary structure.



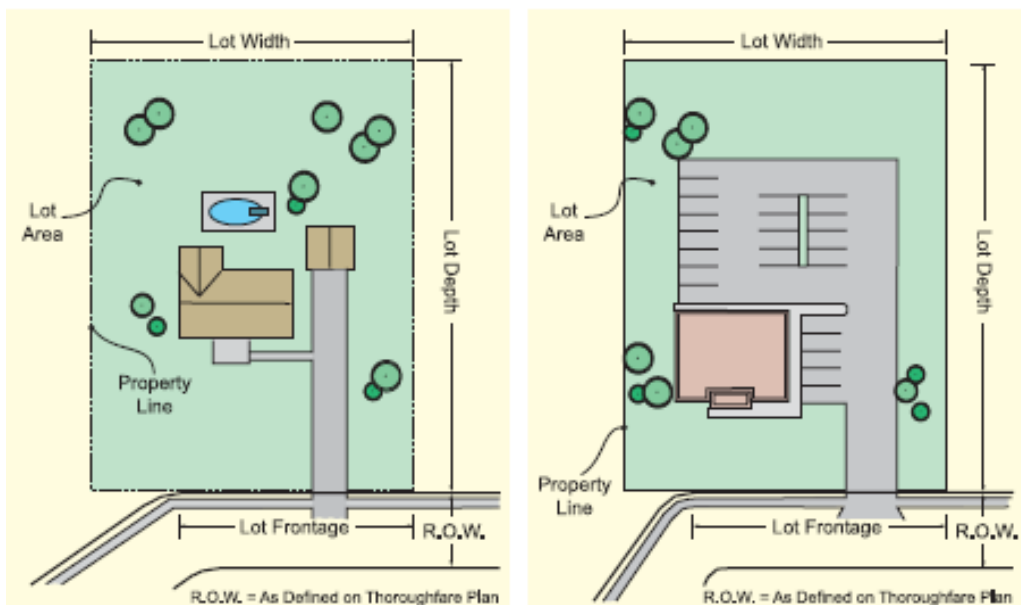
Lot, Buildable: See Lot, Improved.

Lot, Corner: A lot situated at the intersection of two (2) streets or which fronts a street on two (2) or more sides forming an interior angle of less than one-hundred and thirty-five (135) degrees.



Lot Coverage: The area of a lot occupied by the primary building, any accessory structures and impervious surface.

Lot Depth: The horizontal distance between the front and rear lot lines.

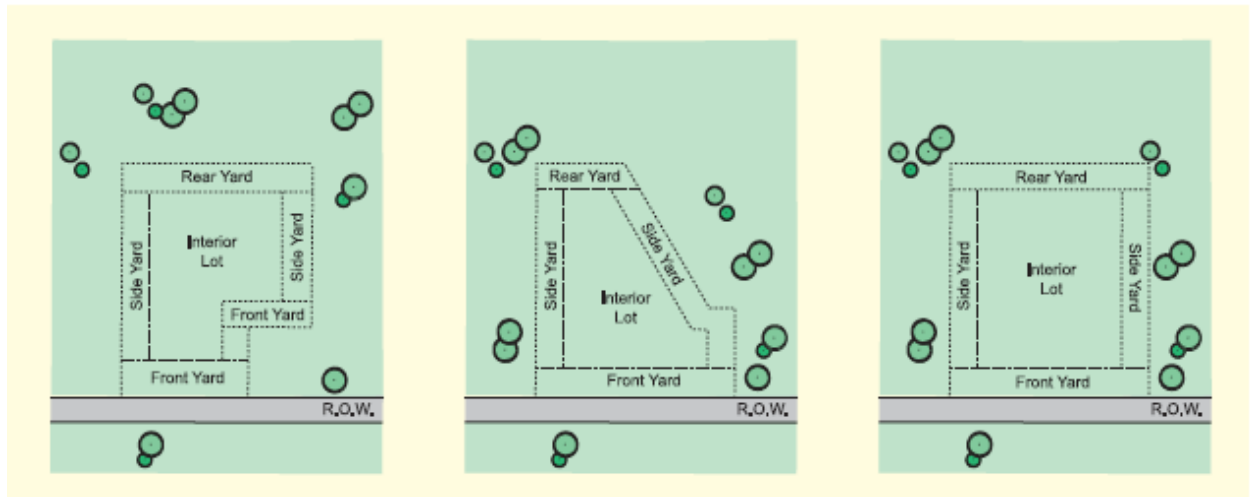


Lot, Developed: A lot with buildings or structures situated thereon.

Lot Frontage: The length of the front lot line bordering upon a public right of way. The lot frontage is determined by measuring the total distance in which the front lot line touches a public right of way.

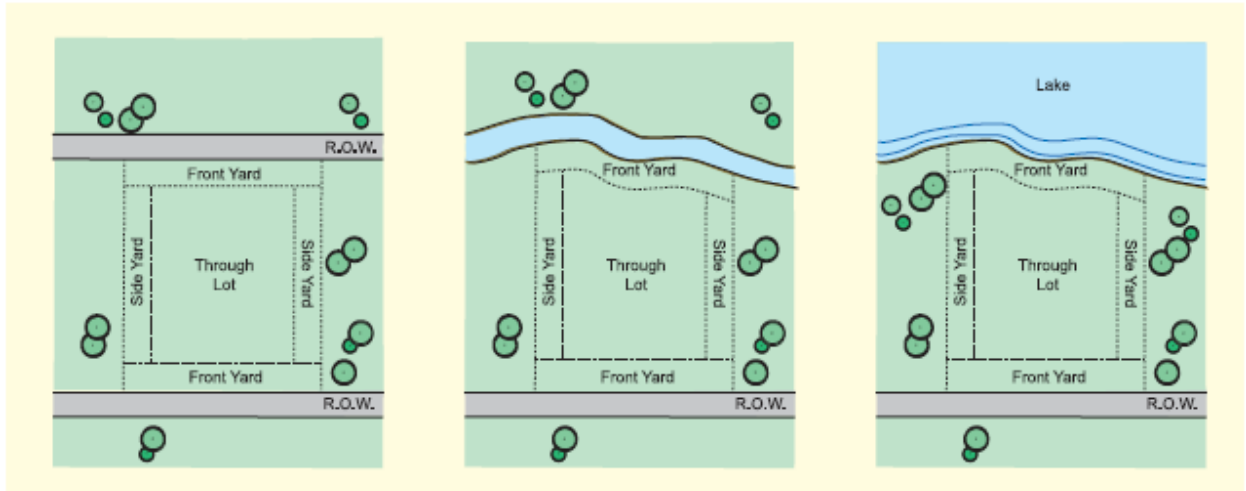
Lot, Improved: A lot upon which a structure or building can be constructed and occupied as a result of the fact that it has frontage on and access to an improved street, meets minimum setback requirements, and has all necessary utilities available to the lot such as sewer, water, electricity, etc.

Lot, interior: A lot other than a corner lot or a through lot.

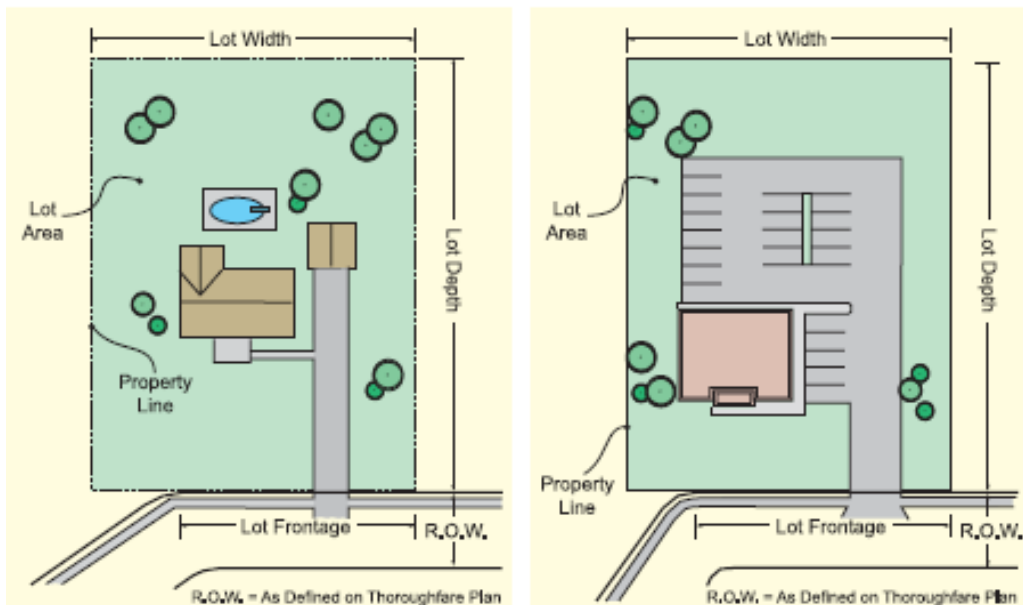


Lot of Record: A lot which is a part of a subdivision recorded in the office of the County Recorder, or a parcel or lot described by metes and bounds, a description of which has been so recorded.

Lot, Through: A lot fronting on 2 parallel or approximately parallel streets, or abutting 2 streets which do not intersect at the boundaries of the lot. Also includes lots fronting on both a street and a watercourse or lake.



Lot Width: The distance between the side lot lines as measured on the front lot line. Cul-de-Sac and irregular shaped lots shall measure their front lot widths along the front setback line from one side lot line to the other.



Low Intensity Retail: See Retail, Low Intensity.

Lowest Floor: means the lowest elevation described among the following:
 (1) The lowest floor of a building.

- (2) The basement floor.
- (3) The garage floor, if the garage is connected to the building.
- (4) The first floor of a building elevated on pilings or constructed on a crawl space.
- (5) The floor level of an enclosure below an elevated building where the walls of the following requirements are satisfied:
 - (a) The walls are designed to automatically equalize hydrostatic flood forces by allowing for the entry and exit of flood water.
 - (b) At least two (2) openings are designed and maintained for the entry and exit of flood water, and these openings provide a total area of at least one (1) square inch for every one (1) square foot of enclosed floor area subject to flooding. The bottom of an opening can be no more than one (1) foot above grade. Doorways and windows do not qualify as openings under this clause.

Main Floor Area: see Floor Area, Main.

Maneuvering Space: An open space in a parking area which:

- Is immediately adjacent to a parking space,
- Is used for and/or is necessary for turning, backing or driving forward a motor vehicle into such parking space, but
- Is not used for the parking of or storage of motor vehicles.

Manufactured Home: See Dwelling, Manufactured Home.

Manufactured Home Park: A parcel of land containing two or more dwelling sites, with required improvements and utilities, that are leased for the long term placement of Mobile Home Dwellings and/or Manufactured Home Dwellings, and shall include any street used or intended for use as part of the facilities of such Manufactured Home Park. A Manufactured Home Park does not involve the sales of Mobile Home Dwellings or Manufactured Home Dwellings in which unoccupied units are parked for inspection or sale.

Manufacturing, Heavy: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that otherwise do not constitute light manufacturing, and which may include open uses and outdoor storage. Heavy manufacturing generally includes processing and fabrication of products made from extracted or raw materials. Heavy manufacturing shall not include any use that is otherwise listed specifically in any zoning district as a permitted use or special exception.

Manufacturing, Light: The assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fume, odors, glare or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing of goods are housed entirely within an enclosed building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously

prepared materials. Light manufacturing shall not include any use that is otherwise listed specifically in any zoning district as a permitted use or special exception.

Marker (survey): A stake, pipe, rod, nail, or any other object which is not intended to be a permanent point for record purposes.

Masonry Material: Brick, limestone, natural stone, manufactured stone (e.g., Cultured Stone®), architectural concrete masonry unit (CMU), or a combination of the same, bonded together with a mortar to form a wall, buttress, or similar mass. Fiber Cement Siding is not a Masonry Material for purposes of this Ordinance.

Master Plan: See Comprehensive Plan.

Medium Intensity Retail: See Retail, Medium Intensity.

Mobile Home: See Dwelling, Mobile Home.

Mobile Home Park: See Manufactured Home Park.

Monument (survey): A permanent physical structure which marks the location of a corner or other survey point.

Motel: An establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot, and designed for use by transient automobile travelers. A motel furnishes customary services such as maid service and laundering of linen, telephone, secretarial, or desk service, and the use and upkeep of furniture.

Motor Home: See Recreational Vehicle.

Motor Vehicle: Any passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, trailer, boat, recreational vehicle, semitrailer, or any other vehicle propelled or drawn by mechanical power.

Mural: A painting on the side of a building, wall, or structure; or a painting on the ground or the ceiling of a building or structure. A mural that does not function as a Sign is not regulated by this Zoning Ordinance. Murals that function as a sign are regulated in this Zoning Ordinance as a Wall Sign.

Noise, Repetitive: Any sound that is sustained for less than ten minutes at a time, and that also occurs in a pattern. If the cumulative time of a repetitive noise is greater than 1 hour in any given day, then it shall be regulated as a Sustained Noise.

Noise, Short Bursts of: Any sound that is sustained for less than ten minutes at a time, and that does not occur in a pattern. If the cumulative time of a Short Burst of Noise is greater than 1 hour in any given day, then it shall be regulated as a Sustained Noise.

Noise, Sustained: Any sound that is sustained for ten minutes or more during the course of one day.

Nonconforming Building: A building, structure, or portion thereof, which was designed, erected, or structurally altered such that it does not conform to the regulations of the district in which it is located.

Nonconforming Lot of Record: A lot which was created such that it does not conform to the regulations of the district in which it is located.

Nonconforming Sign: A sign or portion thereof, which was designed, erected, or structurally altered such that it does not conform to the regulations of the district in which it is located.

Nonconforming Use: A use which does not conform with the use regulations of the district in which it is located.

Nursing Home: A private home for the care of the aged or infirm, or any other person in need of nursing care; and which does not contain equipment for surgical care or for treatment of disease or injury and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction.

Official Zoning Map: A map of the City of Kokomo, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the planning jurisdiction. There is only one Official Zoning Map, and it is kept up to date by the Plan Commission and the Planning Director.

Official Zoning Map Copies: A map of the City of Kokomo, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the planning jurisdiction. These maps may be out of date.

Off-site Improvements: Any premises not located within the area of the property to be subdivided, used, or built upon whether or not in the same ownership of the applicant for subdivision approval.

Open Space: An area of land not covered by buildings, parking structures, or accessory uses except for recreational structures. Open space may include nature areas; streams and flood plains; meadows or open fields containing baseball, football, and soccer fields, golf courses, swimming pools, bicycle paths, etc. Open Space does not include street rights-of-way, platted lot area, private yard, patio areas, or land scheduled for future development.

Outdoor Storage: See Storage, Outdoor.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations, or their legal representative.

Parcel: See Lot.

Parent Tract: A lot of record as recorded on the effective date of this Zoning Ordinance. Multiple pieces (lots) owned by one person, persons in partnership, or a company and that are contiguous shall together be considered one (1) parent tract. Roads, rivers, easements, and other built or natural features shall not constitute a separation of two or more pieces of land owned by one person, persons in partnership, or a business.

Parking Space, Automobile: Space within a public or private parking area for the storage of one (1) passenger automobile or commercial vehicle under a 1-1/2 ton capacity.

Paved: A durable surface for parking, driving, riding or similar activities that utilizes asphalt, concrete, brick, paving blocks or similar material. Crushed gravel, stone, rock, or dirt, sand or grass are not permitted as a paved surface.

Performance Bond: An amount of money or other negotiable security paid by the subdivider, developer, or property owner or his/her surety to the City which guarantees that the subdivider will perform all actions required by the City regarding an approved plat or in other situations as stated forth in this Zoning Ordinance and/or as deemed by the Planning Director that provides that if the subdivider, developer, or property owner defaults and fails to comply with the provisions of his/her approval, the subdivider, developer, or property owner or his/her surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approval.

Permanent Foundation: A structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

Permanent Perimeter Enclosure: A permanent perimeter structural system completely enclosing the space between the floor joists of the home and the ground, except for the necessary openings, constructed in accordance with the One- and Two-Family Dwelling Code.

Person: A corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit, as well as a natural person.

Plan Commission: See Advisory Plan Commission.

Planned Development: A large-scale unified development meeting the requirements for zoning approval under the provisions of Article Five of this Zoning Ordinance. Generally, a planned development consists of a parcel or parcels of land, controlled by a single landowner, to be developed as a single entity which does not correspond in size of lots, bulk or type of buildings, density, lot coverage, and required open space to the regulations established in any district of this Zoning Ordinance. This may result in more attractive and affordable development than conventional developments would allow. Clustered housing (dwellings built in innovative lot arrangements around common open space) and zero lot line housing (dwellings built immediately adjacent to lot lines) are possible as part of planned developments. A planned development requires approval through a zoning map amendment.

Planning Director: The officer appointed by and/or delegated the responsibility for the administration of this Zoning Ordinance's regulations by the Plan Commission.

Planning Jurisdiction: All land within the corporate limits of Kokomo, Indiana as set out on the Official Zoning Map.

Plat: A map or chart that shows a division of land and/or the layout for subdivisions that is intended to be filed for record.

Plat, Primary: The primary plat, pursuant to I.C. 36-7-4-700 series, is the plat and plans upon which the approval of a proposed subdivision is based. The primary plat and plans shall be subject to public notice and public hearing according to law and according to Plan Commission rules. (Under former state statutes, the primary plat was referred to as "preliminary" plat.)

Plat, Secondary: The secondary plat, pursuant to I.C. 36-7-4-700 series, is the final plat document in recordable form. A secondary plat shall substantially conform with the preceding primary plat, or section thereof. The secondary plat and plans are not subject to public notices and public hearings.

Porch: A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Zoning Ordinance. A practical difficulty is not a "hardship," rather it is a situation where the owner could comply with the regulations within this Zoning Ordinance, but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Primary Arterial: See Street, Primary Arterial.

Primary Plat: See Plat, Primary.

Primary Structure/Building: The building or structure in which the principal use of the lot or premises is located or conducted, with respect to residential uses, the principal building or structure shall be the main dwelling. Only one primary structure shall be allowed on any one lot at any time, with the exception of any recorded secondary plats involving multiple family residential development with more than one residential structure.

Principal Use: The main use of land or buildings as distinguished from an accessory use. A principal use may be either a permitted use or a special exception.

Private Street: See Street, Private

Professional Office: An office used by members of a recognized profession such as architects, artists, dentists, engineers, lawyers, musicians, planners, physicians, surgeons, pharmacists, and realtors or insurance agents and brokers.

Public Improvements: Any storm drainage facility, street, highway, parkway, sidewalk, pedestrian-way, tree, lawn, off-street parking area, lot improvement, utility, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

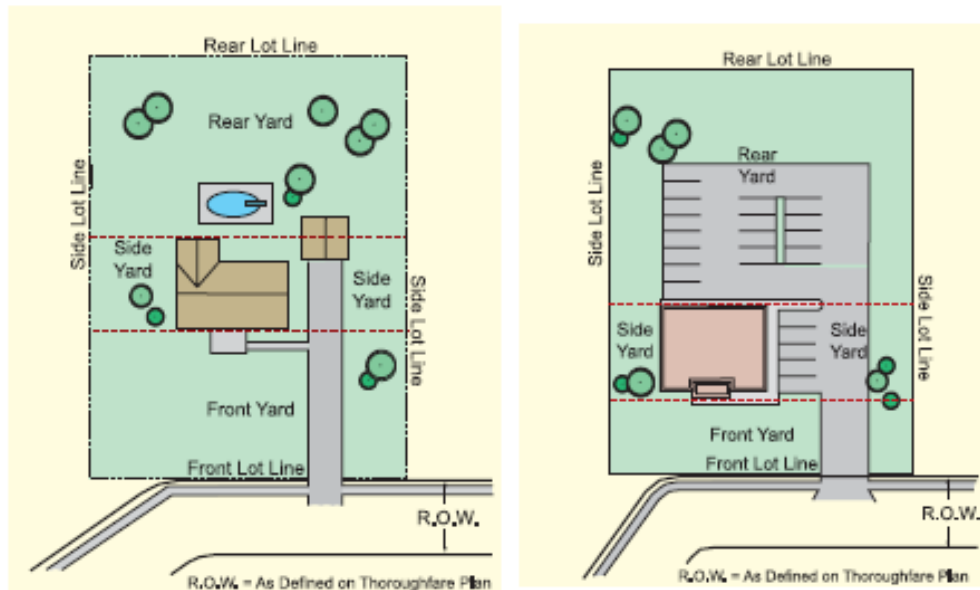
Public/Private Parking Area: A group of parking spaces in an open area not including any part of a street or alley, designed or used for temporary parking of motor vehicles.

Public Street: See Street, Public.

Public Utility: Any person, firm, or corporation duly authorized to furnish under public regulation to the public, electricity, gas, steam, telephone, fiber optics, transportation, water, or sewage systems.

Rear Lot Line: The lot line that is opposite the front lot line and farthest from it, except that for a triangular or other irregularly-shaped lot, the line ten feet long, parallel to the front lot line, and wholly within the lot, that is farthest from the lot line. (See Graphic for Rear Yard.)

Rear Yard: The horizontal space between the nearest foundation or structural appurtenance of a building to a rear lot line and that rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the foundation to the rear lot line.



Recreational Vehicle: A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping, and travel use and including but not limited to, travel trailers, truck campers, camping trailers, boats, and self-propelled motor homes.

Recreational Vehicle Park: Any commercially zoned site, lot, field, or tract of land under single ownership, or ownership of two or more people, designed with facilities for short term occupancy for recreational vehicles only.

Registered Land Surveyor: A land surveyor properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

Registered Professional Engineer: An engineer properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

Regular Sign Maintenance: Refers to any maintenance task that is done on a planned and ongoing basis to identify and prevent problems before they result in equipment failure.

Some common routine maintenance includes regular inspections or service work such as changing lightbulbs, cleaning, or replacing broken elements.

Regulatory Flood: A flood having a peak discharge which can be equaled or exceeded on the average of once in a 100-year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission; Further, this flood is equivalent to a flood having a 1% probability of occurrence in any given year.

Regulatory Floodway: The channel of a river or stream and those portions of the flood plains adjoining the channel which are reasonably required to efficiently carry and discharge peak flow of the regulatory flood of any river or stream and, is that area covered by floodwaters in significant downstream motion or covered by significant volumes of stored water during the occurrence of the regulatory flood.

Residential District: Refers to the RI, R2, R3, R4, R5, MI, M2 and MP Districts.

Residential Facility for the Developmentally Disabled (large): A residential facility which provides residential services for more than eight (8) developmentally disabled individuals as described in I.C. 12-28-4.

Residential Facility for the Developmentally Disabled (small): A residential facility which provides residential services for eight (8) developmentally disabled individuals or less as described in I.C. 12-28-4.

Residential Facility for the Mentally Ill: A residential facility which provides residential services for mentally ill individuals as described in I.C. 12-28-4. No two Residential Facilities for the Mentally Ill shall be within 3,000 feet of one another in the Kokomo planning jurisdiction as stated in Indiana Code.

Re-subdivision: A change in a recorded subdivision plat if such change affects any street layout or area reserved thereon for public use or any lot line or easement; or if it affects any map or plan legally recorded.

Retail, High Intensity: Retail businesses that have a high impact on neighboring properties, traffic generation, and public safety. Example businesses include a: boat sales, building finishes store, building supply store, department store, furniture store, grocery/supermarket, home electronics/appliance store, office supplies, sporting goods, superstore, variety store, and vehicle sales.

High intensity retail establishments draw in a high volume of vehicle trips and necessitates more than 50 parking spaces (using minimum parking standards in this ordinance). Very high intensity retail establishments also include vehicle and equipment sales that have less than 150 vehicles or pieces of equipment displayed outdoors at any given time.

Retail, Low Intensity: Retail businesses that have a low impact on neighboring properties, traffic generation, and public safety. Example businesses include a bakery, book store, convenience store, craft gallery, drug store, gift shop, and meat market.

Low intensity retail establishments do not necessitate more than 40 parking spaces (using minimum parking standards in this ordinance) or outdoor sales of merchandise.

Retail, Medium Intensity: Retail businesses that have a moderate impact on neighboring properties, traffic generation, and public safety. Example businesses include an antique shop, apparel shop, art and craft supplies, auto part sales, auto part sales, book store, boutique, building finishes store, building supply store, computer sales, convenience store, craft gallery, department store, drug store, fabric shop, furniture store, garden shop, gift shop, golf/tennis pro shop, grocery/supermarket, home electronics/appliance store, liquor sales, music/media shop, musical instruments store, office supplies, pawn shop, pet store, plant/tree shop, shoe sales, sporting goods, and variety store.

Medium intensity retail establishments do not necessitate more than 100 parking spaces (using minimum parking standards in this ordinance).

Retail, Special Handling: Retail businesses that sell products that require special handling due to risks to public safety. Example businesses include: fireworks sales, gun sales, and hunting stores.

Retail, Very High Intensity: Retail businesses that have a very high impact on neighboring properties, traffic generation, and public safety. Example businesses include a: boat sales, construction vehicle sales, farm equipment sales, heavy equipment sales, manufactured home sales, semi tractor-trailer sales, and vehicle sales.

Very high intensity retail establishments draw in a high volume of vehicle trips and necessitates more than 50 parking spaces (using minimum parking standards in this ordinance). Very high intensity retail establishments also include vehicle and equipment sales that have any number of vehicles or pieces of equipment displayed outdoors at any given time.

Retail, Very Low Intensity: Retail businesses that have very little impact on neighboring properties, traffic generation, and public safety. Example businesses include an: art gallery, flower shop, gift shop, jewelry store, and news dealer.

Low intensity retail establishments do not necessitate more than 25 parking spaces (using minimum parking standards in this ordinance) or outdoor sales of merchandise.

Right-of-Way: A strip of land occupied or intended to be occupied by transportation facilities, public utilities, or other special public uses. Rights-of-way intended for any use

involving maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right-of-way is established.

Retirement Community: An age-restricted development, which may include detached and attached dwelling units, apartments, and may also have a nursing home component.

ROW: See Right-of-Way.

Road: See Street.

Satellite Dish/Antenna: An apparatus capable of receiving communications from a transmitter relay located in a planetary orbit or broadcasted signals from transmitting towers.

School: A public or private institution which offers instruction in any of the branches of learning and study comparable to that taught in the public schools under the Indiana School Laws, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business, or commercial schools.

School, Trade, Business, or Commercial: An educational facility which offers instruction specific to a trade, business, or commercial.

Scrap Metal Yard: A general industrial use established independent or ancillary to and connected with another general industrial use, which is concerned exclusively in new and salvaged metal pipes, wire, beams, angles, rods, machinery, parts, filings, clippings, and/or all other metal items of every type, and which acquires such items incidental to its connection with the other general industrial use or by purchase, consignment or bailment which stores, grades, processes, melts, cuts, dismantles, compresses, cleans, or in any way prepares said items for reuse by the connected other general industrial use or for storage, sale or shipment and/or use in other industries or businesses including open hearth, electric furnaces and foundry operations. Such an establishment shall not include junk yards, dumps, or automobile or other vehicle graveyards.

The storage, dealing in or the permitting of the accumulation of significant quantities of combustible, organic or nonmetal scrap materials such as wood, paper, rags, garbage, bones and shattered glass on the premises of such an establishment will disqualify it from being classified as a scrap metal yard, and the same will be classified as a junk yard.

Secondary Plat: See Plat, Secondary.

Self-Storage Facility: A building or groups of buildings consisting of outside storage or individual, self-contained units leased to individuals, organizations, or businesses for self-service storage or personal property. Facility may include related accessory Uses including, without limitation, any one (1) or combination of the following: (i) administrative offices; (ii) ancillary retail sales (e.g., moving and packing supplies); (iii) mail or delivery boxes, and (iv) any other facilities approved by the Director that compliment and are intended as ancillary to serve such a facility.

Semitrailer: A vehicle without motive power, designed for carrying property and for being drawn by a motor vehicle, and so constructed that some part of the weight of the semitrailer and the semitrailer's load rests upon, or is carried by another vehicle.

Sexually Oriented Materials: Materials including still or motion pictures, books, magazines, other periodicals, or other depiction recorded on paper, electronic, digital, video, magnetic or other media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating Specified Sexual Activities" or "Specific Anatomical Areas"; or, instruments, devices, or paraphernalia either designed as a representation of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.

Sexually Oriented Retail Business: An establishment which advertises or holds itself in any forum as "XXX", "adult" or "sex", or which has stock in trade or floor area devoted to the sale, rental, or display of sexually Oriented materials.

Sexually Oriented Retail Business, Accessory: An establishment with at least ten percent (10%) but less than forty percent (40%) of its stock in trade or gross floor area devoted to the sale, rental, or display of sexually oriented materials.

Sexually Oriented Entertainment Business: An establishment which regularly offers live entertainment, lingerie or nude modeling, or presentation of motion pictures or publications by any photographic, electronic, digital, magnetic or other media which are distinguished or characterized by their emphasis on matter depicting, describing or relating "Specified Sexual Activities" or "Specific Anatomical Areas"; or, offers massage therapy or body work except when performed by a massage therapist licensed by the State of Indiana, certified by the National Certification Board for Therapeutic Massage and Bodywork or the American Massage Therapy Association, or under the direct supervision of a licensed physician; or, advertises or holds itself in any forum as "XXX", "adult", or "sex".

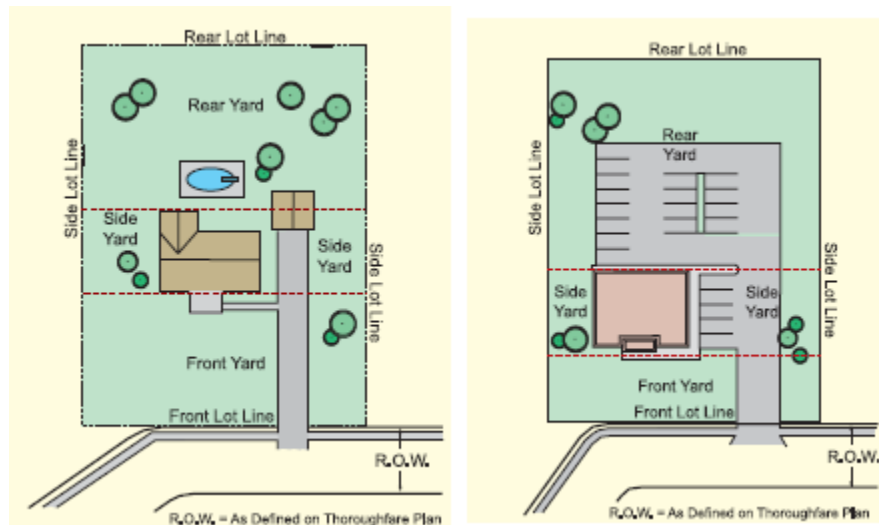
Setback: The minimum horizontal distance between the building line and a lot line or right-of-way. SFHA: See Special Flood Hazard Area.

SFHA: See Special Flood Hazard Area.

Shrub: A woody plant smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

Side Lot Line: A lot boundary line other than a front or rear lot line.
(SEE GRAPHIC UNDER "SIDE YARD".)

Side Yard: The horizontal space between the nearest foundation or structural appurtenance of a building to the side lot line and measured as the shortest distance from the foundation to the lot line.



Sign: Any name, identification, description, display, or illustration which is affixed to, painted on, or is represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization, or business. Religious symbols on places of worship or structures owned and operated by religious organizations shall not be considered a sign unless accompanied with text.

Sign, Ground: A sign in which the bottom edge of the sign is permanently affixed to the ground. A monument sign is another name for a Ground Sign.

Sign, Construction: Any sign announcing the names of architects, engineers, contractors, or other individuals or firms involved with the construction, alteration, or repair of a building project or announcing the character of the building enterprise or the purpose for which the project is intended.

Sign, Directional or Warning: An on-premise sign in front of a building containing information relative to expediting pedestrian or vehicular traffic flow and parking.

Sign, Gateway: A sign which identifies a planned district or plat, including office parks, industrial parks, or subdivisions with the intention of providing knowledge about the complete project and not a single entity or unit.

Sign, Identification: Any on-premise wall, projecting or free-standing sign identifying or advertising a business, product, service, use activity, or any combination thereof, conducted upon the premise where the sign is located.

Sign, Institutional: An on-premise sign identifying a society, corporation, or group facility of a public character.

Sign, Mural: A sign painted onto the side of a building, wall, ground, or structure. A mural sign is regulated as a wall sign in this Zoning Ordinance. Murals without a commercial message are not regulated by this Zoning Ordinance.

Sign, Non-Commercial: Any sign wording, logo or other representation that, directly or indirectly, does not name, advertise, or call attention to a business, product, service, or other commercial activity.

Sign, Off Premise Signs: A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located or to which it is affixed.

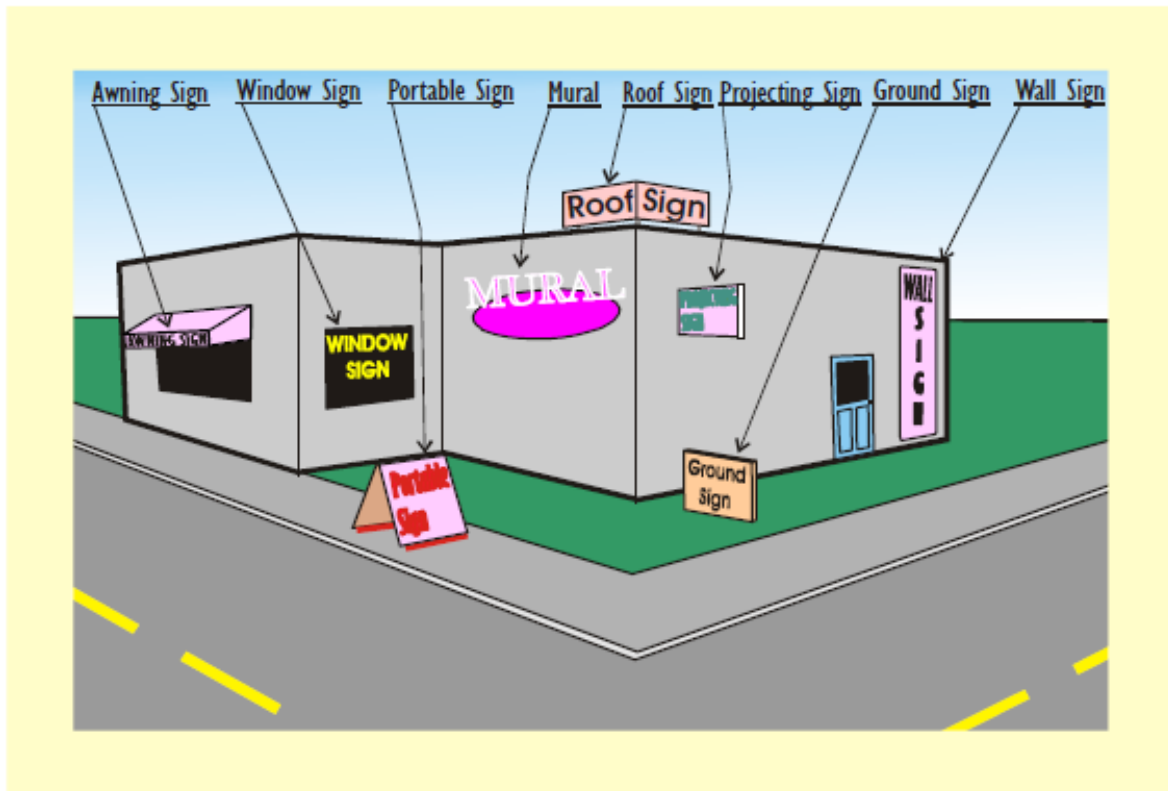
Sign, Pole: A sign which is supported by one or more uprights or braces in the ground with all of the sign surface attached to or supported by any such upright or brace and with the entire apparatus independent of any building or other structure.

Sign, Portable: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; menu or sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in normal day-to-day operations of the business.

Sign, Projecting: An on-premise sign attached to a building and extending beyond the surface of the building to which it is attached. It may extend beyond the building line or into right of ways.

Sign, Temporary: An on-premise advertising device not fixed to a permanent foundation, for the purpose of conveying information, knowledge, or ideas to the public about a subject related to the activities on the premises upon which it is located.

Signs, Types of: The graphic below depicts the primary types of signs. Regulations for the type of signs permitted will vary by zoning district.



Sign, Wall: An on-premise sign attached to the wall of a building or structure, also referred to as a fascia sign.

Small Box Discount Store: a retail store (a) with floor area less than 16,000 square feet; (b) that primarily offers for sale a combination and variety of convenience shopping goods and consumer shopping goods; and (c) continuously offers and advertises a majority of the items in their inventory for sale below retail market value. “Small Box Discount Store” shall not include the following: (i) drug stores or a convenience store attached to or collocated with gas stations and (ii) existing flea markets where there is operated a center for shopping among collected vendors selling merchandise to the public from marketing booths, stalls, tables, benches, and similar displays in marketing configurations and arrangements for the sale of new and used merchandise.

Special Exception: The authorization of a use that is designated as such by this Zoning Ordinance as being permitted in the district concerned if it meets special conditions, is found to be appropriate and upon application, is specifically authorized by the BZA.

Special Flood Hazard Area (SFHA): Those lands within the jurisdiction of the City that are subject to inundation by the regulatory flood. The SFHAs of the City are generally identified as such on the Flood Insurance Rate Map of the City prepared by the Federal Emergency Management Agency and dated August 3, 1981. The SFHAs of those parts of unincorporated

Howard County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for Howard County by the Federal Emergency Management Agency and dated July 16, 1981.

Special Handling Retail: See Retail, Special Handling.

Specified Anatomical Area: Less than completely and opaquely covered human genitals, pubic region, buttock, female breast below a point immediately above the top of the areola, and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Human genitals which are in a state of sexual stimulation or arousal; or, acts of human masturbation, sexual intercourse or sodomy; or, fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Storage, Outdoor: The outdoor accumulation of goods, motor vehicles, equipment, products, or materials for permanent or temporary holding.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

Any portion of a story exceeding 14 feet in height shall be considered as an additional story for each fourteen 14 feet or fraction thereof.

Street: Any vehicular right-of-way that:

- is an existing state, county, or municipal roadway,
- is shown upon a plat approved pursuant to law,
- is approved by other official action, or
- is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a planning board and the grant to such board to review plats; includes the land between the street lines, whether improved or unimproved.

Street, Local: A street designed primarily to provide access to abutting properties and discourage through traffic, as depicted by the Thoroughfare Plan within the Comprehensive Plan.

Street, Primary Arterial: A street with access control, restricted parking, and that collects and distributes traffic to and from secondary arterials, as depicted by the Thoroughfare Plan within the Comprehensive Plan.

Street, Private: Vehicular streets and driveways, paved or unpaved, which are wholly within private property except where they intersect with other streets within public rights-of-way and that are maintained by the owner(s).

Street, Public: All property dedicated or intended for public highway, freeway, or roadway purpose or subject to public easements therefor.

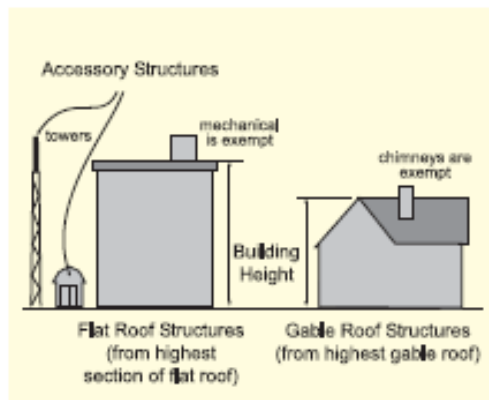
Street Wall: A vertical plane at the right-of-way line created by the facades of structures.

Streetscape: The entire system of streets, sidewalks and landscaping by which people circulate through and experience a neighborhood.

Structural Alterations: Any change in the supporting members of a building or structure such as bearing walls, partitions, columns, beams or girders, or any change in the footprint or increase in the size of living space. Also, substantial roofing and siding work when repairs are made to the structure beneath.

Structure: Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground, including but not limited to buildings, sheds, detached garages, mobile homes, manufactured homes, above-ground storage tanks, freestanding signs and other similar items.

Structure Height: The vertical distance measured from the lot ground level to the highest point of the roof.



Subdivision: The division of a parent tract or other piece of land into at least 2 smaller lots or the combination of two or more smaller lots into one lot so that, either now or in the future, the subdivider can transfer ownership, construct buildings or establish a use other than vacant, or create new building sites for leasehold, and as further defined in the Kokomo Subdivision Control Ordinance.

Swimming Pool: A self-contained body of water at least 18 inches deep and 8 feet in diameter or width and used for recreational purposes. It may be above or below ground level and shall be considered an accessory structure/use.

Telecommunication Facility: See Wireless Telecommunication Facility.

Temporary Improvement Location Permit: A permit issued under the Zoning Ordinance permitting a temporary use or structure not to exceed 2 months. One (1) extension of 2 months may be authorized by the Planning Director for reason/cause.

Temporary Use/Structure: A land use or structure established for a limited and fixed period of no more than 4 months with the intent to discontinue such use or structure upon the expiration of the time period.

Theater: A facility for audio and visual productions and performing arts, excluding adult motion picture theaters and adult entertainment businesses.

Thoroughfare Plan: The official plan, now and hereafter adopted, which includes a street plan, sets forth the location, alignment, dimensions, identification, and classification of existing and proposed streets, and other thoroughfares, as found in the Kokomo Comprehensive Plan.

TIA: Telecommunication Industry Association.

Tower: See Wireless Telecommunications Tower.

Tower Accessory Structure: Any structure located at the base of a tower for housing base receiving or transmitting equipment.

Tractor: A motor vehicle designed and used primarily for drawing or propelling trailers, semitrailers, or vehicles of any kind

Trailer: A vehicle without motive power, designed for carrying persons or property, designed for being drawn by a motor vehicle; and, so constructed that no part of the weight of the trailer rests upon the towing vehicle.

Truck: A motor vehicle designed, used, or maintained primarily for the transportation of property.

truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, or a motorized bicycle.

Very High Intensity Retail: See Retail, Very High Intensity.

Very Low Intensity Retail: See Retail, Very Low Intensity.

Warehouse: A building or lot used primarily for the storage of goods and materials, but specifically excluding self-storage facilities.

Wind to Energy System Height: The overall height above grade of the wind energy tower plus the rotor.

Wind to Energy Tower Height: The height above grade of the fixed portion of the tower, excluding the rotor.

Wireless Communications: Any personal wireless services as defined in the Federal Telecommunications Act of 1996, as amended, including FCC licensed commercial wireless telecommunications services such as cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), global system of mobile communication (GSM), paging and similar services that currently exist or may be developed.

Wireless Telecommunications Facility: A site that houses a telecommunications tower, support structure, antennas, accessory structures and/or associated radio or cellular communications equipment.

Wireless Telecommunications Tower: A monopole or lattice structure situated on a site used to support antennas and radio or cellular communications equipment.

Yard: A space on the same lot with a principal building that is open and unobstructed except as otherwise authorized by this Zoning Ordinance. All required yards shall be kept free of all material including but not limited to, buildings, structures, material for sale, storage, advertising or display to attract attention and parking lots.

Zoning Administrator: see Planning Director.

Zoning District: See District.

Zoning Map: See Official Zoning Map.