CHAPTER 10

ZONING, PLANNING AND DEVELOPMENT

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* Editor's Note: Former Section 6.11.06 through Section 6.11.08 can now be found in Article 16, Section 10-461 of this chapter, the Greenwood Municipal Code per Greenwood Common Council Ord. No. 99-01 adopted January 18, 1999.

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*Editor's Note: Former section 10-114 can now be found in the new Article 16, Section 10-462 of this chapter, of the Greenwood Municipal Code per Greenwood Common Council Ord. No. 99-01, adopted January 18, 1999.

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Editor's Note: New Sections 10-461, 10-462 and 10-463 are the previous section 10-95 and 10-114 of this chapter.* *(See previous Sec. 10-95 for the last of the definitions and previous Sec. 10-114 for subsections 7.05.01 and 7.05.02 of the Greenwood Municipal Code per Greenwood Common Council Ord. No. 99-01 adopted January 18, 1999.)***.

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CHAPTER 10

ZONING, PLANNING AND DEVELOPMENT

ARTICLE 1. ESTABLISHMENT OF DISTRICTS, PROVISIONS FOR THE OFFICIAL ZONING MAP.

Sec. 10-1 Official Zoning Map. [1]

(a) The City is divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this Chapter. (Ord. No. 82-1, 2-9-82; 1983 *Greenwood Municipal Code*, Appendix A, Art. 1, Sec. 1)

(b) The new Official Zoning Map shall be identified by the signature of the President of the Plan Commission and attested by the Director of Planning and Zoning under the following words: "This is to certify that this is the Official Zoning Map of the City of Greenwood, adopted this ___ day of ____, _____ , and hereby supersedes and replaces any and all previous zoning maps.

_____ _____

Plan Commission President Director of Planning and Zoning"

The new Official Zoning Map, as corrected, is incorporated herein by reference. (Ord. No. 86-56, § 2, 11-3-86)

(c) The Official Zoning Map shall be located in the office of the Director of Planning of the City of Greenwood. (Ord. No. 86-56, § 3, 11-3-86)

(d) Two (2) copies of the Official Zoning Map are on file in the office of the Clerk-Treasurer of the City of Greenwood and the Common Council directs the Clerk-Treasurer to maintain for public inspection two (2) copies of said map in the files of the Clerk-Treasurer. (Ord. No. 86-56, § 4, 11-3-86)

(e) The Greenwood Plan Commission is continued to be authorized to make previously adopted changes to the Official Zoning Map of the City of Greenwood incorporated herein. (Ord. No. 86-56, § 5, 11-3-86)

(f) No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under this Chapter.

1 I.C., 36-7-4-608, addresses the procedure for changing zoning maps.

(g) Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Director of Planning and Zoning shall be the final authority as to the current zoning status of land and water areas, building, and other structures in the City. [2]

Sec. 10-2 Replacement of Official Zoning Map.

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Plan Commission may by Resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map.

The new Official Zoning Map shall be identified by the signature of the President of the Plan Commission and Attested by the Director of Planning and Zoning under the following words:

"This is to certify that this is the Official Zoning Map of the City of Greenwood, adopted this _____ _____ day of _____,_____, and hereby supersedes and replaces any and all previous zoning maps.

_____ _____

Plan Commission President Director of Planning and Zoning"

Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

Sec. 10-3 through 10-19 Reserved for Future Use.

ARTICLE 2. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES. [3]

Sec. 10-20 Rules Governing District Boundaries.

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply. (1983 *Greenwood Municipal Code*, Appendix A, Art. 2)

Sec. 10-21 Centerlines of Streets.

Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines. (1983 *Greenwood Municipal Code*, Appendix A, Art. 2, § 1)

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[2] Editor's Note: At the time of the 1993 codification, Ord. No. 86-56 passed on November 3, 1986, officially corrected errors and omissions of the Official Zoning Map and is incorporated herein by reference.

[3] *I.C.,* 36-7-4-604, addresses zoning districts generally.

Sec. 10-22 Platted Lot Lines.

Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines. (1983 *Greenwood Municipal Code*, Appendix A, Art. 2, § 2)

Sec. 10-23 City Limits.

Boundaries indicated as approximately following City limits shall be construed as following such City limits. (1983 *Greenwood Municipal Code,* Appendix A, Art. 2, § 3)

Sec. 10-24 Railroad Lines.

Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks. (1983 *Greenwood Municipal Code*, Appendix A, Art. 2, § 4)

Sec. 10-25 Shorelines.

Boundaries indicated as following shorelines shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines. (1983 *Greenwood Municipal Code,* Appendix A, Art. 2, § 5)

Sec. 10-26 Parallel Lines or Extensions.

Boundaries indicated as parallel to or extensions of features indicated in Sections 10-21 through 10-25 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map. (1983 *Greenwood Municipal Code*, Appendix A, Art. 2, § 6)

Sec. 10-27 Conflicts to Official Zoning Map.

Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Sections 10-21 through 10-26 above, the Board of Zoning Appeals shall interpret the district boundaries. (1983 *Greenwood Municipal Code*, Appendix A, Art. 2, § 7)

Sec. 10-28 Lots Divided by District Boundaries.

Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Board of Zoning Appeals may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot. (1983 *Greenwood Municipal Code*, Appendix A, Art. 2, § 8)

Sec. 10-29 through 10-39 Reserved for Future Use.

ARTICLE 3. APPLICATION OF DISTRICT REGULATIONS.

Sec. 10-40 Minimum District Regulations.

The regulations set by this Chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided. (1983 *Greenwood Municipal Code*, Appendix A, Art. 3)

Sec. 10-41 Conformance with this Chapter.

No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located. (1983 *Greenwood Municipal Code*, Appendix A, Art. 3, § 1)

Sec. 10-42 Buildings and Structures shall Conform.

No building or other structure shall hereafter be erected or altered:

(a) to exceed the height or bulk;

(b) to accommodate or house a greater number of families;

(c) to occupy a greater percentage of lot area;

(d) to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this Chapter. (1983 *Greenwood Municipal Code*, Appendix A, Art. 3, § 2)

Sec. 10-43 Yards, Open Space, and Parking.

No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building. (1983 *Greenwood Municipal Code*, Appendix A, Art. 3, § 3)

Sec. 10-44 Lot or Yard Dimensions.

No yard or lot existing at the time of passage of Ord. No. 82-1, shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of Ord. No. 82-1 shall meet at least the minimum requirements established by Ord. No. 82-1. (1983 *Greenwood Municipal Code*, Appendix A, Art. 3, § 4)

Sec. 10-45 Annexed Territories to be R-l Districts.

All territory which may hereafter be annexed to the City shall be considered to be in the R-l Single-Family District until or unless otherwise classified. (1983 *Greenwood Municipal Code*, Appendix A, Art. 3, § 5)

Section 10-46 through Section 10-49 Reserved for Future Use.

ARTICLE 4. NONCONFORMING LOTS, NONCONFORMING USES OF LAND, NONCONFORMING STRUCTURES, NONCONFORMING USES OF STRUCTURES AND PREMISES, AND NONCONFORMING CHARACTERISTICS OF USE.

Sec. 10-50 Intent.

Within the districts established by Ord. No. 82-1, or amendments that may later be adopted, there exist:

(a) lots,

(b) structures,

(c) uses of land and structures, and

(d) characteristics of use,

which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Chapter or future amendments. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Nonconforming uses are declared by Ord. No. 82-1 to be incompatible with permitted uses in the districts involved. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of structure and land in combination shall not be extended, or enlarged after passage of Ord. No. 82-1 by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption of amendment of this Ordinance and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal has been substantially begun preparatory to building, such excavation, demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently. (1983 *Greenwood Municipal Code,* Appendix A, Art. 4, § 1)

Sec. 10-51 Nonconforming Lots of Record.

In any district in which single-family dwellings are permitted, a single-family dwelling, and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of the Ordinance, notwithstanding limitations imposed by other provisions of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than these applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Board of Zoning Appeals.

If two (2) or more lots or combinations of lots and portions of lots having continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements established for the lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by the Ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this Chapter. (1983 *Greenwood Municipal Code*, Appendix A, Art. 4, § 2)

Sec. 10-52 Nonconforming Uses of Land (or Land with Minor Structures Only).

Where at the time of passage of this Ordinance lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, and where such involves no individual structure with a replacement cost exceeding Five Thousand Dollars ($5,000.00) the use may be continued so long as it remains otherwise lawful, provided:

(a) No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of Ord. No. 82-1;

(b) No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of Ordinance 82-1;

(c) If any such nonconforming use of land ceases for any reason for a period of more than one hundred eighty (180) days, any subsequent use of such land shall conform to the regulations specified by this Chapter for the district in which such land is located;

(d) No additional structure not conforming to the requirements of this Chapter shall be erected in connection with such nonconforming uses of land. (1983 *Greenwood Municipal Code*, Appendix A, Art. 4, § 3)

Sec. 10-53 Nonconforming Structures.

Where a lawful structure exists at the effective date of adoption or amendment of Ord. No. 82-1 that could not be built under the terms of Ord. No. 82-1 by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

(a) No such nonconforming structures may be enlarged or altered in any way which increases its nonconformity except by obtaining a variance from the Board of Zoning Appeals as provided in Section 10 of this Chapter; but any structure or portion thereof may be altered to decrease its nonconformity;

(b) Should such nonconforming structure or nonconforming portion of structure be destroyed by any means to an extent of more than fifty-one percent (51%) of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Chapter;

(c) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved. (1983 *Greenwood Municipal Code,* Appendix A, Art. 4, § 4)

Sec. 10-54 Nonconforming Uses of Structures and/or Premises.

If lawful use involving individual structures with a replacement cost of Ten Thousand Dollars ($10,000.00) or more, or of structure and premises in combination, exists at the effective date of adoption or amendment of Ord. No. 82-1, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

(a) No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located, except by obtaining a variance from the Board of Zoning Appeals as provided in original Section 10 of this Chapter;

(b) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of Ord. No. 82-1, but no such use shall be extended to occupy any land outside such building;

(c) If no structural alterations are made, any nonconforming use of a structure or structure and premises may by a variance be changed to another nonconforming use provided that the Board of Zoning Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of Zoning appeals may require appropriate conditions and safeguards in accord with the provisions of this Ordinance;

(d) Any structure, or structure and land in combination, or in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use not thereafter be resumed;

(e) When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six (6) consecutive months, or for eighteen (18) months during any three (3) year period (except when government action impedes access to the premises), the structure, or structures and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located;

(f) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of fifty-one percent (51%) of the replacement cost at the time of destruction. (1983 *Greenwood Municipal Code*, Appendix A, Art. 4, § 5)

Sec. 10-55 Repairs and Maintenance.

On any nonconforming structure or portions of a structure containing nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, to an extent not exceeding fifty-one percent (51%) of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased.

If a nonconforming structure or portion of a structure containing nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located. (1983 *Greenwood Municipal Code*, Appendix A, Art. 4, § 6)

Sec. 10-56 through 10-59 Reserved for Future Use.

ARTICLE 5. SCHEDULE OF DISTRICT REGULATIONS ADOPTED.

Sec. 10-60 Introduction—*Listing of Districts.*

District regulations shall be as set forth in the Schedule of District Regulations, hereby adopted by reference and declared to be a part of this Chapter and in Article 6 of this Chapter entitled "Supplementary District Regulations."

There are created for zoning purposes within the territory under the jurisdiction of the Greenwood City Planning Commission classes of districts with the following names and designations:

(new)	JA*	Jurisdictional Area
(formerly A-l)	SF	Suburban Fringe
(new)	ROS	Recreational Open Space
(new)	FH*	Flood Hazard
(same)	R-l	Residential—Single-Family
(same)	R-2	Residential—Single-Family
(new)	R-2A	Residential—Single-Family
(new)	R-2B	Residential—Single-Family (Ord. 02-01, §1, 2-18-02)
(same)	R-3	Residential—Two and Multi-Family
(new)	R-6	Residential—Mobile Home Park
(same)	B-l	Business—Professional and Office
(same)	C-l	Commercial—Neighborhood
(same)	C-2	Commercial—Tourist
(same)	C-3	Commercial—General
(formerly P -I)	I-l	Industrial—Light
(formerly I)	I-2	Industrial—Heavy
(same revised)	PUD	Planned Unit Development

(1983 *Greenwood Municipal Code*, Appendix A, Art. 5)

*Not intended to be independent zoning districts, but areas with special designations and possibly special requirements, i.e., the "FH" would be contained within a special zoning district and the "JA" would encompass several specific zoning districts.

Sec. 10-61 JA—Jurisdictional Area.

The zoning class Jurisdictional Area (JA) shall be used to designate the unincorporated areas contiguous to the City of Greenwood over which the City has obtained zoning and building jurisdiction by ordinance from the Johnson County Commissioners pursuant to the procedures and regulations set forth by *I.C.*, 36-7-4-205.

The Jurisdictional Area (JA) boundaries shall be legally described in said ordinance. The Jurisdictional Area shall be marked and properly labeled on the "Official Zoning Map" of the City of Greenwood. Development and/or construction within the Jurisdictional Area (JA) shall be subject to the procedures and requirements set forth by the Greenwood Zoning Ordinance Number 82-1, as amended, Subdivision Control Ordinance Number 84-7, (Article 15 of this Chapter) as amended , and Sign Code Ordinance Number 83-3, (Article 14 of this Chapter) as amended .

The Jurisdictional Area (JA) shall be represented by two (2) additional members being appointed to the Greenwood City Plan Commission as required by *I.C.*, 36-7-4-214. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 1)

Sec. 10-62 SF—Suburban Fringe.

This district is intended to provide for the land situated near the fringe of the City or within the corporate limits of the City that is used for agricultural purposes but will be undergoing urbanization in the near future. Many tracts in this district will be near residential and commercial uses. Therefore, the agricultural activities conducted in this district should not be detrimental to urban land uses. It is not intended that this district provide a location for a lower standard of residential, commercial, or industrial development than is authorized in other districts. The types of uses, required area, and intensity of use of land which are permitted in this district are designed to permit agricultural uses so long as the land therein is devoted primarily to agriculture. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 2)

Sec. 10-63 ROS—Recreational Open Space.

The intent of Recreational Open Space (ROS) Zoning Districts is to protect and preserve open land as required to provide necessary public recreational areas, to preserve natural and cultural features of community importance, to provide areas of noncommercial recreation, and to provide necessary drainage ways and guard against water pollution, enforceable by the Indiana Department of Health. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 3)

Sec. 10-64 FH—Flood Hazard.

The purpose of the Flood Hazard (FH) District is to guide development in flood plains and flood hazard areas. These districts shall coincide with those established by the Indiana Department of Natural Resources over which the Department of Natural Resources exercises primary jurisdiction within the flooding district under the provisions of Chapter 318, Acts of 1945, as amended (*I.C.*, 1971, 13-2-22). The Greenwood Plan Commission reserves the right to place terms and conditions on any permit it issues in the flood hazard district which may be more restrictive than those imposed by the Department of Natural Resources. The Flood Hazard (FH) District may stand by itself or may be combined with any district which the Plan Commission deems appropriate. Generally speaking, all buildings constructed in this district shall be two (2) feet above regulatory flood profiles as established by the Department of Natural Resources. Where the Flood Hazard (FH) District overlaps with any other district, the uses permitted by right or by special exception in the other district shall be constructed to have a flood protection grade at least two (2) feet above the regulatory flood profile as established by the Department of Natural Resources.

The degree of flood protection established in this Chapter is considered reasonable for regulatory purposes and is based on engineering and scientific considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes such as ice or debris

jams. This Ordinance does not imply that areas outside flood hazard districts as defined herein will be free of flooding or flood damage. This Ordinance does not create any liability on the part of the City of Greenwood, the Department of Natural Resources, the State of Indiana, or any elected or appointed official or employee thereof for any flood damages that result from reliance on this Ordinance, or any administrative decision lawfully made thereunder. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 4)

Sec. 10-65 R-l—Residential—Single-Family.

This is the most restrictive residential district. The principal use of land is for single family dwellings and related recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area. These residential areas are intended to be defined and protected from the encroachment of uses which are not appropriate to residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and thorough consideration of the proper functional relationship and arrangement of each element. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 5)

Sec. 10-66 R-2—Residential—Single-Family.

This is a residential district to provide for a slightly higher population density but with basic restrictions similar to the R-l District. The principal use of land is for single-family and related recreational, religious, and educational facilities normally required to provide a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and the thorough consideration of the proper functional relationship and arrangement of each element. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 6)

Sec. 10-67 R-2A—Residential—Single-Family.

This is a residential district to provide for a higher population density than the R-2 District, yet at the same time maintain the integrity and provide the use of single-family dwellings. The principal use of land is for single-family and related recreational, religious, and educational facilities normally required to provide a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and thorough consideration of the proper functional relationship and arrangement of each element. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 7)

Sec. 10-68 R-2B—Residential—Single-Family.

This is a residential district to provide for a higher population density than the R-2 District, yet at the same time maintain the integrity and provide the use of single-family dwellings. The principal use of land is for single-family and related recreational, religious, and educational facilities normally required to provide a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and thorough consideration of the proper functional relationship and arrangement of each element. (1983 *Greenwood Municipal*

Sec. 10-69 R-3—Residential—Multiple Family.

This is a residential district to provide for medium to relatively high population density. The principal use of land can range from single family to any dwelling unit not exceeding eight (8) families. *Development plan approval is required for all permitted uses in this zoning district, except single family uses. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 8; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-70 R-4—Residential—Multiple Family.

This is a residential district to provide for high density population. The principal use of land is the attached multi-family dwelling. Internal stability, attractiveness, order, and efficiency are encouraged by providing adequate light, air, and open space for multi-family dwellings and thorough consideration of the proper functional relationship of each element. *Development plan approval is required for all permitted uses in the R-4 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 9; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-71 R-6—Mobile Home Park.

This is a residential district to provide for relatively high density population. The principal use of land is single-family mobile home dwellings. A "mobile home park" shall be defined as meaning any plot of ground upon which five (5) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation. *Development plan approval is required for all permitted uses in the R-6 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 10; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-72 B-l—Business—Professional and Office.

This business district is for the conduct of office and professional services or other services that are compatible to the adjacent residential neighborhood and closely associated with residential, religious, recreational and educational uses. More restrictive requirements for light, air, open space, and off-street **parking** are required than are provided for in other districts. The purpose of the B-l District is to

encourage the practice of grouping the offices of such uses as professional, executive, administrative, accounting, clerical, and other similar uses. All of these are uses which would not conflict drastically with residential use. For this reason, the B-l District would best be located as a buffer between more intensive non-residential areas and residential areas. *Development plan approval is required for all permitted uses in the B-1 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 11; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-73 C-l—Commercial—Neighborhood Shopping.

The C-l Commercial district is for the conduct of retail trade and personal service enterprises to meet the regular needs and for the convenience of the people of adjacent residential areas. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational, and educational uses, more restrictive requirements for light, air, open space, and off-street parking are made than are provided in other commercial districts. *Development plan approval is required for all permitted uses in the C-1 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 12; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-74 C-2—Commercial—Tourist.

The C-2 Commercial District is intended to provide commercial lodging, recreation, personal services, restaurants, retail stores, and general businesses designed to service the traveling public as well as local residents. These districts are generally preferred to be located along a major highway or thoroughfare to best serve the purpose of the C-2 District. *Development plan approval is required for all permitted uses in the C-2 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 13; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-75 C-3—Commercial—Regional.

The purpose of the C-3 District is intended to encourage the conduct of personal business services and general retail business of the community to meet the needs of a regional market area. Due to the "regional" nature of the district and the large scale of traffic generated it is absolutely essential that C-3 districts be located on a major thoroughfare or highway. Traffic flow and off-street parking accommodations must be carefully and strategically planned. *Development plan approval is required for all permitted uses in the C-3 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 14; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-76 I-l—Industrial—Light.

The purpose of the I-l district is to encourage the development of assembling, manufacturing, and warehousing that are conducted so the noise, odor, dust and glare and all working operations occur entirely within enclosed structures. These industries may require direct access to rail, air, or street transportation facilities; however, the size and volume of the raw materials and finished products

involved should not produce the volume of freight generated by the uses of the heavy industrial district. Structures in the I-l district should be architecturally attractive and surrounded by landscaped yards. This district is further designed to act as a transitional use between heavy industrial districts and less intensive uses such as commercial or residential. *Development plan approval is required for all permitted uses in the I-1 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 15; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-77 I-2—Industrial—Heavy.

The purpose of the I-2 district is to encourage the development of major manufacturing, processing, warehousing, and major research and testing operations. These activities require extensive community facilities and reasonably good access to rail and air transportation as well as good access to major thoroughfares and the interstate highway system. They may also have extensive open storage and service areas and may generate heavy industrial traffic, but shall be prohibited if they create nuisances beyond the limitations of this ordinance. *Development plan approval is required for all permitted uses in the I-2 zoning district. See Article 16 for development plan regulations.* (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 16; Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-78 PUD—Planned Unit Development.

The purpose of a PUD District is to promote the progressive development of land and construction thereon. Planned unit developments are large-scale developments incorporating a variety of residential uses with related recreational, business, commercial, or industrial uses which are planned and developed as a single unit. A PUD shall be a separate entity with a distinct character in harmony with surrounding development. The regulations controlling a PUD within each zoning district are intended to have enough flexibility to produce:

(a) A maximum choice in the types of living environments;

(b) Open space and recreational areas directly related to the intended users and if permitted as part of the project, more convenience in the location of accessory commercial uses and services;

(c) A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents erosion and the disruption of natural drainage patterns;

(d) A development of stable character in harmony with the land use density, transportation facilities, and communities facilities objectives of the comprehensive plan;

(e) A more desirable environment than would be possible through the strict application of other sections of this Ordinance. (1983 *Greenwood Municipal Code*, Appendix A, Art. 5, § 17)

Sec. 10-79 through 10-84 Reserved for Future Use.

ZONING, PLANNING AND DEVELOPMENT

TABLE A & TABLE D (Merged)
OFFICAL SCHEDULE OF USES
RESIDENTIAL, INDUSTRIAL & COMMERCIAL DISTRICTS

Legend

	Permitted Uses	Intensity Level (IL)	
S	Special Exception	L = Low	
	Prohibited Uses	M = Medium	
		H = High	

	CATEGORY	IL	SF	R1	R2	R2A	R2B	R3	R4	R6	B1	C1	C2	C3	I1	I2	PUD	FH	ROS	
1	Single-Family Dwellings	n/a																		1
2	Two-Family Dwellings (Doubles)	n/a																		2
3	Multi-Family Dwellings (8 units; building maximum)	n/a																		3
4	Multi-Family Dwellings (No Maximum Unit)	n/a																		4
5	Attached Single-Family Dwellings (Cluster dwellings)	n/a																		5
6	Planned Unit Development (Residential)	n/a																		6
7	Planned Unit Development (Commercial)	n/a																		7
8	Planned Unit Development (Industrial)	n/a																		8
9	Planned Unit Development (Combination)	n/a																		9
10	Mobile Home Parks	M																		10
11	Accessory Buildings	n/a																		11
12	Home Occupations	L																		12
13	Mobile Home Park Management Office	L																		13
14	Mobile Home Park Sales Lot or Office	M																		14
15	Apartment Management Office	L																		15
16	Temporary Construction or Real Estate Office	L																		16
17	Dormitories, Fraternities, Sororities	M	S																	17
18	Plant Nurseries	H																		18
19	Vineyards and Orchards	H																		19
20	Wildlife Preserves	L																		20
21	Nature Preserves	L																		21
22	Conversation District	L																		22
23	Public Swimming Pools	H	S	S	S	S	S	S	S	S	S									23
24	Private Clubs or Camps	H	S																	24
25	Parking Lots	H																		25
26	Parks or Playgrounds	H																		26
27	Golf Courses and Driving Ranges	H	S	S	S	S	S	S	S	S	S									27
28	Public/Parochial Schools	H	S	S	S	S	S	S	S	S										28
29	Nursery Schools, Daycare Centers	M	S	S	S	S	S	S	S	S										29
30	Churches	M	S	S	S	S	S	S	S	S										30
31	Cemeteries	H	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		31
32	Funeral Homes	M	S	S	S	S	S	S	S	S	S									32
33	Boarding House	L	S	S	S	S	S	S	S	S										33
34	Fire or Police Stations	H	S	S	S	S	S	S	S	S								S		34
35	Public and Private Utility Services and Facilities	M																		35
36	Temporary or Seasonal Uses (Circus, Fairs, Camps, Etc.)	H																S	S	36
37	Transportation Facilities (Bridges, Fords, Railroads)	M																		37
38	Water Management Facilities (Dams, Dikes, Canals)	L																		38

ZONING, PLANNING AND DEVELOPMENT

TABLE A & TABLE D (Merged)
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Legend

	Permitted Uses	Intensity Level (IL)	
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	CATEGORY	IL	SF	R1	R2	R2A	R2B	R3	R4	R6	B1	C1	C2	C3	I1	I2	PUD	FH	ROS	
39	Flood Tolerant Uses	M																S		39
40	College and Universities	H	S	S	S	S	S	S	S		S									40
41	Utility Treatment or Generative Facilities	H	S	S	S	S	S	S	S	S	S						S	S		41
42	Community Centers	L	S	S	S	S	S	S	S	S										42
43	Detached Single-Family Zero Lot Line Dwellings	n/a																		43
44	Riding Academies, Stables	M	S														S	S	S	44
45	Public Works Facilities (Equipment, Maintenance, Materials)	H																		45
46	Group Homes (protected under I.C. 16-13-21-12 Dev. Disabled)	L																		46
47	Group Homes/all other group homes	L	S					S	S	S	S						S			47
48	Agricultural – Crops & Pastures	H																		48
49	01 Agricultural – Crops only	H																		49
50	02 Agricultural – Livestock	H																		50
51	07 Agricultural – Elevator, Feedmill, Fertilizer, Other Services	L	S																	51
52	Agricultural – Enclosed Confined Feeding	H	S																	52
53	Agricultural – Confined Feed Lot	H	S																	53
54	Roadside Produce Stand	M	S																	54
55	074 Veterinary	L	S																	55
56	075 Animal Services – Except Veterinary, including kennels	M	S																	56
57	08 Forestry Preserve	L																		57
58	Public Zoological & Botanical Gardens	L	S														S	S		58
59	09 Fishing, Hunting, Trapping	L																		59
60	10 Metal Mining	H																		60
61	11 Anthracite Mining	H																		61
62	12 Bituminous Coal and Lignite Mining	H																		62
63	13 Oil and Gas Extraction	H																		63
64	14 Mining/Qarrying Non-Metallic Minerals	H	S															S		64
65	15 Building Construction – General Contractors, Oper. Bldrs.	H																		65
66	16 Construction Other than Buildings – Heavy Contractors	H																		66
67	17 Construction – Special Trade Contractors	H																		67
68	20 Manufacturing – Food & Kindred Products	M																		68
69	21 Manufacturing – Tabacco	M																		69
70	22 Manufacturing – Textile Mill Products	H																		70
71	23 Manufacturing – Apparel and Finished Products	H																		71

ZONING, PLANNING AND DEVELOPMENT

TABLE A & TABLE D (Merged)
OFFICAL SCHEDULE OF USES
RESIDENTIAL, INDUSTRIAL & COMMERCIAL DISTRICTS

Legend

	Permitted Uses	Intensity Level (IL)	P. 3 of 6
S	Special Exception	L = Low	
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		H = High	

	CATEGORY	IL	SF	R1	R2	R2A	R2B	R3	R4	R6	B1	C1	C2	C3	I1	I2	PUD	FH	ROS	
72	24 Manufacturing – Lumber/ Wood Products	M																		72
73	26 Manufacturing – Furniture/ Fixtures	H																		73
74	261 Pulp Mill	H																		74
75	262 Paper Mill	H																		75
76	263 Paperboard Mill	H																		76
77	27 Manufacturing – Printing, Publishing, Allied Industries	M																		77
78	271 Newspapers	M																		78
79	272 Commercial Printing – Small Retailer	L																		79
80	279 Printing Trade Services	M																		80
81	28 Manufacturing – Chemicals and Allied Products	H																		81
82	29 Manufacturing – Petroleum Refining, and Related Industry	H																		82
83	30 Manufacturing – Rubber and Plastic Products	H																		83
84	31 Manufacturing – Leather and Leather Products	L																		84
85	32 Manufacturing – Stone, Clay, Glass, Concrete	L																		85
86	33 Manufacturing – Primary Metals	H																		86
87	34 Manufacturing – Fabricated Metal Products except machinery	H																		87
88	35 Manufacturing – Machinery except electrical	H																		88
89	36 Manufacturing – Electrical, Electronics Mach. & Equip.	M																		89
90	37 Manufacturing – Transportation Equip.	M																		90
91	38 Manufacturing – Measuring, Analyzing, Instruments, Photo	M																		91
92	39 Manufacturing – Miscellaneous	M																		92
93	40 Railroad Transportation	H																		93
94	4011 Railroad Line-Hauling	H																		94
95	4013 Switching and Terminal Services (Eng. Yards)	H																		95
96	404 Railway Express Service (Public Depots)	H																		96
97	41 Local Suburban Transit – Intr. Urban Hwy. Trans.	M																		97
98	42 Motor Freight Trans & Warehouse (except those below)	H																		98
99	422 Public Warehouse	H																		99
100	43 U.S. Postal Service	H																		100
101	44 Water Transportation	M																		101
102	45 Transportation by Air (Private or Public Airfield)	H	S														S	S		102
103	46 Popelines, except natural gas	L																		103

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	CATEGORY	IL	SF	R1	R2	R2A	R2B	R3	R4	R6	B1	C1	C2	C3	I1	I2	PUD	FH	ROS	
104	47 Transportation Services	H																		104
105	48 Communication	L																		105
106	49 Electric, Gas, Sanitary Services	L																		106
107	50 *Wholesale Trade – Durable goods	M											S	S						107
108	51 *Wholesale Trade – Non Durable goods	M											S	S						108
109	52 Retail – Building Materials, Hardware, Garden, Mobile Homes	H																		109
110	53 Retail – General Merchandise	M																		110
111	54 Retail – Food Stores	M																		111
112	55 Retail – Auto Dealers, Gasoline, Service	H																		112
113	56 Retail – Apparel and Accessory Stores	L																		113
114	57 Retail – Furniture, Equipment, Furnishings	L																		114
115	58 Eating & Drinking Places - except those below	M																		115
116	5812 Eating Places – Restaurants and Drive-Ins	H																		116
117	5813 Drinking Places – Bars, Taverns, Lounge	L																		117
118	59 Retail – Miscellaneous, except those listed below	M																		118
119	596 Non-store Retailers	M																		119
120	598 Ice and Fuel Dealers	H																		120
121	60 Banking	M																		121
122	61 Credit Agencies Other than Banks	L																		122
123	62 Security and Commodity Brokers, Dealers, Exchange	L																		123
124	63 Insurance Companies	L																		124
125	64 Insurance Agents, Brokers	L																		125
126	65 Real Estate Agents, Brokers	L																		126
127	66 Combinations of Real Estate, Law, Loans, Insurance offices	L																		127
128	67 Holding or Investment Offices	L																		128
129	70 Hotels, Rooming Houses, Camps, Other Lodging Places	M																		129
130	72 Personal Services, Laundry, Photo, Beauty, Barber	L																		130
131	73 Business Services – Advertising, Personal, Supply	M																		131
132	75 Automotive Repairs and Service	H																		132
133	76 Miscellaneous Repair Services, except Code 769	M																		133
134	769 Repairs, Welding, Armature, Rewinding, Large Equipment	H																		134

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	Prohibited Uses	M = Medium	
		H = High	

	CATEGORY	IL	SF	R1	R2	R2A	R2B	R3	R4	R6	B1	C1	C2	C3	I1	I2	PUD	FH	ROS	
135	78 Motion Pictures	M																		135
136	79 Amusement and Recreational Services (Commercial)	H																S		136
137	80 Health Services – Other than those listed below	L									S									137
138	801 Offices – Physicians, Dentists, Health Practitioners	L																		138
139	805 Nursing Home/ Personal Care Facilities	L	S	S	S	S	S	S	S		S						S			139
140	806 Hospitals	H																		140
141	807 Medical and Dental Labs	L																		141
142	81 Legal Services	L																		142
143	82 Educational Services	L																		143
144	83 Social Services	M																		144
145	84 Museums, Art Galleries, Botanical & Zoological Gardens	L	S	S	S	S	S	S	S	S										145
146	786 Membership Organizations	L																		146
147	89 Miscellaneous Services, Except those listed below	L																		147
148	891 Engineering and Architectural	L																		148
149	892 Non-commercial research organizations (no labs)	L																		149
150	893 Accounting, Auditing, Bookkeeping	L																		150
151	91 Executive, Legislative, and General Government	L																		151
152	92 Justice, Public Order, Safety	L																		152
153	93 Public finance, Taxation, Notary Public	L																		153
154	94 Administration of Human Resources Programs	L																		154
155	95 Administration of Environmental Quality Housing Programs	L																		155
156	96 Administration of Economic Programs	L																		156
157	97 National Security and International Affairs	L																		157
158	99 Non-Classifiable Establishment	L									S									158
159	Landfill, Salvage, or Junkyard										S									159
160	SF DISTRICT OF PERMITTED USES																			160
161	R-1 DISTRICT PERMITED USES																			161
162	R-2 DISTRICT PERMITTED USES																			162
163	R-2A DISTRICT PERMITTED USES																			163
164	R-3 DISTRICT PERMITTED USES																			164

ZONING, PLANNING AND DEVELOPMENT

TABLE A & TABLE D (Merged)
OFFICAL SCHEDULE OF USES
RESIDENTIAL, INDUSTRIAL & COMMERCIAL DISTRICTS

Legend

	Permitted Uses	Intensity Level (IL)																	P. 6 of 6	
S	Special Exception	L = Low																		
	Prohibited Uses	M = Medium																		
		H = High																		
	CATEGORY	IL	SF	R1	R2	R2A	R2B	R3	R4	R6	B1	C1	C2	C3	I1	I2	PUD	FH	ROS	
165	R-4 DISTRICT PERMITTED USES																			165
166	R-6 DISTRICT PERMITTED USES																			166
167	B-1 DISTRICT PERMITTED USES																			167
168	C-1 DISTRICT PERMITTED USES																			168
169	C-2 DISTRICT PERMITTED USES																			169
170	C-3 DISTRICT PERMITTED USES																			170
171	I-1 DISTRICT PERMITTED USES																			171
172	I-2 DISTRICT PERMITTED USES																			172
173	PUD DISTRICT PERMITTED USES																			173

[Editor's Note: Ord, No. 89-46, § 2, passed on September 18, 1989, amended Ord. No. 82-1, Table A, Line 43 by adding "Detached Single-Family zero lotline dwellings – R-3, R-4, PUD."]

*Wholesale business may be permitted in C-2 or C-3 zones by a special exception permit when such business is operated in conjunction with a retail outlet, and other wise conforms to the requirements of the C-2 or C-3.

(1982 Zoning Ordinance, Table A, Article 5)

(Ord. No. 87-43, § 1 (a), 8-3-87; Ord. 02-01, § 3 Add R-2B, 2-18-02))

TABLE B
SINGLE FAMILY DISTRICTS
MINIMUM AREA REQUIREMENTS

ZONING DISTRICT	LOT AREA (FT^2)	USABLE LIVING FLOOR AREA (FT^2)	MINIMUM GROUND LEVEL (FT^2)	FRONT LOT WIDTH (LINEAL)	FRONT YARD SETBACK (LINEAL)	SIDE YARD SETBACK (LINEAL)	REAR YARD SETBACK (LINEAL)	MAXIMUM LOT COVER (%)	MINIMUM OFF STREET PARKING	MAXIMUM BUILDING HEIGHT (LINEAL)	ACCESSORY BUILDING SIDE/REAR SETBACK (LINEAL)
SF	1 acre*	1,000	900	100	See Table B-2	12	20 ft. or 20% whichever is least	40%	2	3 stories or 35' whichever is least	8'
R-1	15,000*	1,500	1,000	90	See Table B-2	12	20 ft. or 20% whichever is least	40%	2	3 stories or 35' whichever is least	8'
R-2	12,000*	1,000	900	80	See Table B-2	10	20 ft. or 20% whichever is least	40%	2	3 stories or 35' whichever is least	5'
R-2A	9,000*	900	750	70	See Table B-2	8	20 ft. or 20% whichever is least	40%	2	3 stories or 35' whichever is least	5'
R-2B	6,500	900.	700	55	See Table B-2	8	20ft. or 20% whichever is least	50%	2	3 stories or 35' whichever is least	5'

*These minimums conditional subject to service by pubic sanitary sewer. (1993 *Greenwood Municipal Code*, Appendix A, Article 5, Table B).

(Ord. 02-01, §4 add R-2B, 2-18-02)

TABLE B-2
MINIMUM RESIDENTIAL AND COMMERCIAL FRONT YARD SET-BACK REQUIREMENTS

Zoning Dist. and Use	Expressway 250' row	Arterial Highway 120' row	Primary Tho. Rd. 100 row	Secondary Tho. Rd. 80' row	Collector St. 70' row	Res. St. 60' row	Minor St. 50' row
SF	50'	50'	45'	40'	35'	25'	25'
R-1	50'	50'	45'	40'	35'	25'	25'
R-2	50'	50'	45'	40'	35'	25'	25'
R-2A	50'	50'	45'	40'	35'	25'	25'
R-2B	50'	50'	45'	40'	35'	25'	25'
Single R-3	50'	50'	45'	40'	35'	25'	25'
Double R-3	50'	50'	45'	40'	35'	25'	25'
Multi R-3	50'	50'	45'	40'	35'	25'	25'
Single R-4	50'	50'	45'	40'	35'	25'	25'
Double R-4	50'	50'	45'	40'	35'	25'	25'
Multi R-4	50'	50'	45'	40'	35'	25'	25'
R-6 (Ext. Park Boundaries)	50'	50'	45'	40'	35'	35'	35'
B-1	50'	50'	45'	40'	35'	35'	35'
C-1	50'	50'	45'	40'	35'	35'	35'
C-2	50'	50'	45'	40'	35'	35'	35'
I-1	50'	50'	45'	40'	35'	35'	35'
I-2	50'	50'	45'	40'	35'	35'	35'
FH	50'	50'	45'	40'	35'	35'	35'

Notes: (1) The above shown setbacks are considered to be minimums. The Plan Commission may prescribe greater setbacks if either the proposed use or the conditions of the area, in the discretion of the Commission, warrant such greater setbacks.

(2) The minimum required front setback shall be measured from the street right-of-way line to any portion of any structure.

(3) The above setbacks apply to new construction. Construction in areas where setbacks have been established by existing structures may be guided by the requirements in paragraph 6.11.04 of this ordinance.

(Ord. 02-01, §5 Add R-2B, 2-18-02)

TABLE C
TWO AND MULTIPLE FAMILY DISTRICTS
MINIMUM AREA REQUIREMENTS

HOUSING TYPE	LOT AREA (FT^2)	USABLE LIVING FLOOR AREA (FT^2)	GROUND LEVEL FLOOR AREA (FT^2)	FRONT LOT WIDTH (LINEAL)	FRONT YARD SETBACK (LINEAL)	SIDE YARD SETBACK (LINEAL)	REAR YARD SETBACK (LINEAL)	MAXIMUM LOT COVERAGE (%)	OFF STREET PARKING (AUTO/ UNIT)	MAXIMUM BUILDING HEIGHT (LINEAL)	ACCESSORY BUILDING SIDE/REAR SETBACK (LINEAL)
R-3 Single Family	*9,000	900	750	70	See Table B-2	8	20 ft. or 20% whichever is least	40%	2	2 stories or 25' whichever is least	5'
R-3 Two Family	*10,000	700/unit + 100/1,000 bdrm. for	1,000	70	See Table B-2	8	20 ft. or 20% whichever is least	40%	2	3 stories or 35' whichever is least	5'
R-3 Multi Family (3-8 units)	*3,000 ea. for 1st 3 units - 2,000 for ea	700/unit + 100/1,000 bdrm. for ea.beyon	1,000	80	See Table B-2	8' single story 10' two story 4' ea. Additional story	20 ft. or 20% whichever is least	40%	1.75	3 stories or 35' whichever is least	5'
R-4 Single Family	*9,000	900	750	70	See Table B-2	8	20 ft. or 20% whichever is least	40%	2	3 stories or 35' whichever is least	5'
R-4 Two Family	*10,000			70	See Table B-2	8	20 ft. or 20% whichever is least	40%	2	4 stories or 45' whichever is least	5'
R-4 Multi Family (9+units)	*See ratio minimum listed in Sec ____			150 ft. of public street frontage	See Table B-2	8' single story 10' two story 4' ea. Additional story	20 ft. or 20% whichever is least	40%	1.75	4 stories or 45' whichever is least	5'

***NOTE: These minimums conditional subject to service by public sanitary sewer system. See Supplement on following page.

Supplement to Table B & C

1. The 20-20 option in the Greenwood Subdivision Control Ordinance provides developers with the option to reduce lot size by twenty (20) percent for twenty (20) of the lots in a subdivision. this option applies only to lot area and width.

2. When not serviced by a public sanitary sewer system the minimum lot area for a single-family dwelling shall be twenty three thousand (23,000) square feet. The minimum lot area for multi-family dwellings not serviced by public sanitary sewers shall be determined by the Planning Commission based on the number of dwelling units proposed. the Planning Commission shall require all septic systems to receive approval from the Johnson County Health Department. (1983 *Greenwood Municipal Code*, Appendix A, Article 5, Supplement to Tables B & C).

TABLE E
COMMERCIAL & INDUSTRIAL
MINIMUM AREA REQUIREMENTS

ZONING DISTRICT	LOT AREA (FT^2)	USABLE LIVING FLOOR AREA (FT^2)	MINIMUM GROUND LEVEL (FT^2)	FRONT LOT WIDTH (LINEAL)	FRONT YARD SETBACK (LINEAL)	SIDE YARD SETBACK (LINEAL)	REAR YARD SETBACK (LINEAL)	MAXIMUM LOT COVER (%)	OFF STREET PARKING (AUTO/ UNIT)	MAXIMUM BUILDING HEIGHT (LINEAL)	ACCESSORY BUILDING SIDE/REAR SETBACK (LINEAL)
B-1	*No minimum	Maximum of 14,000 FT^2	No minimum	No minimum	See Table B-2	10'	20' or 20% of depth whichever is smaller	40%	Min = 4 additional may be required by Commission	3 stories or 35' whichever is least	5'
C-1	*No minimum	Maximum of 14,000 FT^2	No minimum	No minimum	See Table B-2	10'	30' if serviced from the rear	No maximum	See Table P	3 stories or 35' whichever is least	5'
C-2	*No minimum	No minimum	No minimum	No minimum	See Table B-2	10'	30' if serviced from the rear	No maximum	See Table P	4 stories or 45' whichever is least	5'
C-3	*No minimum	No minimum	No minimum	No minimum	See Table B-2	No minimum	30' if serviced from the rear	No maximum	See Table P	No maximum	No minimum
I-1	Minimum 20,000 FT^2	No minimum	No minimum	No minimum	See Table B-2	Distance of building from project boundaries	Distance of building from project boundaries	*80% maximum	See Table P	35' when within 200' of resid. district- otherwise, no maximum	25'
I-2	Minimum 20,000 FT^2	No minimum	No minimum	100'	See Table B-2	100' if adj. resid. use or zone, 50' if adj. a comm. use or zone	100' if adj. resid. use or zone, 50' if adj. a comm. use or zone	80% maximum	See Table P	90'	25'

*The minimum lot area for commercial or other non-residential structures not serviced by public sanitary sewers, shall be determined by the Planning Commission based upon the size and mature of the use nad upon the recommendation and requiremetns of the Johnson County Health Department.

*When not serviced by sanitary sewer system the minimum lot area shall be twenty three thousand (23,000) spuare feet or greater as determined by the Plan Commission in consultation with the Johnson County Health Department.

TABLE F

SINGLE-FAMILY DENSITIES

DISTRICT	MINIMUM LOT	MAXIMUM DENSITY UNITS PER ACRE	DENSITY RATING
SF - Single Family	1 acre	1	Low
R-1 Residential	15,000	2.5	Low
R-2 Residential	12,000	3.5	Medium Low
R-2A Residential	9,000	4.5	Medium
R-2B-Single Family	6,500	6.0	Medium

(1983 *Greenwood Municipal Code*, Appendix A, Article 5, Table F)

(Ord. 02-01, §6 Add R-2B, 2-18-02)

TABLE G

MULTIPLE-FAMILY DENSITIES

Error! Bookmark not defined.DISTRICT	MINIMUM LOT	MAXIMUM DENSITY UNITS PER ACRE	DENSITY RATING
R-3 Residential	Two-Family	7	Medium High
R-3 Residential	Multi-Family	15	High
R-4 Residential	Two-Family	7	Medium High
R-4 Residential	Mult-Family	20	High

(1983 *Greenwood Municipal Code*, Appendix A, Article 5, Table G)

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ARTICLE 6. SUPPLEMENTARY DISTRICT REGULATIONS.

Sec. 10-85 Application of Regulation to the Uses of a More Restricted District.

6.01.01 Regulations of one district permitted in another district.

Whenever the specific district regulations pertaining to one district permit the uses of a more restricted district, such uses shall be subject to the conditions as set forth in the regulations of the more restricted district, unless otherwise specified.

6.01.02 Residential/Nonresidential combination not permitted.

It is intended that these regulations be interpreted as not permitting a dwelling unit to be located on the same lot with or within a structure used or intended to be used for nonresidential purposes. (1983 *Greenwood Municipal Code,* Appendix A, Art. 6, § 1)

Sec. 10-86 Open Space.

The following requirements are intended to provide exceptions to or qualify and supplement, as the case may be, the specific district regulations set forth in Article 5.

6.02.01 Open space not to be counted for two (2) structures.

An open space or lot area required for an existing building or structure shall not be counted as open space for any other building or structure.

6.02.02 Eaves, cornices, sills, porches.

Open eaves, cornices, window sills, and belt courses may project into any required yard a distance not to exceed two (2) feet. Open uncovered porches or open fire escapes may project into a front or rear yard a distance not to exceed five (5) feet.

6.02.03 Minimum lot size, cover, and street frontage.

No dwelling shall be erected on a lot less than fifty (50) feet in width or which does not abut on at least one street or alley for a distance not less than thirty-five (35) feet. A street or alley shall form the direct and primary means of ingress and egress for all dwelling units. Accessory buildings which are not a part of the main building may be built in the rear yard but shall not cover more than twenty (20) percent of the rear yard.

6.02.04 Commercial and industrial lots.

It is the intent of this Chapter that lots of sufficient size be used by any business or industry to provide adequate parking and loading and unloading space required for operation of the enterprise.

6.02.05 Attached or detached garages.

An attached or detached private garage which faces on a street shall not be located closer than thirty (30) feet to the right-of-way line.

6.02.06 Accessory buildings.

No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used unless the main building on the lot is also being used. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 2)

Sec. 10-87 Height Requirement.

The following requirements are intended to provide exceptions to or qualify and supplement, as the case may be, the specific district regulations set forth in Article 5 herein.

6.03.01 Measurement of heights.

In measuring heights, a habitable basement or attic shall be counted as a story. A story in a sloping roof, the area of which story at a height of four (4) feet above the floor does not exceed two-thirds (2/3) of the story immediately below it and which does not contain an independent apartment, shall be counted as a half story. Height shall be measured from ground level to the highest point of the building.

6.03.02 Projections not for human occupancy.

Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may extend above the height limit.

6.03.03 Public and semipublic buildings.

Churches, schools, hospitals, sanatoriums, and other public and semipublic buildings may exceed the height limitation of the district if the minimum depth of rear yards and the minimum width of the side yards required in district are increased one (l) foot for each two (2) feet by which the height of such public or semipublic structure exceeds the prescribed height limitation. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 3)

Sec. 10-88 Storage and Parking of Trailers, Boats, and Commercial Vehicles.

Commercial vehicles, boats, and trailers of all types, including travel, camping, hauling, boat, and mobile homes, shall not be parked or stored on any lot occupied by a residential dwelling or on any lot in any residential district except in accordance with the following provisions:

6.04.01 Commercial vehicles.

Not more than one commercial vehicle (excluding automobiles), which does not exceed the gross vehicular weight of Class 1 or Class 2 trucks as defined by the Motor Vehicle Manufacturers Association of the United States, Inc., Detroit, Michigan, per family living on the premises, shall be permitted; but in no case shall a commercial vehicle used for hauling explosives, gasoline, chemicals, or liquefied petroleum products be permitted in a residential area.

6.04.02 Commercial vehicle classification.

For the purpose of paragraph 6.04.01 above, the Motor Vehicle Manufacturers Association classification categories are as follows:

See Chart at end of this chapter – look for page 790.

[This page should be replaced with chart of Motor Vehicle Manufacturers Association classification categories.]

6.04.03 Mobile homes.

A mobile home shall be parked or stored only in a mobile home park, sales lot, or trailer storage area which is in conformity with the ordinances of the City of Greenwood.

6.04.04 Campers, travel trailers, and RVs.

Not more than one camper, travel trailer, or recreational vehicle, per family living on the premises, shall be permitted, provided that said camper, travel trailer, or recreational vehicle does not exceed thirty-two (32) feet in length or eight (8) feet in width; and further provided that said camper, travel trailer, or recreational vehicle shall not be parked or stored for more than forty-eight (48) hours unless it is located behind the front yard building line.

A camper, travel trailer, or recreational vehicle may be occupied by guests either temporarily or for sleeping purposes only, while it is parked in any residential area within the territorial jurisdiction of the Greenwood Plan Commission for a period not to exceed fifteen (15) days, so long as the other requirements of this paragraph are met.

6.04.05 Boats and boat trailers.

Not more than one boat or one boat trailer per family living on the premises shall be permitted, provided that said boat or boat trailer shall not be parked or stored for more than forty-eight (48) hours unless it is located behind the front yard building line. Provided however, that any boat or boat trailer meeting the following restrictions shall be exempt from the requirements of this Section:

(1) said boat shall not exceed eighteen (18) feet in length or eight (8) feet in width;
(2) said boat trailer shall not exceed twenty (20) feet in length or eight (8) feet in width;
(3) any boat parked or stored in a residential district shall be on a currently-licenses boat trailer.
(4) no boat or boat trailer, regardless of length, shall be parked or stored closer than ten (10) feet to a street right-of-way.

6.04.06 Utility and hauling trailers.

Not more than one utility or hauling trailer per family living on the premises shall be permitted, provided said trailer shall not exceed twelve (12) feet in length or eight (8) feet in width, and further provided that said trailer shall not be parked or stored for more than forty-eight (48) hours unless it is located behind the front yard building line. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 4)

Sec. 10-89 Accessory Building and Fences.

6.05.01 Design and materials.

The architectural design and material used for construction of accessory buildings and fences shall harmonize with the main building to which said building or fence is accessory.

6.05.02 Fences, walls, and hedge.

Notwithstanding other provisions of this Chapter, fences, walls and hedges in residential zones may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall or hedge along the sides or front edge of any front yard shall be over forty-eight (48) inches in height. (Ord. No. 83-35, § 1 (2), 12-19-83)

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6.05.03 Swimming Pool Fences.

(a) **OUTDOOR POOLS: PUBLIC OR PRIVATE.** All outdoor pools which exceed two (2) feet in depth or two hundred fifty (250) square feet in area shall be completely surrounded by walls or fencing not less than sixty (60) inches high and of a design that will restrain the entrance of intruders. Ornamental fencing shall not have over four (4) inches of air space between pickets.

(b) **IN-GROUND POOLS: RESIDENTIAL.** In-ground pools installed as an accessory use to a private, single-family dwelling shall be deemed to be in compliance with sub-paragraph (a) above, provided that the yard in which the pool is located is completely surrounded by walls or fencing as specified in paragraph (a).

(c) **ABOVE-GROUND POOLS: RESIDENTIAL.** Above-ground pools installed as an accessory use to a private, single-family dwelling shall comply with one of the following:

(l) be completely surrounded by a wall or fence as specified above in sub-paragraph (a), or

(2) be located in a walled or fenced yard as specified above in sub-paragraph (b), or

(3) have an attached deck/fence, the height of which is not less than sixty (60) inches above ground level and of a design that will restrain the entrance of intruders. (Ord. No. 83-85, § 1 (1), 12-19-83)

Sec. 10-90 Storage of Liquid-Petroleum Gases.

The use of land or buildings for the commercial, wholesale, or retail storage of liquefied petroleum gases shall be in accordance with the ordinances of the City of Greenwood and regulations of the Liquefied Petroleum Gas Administration of the State of Indiana. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 6)

Sec. 10-91 Off-Street Auto and Vehicle Parking and Loading.

6.07.01 General intent and application.

It is the intent of these requirements that adequate parking and loading facilities be provided off the street right-of-way for each use of land within the City of Greenwood. Requirements are intended to be based on the demand created by each use. These requirements shall apply to all uses in all districts.

6.07.02 Required open space.

Off-street parking or loading space shall be a part of the required open space associated with the permitted use and shall not be reduced or encroached upon in any manner.

The area required for off-street parking shall be in addition to the yard areas herein required; except that the front yard required in a C-l Neighborhood Shopping District or a I-1 Light Industrial District may be used for uncovered parking area; and further provided that the front yard required in a residential district may be used for the uncovered parking for six (6) or less vehicles associated with a residential use when the area is surfaced with a pavement adequate to prevent the occurrence of mud and dust with continued use. No parking areas shall be permitted within a front yard setback line established eighteen (18) feet from the property line. A front yard may be used for uncovered parking area for more than six (6) vehicles in accordance with the provisions of 6.07.08.

6.07.03 Location.

The off-street parking lot shall be located within two hundred (200) feet, exclusive of street and alley widths, of the principal use, and shall have direct access to a street or alley.

6.07.04 Joint parking facilities.

Whenever two (2) or more uses are located together in a common building, shopping center or other integrated building complex, the parking requirements may be complied with by providing a permanent common parking facility, cooperatively established and operated, which contains the requisite number of spaces for each use. The total number of spaces provided shall not be less than the sum of the individual requirements.

6.07.05 Size of off-street parking space.

The size of a parking space for one vehicle shall consist of a rectangular area having dimensions of not less than nine (9) feet by twenty (20) feet plus adequate area for ingress and egress.

6.07.06 Amount of off-street parking and loading required.

See Table P.

6.07.07 Paved surface requirements.

All parking space shall be paved with an asphalt or concrete surface.

6.07.08 Off-street parking lots in residential districts.

Whenever off-street parking lots for more than six (6) vehicles are to be located within or adjacent to a residential district, the following provisions shall apply:

(a) All sides of the lot within or abutting the residential district shall be enclosed with an opaque ornamental fence, wall or dense evergreen hedge having a height of not less than five (5) feet nor more than six (6) feet. Such fence, wall or hedge shall be maintained in good condition.

(b) No parking shall be permitted within a front yard setback line established fifteen (15) feet back of the property line of interior and corner lots whenever the parking lot is located in a residential district or immediately abuts the front yard of a residential unit. In all other cases, no setback shall be required.

(c) All yards shall be landscaped with grass and shrubs and maintained in good condition.

(d) Driveways used for ingress and egress shall be confined to and shall not exceed twenty-five (25) feet in width exclusive of curb returns.

(e) All of the lot used for parking and driveway purposes shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.

(f) Whenever lighting is provided, the intensity of light and arrangement of reflectors shall be such as not to interfere with residential district uses.

(g) No sign of any kind shall be erected except information signs used to guide traffic and to state the condition and terms of the use of the lots. Only nonintermittent white lighting of signs shall be permitted. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 7)

Sec. 10-92 Visibility at Intersections in Residential Districts.

On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and a half (2 1/2) and six (6) feet above the centerline grades of the intersecting streets in an area bounded by the street lines of such corner lots and a line joining points along said street lines twenty-five (25) feet from the point of the intersection. (1983 *Greenwood Municipal Code,* Appendix A, Art. 6, § 8)

Sec. 10-93 Erection of More than One Principal Structure on a Lot.

In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Chapter shall be met for each structure as though it were on an individual lot. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 9)

Sec. 10-94 Structures to Have Access.

Every building hereafter erected or moved shall be on a lot adjacent to either a public or private street, or with legal access to either a private or public street, and all structures shall be located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking. For the purposes of this Section, public alleys or recorded easements shall constitute a means of legal access. The Plan Commission may require written proof of such access. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 10)

Sec. 10-95 General Regulations.

6.11.01 Generally.

For uses other than dwellings and buildings accessory to dwellings, the lot area shall be adequate to provide the yard areas required for a given district.

6.11.02 Yards.

When a yard has double frontage, the front yard requirements shall be complied with on both streets.

6.11.03 Churches.

The lot area for a church shall not be less than thirty thousand (30,000) square feet. Churches and main and accessory buildings, other than dwellings and building accessory to dwellings, shall be set back from all exterior and interior side lines a distance of not less than twenty-five (25) feet.

6.11.04 Existing setbacks.

A) If twenty-five (25) percent or more of the lots on one side of the street between two (2) intersecting streets are improved with buildings all of which have observed an average setback line greater than the minimum setback requirements for that specific zoning district, and no building varies more than six (6) feet from this average setback line, then no building shall be erected closer to the street line than the minimum setback so established by the existing buildings.

B) If twenty-five (25) percent or more of the lots on one side of the street between two (2) intersecting streets are improved with buildings all of which have observed an average setback line less than the minimum setback requirements for that specific zoning district, and no building varies more than six (6) feet from this average setback line, then it shall be permissible to erect a building as close to the street line as the average setback line so established by the existing buildings; provided, however, that this provision shall not apply to corner lots or lots having frontage on more than one street.

6.11.05 Maximum lot coverage.

Main and accessory buildings shall not cover more than forty (40) percent of the total lot area. Accessory buildings shall not cover more than twenty (20) percent of the rear yard.

The next page in this book is 800.

6.11.08 Definitions.

SUBSECTION 6.11.08 DEFINITIONS HAS BEEN REPEALED PER ORDINANCE NO. 02-10 PASSED ON MARCH 18, 2002 BY THE GREENWOOD COMMON COUNCIL. DEFINITIONS MAY NOW BE FOUND UNDER A NEW ARTICLE 22, SECTION 10-541.

(Ord. 02-10, §4, 3-18-02)

S) MISCELLANEOUS.

6.11.09 Dwellings.

Single-family dwellings constructed in any zoning district that is business or commercial shall meet the minimum requirements of an R-3 Zoning District.

6.11.10 B-l Permitted Uses.

A building used for any of the enumerated B-l permitted uses may not have more than forty (40) percent of its floor area devoted to purposes incidental to the primary use. No materials or goods stored in connection with the uses of a B-l Zoning District shall be displayed or stored outside a building. Lighting in the B-l Zoning District shall be so installed as not to cast illumination or glare onto adjacent residential lots.

6.11.11 Demolition of buildings and structures.

The demolition of any building or structure shall be performed in compliance with the Unsafe Building Code of the City of Greenwood. Said work shall be accomplished in such a manner so as to protect the general public from health or safety hazards during demolition proceedings.

6.11.12 Tents.

A permit shall be required for the erection of any tent proposed to be used for commercial purposes (any use that is nonresidential or nonrecreational). The applicant for a tent permit shall submit a proposed site plan to the Building Inspector for his approval. The erection and securing methods shall be subject to the approval of the Building Inspector. No tent shall be erected within twenty-five (25) feet of a street or highway right-of-way. A tent permit shall be good for a maximum time period of sixty (60) days from the date of issuance. Renewal of a tent permit shall be at the discretion of the Plan Commission or its designated representative. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 11)

Sec. 10-96 Attached Single-Family Dwellings.

6.12.01 Definition.

An attached, single-family dwelling shall be defined as a dwelling structure designed and intended for multiple-family occupancy, with the provision (unlike rental apartments or condominiums) for private fee simple ownership of each individual dwelling and lot. Attached, single-family dwellings may provide for two (2) or more dwelling units per attached structure, up to a maximum of eight (8) units per attached dwelling structure.

6.12.02 lntent.

It is the intent of this Section to provide for the construction of attached, single-family dwellings and to clarify their fine-line difference from apartments or condominiums. The structure itself may be the same as a conventional two-family or multiple-family structure. The difference is in the type of ownership and method of maintenance.

Attached, single-family dwellings are similar to apartments and condominiums, yet unique in that the property owner owns both the dwelling unit and the accompanying lot. Attached, single-family dwellings can be thought of theoretically as single-family dwellings with zero lot lines and common walls (with other single-family dwellings) on three (3) or less sides.

Conventionally, an apartment building has a sole owner (individual or corporate) and the dwelling units are leased or rented to tenants. Building and grounds maintenance normally would be the responsibility of the property owner.

Condominiums, on the other hand, have private owners for each individual dwelling unit, with the surrounding common grounds being owned and maintained by a condominium association. In other words, the property owner normally owns only the dwelling unit in which he resides.

6.12.03 Permitted zoning districts.

Attached, single-family dwelling shall be permitted in any zoning districts that permit multiple-family dwellings. Attached, single-family dwellings shall not be permitted in SF, R-l, R-2, R2A, R2Bor R-6 Single-Family Zoning Districts. (Ord. 02-01, § 7 Add R2B, 2-18-02)

6.12.04 Minimum area requirements.

A. A two-family (double) attached single-family dwelling shall conform to the requirements for a two-family dwelling as established elsewhere in this Ordinance, with the exception of zero lot lines and common walls as established in this Section.

B. An attached, single-family dwelling designed for three (3) or more dwellings shall conform to the requirements for multiple-family dwellings as established elsewhere in this Ordinance, with the exception of zero lot lines and common walls as established in this Section.

6.12.05 Sample Illustration.

Sample Illustration set forth on following page. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 12)

Sec. 10-97 Home Occupations.

6.13.01 Definition.

A home occupation is an accessory use of a dwelling unit for gainful employment involving the provision or sale of goods and/or services, conducted entirely within the dwelling unit, carried on by one or more persons, all of whom reside within the dwelling unit, and where no persons are employed other than residents of the dwelling. The use must be clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.

In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence other than for a nameplate as permitted elsewhere in this Section.

§10-97 ZONING, PLANNING AND DEVELOPMENT §10-97

See the end of this Chapter for this page

802.1

6.13.02 Purpose and scope.

It is the intent of this Section to eliminate as home occupations all uses except those that conform to the standards set forth in this Section. The standards for home occupations in this Section are intended to insure compatibility with other permitted uses and with the residential character of the neighborhood plus a clearly secondary or incidental status in relation to the residential use of the main building as part of the criteria for determining whether a proposed accessory use qualifies as a home occupation. When a use is a home occupation, it means that the owner, lessee, or other persons who have a legal right to the use of the premises as a residential dwelling also have the vested right to conduct the home occupation without securing special permission to do so. However, such person shall be subject to all conditions which are applied in this Section.

6.13.03 Necessary conditions.

Home occupations are permitted accessory uses in residential zones only so long as all of the following conditions are maintained:

(a) Such occupation shall be conducted solely by resident occupants within their own bona fide dwelling. Nonresident employees are expressly prohibited.

(b) No more than one room or twenty-five percent (25%) of the gross floor area of the dwelling, whichever is less, shall be used for such purpose. Use of accessory buildings or detached garages for these purposes is prohibited.

(c) No use shall require internal or external alterations or involve construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure or the fire district in which the structure is located.

(d) No home occupation shall cause an increase in the use of any one or more utilities (water, sewer, electricity, gas, garbage, etc.) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood.

(e) There shall be no outside storage of any kind related to the home occupation. Generally speaking, with a nameplate as permitted herein excluded, a home occupation shall be "invisible" from outside the dwelling.

(f) Only one nameplate shall be allowed. It may display the name of the occupant and/or the name of the home occupation. It shall not exceed one square foot in area, shall be nonilluminated, and attached flat to the main structure or visible through a window. The limitation to one nameplate is extended to apply to all lots, including corner lots.

(g) The home occupation use may increase vehicular traffic flow and parking by no more than one vehicle at a time. Off-street parking shall be provided without encroaching upon required front-yard open space or setback requirements.

(h) No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances

wherein no home occupation exists.

(i) It shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than vehicles normally associated with residential home delivery (i.e., postal or united parcel service vehicles).

(j) The home occupation shall not involve the use of advertising signs or any other local advertising media which calls attention to the fact that the dwelling is being used for business purposes, telephone number excluded.

(k) In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by use of colors, materials, construction, lighting, signs, or other means.

(l) No stock in trade (except for articles produced on the premises by residents of the dwelling) shall be displayed or sold upon the premises. Not more than ten (10) cubic feet of space within the dwelling may be utilized for storage of materials and supplies related to the home occupation.

6.13.04 Uses that are prohibited as home occupations.

The following uses by the nature of the investment or operation have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations, and thereby impair the use and value of a residentially zoned area for residence purposes. Therefore, the uses specified below shall not be permitted as home occupations:

(a) Auto/vehicle repairs, minor or major

(b) Barbershop

(c) Beauty shop

(d) Dance studio

(e) Dental office or clinic

(f) Medical office or clinic

(g) Painting of vehicles, trailers, boats, etc.

(h) Photography studio

(i) Photo developing

(j) Private schools with organized classes

(k) Upholstering

(l) Television and radio repair

(m) Lawn mower or bicycle repair

(n) Large or small appliance center

(o) Freight, trucking or shipping

(p) Tooling, welding or machinery shops

(q) Antique or gift shops

(r) Tool or equipment rental

(s) Veterinary clinic, kennel, or stables

(t) Restaurants, eating or drinking establishments

(u) Any other use not meeting the conditions of this Section.

6.13.05 Examples of uses that frequently qualify as home occupations.

Examples are:

(a) Artists and sculptors

(b) Authors and composers

(c) Dressmakers, seamstresses and tailors

(d) Babysitter, child care (limited to no more than five (5) children)

(e) Individual tutoring

(f) Individual music, dancing or singing lessons

(g) The letting for rent of not more than two (2) rooms for rooming or boarding use for not more than two (2) persons, neither of whom is a transient

(h) Office facility of a minister, rabbi, or priest

(i) Office facility of a salesman, sales representative, or manufacturer's representative provided that no exchange of retail or wholesale merchandise is made on or adjacent to the premises

(j) Office facility of a professional such as a doctor, dentist, architect, engineer, lawyer, insurance agent, land surveyor, real estate agent, consultant, etc.

(k) Traditional full- or part-time sales occupations, such as Avon, Amway, Shaklee, Fuller Brush, etc.

(l) Other uses that comply with all of the restrictions and conditions of this Section.

6.13.06 Professional offices—Special restrictions.

A physician, dentist, lawyer, clergyman, engineer, insurance agent, real estate agent, consultant, or other professional person may use his residence for office work, consultation, emergency treatment, or performance of religious rites, but not for the general practice of his profession and not for the installation or use of any mechanical or electrical equipment customarily incidental to the practice of any such profession.

6.13.07 Variance procedure available.

Nonresidential uses which are either (l) expressly prohibited as home occupations or (2) which do not conform to all of the conditions and restrictions of this Section, may be conducted in a residential dwelling only upon submission of a variance petition to the Greenwood Board of Zoning Appeals and receipt of a favorable decision from said Board. The procedures and requirements for submitting a variance petition to the Board of Zoning Appeals are found in Article 9 , Section 7 of this Chapter. (1983 *Greenwood Municipal Code*, Appendix A, Art. 6, § 13)

The next page in this book is 811.

[Editor's Note "Table P" is now located in the new section 10-103 page 852 of the Greenwood Municipal Code per Greenwood Common Council Ordinance No. 97-44 adopted on November 18, 1997]

Sec. 10-98 Flood Hazard District Requirements.

6.14.01 Purpose.

The purpose of this Flood District Hazard Ordinance is to guide development in flood hazard areas in order to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, and to reduce the potential for extraordinary public expenditures for flood protection and relief. Under the authority granted to local units of government to control land use within their jurisdictions, which includes taking into account the effects of flooding, the Greenwood Common Council adopts the following floodplain management regulations:

A) to prevent unwise developments from increasing flood or drainage hazards to others;

B) to protect new buildings and major improvements to buildings from flood damage;

C) to protect human life and health from the hazards of flooding;

D) to lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;

E) to maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and

F) to make federally subsidized flood insurance available for property in the City of Greenwood by fulfilling the requirements of the National Flood Insurance Program. (Ord. No. 90-14, § 6.14.01, 2-19-90)

6.14.02 Definitions.

SECTION 10-98, SUBSECTION 6.14.02 FLOOD HAZARD DISTRICT REQUIREMENTS DEFINITIONS HAS BEEN REPEALED PER ORDINANCE NO. 02-10 PASSED ON MARCH 18, 2002 BY THE GREENWOOD COMMON COUNCIL. DEFINITIONS MAY NOW BE FOUND UNDER A NEW ARTICLE 22, SECTION 10-540.

(Ord. 02-10, §4, 3-18-02)

The next page in this book is 815

6.14.03 Duties of the Administrator.

The Plan Commission or Director of the City is appointed to review all development and subdivision proposals to ensure compliance with this Section, including but not limited to the following duties:

A) Ensure that all development activities within the SFHA's of the jurisdiction of the City meet the requirements of this Section.

B) Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.

C) Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to 6.14.06 of this Ordinance, and maintain a record of such authorization (either copy of actual permit or letter of recommendation).

D) Maintain a record of the "as-built" elevation of the Lowest Floor (including basement) of all new and/or substantially improved buildings constructed in the SFHA.

E) Maintain a record of the engineer's certificate and the "as-built" floodproofed elevation of all buildings subject to 6.14.07 of this Ordinance.

F) Cooperate with State and Federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this Ordinance. Submit reports as required for the National Flood Insurance Program.

G) Maintain for public inspection and furnish upon request, regulatory flood data, SFHA maps, copies of DNR permits and letters of recommendation, Federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this Section. (Ord. No. 90-14, § 6.14.03, 2-19-90)

6.14.04 Regulatory Flood Elevation.

This Section's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval. (Ord. No. 90-14, § 6.14.04, 2-19-90)

A) The regulatory flood elevation and floodway limits for the SFHA's of the following:

Pleasant Creek, Pleasant Creek South Branch, Grassy Creek, Pleasant Run Creek, Fountain Creek and any other drainage way under the jurisdiction of the Department of Natural Resources,

shall be as delineated on the 100-year flood profiles in the Flood Insurance Study and corresponding Flood Boundary/Floodway maps of the City of Greenwood prepared by the Federal Emergency Management Agency and dated November 18, 1988. (Ord. No. 92-53, § 6.14.04 (A), 10-5-92)

B) The regulatory flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the City of Greenwood.

C) The regulatory flood elevation for each of the remaining SFHA's delineated as an "A Zone" on the Flood Insurance Rate Map of the City of Greenwood shall be according to the best data available as provided by the Indiana Department of Natural Resources. (Ord. No. 90-14, § 6.14.04, (B, C), 2-19-90).

D) The regulatory flood elevation for the SFHA's of those parts of unincorporated Johnson County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City shall be as delineated on the 100-year flood profiles in the Flood Insurance Study and corresponding Flood Insurance Rate Maps of Johnson County prepared by the Federal Emergency Management Agency and dated March 2, 1989.

If the SFHA is delineated as "AH Zone or AO Zone", the elevation (or depth) will be delineated as "Zone A" on the County Flood Insurance Rate Map. If the SFHA is delineated as "Zone A" on the County Flood Insurance Rate Map, the regulatory flood elevation shall be according to the best data available as provided by the Indiana Department of Natural Resources. (Ord. No. 92-53, § 6.14.04 (D), 10-5-92)

6.14.05 Improvement Location Permit.

No person, firm, corporation, or governmental body not exempted by State law shall commence any "development" in the SFHA without first obtaining an Improvement Location Permit from the Plan Commission or Director. The Plan Commission or Director shall not issue an Improvement Location permit if the proposed "development" does not meet the requirements of this Section.

A) The application for an Improvement Location Permit shall be accompanied by the following:

(1) A description of the proposed development;

(2) Location of the proposed development - sufficient to accurately locate property and structure in relation to existing roads and streams;

(3) A legal description of the property site;

(4) A site development plan showing existing and proposed structure locations and existing and proposed land grades;

(5) Elevation of Lowest Floor (including basement) of all proposed structures; Elevation should be in National Geodetic Vertical Datum of 1929 (NGVD); (Ord. No. 90-14, § 6.14.05 (A), 2-19-90)

B) Upon receipt of an application for an Improvement Location permit, the Director shall determine if the site is located within an identified floodway, floodway fringe or within the floodplain where the limits of the floodway have not yet been determined.

(1) If the site is in an identified floodway, the Director shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway in accordance with *I.C.,* 13-2-22-13, as amended, supplemented and/or superseded.

No action shall be taken by the Director until a permit has been issued by the Indiana Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Indiana Natural Resources Commission, the Director may issue the local Improvement Location Permit, provided the provisions contained in 6.14.06 and 6.14.07 of this Ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Indiana Natural Resources Commission.

(2) If the site is located in an identified floodway fringe, then the Director may issue the local Improvement Location Permit provided the provisions contained in 6.14.06 and 6.14.07 of this Ordinance have been met. The key provision is that the Lowest Floor of any new or substantially improved structure shall be at or above the FPG.

(3) If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined (shown as Zone A on the Flood Insurance Rate Map), and the drainage area upstream of the site is greater than one square mile, the Director shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.

No action shall be taken by the Director until either a permit for construction in the floodway or a letter of recommendation citing the 100-year flood elevation and the recommended FPG has been received from the Indiana Department of Natural Resources.

Once the Director has received the proper permit or letter of recommendation approving the proposed development, an Improvement Location Permit may be issued provided the conditions of the Improvement Location Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in 6.14.06 and 6.14.07 of this Ordinance have been met.

(4) Site shall mean the area where actual development activities (as defined herein) are to occur for the project for which an application has been made. (Ord. 92-53, § 6.14.05 (B), 10-5-90)

6.14.06 Preventing Increased Damages.

No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

A) Within the floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map, the following standards shall apply:

(1) No development shall be allowed which acting alone or in combination with existing or future similar works, will cause <u>any</u> increase in the elevation of the regulatory flood; and

(2) For all projects involving channel modifications or fill (including levees) the City of Greenwood shall submit a request to the Federal Emergency Management Agency to revise the regulatory flood data.

B) Within all SFHA's identified as A Zones (no 100-year flood elevation and/or floodway/floodway fringe delineation has been provided) the following standard shall apply:

The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood elevation more than one-tenth (0.1) of one foot and will not increase flood damages or potential flood damages.

C) Public Health Standards in all SFHA's:

(1) No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the FPG, unless such materials are stored in a storage tank or floodproofed building constructed according to the requirements of 6.14.07 of this Ordinance.

(2) New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above-ground openings located below the FPG are watertight. (Ord. No. 90-14,§ 6.14.06, 2-19-90)

6.14.07 Protecting Buildings.

In addition to the damage prevention requirements of 6.14.06, all buildings to be located in the SFHA shall be protected from flood damage below the FPG. (Ord. No. 90-14, § 6.14.07, 2-19-90)

A) This building protection requirement applies to the following situations:

(1) construction or placement of any new building more than four hundred (400 square feet in area; (Ord. No. 94-54, § 1, 11-21-94)

(2) structural alterations made to an existing building that increase the market value of the building by more than fifty percent (50%) (excluding the value of the land); structural alterations

to an existing building that do not increase the market value of the building by more than fifty percent (50%) may be made on a one-time-only basis without protecting the alteration below the FPG;

(3) any subsequent alterations;

(4) reconstruction or repairs made to a damaged building that are valued at or more than fifty percent (50%) of the market value of the building (excluding the value of the land) before damage occurred;

(5) installing a manufactured home on a new site or a new manufactured home on an existing site. This Section does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and

(6) installing a travel trailer on a site for more than one hundred eighty (180) days. (Ord. No. 92-53, § 6.14.07 (A), 10-5-92)

B) This building protection requirement may be met by one of the following methods. The Director shall maintain a record of compliance with these building protection standards as required in 6.14.03 of this Ordinance.

(1) A residential or nonresidential building may be constructed on a permanent land fill in accordance with the following:

(a) The fill shall be placed in layers no greater than one foot deep before compacting to ninety-five percent (95%) of the maximum density obtainable with the Standard Proctor Test method.

(b) The fill should extend at least ten (10) feet beyond the foundation of the building before sloping below the FPG.

(c) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three horizontal to one vertical.

(d) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.

(e) The Lowest Floor shall be at or above the FPG. (Ord. No. 90-14,§ 6.14.07 (B), 2-19-90)

(2) A residential or nonresidential building may be elevated in accordance with the following:

(a) The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundation provided:

(i) Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two (2) openings (in addition to doorways and windows)

having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of all such openings shall be no higher than one (1) foot above the grade.

(ii) An enclosure below the elevated floor is used for nonresidential purposes and building access.

(b) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice, and floating debris.

(c) All areas below the FPG shall be constructed of materials resistant to flood damage. The Lowest Floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG. (Ord. No. 92-53, § 6.14.07 (B.2), 10-5-92)

(3) Manufactured homes and travel trailers (also called recreational vehicles) to be installed or substantially improved on a site for more than one hundred eighty (180) days must meet one of the following anchoring requirements:

(a) The manufactured home shall be elevated on a permanent foundation such that the Lowest Floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;

(i) outside a manufactured home park or subdivision;

(ii) in a new manufactured home park or subdivision;

(iii) in an expansion to an existing manufactured home park or subdivision; or

(iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.

(b) The manufactured home shall be elevated so that the Lowest Floor of the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.

(4) Recreation vehicles placed on a site shall either:

(a) be on the site for less than one hundred eighty (180) consecutive days;

(b) be fully licensed and ready for highway use (defined as being on its wheel or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

(c) meet the requirements for "manufactured homes" in paragraph 3 of this subsection.

(5) A nonresidential building may be floodproofed to the FPG (in lieu of elevating) if done in accordance with the following:

(a) a Registered Professional Engineer shall certify that the building has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.

(b) Floodproofing measures shall be operable without human intervention and without an outside source of electricity. (Ord. No. 90-14, § 6.14.07, 2-19-90)

6.14.08 Other Development Requirements.

A) The Plan Commission or Director shall review all proposed subdivisions to determine whether the subdivision lies in a flood hazard area as defined elsewhere by this Ordinance. If the Plan Commission or Director finds the subdivision to be so located, the Director shall forward plans and materials to the Indiana Department of Natural Resources for review and comment. The Plan Commission or Director shall require appropriate changes and modifications in order to assure that:

(1) it is consistent with the need to minimize flood damages;

(2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;

(3) adequate drainage is provided so as to reduce exposure to flood hazards;

(4) on-site waste disposal systems, if provided, will be so located and designed to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.

B) Developers shall record the 100-year flood elevation of all subdivision plats containing lands identified elsewhere by Ordinance as within a flood hazard area prior to submitting the plats for approval by the Plan Commission.

C) All owners of manufactured home parks or subdivisions located within the SFHA identified as Zone A on the community's FHMB or FIRM develop an evacuation plan for those lots located in Zone A and file it with the local Plan Commission, <u>and</u> have it filed and approved by the appropriate community emergency management authorities. (Ord. No. 90-14, § 6.14.08, 2-19-90)

6.14.09 Variances.

A) The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of this Section provided the applicant demonstrates among other variance criteria that:

(1) there exists a good and sufficient cause for the requested variance;

(2) the strict application of the terms of this Section will constitute an exceptional hardship to the applicant; and

(3) the granting of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

B) The Board of Zoning Appeals may issue a variance to the terms and provisions of this Section subject to the following standards and conditions:

(1) No variance or exception for a residential use within a floodway subject to 6.14.06 A) or B) may be granted.

(2) Any variance or exception granted in a floodway subject to 6.14.06 A) or B) will require a permit from the Indiana Natural Resources Commission.

(3) Variances or exceptions to the Building Protection Standards of 6.14.07 may be granted only when a new structure is to be located on a lot of one-half or less in size, contiguous to and surrounded by lots with existing structures constructed below the FPG.

(4) Variance or exception may be granted for the reconstruction or restoration of any structure individually listed on the Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts, and Objects;

(5) All variances shall give the minimum relief necessary and be such that the maximum practical flood protection will be given to the proposed construction; and

(6) The Board of Zoning Appeals shall issue a written notice to the recipient of a variance or exception that the proposed construction will be subject to increased risks to life and property and could require payment of excessive flood insurance premiums.

(7) The Board of Zoning Appeals may consider the recommendation of the Indiana Department of Natural Resources if available. (Ord. No. 90-14, § 6.14.09, 2-19-90)

6.14.10. Disclaimer of Liability.

The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this Section does not create any liability on the part of the City, Indiana Natural Resources Commission, or the State of Indiana,

for any flood damage that results from reliance on this Ordinance or any administrative decision made lawfully thereunder. (Ord. No. 90-14, § 6.14.10, 2-19-90)

6.14.11 Violations.

Failure to obtain an Improvement Location permit in the SFHA or failure to comply with the requirements of a permit or conditions of a variance may be deemed to be a violation of the Greenwood Zoning Ordinance. All violations may also be considered a nuisance and be treated as such in accordance with the provisions of Sec. 6-270 *et seq*., of the *Greenwood Municipal Code*.

A) A separate offense shall be deemed to occur for each day the violation continues to exist.

B) The Greenwood Plan Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

C) Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible. (Ord. No. 90-14, § 1, 6.14.11, 2-19-90)

Sec. 10-99 Airspace District Zoning of Greenwood, Indiana.

6.15.01 Airspace District.

An Airspace District, a secondary zoning district, is established for Greenwood, Indiana, and land within its area of extended jurisdiction as designated on the Airspace District Zoning Map (Which Map is attached hereto, incorporated herein by reference and made a part of this Ordinance) is zoned and classified as the Airspace District. The Airspace District shall consist of Airport Instrument and NonInstrument Approach Surface Areas, Airport Transitional Surface Areas, Airport Horizontal Surface Areas and Conical Surface Areas, Heliport Approach Surface Areas and Heliport Transitional Surface Areas as defined in this Ordinance and indicated on the Airspace District Zoning Map.

6.15.02 Airspace District Regulations.

The following regulations shall apply to all land within the Airspace District. These regulations shall be in addition to all other primary or secondary zoning district regulations applicable to said land, and in case of conflict, the more restrictive regulations shall control.

A. **USE.**

1. **PROHIBITED USES—AIRPORT.** Within that part of the Airport Instrument and Airport Non-Instrument Approach Surface Areas and Airport Transitional Surface Areas of the Airspace District Zoning Map, which extend within ten thousand (10,000) feet from each end of a runway measured horizontally along the extended centerline of said runway, no building, structure or premises shall be erected, relocated or converted for use as a school, church, child caring institution, hospital, stadium, sports arena, public swimming pool, picnic grounds, public auditorium, theater, assembly hall, carnival, amusement park, correctional institution or any other public assembly use.

2. **PROHIBITED USES - HELIPORT.** Within that part of the Heliport Approach Surface Areas and Heliport Transitional Surface Areas of the Airspace District, as defined in this Ordinance and designated on the Airspace District Zoning Map, which extend four thousand (4,000) feet from the designated landing and take-off area of the heliport, no building, structure or premises shall be erected, relocated or converted for use as a school, church, child caring institution, hospital, stadium, sports arena, public swimming pool, picnic grounds, public auditorium, assembly hall, carnival, amusement park, correctional institution or any other public assembly use.

B. **HEIGHT LIMITS—AIRPORT.**

Except as otherwise provided herein, no structure or tree shall be erected, altered, allowed to grow or maintained within the Airspace District to a height in excess of the following height limits herein established for the applicable Airport Instrument Approach Surface Area, Airport NonInstrument Approach Surface Area, Airport Transitional Surface Area, Airport Horizontal Surface Area and Airport Conical Surface Area, as defined in this Ordinance and designated on the Airspace District Zoning Map. (Such height limits shall be computed from the applicable runway elevation or airport elevation as designated on the Airspace District Zoning Map.):

1. **HEIGHT LIMITS FOR THE AIRPORT INSTRUMENT APPROACH SURFACE AREA SHALL BE:** One (l) foot in height for each one hundred (100) feet in horizontal distance beginning at a point two hundred (200) feet from the end of the instrument runway and extending to a distance of ten thousand two hundred (10,200) feet from the end of the runway; thence one (l) foot in height for each fifty (50) feet in horizontal distance to a point fifty thousand two hundred (50,200) feet from the end of the runway.

2. **HEIGHT LIMITS FOR THE AIRPORT NON-INSTRUMENT APPROACH SURFACE AREA SHALL BE:** One (l) foot in height for each fifty (50) feet in horizontal distance beginning at a point two hundred (200) feet from the end of the non-instrument runway and extending to a point five thousand two hundred (5,200) feet from the end of the runway; thence one (l) foot in height for each sixteen (16) feet in horizontal distance to a horizontal distance of ten thousand two hundred (10,200) feet from the end of the runway.

3. **HEIGHT LIMITS FOR THE AIRPORT TRANSITIONAL SURFACE AREA SHALL BE:** One (l) foot in height for each seven (7) feet in horizontal distance beginning at a point two hundred fifty (250) feet from the centerline of non-instrument runways and five hundred (500) feet from the centerline of instrument runways, measured at right angles to the longitudinal centerline of the runway, extending upward to a maximum height of one hundred fifty (150) feet above the established airport elevation as indicated on the Airspace District Zoning Map; one (l) foot vertical height for each seven (7) feet of horizontal distance measured from the outer lines of all Instrument and Non-Instrument Approach Surface Areas for the entire length of said Approach Surface Areas, extending to their intersection with the outer line of the Conical Surface Area; and, beyond said point of intersection, beginning at the outer lines of all Instrument Approach Surface Areas and extending a horizontal distance to five thousand (5,000) feet therefrom, measured at right angles to the continuation of the runway centerline, one (l) foot vertical height for each seven (7) feet of horizontal distance.

4. **HEIGHT LIMIT FOR THE AIRPORT HORIZONTAL SURFACE AREA SHALL BE:** One hundred fifty (150) feet above the established airport elevation as indicated on the Airspace District Zoning Map.

5. **HEIGHT LIMIT FOR THE AIRPORT CONICAL SURFACE AREA SHALL BE:** One (l) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the Horizontal Surface Area and measured perpendicularly to the periphery of the Horizontal Surface Area to a height of three hundred fifty (350) feet above the airport elevation.

Provided, however, if any area is subject to more than one of the above height limitations, the more restrictive limitation shall control. Provided further, however, nothing in this Ordinance shall be construed as prohibiting the erection, construction, growth or maintenance of any structure or tree to a height of fifty (50) feet or less above the surface of the land.

C. **HEIGHT LIMITS - HELIPORTS.**

Except as otherwise provided herein, no structure or tree shall be erected, altered, allowed to grow or maintained within the Airspace District to a height in excess of the following height limits herein established for the applicable Heliport Approach Surface Area and Heliport Transitional Surface Area, as defined in this Ordinance and designated on the Airspace District Zoning Map. (Such height limits shall be computed from the applicable heliport landings and take-off area elevation as designated on the Airspace District zoning Map.)

1. **HEIGHT LIMIT FOR THE HELIPORT APPROACH SURFACE AREA SHALL BE:** One (l) foot in height for each eight (8) feet in horizontal distance beginning at the end of the heliport primary surface (such primary surface coinciding in size and shape with the designated take-off and landing area of the heliport) with the same width as the primary surface and extending outward and upward for a horizontal distance of four thousand (4,000) feet where its width is five hundred (500) feet.

2. **HEIGHT LIMIT FOR THE HELIPORT TRANSITIONAL SURFACE AREA SHALL BE:** One (l) foot in height for each two (2) feet in horizontal distance extending outward and upward from the lateral boundaries of the heliport primary surface and from the approach surface for a distance of two hundred fifty (250) feet measured horizontally from the centerline of the primary and approach surfaces.

Provided, however, if any area is subject to more than one of the above height limitations, the more restrictive limitation shall control. Provided further, however, nothing in this Ordinance shall be construed as prohibiting the erection, construction, growth or maintenance of any structure or tree to a height of fifty (50) feet or less above the surface of the land.

D. **PERFORMANCE STANDARDS.**

The following performance standards shall apply to all land within the perimeter of the Airport Conical Surface Area and Heliport Transitional Surface Area as defined in this Ordinance and indicated on the Airspace District Zoning Map.

1. **INTERFACE WITH COMMUNICATIONS.** No use shall create interference with any form of communication the primary purpose of which is for air navigation.

2. **GLARE; MARKING AND LIGHTING OF AIRSPACE HAZARDS.**

a. All lights shall be located or shielded in such a manner that they do not interfere with runway, taxi, tower or any other airport and heliport lights or result in glare which may interfere with the use of the airport and heliport in landing, taking-off or maneuvering of aircraft.

b. Such markers and lights as may be required by the Federal Aviation Administration, the Indiana Department of Transportation, Division of Aeronautics, or the Greenwood Board of Aviation Commissioners to indicate to air crews the presence of structures or trees constituting airspace hazards, as defined in this ordinance, shall be permitted.

E. **DEFINITIONS.**

1. **AIRSPACE HAZARD.** Any structure, tree, object or use of land which obstructs the airspace or is otherwise hazardous to the flight of aircraft in landing or taking-off at a public airport or heliport, as determined to constitute an "airspace," "airport" or "heliport" hazard either by the Federal Aviation Administration, the Indiana Department of Transportation, Division of Aeronautics, or the Greenwood Board of Aviation Commissioners.

2. **AIRPORT CONICAL SURFACE AREA.** The land area designated as "Airport Conical Surface Area," on the Airspace District Zoning Map, beginning at the periphery of the Horizontal Surface Area and thence extending outwardly a distance of four thousand (4,000) feet - said Conical Surface Area not including, however, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface Area.

3. **AIRPORT HORIZONTAL SURFACE AREA.** The land area designated as "Airport Horizontal Surface Area," on the Airspace District Zoning Map, the perimeter of which is determined by projecting arcs from the center of the inner line of each Instrument and Non-Instrument Approach Surface Area (the dimension of said arcs for Instrument Approach Surface Areas being ten thousand (10,000) feet and for NonInstrument approach connecting adjacent arcs by lines tangent thereto - not including, however, as a part of the Horizontal Surface Area, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface Area.

4. **AIRPORT INSTRUMENT APPROACH SURFACE AREA**. The land area designated as "Airport Instrument Approach Surface Area" on the Airspace District Zoning Map, located at each end of each instrument runway for landings and takeoffs - said Surface Area having a width of one thousand (1,000) feet at a horizontal distance of two hundred (200) feet beyond each end of the runway and widening thereafter uniformly to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand (50,000) feet beyond each end of the runway, its centerline being the continuation of the runway centerline.

5. **AIRPORT NON-INSTRUMENT APPROACH SURFACE AREA.** The land area designated as "Airport Non-Instrument Approach Surface Area" on the Airspace District Zoning Map, located at each end of each non-instrument runway for non-instrument landings and take-offs - said Surface Area having a width of five hundred (500) feet at a horizontal distance of two hundred (200) feet beyond each end of the runway and widening thereafter uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten thousand two hundred (10,200) feet beyond each end of the runway, its centerline being the continuation of the runway centerline.

6. **AIRPORT LANDING AREA.** The area of the Airport used for the landing, take-off or taxiing of aircraft.

7. **AIRPORT TRANSITIONAL SURFACE AREA.** The land area designated as "Airport Transitional Surface Area" on the Airspace District Zoning Map, located adjacent to each instrument and non-instrument runway, symmetrically on each side of such runway - said Surface Area extending outward as indicated on the Airspace District Zoning Map from a line two hundred fifty (250) feet on either side of the centerline of a non-instrument runway, for the length of such runway plus two hundred (200) feet at each end thereof, to the inner line of the Horizontal Surface Area, and from a line five hundred (500) feet on either side of the centerline of an instrument runway plus two hundred (200) feet at each end thereof, to the inner line of the Horizontal Surface Area; further symmetrically located adjacent to each Instrument and NonInstrument Runway Approach Surface Area, on each side thereof, having variable widths, as indicated on the Airspace District Zoning Map, and extending the entire length of said Approach Surface Areas to their intersection with the outer line of the Conical Surface Area; and further located beyond said points of intersection, beginning at the outer lines of all Instrument Approach Surface Areas and extending a horizontal distance of five thousand (5,000) feet therefrom, measured at right angles to the continuation of the runway centerline, as indicated on the Airspace District Zoning Map.

8. **HELIPORT APPROACH SURFACE AREA**. The land area designated as "Heliport Approach Surface Area" on the Airspace District Zoning Map, located at the edge of the heliport landing and take-off area - said surface area having a width equal to the width of the heliport landing and take-off area and widening thereafter uniformly to a width of five hundred (500) feet at a horizontal distance of four thousand (4,000) feet from the landing and take-off area.

9. **HELIPORT LANDING AND TAKE-OFF AREA.** The area of the heliport used for the landing and take-off of helicopters.

10. **HELIPORT PRIMARY SURFACE AREA.** That area coinciding in size and shape with the Heliport Landing Take-off Area.

11. **HELIPORT TRANSITIONAL SURFACE AREA.** The land area designated as Transitional Surface Area on the Airspace District Zoning Map, located adjacent to the heliport primary surface - said surface extends outward perpendicular to the centerline of the primary and approach surfaces for a horizontal distance of two hundred and fifty (250) feet.

12. **INSTRUMENT RUNWAY.** A runway equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.

13. **NON-INSTRUMENT RUNWAY.** A runway other than an instrument runway.

14. **PUBLIC USE AIRPORT OR HELIPORT.** An airport or heliport, whether private or publicly owned, which the owner or persons having a right of access and control invite, encourage or allow flight operations by the general public without prior authorization, designated as a "Public Use Airport" or "Heliport" on the Airspace District Zoning Map, for which an Airspace District is established by this Ordinance.

15. **RUNWAY.** The surface of the airport used for landing and taking-off of aircraft.

16. **STRUCTURE.** An object constructed or installed by man, including but without limitation, buildings, towers, smokestacks and overhead transmission lines.

17. **SECONDARY ZONING DISTRICT.** The area designated on a secondary zoning district map which has special regulations in addition to the regulations of the land use independent zoning district which also applies to the area on the map. A list of the land use independent zoning districts or primary districts is found in Article 5 of the Greenwood Zoning Ordinance No. 82-1, as amended. (Ord. No. 86-21, § 1, 5-5-86)

6.15.03 Airspace District Zone Map.

Two (2) copies of the Airspace District Zoning Map are on file in the Office of the Clerk-Treasurer of the City of Greenwood and the Council directs the Clerk-Treasurer to maintain for public inspection two (2) copies of said map in the files of the Clerk-Treasurer. (Ord. No. 86-21, § 2, 5-5-86)

Sec. 10-100 Group Homes Protected under *I.C.*, 12-7-2-98.5 for the Developmentally Disabled.

6.16.01 Purpose and Scope.

This Section shall apply to group homes that are protected under *I.C.,* 16-13-21-12, as amended [Repealed by P.L. 9-1991], for the developmentally disabled. Group homes for the developmentally disabled must be facilities licensed under *I.C.,* 16-10-4, as amended, and are protected by *I.C.,* 16-13-21-12. [Editor's Note: This State law was repealed by P.L. 9-1991. "Group Home" is now defined at *I.C.*, 12-7-2-98.5, and "developmentally disabled" is defined at *I.C.*, 12-7-2-62.]

6.16.02 Location/Separation.

Article 8, Table A. Official Schedule of Uses shall establish in which districts group homes are permitted or prohibited. A group home shall not be located within three thousand (3,000) feet of another such group home as measured between lot lines.

6.16.03 Permit Application/License Verification.

Any person (as defined in Article 15, Section 1. C) filing an "Application for Occupancy Permit, Change of Use Permit, and Improvement Location Permit" shall file at the time of application a copy of the approved state license for such a group home. A valid state license must be obtained prior to improvement location permit approval. An applicant shall disclose whether or not license revocation proceedings are pending.

6.16.04 Neighborhood Compatibility.

A new structure proposed to be constructed and used as such a group home facility shall be compatible with the existing neighborhood with regard to architectural style, exterior building materials, and landscaping.

6.16.05 Change of Use of Existing Structure.

A "Change of Use Permit" must be obtained prior to occupancy of an existing dwelling by such a group home. An existing dwelling cannot be modified or altered so as to be
incompatible with the existing neighborhood with regard to architectural style, exterior building materials, and landscaping. All other requirements are the same as those set in this Section for constructing a new group home facility. (Ord. No. 87-43, § 1, 8-3-87)

Sec. 10-101 Corridor Overlay Zone District.

6.17.01 Purpose, Intent, and authority.

It is the purpose of this Section to establish standards for those items that affect the physical development of land within the I-65 Corridor Overlay Zone. Pertinent to appearance is the design of the site, building and structure, plantings, signs, street hardware, and other miscellaneous objects that are observed by the public. These standards are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles, which can result in creative solutions that will develop a satisfactory visual appearance within the overlay zone, preserve property values, and promote the public health, safety and welfare by providing for consistent, and coordinated treatment of the properties bordering portions of Emerson Avenue, Arlington Avenue (Graham Rd.) and Interstate Highway I-65 in the City of Greenwood and Pleasant Township, Johnson County, Indiana. The Plan Commission, in establishing this zone is relying on *I.C.,* 36-7-4-201 *et seq.* and *I.C.,* 36-7-4-601 *et seq.*

Interstate Highway I-65 is a limited access interstate highway which is flanked on the east and west sides by parallel streets, Emerson Avenue and Arlington Avenue. These streets, combined with Main St. and County Line Rd., form an important entrance corridor to Greenwood and Johnson County. For the motoring public traveling northward this corridor is the entry way to the Indianapolis metropolitan area. For those traveling southward it is the gateway to southern Indiana.

The visibility and accessibility of the land within this corridor is unique, and the land is in relatively large ownership tracts, and therefore commands the highest standards of development which stimulate

substantial capital investments, encourage efficient land use, promote coordinated development, permit innovative site designs, establish development standards, and preserve the integrity of the roadways within this corridor.

6.17.02 Corridor Overlay Zone Boundaries.

The boundaries of the I-65 Corridor Overlay Zone are hereby established and the Plan Commission is hereby authorized to show said boundaries on the official zoning map of the City of Greenwood.

The I-65 Corridor Overlay Zone includes an area rectangular in shape whose four (4) boundaries are described as:

l) **NORTHERN BOUNDARY**—the south right-of-way-line of County Line Rd. (Johnson/Marion County Line Rd.)

2) **SOUTHERN BOUNDARY**—the boundary line dividing survey Section 34, Twp. 14N, Range 4E and Section 3, Twp. 13N, Range 4E.

3) **EASTERN BOUNDARY**—a line parallel to and five hundred (500) feet east of the east boundary of Sections 27 and 34, Twp. 14N, Range 4E.

4) **WESTERN BOUNDARY**—a line parallel to and five hundred (500) feet west of the east boundary line of Sections 28 and 33, Twp. 14N, Range 4E.

See following map:

****Page 831 is Reserved for Future Use.**

See this page at the end of this Chapter

830.1

6.17.03 Definitions Peculiar to the I-65 Corridor Overlay Zone.

SUBSECTION 6.17.03 DEFINITIONS PECULIAR TO THE 1-65 CORRIDOR OVERLAY ZONE HAS BEEN REPEALED PER ORDINANCE NO. 02-10 PASSED ON MARCH 18, 2002 BY THE GREENWOOD COMMON COUNCIL. DEFINITIONS MAY NOW BE FOUND UNDER A NEW ARTICLE 22, SECTION 10-540.

(Ord. 02-10, §4, 3-18-02)

6.17.04 Plan Commission Approval.

Approval by the Plan Commission shall be required for any proposed or revised development plan or structure or structural alteration in the I-65 Corridor Overlay Zone. Plan Commission approval of the architectural design, landscaping, drainage, sewerage, parking, signage, lighting and access to the property shall be necessary prior to: (l) the establishment of any use of the land; (2) the issuance of any improvement location permit; (3) the erection, construction or structural alteration of any building(s) in the I-65 Corridor Overlay zone; or (4) modification or revision of any site development plan. The Plan Commission, in reviewing applications, shall examine factors concerning the site, site plan, and the surrounding area, which include but are not limited to the following items:

1. Topography;
2. Zoning on site;
3. Surrounding zoning and existing land use;

4. Streets, curbs and gutters, and sidewalks;
5. Access to public streets;
6. Driveway and curb cut locations in relation to other sites;
7. General vehicular and pedestrian traffic;
8. Internal site circulation;
9. Special and general easements for public or private use;
10. On-site and off-site surface and sub-surface storm and water drainage;
11. On-site and off-site utilities;
12. The means and impact of sanitary sewage disposal and water supply technique;
13. Dedication of streets and rights-of-way;
14. Protective restrictions or covenants and/or recorded commitments;
15. Provision for adequate and acceptable setbacks, lighting, signage, screening, landscaping, and compatibility with existing platted residential uses; and
16. Effects any proposed project may have on the entire I-65 Overlay Zone.

6.17.05 Permitted Uses.

All uses which are permitted in the underlying zoning districts, except the uses expressly excluded by Section 6.16.07, shall be permitted in the I-65 Corridor Overlay Zone.

6.17.06 Special Uses.

All special uses which are permitted (upon obtaining special use authorization) in the underlying districts, except the uses expressly excluded by Section 6.16.07, shall be permitted in the I-65 Corridor Overlay Zone.

6.17.07 Excluded Uses.

1. **I-1 INDUSTRIAL DISTRICTS.**

The following uses shall be excluded from I-l Industrial zoning districts within the I-65 Corridor Overlay Zone:

auction house/lot
automobile sales
mobile homes sales
truck/equipment sales
farm implement sales
auto and truck gasoline/service stations
auto/truck garages or body shops
vehicle/boat/rv storage
auto parts/tire center
boarding house
billiard parlor
laundry/dry cleaning
retail department stores/shopping centers
retail shops (except as accessory use to office bldg.)

motor bus/rail passenger station
photo pick-up station
radio/television transmission receiving towers or antennas
recreational vehicle sales
sheet metal shop/fabricated metals
repairs-welding, armature, re-winding
churches, synagogues
cemeteries, mausoleums
funeral homes
utility treatment/generative facilities (except industrial pre-treatment)
children's home/group home (those protected under *I.C.,* 6-13-21-12 and all other types of group homes)
boat sales
bowling alley
carnivals, fairs, circus
car wash
cold storage locker
meat locker/freezer
fuel or ice sales
grain elevator/feed/fertilizer
junk yard/salvage yard
landfill/refuse dump
mineral extraction/barrow pit
kennels/veterinary clinic
mobile homes/mobile home parks
outdoor theater/indoor cinema
race track
raising/breeding non-farm fowl/animals
riding stables/boarding stables
roadside sales/stands
plant nurseries
vineyards/orchards
wildlife/nature preserves
conservation district
public swimming pools
private camps or clubs
strip shopping centers/large department stores
receiving or transmission towers or antennas
above-ground bulk storage tanks (except tanks for public or private water supply)
public works facilities (equipment, maintenance., materials)
forestry preserve
fishing, hunting, trapping
metal mining
anthracite mining
bituminous coal and liquite mining
oil and gas extraction
mining/quarrying non-metallic minerals

building construction - general contractors
construction other than buildings - heavy contractors
rail switching/terminal services (engineer yards)
rail - public depots
nursing homes
botanical/zoological gardens
membership organizations
outside storage or display of products, merchandise, or materials
residential uses or structures
restaurants which serve food or beverages directly to occupants of motor vehicles

2. **C-1, C-2 C-3 COMMERCIAL DISTRICTS.**

The following uses shall be excluded from C-l, C-2, and C-3 Commercial zoning districts within the I-65 Corridor Overlay Zone:

auction house/lot
automobile sales
mobile home sales
truck/equipment sales
farm implement sales
children's home/group home (those protected under *I.C.,* 16-13-21-12 and all other types of group homes)
billiard parlor
radio/television transmission tower
recreational vehicle sales
churches/synagogues
cemeteries/mausoleums
utility treatment/generative facilities
boat sales
carnivals, fairs, circus
cold storage locker
meat locker/freezer
fuel or ice sales
grain elevator/feed/fertilizer
junk yard/salvage yard
vehicle/boat/rv storage
kennels/veterinary clinic
public swimming pools
private camps or clubs
public works facilities (equipment, maintenance., materials)
fishing, hunting, trapping
construction other than buildings - heavy contractor
construction - special trade contractors
receiving or transmission towers or antennas
above-ground bulk storage tanks
one-or two-family dwellings

multi-family dwellings (Ord. No. 99-17, § 1, 4-19-99)
mobile homes/mobile home parks
outdoor theater
race track
raising/breeding non-farm fowl/animals
riding academies/boarding stables
roadside sales/stands
plant nurseries
vineyards/orchards
wildlife/nature preserves
conservation district
forestry preserve
building Construction - general contractor
botanical/zoological gardens

3. **R-3, R-4 MULTI-FAMILY DISTRICTS.**

The following uses shall be excluded from R-3 and R-4 Multi-family Residential zoning districts within the I-65 Corridor Overlay Zone:

single-family dwelling subdivisions
single-family dwellings-individually
plant nurseries
multi-family dwelling subdivisions or developments with a density less than ten (10) units per acre
vineyards/orchards
nature/wildlife preserves
conservation district
public swimming pools
private clubs or camps
cemeteries
funeral homes
boarding house
temporary or seasonal uses (circuses, fairs, camps, etc.)
children's home/group homes (those protected under *I.C.,* 16-13-21-12 and 811 other types of group homes)
riding academies/boarding stables
agricultural - livestock
agricultural elevator, feed mill/fertilizer, etc.
agricultural - enclosed confined feeding
agricultural - confined feed lot
roadside produce stand
veterinary clinic
animal services
kennels

4. **SF SUBURBAN FRINGE DISTRICTS.**

The following uses shall be excluded from SF Suburban Fringe zoning districts within the I-65 Corridor

Overlay Zone:

public swimming pools
private clubs or camps
cemeteries
funeral homes
boarding house
temporary or seasonal uses (circus, fairs, camps, etc.)
children's home/group homes (those protected under *I.C.,* 16-13-21-12 and 811 other types of group homes)
riding academies/boarding stables
agricultural - livestock
agricultural elevator, feed mill/fertilizer, etc.
agricultural - enclosed confined feeding
agricultural - confined feed lot
roadside produce stand
veterinary clinic
animal services
kennels

6.17.08 Reserved.

6.17.09 Accessory Buildings and Uses.

All accessory buildings and uses which are permitted in the underlying zoning district(s) shall be permitted within the I-65 Corridor Overlay Zone, except that any detached accessory building on any lot shall have on all sides the same architectural features or shall be architecturally compatible with the principal building(s) with which it is associated. All accessory buildings shall have a roof.

6.17.10 Minimum Lot Size.

All lots within the I-65 Corridor Overlay Zone shall contain a minimum area of five (5) acres (217,800 square feet). However, if a lot was recorded prior to the effective date of this Ordinance, and said lot does not contain the minimum area required by this Section, said lot ("undersized lot") may be used for any use permitted in the I-65 Corridor Overlay Zone provided that:

(a) at the time of recordation of the undersized lot or on the effective date of this Ordinance the undersized lot met the requirements for minimum lot size then in effect for a lot in the underlying zoning district(s);

(b) the owner of the undersized lot shall include, up to the minimum lot size, any adjoining vacant land (not separated by a street or public way) owned on or before the effective date or at the time of application which, if combined with the undersized lot, would create a lot which conforms to the minimum lot size requirements of this Section; and

(c) all other applicable regulations of the I-65 Corridor Overlay Zone can be met.

6.17.11 Exceptions to Minimum Lot Size.

A. **COMMERCIAL OUTLOTS.**

Commercial outlots shall be permitted as part of a commercial/retail shopping project within an underlying C-l, C-2 or C-3 commercial zoning districts only (prohibited in all other districts within the overlay zone) provided that;

(a) the minimum size of an outlot shall be twenty thousand (20,000) square feet;

(b) the outlots shall be an integrated part of the commercial/retail project with respect to traffic circulation, development plan requirements, landscaping, architecture, and signage.

B. **MULTI-FAMILY RESIDENTIAL.**

Multi-family residential projects permitted in the underlying zoning districts shall have a minimum project area of fifteen (15) acres, excluding public street right-of-way. If applicable, individual lots within such a housing project shall conform to the requirements of the underlying zoning district.

6.17.12 Maximum Building Height Requirements.

Maximum building height shall be as specified in the underlying zoning district(s), except as follows:

(a) **C-1, C-2, C-3 DISTRICTS**. All uses, sixty (60) feet, except that the maximum height may not exceed fifty percent (50%) of the depth of the front yard. (For purposes of this computation only, where access to the lot is by a frontage road which is between the lot and the corridor street, the roadway width shall be added to the depth of the front yard.)

(b) **I-1 DISTRICT**. All uses, ninety (90) feet, except that the maximum height may not exceed the depth of the front yard. (For purposes of this computation only, where access to the lot is by a frontage road which is between the lot and the corridor street, the roadway width shall be added to the depth of the front yard.)

(c) **AIRPORT RESTRICTIONS**. The height of buildings or other structures shall be restricted based upon the proximity of the building or structure to Greenwood Municipal Airport. Height limitations established by either 14 *CFR* Part 77 (Federal Aviation Regulations) as amended, or *I.C.,* 8-21-10-1 *et seq.* as amended (tall structures act) or by Section 10-99, Airspace District Zoning, shall supersede the height limitations established in this Section.

6.17.13 Minimum Building Height.

All uses, fourteen (14) feet with a minimum of twelve (12) feet to the lowest eaves for a building with a gable, hip, or gambrel roof.

6.17.14 Minimum Front Yard.

For all buildings, ninety (90) feet from a corridor street and fifty (50) feet from a frontage or access

street. For multi-family residential developments these setbacks apply to the perimeter of the project only - setbacks from internal streets shall be as per R-4 zoning district requirements.

6.17.15 Minimum Side Yard.

For all non-residential buildings, forty-five (45) feet. For multi-family residential buildings the R-4 zoning district requirements shall apply.

6.17.16 Minimum Rear Yard.

For all non-residential buildings, thirty (30) feet. For multi-family residential buildings the R-4 zoning district requirements shall apply.

6.17.17 Minimum Corridor Street Frontage.

All uses, two hundred (200) feet.

6.17.18 Minimum Gross Floor Area.

All non-residential buildings shall have a minimum of two thousand five hundred (2,500) square feet of floor area, excluding the floor area of any basement or any accessory building(s). Accessory buildings shall not be used in the computation of floor area. Accessory buildings permitted need not meet the minimum floor requirement.

6.17.19 Maximum Lot Coverage.

(a) If all building(s) on the lot contain an aggregate gross floor area of less than twenty-five thousand (25,000) square feet, thirty-five percent (35%) of the lot;

(b) If all building(s) on the lot contain an aggregate gross floor area of between twenty-five thousand (25,000) square feet and seventy-four thousand nine hundred ninety-nine (74,999) square feet, forty-five percent (45%) of the lot;

(c) If all building(s) on the lot contain an aggregate gross floor area of between seventy-five thousand (75,000) square feet and one hundred fifty thousand (150,000) square feet, fifty-five percent (55%) of the lot; and

(d) If all building(s) on the lot contain an aggregate gross floor area in excess of one hundred fifty thousand (150,000) square feet, sixty-five percent (65%) of the lot.

6.17.20 Architectural Design Requirements.

In reviewing the architectural design of buildings proposed to be built in the I-65 Corridor Overlay Zone, factors to be considered by the Commission shall include but are not limited to:

(a) scale and proportion;

(b) suitability of building materials;

(c) design in relation to surrounding buildings;

(d) design in relation to topography of the site;

(e) design in relation to proposed landscaping; and

(f) aesthetics of the proposed building, including color.

The standards in 6.17.16.20.01 through 6.17.20.3 shall be met.

6.17.20.01 Relationship of Building to Site.

(a) The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.

(b) Site planning in which setbacks and yards are in excess of zoning restrictions is encouraged to provide an interesting relationship between buildings.

(c) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from view from public ways.

(d) Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

(e) Newly-installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

6.17.20.02 Relationship of Buildings and Site to Adjoining Area.

(a) Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.

(b) Attractive landscape transition to adjoining properties shall be provided.

(c) Harmony in texture, lines, and masses is required. Monotony shall be avoided.

6.17.20.03 Building Design.

(a) Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

(b) Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

(c)

(i) Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

(ii) Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.

(iii) Materials shall be of durable quality.

(iv) In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.

(d) Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.

(e) Colors shall be harmonious and only the use of compatible accents shall be permitted.

(f) Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the buildings, or they shall be so located as not to be visible from any public ways.

(g) Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.

(h) Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.

(i) Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.

6.17.21 Signage Standards.

(a) Signage shall be designed as an integral part of the architectural and landscaping plans. The colors, materials, and style of signage shall be architecturally compatible and accentuate the buildings and landscaping on the site. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.

(b) Business signs shall be prohibited in the required greenbelt areas.

(c) Wall signs on free-standing buildings shall not be limited to one particular sign or one particular wall of a building. Rather, signage shall be limited to the extent that the total face area of signage placed upon any wall shall not exceed an area equal to fifteen (15%) percent of the wall area for buildings in the underlying industrial districts, and to exceed an area equal to twenty (20%) percent of the wall area for buildings in the underlying commercial districts. Sign copy on canopies, awnings, or the like shall be included as part of the wall signage.

(d) Private traffic direction signs and pavement markings for the direction and control of traffic into, out of, and within the site shall conform to the Manual on Uniform Traffic Control Devices as published by the Indiana Department of Highways.

(e) The integration of project signage, particularly the sharing of poles to identify multiple businesses, is encouraged within the underlying commercial districts. The Plan Commission shall have the authority to approve off-premise signage should it determine that such signage would promote the intent and purposes of the I-65 Corridor Overlay Zone.

(f) Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.

(g) The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.

(h) Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.

(i) Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.

6.17.22 Landscaping Plan.

A landscaping plan shall be submitted to the Plan Commission for its approval at the same time other plans (i.e. architectural design lighting, parking, signage and site plans) are submitted. This plan shall be drawn to scale, including dimensions and distances, shall delineate all existing and proposed structures, private parking areas, walks, ramps for handicapped, terraces, driveways, signs, lighting standards, steps and other similar structures; and shall delineate the location, size, and description of all landscape materials and the method to be used for the watering or irrigation of all planting areas. Landscape treatment for plazas, roads, paths, service and private parking areas shall be designed as an integral and coordinated part of the landscape plan for the entire lot.

6.17.23 Areas to be Landscaped.

A. Minimum Landscaped Areas

(a) **GREENBELT.** The Greenbelt shall be suitably landscaped and shall be otherwise unoccupied except for steps, walks, terraces, driveways, lighting standards, and other similar structures, but excluding private parking area. Mounding and other innovative treatments are to be especially encouraged in this area.

(b) **PLANTING ADJACENT TO FREE-STANDING BUILDINGS.** A planting area equal to an area measuring twenty-five (25) feet in depth by the width of the front of the building plus twenty (20) feet (to extend ten (10) feet out on both sides) shall be installed at the front of the building. A planting area equal to an area ten (10) feet in depth by the remaining sides of the building shall be installed on all other sides of the building. Sidewalks may be permitted in these areas, but shall not occupy the entire area on any side of the building. If an approach driveway cuts into a planting area adjacent to the building, additional planting area equal to the area displaced by the driveway shall be added to the building perimeter planting. These adjacent planting areas need not be rectangular in shape as long as the required amount of space is landscaped, and innovative and original designs are encouraged.

(c) **PERIPHERAL PLANTING.** There shall be peripheral landscaping strip, four (4) feet in depth, located along the side of any private parking area which abuts any side or rear property line. At least one tree for each fifty (50) lineal feet shall be planted in any such peripheral landscaping strip.

(d) **PLANTING WITHIN PARKING LOTS.** All parking lot landscaping shall be of a quality to improve and enhance the site and its surrounding area. Effective use of mounding and existing topography is encouraged. Landscaping and planting areas shall be reasonably dispersed throughout the parking area, and not less than five percent (5%) of a private parking lot shall be landscaped. (For purposes of this computation, landscaping in: (l) the Greenbelt; (2) adjacent to buildings; and (3) on the periphery of the lot shall not be included.)

(e) **MINIMUM TOTAL LANDSCAPING REQUIRED.** Inclusive of the Greenbelt, the planting adjacent to the building, the peripheral planting, and the planting within the parking lots, a minimum of fifteen percent (15%) of the lot shall be landscaped at the ground level.

B. Exceptions to Planting Adjacent to Free-Standing Buildings

(a) Greenbelt or planting areas shall not be required adjacent to the portion of a free-standing building which abut service yards, storage yards, overhead garage doors, truck docks, or other similar service and delivery areas, provided said areas are screened from view from public ways. (Ord. No. 91-6, § 1, 3-4-91)

6.17.24 Landscaping Standards.

(a) The interior dimensions, specifications and design of any planting area or planting median proposed to be constructed shall be sufficient to protect the landscaping materials planted therein and to provide for proper growth.

(b) The primary landscaping materials used in the Greenbelt and adjacent to buildings shall be shade trees, ornamental trees, shrubs, ground covers, grass, mulches, etc.

(c) The primary landscaping materials used in and around private parking areas shall be trees which provide shade at maturity. Shrubbery, hedges, and other planting material may be used to compliment tree landscaping, but shall not be the sole contribution to the landscaping.

(d) All shade trees proposed to be used in accordance with any landscaping plan shall be a minimum of eight feet in overall height and have a minimum trunk diameter, twelve (12) inches above the ground of two (2) inches upon planting. They should be of a variety which will attain an average mature spread greater than twenty (20) feet.

(e) Landscaping materials selected should be appropriate to local growing and climatic conditions. Wherever appropriate existing trees should be conserved and integrated into the landscaping plan. Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth. Indigenous and other hardy plants that are harmonious to the design, and of good appearance shall be used.

(f) The landscaping plan shall ensure that sight distances are not obstructed for drivers of motor vehicles.

(g) Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography shall be permitted where it contributes to good appearance.

(h) Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.

(i) Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axis, and provide shade. Spectacular effects shall be reserved for special locations only.

(j) Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.

(k) In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.

(l) Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.

(m) Where building sites limit planting, the placement of trees in parkways or paved areas is encouraged.

(n) Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.

(o) In areas where general planting will not prosper, other materials such as fences, walls, and paving of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.

(p) Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.

(q) Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings and signs.

6.17.25 Landscaping Installation and Maintenance.

(a) **INSTALLATION.** All landscaping required by the approved landscaping plan shall be installed prior to the issuance of a building occupancy permit if said permit is issued during a planting season, or within six (6) months of the date an occupancy permit is issued if issued during a non-planting season.

(b) **MAINTENANCE.** It shall be the responsibility of the owners and their agencies to insure proper maintenance of the landscaping, in accordance with the standards set by this Ordinance and as indicated on the landscaping plan which has been approved by the Plan Commission. This is to include, but is not limited to, replacing dead plantings with identical varieties or a suitable substitute, and keeping the area free of refuse and debris.

(c) **CHANGES AFTER APPROVAL.** No landscaping which has been approved by the Plan Commission may later be altered, eliminated or sacrificed, without first obtaining further Plan Commission approval.

(d) **INSPECTION.** The Plan Commission, Building Commissioner, or their duly appointed representative, shall have the authority to visit any lot within the I-65 Overlay Zone to inspect the landscaping and check it against the approved plan on file.

6.17.26 Parking Requirements.

Parking is to be discouraged between the Greenbelt and the building(s) when other suitable areas for parking exist on the property; however, private parking may be permitted in the area between the Greenbelt and the planting adjacent to the building(s) and the planting on the periphery of the property. Efforts to break up large expanses of pavement are to be encouraged by the interspersing of appropriate planting areas wherever possible.

The number of parking spaces required are as established elsewhere in this Ordinance, depending upon the zoning and the intended land use. Alternatives to the established parking requirements may be granted to developments which have a mixture of uses whose peak parking requirements do not coincide in time and thereby may share parking spaces. The applicant shall provide expertly-prepared justification for seeking such exceptions (i.e., a reference such as *Shared Parking*, Urban Land Institute). There shall be an appropriate number of parking spaces, accessible to the building(s) and identified as reserved for use by handicapped individuals, and these spaces shall be of sufficient width (minimum of twelve (12) feet) to accommodate their needs.

6.17.27 Lighting Requirements.

In reviewing the lighting plan for a lot proposed to be developed in the I-65 Corridor Overlay Zone, factors to be considered by the Commission shall include but are not limited to:

1. Safety provided by the lighting.

2. Security provided by the lighting.

3. Possible light spillage or glare onto adjoining properties or streets. (down-shielding is encouraged)

4. Attractiveness of the lighting standards and their compatibility with the overall treatment of the property.

5. Height and placement of lighting standards considering the use.

6. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Lighting standards and building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided.

6.17.28 Outside Storage Prohibited.

No outside, unenclosed storage of refuse (whether or not in containers) or display of merchandise shall be permitted on any lot. All refuse shall be contained completely within the principal or accessory building(s).

6.17.29 Loading Berth Requirements.

Loading berth requirements shall be as specified in the underlying zone district(s), except that any loading or unloading berth or bay shall be screened from view beyond the site by landscaping or other screening.

6.17.30 Access to Individual Lots.

The "corridor" streets, particularly Emerson Avenue, Main Street, County Line Rd., and Arlington Avenue, by their functional nature as primary thoroughfares, must have reasonable restrictions as to the number and location of access points within the overlay zone. Interstate Highway I-65 represents a total barrier to east-west streets, except for crossings at Main Street and County Line Road. Therefore, in order to provide safe and sufficient traffic movement to and from adjacent lands and to protect the functional integrity of the corridor's primary thoroughfares, in many cases frontage roads, access roads, and distributor roads, will have to be built. Such roads shall be coordinated with those of contiguous lots and designed to preserve the aesthetic benefits provided by the greenbelt areas. Access at the side or rear of buildings is encouraged. New access points onto the primary thoroughfares in the corridor shall be coordinated with existing access points whenever possible.

6.17.31 Application and Approval Procedure.

6.17.31.01 Consultation with Planning Department Staff.

Applicants shall meet with the Planning Director or his designated representative to review the zoning classification of their site, obtain copies of the regulatory ordinances and application forms, review the procedures and examine the proposed use and development of the property. The Planning Director shall advise the applicant in preparing his application and supporting documents as necessary. The application forms and copies of the site plan or plat shall be submitted in the form and quantities prescribed by the Plan Commission.

Submissions shall include:

(a) site development plan and/or plat;
(b) required information on architectural design;
(c) landscaping plan;
(d) parking plan;
(e) signage;
(f) lighting plan;
(g) traffic circulation plan, vehicular and pedestrian
(h) drainage plans and calculations;
(i) on-site and off-site utilities plan; and
(j) other necessary supporting documents and materials.

6.17.31.02 Initial Review of Application and Supporting Documents.

Following the receipt of the written application and other required plans and materials, and the application fee, the Planning Director shall then review the materials solely for the purpose of determining whether the application is complete, in technical compliance with all applicable ordinances, laws, and regulations, and is to be placed upon a Plan Commission docket. The application and required plans must be docketed at least ten (10) days prior to the Plan Commission hearing. The applicant shall be responsible for submitting the application and plans to the Planning Director in sufficient time to allow adequate review and docketing.

6.17.31.03 Plan Review Process/Committee Review.

Detailed review procedures and contents of plans shall be established by the Plan Commission in its written rules of procedures. The Plan Commission is hereby authorized to establish an overlay review committee for the purpose of reviewing plans required by this Ordinance and making recommendations to the Plan Commission for proposed developments within the I-65 Corridor Overlay Zone prior to the Plan Commission's approval of said plans.

6.17.31.04 Plan Commission Action.

The Plan Commission shall review the application and plans and make its determination during a public meeting. The matter may be continued from time to time as may be deemed necessary by the Commission. However, the Plan Commission shall within forty-five (45) days of the initial public meeting notify the applicant in writing of any further changes which are required before approval or denial of the application can be given. Within forty-five (45) days of the receipt of the materials incorporating the required changes into the application, the Plan Commission shall then approve or deny the application. If denied, the Commission shall provide the applicant with written copy of said reasons if requested. Upon approval, the Commission shall so inform the applicant and the Planning Director. The applicant may then apply for Land Alteration and Improvement Location Permits.

6.17.32 Non-Conforming Uses, Plats, Plans and Buildings.

6.17.32.01 Uses.

A use permitted by the underlying zoning district which was legally in operation prior to the effective date of this Ordinance may continue to operate, subject to conditions and restrictions set forth in Article 5 of this Chapter, as amended.

6 .17.32.02 Plats and Plans.

A site development plan or secondary plat and plan which was granted final approval by the Plan Commission prior to the effective date of this Ordinance shall stand as approved with respect to drainage, utilities, streets, curbs, sidewalks, right-of-ways, easements, or other general development plan improvements.

Such a site or plat shall, however, be subject to the review procedures and other requirements of the I-65 Corridor Overlay Zone with respect to lighting, signage, screening, landscaping, and architectural design and the conditions and restrictions set forth in Article 5 of this Chapter, as amended.

6.17.32.03 Buildings and Other Structures.

A building, sign, or other structure which has not commenced construction prior to the effective date of this Ordinance shall be subject to the review procedures and requirements of the I-65 Corridor Overlay Zone with respect to lighting, signage, screening, landscaping, and architectural design, and shall be subject to the conditions and restrictions set forth in Article 5 of this Chapter, as amended.

6.17.33 Variance.

Any variance granted by the Board of Zoning Appeals prior to the effective date of Ordinance No. 86-64, December 7, 1987, shall stand as approved. (Ord. No. 87-64, § 1, 12-7-87)

Sec. 10-102 Zero Lot Line or Near-Zero Lot Line Single-Family Dwellings.

6.18.01 Purpose.

The principal purposes of the Zero Lot Line concept are:

A. To more efficiently use land, as compared with the typical single-family development, making available needed housing at a more affordable cost;

B. To construct dwellings that integrate and relate internal-external living areas resulting in more pleasant and enjoyable living facilities; and

C. To place the dwelling near or against one (1) of the property lines, permitting the outdoor space to be grouped and utilized to its maximum benefit. (Ord. No. 89-46, § 6.18.01, 9-18-89)

6.18.02 Definitions.

A. **ZERO LOT LINE DWELLING.** A zero lot line dwelling shall be defined as a detached, single-family dwelling placed upon an individually platted lot so as to have one (1) side yard setback with a minimum of zero (0) feet and a maximum of six (6) feet; and having a minimum setback of ten (10) feet from the other side lot line.

B. **ZERO LOT LINE.** The zero lot line shall be the side property line adjacent to the side yard having a minimum of zero (0) and a maximum of six (6) feet.

C. **OPPOSITE LOT LINE.** The opposite lot line shall be the side property line on the opposite side of the dwelling from the zero lot line. (Ord. No. 89-46, § 6.18.02, 9-18-89)

6.18.03 Permitted Districts.

Zero Lot Line Single-Family Dwellings shall be permitted only in R-3, R-4, and PUD zoning districts pursuant to Article 6 of this Chapter (Table A - Official Schedule of Uses). Where the regulations included in this Section (10-102) conflict with regulations in other Sections of this Ordinance or with Greenwood Subdivision Control Ordinance No. 84-7, the regulations in this Section (10-102) shall apply. (Ord. No. 89-46, § 6.18.03., 9-18-89)

6.18.04 Dimensional and Area Development Standards.

All Zero Lot Line developments shall comply with the following dimensional and area development standards:

A. **MINIMUM LOT SIZE** shall be four thousand five hundred (4,500) square feet.

B. **MINIMUM DWELLING SIZE** shall be nine hundred (900) square feet.

C. **MINIMUM DWELLING SEPARATION** shall be ten (10) lineal feet (congregate Side Yard) Setback.

D. **SIDE YARD SETBACK DISTANCES:**

(l) **ZERO LOT LINE DWELLINGS:**

(a) zero lot line side minimum shall be zero (0) lineal feet.

(b) zero lot line side maximum shall be six (6) lineal feet.

(c) opposite lot line side minimum shall be ten (10) lineal feet.

(d) opposite lot line side maximum shall not be applicable.

(2) **WAIVERS:** The Plan Commission shall have the right to waive, in whole or in part, the minimum and maximum side yard setback distances for zero lot line dwellings on corner lots, cul-de-sac turnaround lots, and end lots of subdivisions; provided, however, that the minimum dwelling separation of ten (10) feet is maintained.

E. **MINIMUM FRONT YARD SETBACK** shall be fifteen (15) lineal feet for dwelling and twenty (20) lineal feet for garage.

F. **MINIMUM PROJECT PERIMETER BUILDING SETBACK** shall be twenty-five (25) lineal feet.

G. **MINIMUM LOT WIDTH (AT BUILDING SETBACK LINE)** shall be forty-five (45) lineal feet.

H. **MINIMUM LOT FRONTAGE (AT R/W LINE)** shall be thirty-five (35) lineal feet and twenty (20) lineal feet on Cul-de-sac.

I. **MINIMUM STREET RIGHT-OF-WAY** (for residential service streets) shall be fifty (50) lineal feet of right-of-way width plus parallel drainage and utility easements along both sides, each ten (10) lineal feet in width.

J. **SIDEWALKS** shall have a minimum width of four (4) feet and a minimum thickness of four (4) inches.

K. **MINIMUM ATTACHED GARAGE** shall be for one (l) car.

L. **MAXIMUM LOT COVERAGE** shall be fifty percent (50%) (includes dwelling, garage and inground pool)(excludes paved areas, patios, and decks).

M. **MINIMUM REAR YARD SETBACK** shall be twenty (20) feet or twenty percent (20%) of depth of lot, whichever is greater.

N. **MAXIMUM BUILDING HEIGHT** shall be two (2) stories or thirty-five (35) lineal feet.

O. **MINIMUM SETBACK FOR IN-GROUND SWIMMING POOLS** shall be ten (10) feet from side or rear lot lines measured from outside face of pool wall, but excluding adjacent patio or deck area. Pools shall not encroach upon easements.

P. **MINIMUM STREET PAVEMENT WIDTH/MINIMUM OFF-STREET PARKING:**

OPTION 1: Minimum street pavement width shall be thirty-two (32) lineal feet with parking permitted on one side;

Minimum off-street parking shall be two (2) spaces per dwelling (excluding garages)

OPTION 2: Minimum street pavement width shall be twenty-eight (28) lineal feet with street parking prohibited;

Minimum off-street parking shall be four (4) spaces per dwelling (excluding garages)

OPTION 3: Alternative combinations of street width with on-street parking, and off-street parking may be approved at the discretion of the Plan Commission provided such combination is consistent with the purpose and intent of this Section.

At the time of primary plat submittal, a developer shall commit to one of the above options for provision of street pavement width and off-street parking spaces. Street pavement cross-sections and specifications shall be as required by the Greenwood Subdivision Control Ordinance No. 84-7.

Q. **SUBDIVISION 20/20 OPTION** shall be prohibited for Zero Line Developments. (Ord. No. 89-46, § 6.18.04, 9-18-89)

6.18.05 Permitted Uses and Structures.

Detached single-family dwellings on individually platted lots, including customary accessory uses and structures, not inconsistent therewith, are permitted. Fencing, walls, trellises, and other similar structures may be used as connecting elements between single-family dwellings on adjacent lots. Detached garages, carports, and above ground swimming pools are prohibited, on any lot less than 6,000 square feet in area. In-ground pools are permitted in rear yards only, and shall not encroach upon easements. Garages and carports shall be attached to the dwelling units. Garages and carports shall not be used as connecting elements between dwelling units on adjacent lots. (Ord. No. 89-46, § 6.18.05, 9-18-89; Ord. No. 96-40, § 6.18.05, 10-22-96; Ord. No. 01/54, § 1, 12-3-01)

One detached accessory storage shed shall be permitted provided that the following requirements are met:

(1) maximum size shall be one hundred twenty (120) square feet in area;
(2) maximum height shall be fourteen (14) feet from grade level;
(3) minimum setback distance shall be five (5) feet from side or rear lot lines;
(4) accessory storage buildings shall not be located within drainage, utility or non-buildable easement; and
(5) approval shall be granted by Homeowners Association Board of Directors or its designee.

(Ord. No. 01/54, § 1, 12-3-01)

6.18.06 Openings Prohibited on the Zero Lot Line Side.

If a dwelling is located within three (3) feet of a side lot line, the wall of the dwelling located nearest to that lot line shall have no windows, doors, air conditioning units, or any type of openings; provided, however, that atriums or courts are permitted on the zero lot line side when the atrium or court is enclosed by three (3) walls of the dwelling unit and a solid wall of at least eight (8) feet in height is provided on the zero lot line side.

In any such case, the dwelling wall closest to the zero lot line shall meet the standards established by the *One and Two-Family Dwelling Code* as adopted and amended by the State of Indiana. (Ord. No. 89-46, § 6.18.06, 9-18-89)

6.18.07 Required Maintenance, Fire Protection, and Drainage Easements.

A perpetual six (6) foot maintenance, fire protection, and drainage easement shall be provided on the neighboring lot adjacent to the zero lot line property line, which, with the exception of walls and/or fences, shall be kept clear of structures. This easement shall be shown on the plat document and incorporated into each deed transferring title to the property. The exterior wall of the dwelling along the zero lot line shall be maintained in its original color and treatment unless otherwise agreed to in writing by the two (2) affected lot owners. Roof overhangs may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on or near the zero lot line is limited to the easement area. (Ord. No. 89-46, § 6.18.07, 9-18-89)

6.18.08 Common Open Space and Maintenance of Facilities.

Common open space may be permitted for zero lot line projects. Incorporation of both natural and landscaped common areas at entry ways and throughout the development is encouraged. If signage is used to identify a development, that signage shall be incorporated into a landscaped (private or common) area. Said signage/landscaped area shall include a minimum area of two hundred (200) square feet. Provisions satisfactory to the Plan Commission shall be made to assure that areas and facilities for common use of the occupants of the development shall be maintained in a satisfactory manner. Copies of easements, restrictive covenants, by-laws, articles of incorporation, or other appropriate documents shall be required by the Plan Commission for homeowners association or other entity formed for the purpose of continually holding title to and/or maintaining such common areas. (Ord. No. 89-46, § 6.18.08, 9-18-89)

6.18.09 Trees and Landscaping.

At least one (l) tree shall be provided within the front yard on each platted lot. Said trees shall be a minimum of six feet (6') in height and one and one-half inch (l-1/2") trunk diameter at the time of planting. Existing trees shall be preserved to the maximum extent practical and shall count towards meeting the total tree requirements. (Ord. No. 89-46, § 6.18.09, 9-18-89)

6.18.10 Aesthetics and Buffering.

Visual monotony created by excessive block lengths shall be avoided. Curvilinear street alignments shall be used to the extent practical. Architectural and/or landscape elements that provide logical transition to adjoining, existing, or permitted uses shall be provided. Landscape materials shall be used to enhance architectural features, relate structure design to the site, visually screen non compatible uses, and ameliorate the impact of noise. (Ord. No. 89-46, § 6.18.10, 9-18-89)

6.18.11 Private Open Space.

Open space intended for the private use of each individual dwelling unit shall be so located and designed as to maximize its privacy, especially in relation to adjacent dwelling units. The use of privacy fencing is encouraged, but not mandatory. If used, privacy fencing shall be of a style and color that is compatible to the dwelling units. (Ord. No. 89-46, § 6.18.11, 9-18-89)

6.18.12 Platting Requirements.

Each Zero Lot Line dwelling shall be located on its own individual platted lot. Platting and development plan approval shall be in accordance with the procedures, requirements, and standards of the Greenwood Subdivision Control and Land Development Ordinance No. 84-7, (Article 15 of this Chapter) as amended. The plat document shall indicate the zero lot lines and easements appurtenant thereto. The property lines of lots do not have to be square or rectangular in shape or configuration provided that the requirements and standards of this Section (10-102) are otherwise met (i.e. "Z" lot or other configurations shall be permitted). (Ord. No. 89-46, § 6.18.12, 9-18-89)

Sec. 10-103 Parking Requirements

6.20.01 Purpose and Scope:

It is the intent of these requirements that adequate parking and loading facilities be provided off the street right-of-way for each use of land within the City of Greenwood. Requirements are intended to be based on the demand created by each use. These requirements shall apply to all uses in all districts.

To reduce traffic problems and hazards by eliminating unnecessary on-street parking, every use of land must include on-premises parking sufficient for the needs normally generated by the use, as provided by this Section. Parking spaces or bays contiguous to the street, required by subdivision or other ordinances, are in addition to and not in place of the spaces so required. (Ord. No. 97-44, §1, 11-17-97)

6.20.02 Definitions:

As used in this Section, the term:

"**parking space**" means an area, not including any part of a street or an alley, designed or used for the temporary parking of a motor vehicle;

"**parking area**" means a group of parking spaces, or an open area not including any part of a street or an alley, designed or used for the temporary parking of motor vehicles.

6.20.03 Uses and Number of Spaces:

The minimum number of parking spaces for the uses set forth shall be provided as follows:

USES	***REQUIRED PARKING SPACES***
Airport or heliport	1 per 2 employees plus 1 per based or daily transient aircraft
Automobile or trailer sales area	1 per 1,000 sq. ft. used for retailing
Automobile sales and repair (indoor)	1 per 200 sq. ft. of floor area
Banks, business offices, professional offices, similar business uses, postal stations, telegraph offices, and similar service uses	1 per 300 sq. ft. of gross floor area exclusive of areas for storage, utilities, bldg. service
Boarding or lodging house	1 per each overnight guest
Bowling alley	3 per lane plus 1 per 6 spectator seats
Business uses not otherwise listed	As determined by the Plan Commission
Cemetery, crematory, or mausoleum	1 per 2 employees plus 1 per 4 seats
Church, Theater, Community Center, Auditorium	1 per 4 seats in main auditorium
Clinic - Medical or Dental	1 per employee plus 8 per doctor
College or university	As determined by the Plan Commission
Country club or golf course	1 per 2 employees plus 3 per golf hole
Dancing academy	1 per 200 sq. ft. of floor area
Department store, retail showroom, apparel shop, flower shop, drugstore, hardware store, stationer, newsdealer, record shop, photo studio, barbershop, reducing salon, bakery, grocery, meat market, supermarket, cold-storage locker service (individual), roadside sales stand, electrical appliance shop, radio-TV shop, dressmaker, millinery, tailor and pressing shop, self-service laundry, laundry agency, billiard room, and other commercial establishments not otherwise classified in this table	1 per 150 sq. ft. of floor area used

USES	*REQUIRED PARKING SPACES – Cont'd*
	for retail trade in the building including all areas used by the public
Fishing or hunting lodge (seasonal)	1 per 3 guests
Fraternity, sorority or student cooperative	1 per 2 occupants
Greenhouse (commercial), facilities for raising or breeding non-farm fowl or animals (commercial)	1 per 3 employees plus 1 per 125 sq. ft. of sales area
Home Occupation	1 in addition to residence requirement
Hospital	1 per 4 beds plus 1 per doctor plus 1 per 3 employees plus 1 per hospital vehicle
Hotel	1 per 3 employees plus 1 per sleeping room
Industrial Park - Research & Manufacturing*	1 per 2 employees on largest shift
Industrial uses generally*	1 per 3 employees
Junk Yard	1 per 2 employees
Kindergarten or day nursery	1 per 2 employees plus 1 per 5 children
Mobile Home Park or Travel Trailer Park	1 per 2 employees plus 2 per mobile home or trailer stand
Mortuary	1 per 6 seats in main auditorium
Motel	1 per sleeping room plus adequate parking for employees
Nursing home or home for aged or sanitarium	1 per 6 patient beds plus one for each staff or doctor plus one for each employee
Outdoor commercial recreational use	1 per 3 employees plus 1 per 500 sq. ft. of use area
Office Building	1 per each 300 sq. ft. of gross floor area in the building exclusive of area for storage, utilities, or building service
Penal or correctional institution	1 per 3 employees plus 1 per 10 inmates (capacity)
Police station or fire station	1 per 3 employees on shift
Private club or lodge	1 per each 50 sq. ft. of floor area used for assembly or recreation
Private recreational development	1 per 2 customers or members
Public camp	1 per camp site plus 1 per cabin
Public library, museum, or municipal or government building	1 per 125 sq. ft. of floor area
Public or commercial sewage disposal plant	1 per employee per shift
Radio or TV tower	1 per employee per shift
Railway right-of-way, railroad operational use	1 per 2 employees where headquartered
Railway station or motor bus station	1 per 10 seats in waiting room plus 1 per 2 employees of connected retail use
Residential use - multiple family	1 3/4 per dwelling unit
Residential use - single or two-family	2 per dwelling unit
Riding stable	1 per 5,000 sq. ft.

USES	*REQUIRED PARKING SPACES – Cont'd*
School	1 per 3 staff members plus 1 per 6 auditorium seats
Restaurant, deli, tavern, or nightclub	1 per 3 seats or 1 per 45 sq. ft. in public seating area (the occupancy load factor), whichever is greater, plus 1 per employee of largest shift
Shopping Center	1 per 150 sq. ft. of sales area
Stadium or coliseum	3 per 4 employees plus 1 per 4 seats
Telephone exchange or public utility substation	1 per employee
Theater (indoor)	1 per 4 seats
Theater (outdoor)	1 per 2 employees
Tourist home	1 per employee plus 1 per sleeping accommodation
Trade or business school	1 per 3 students and staff
Truck freight terminal	1 per 2 employees plus 4 for customers plus truck capacity
Veterinary hospital for small animals or kennel	1 per 2 employees

If there is no use category listed above, then the Plan Commission or its designee shall determine the most appropriate category based upon reasonable information with the goal of adequate parking.

*Parking for industrial establishments shall provide adequate area to park all employees and customers at all times as well as adequate space for loading, unloading, and storing vehicles used incidental to or as a part of the operation of the establishment. (Ord. No. 97-44, §1, 11-17-97)

6.20.04 Size and Arrangement:

Parking spaces required by this section shall meet or exceed the following size and arrangement standards:

See Drawing at the end of this Chapter, page 852.3.

6.20.05 Location for Business/Commercial Use:

The parking spaces prescribed by this Section for a business or an industrial use must be located on the premises or on a site, approved by the Plan Commission, at least part of which is within three hundred (300) feet of the premises. (Ord. No. 97-44, §1, 11-17-97)

6.20.06 Paved Surface Requirements:

The following shall be the paved surface requirements:

A. All driveways and parking areas for all uses shall be paved within concrete, asphalt, or other approved hard surface material; and

B. Lots or areas accessible to the general public for display for the sale, rental, or promotion of vehicles, boats, trailers, horse trailers, recreational vehicles, campers, implements, trucks, or equipment shall be paved with concrete, asphalt, or other approved hard surface material; and

C. Lots or areas for the storage of vehicles, boats, trailers, recreational vehicles, campers, implements, trucks, or equipment shall be exempt from the above paving standards provided that all of the following are met:

(1) shall be in an I-2 Industrial zoning district;
(2) shall be located in a rear or side yard of the principle building; and
(3) shall not abut residential zoning or land use.

(Ord. No. 97-44, §1, 11-17-97)

6.20.07 Joint Parking:

A group of business or industrial uses may provide a joint parking area if the number of spaces in the area at least equals the aggregate of the spaces required for the several uses. (Ord. No. 97-44, §1, 11-17-97)

6.20.08 Parking Agreements:

A House of Worship that requires a parking area at times when nearby uses do not need their parking facilities may, by agreement approved by the Plan Commission, use those facilities instead of providing their own. (Ord. No. 97-44, §1, 11-17-97)

6.20.09 Waiver:

Parking requirements may be waived or reduced by the Plan Commission for cause shown. (Ord. No. 97-44, §1, 11-17-97)

6.20.10 Required Open Space:

Off-street parking or loading space shall be a part of the required open space associated with the permitted use and shall not be reduced or encroached upon in any manner.

The area requirement for off-street parking shall be in addition to the yard areas herein required; except that the front yard required in a C-1 Neighborhood Shopping District or a PUD Industrial District may be used for uncovered parking area; and further provided that the front yard required in a Residential District may be used for the uncovered parking area for six (6) or less vehicles associated with a residential use when the area is surfaced with a pavement. No parking areas shall be permitted within a front yard setback line established six (6) feet from the property line. A front yard may be used for uncovered parking area for more than six (6) vehicles in accordance with the provisions of paragraph 11 below. (Ord. No. 97-44, §1, 11-17-97)

6.20.11 Off-Street Parking Lots In or Abutting Residential Districts or Uses:

Whenever off-street parking lots for more than six (6) vehicles are to be located within or adjacent to a residential district, the following provision shall apply:

A. All sides of the lot within or abutting the residential district shall be enclosed with an opaque ornamental fence, wall or dense evergreen hedge having a height of not less than five (5) nor more than six (6) feet. Such fence, wall, or hedge shall be maintained in good condition.

B. No parking shall be permitted within a front yard setback line established twenty (20) feet back of the property line of interior and corner lots wherever the parking lot is located in a residential district or immediately abuts the front yard of a residential unit. In all other cases no set back shall be required.

C. All yards shall be landscaped with grass and shrubs and maintained in good condition the year round.

D. Driveways used for ingress and egress shall be confined to and shall not exceed twenty-five (25) feet in width, exclusive of curb returns.

E. All of the lot used for parking and driveway purposes shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.

F. Whenever lighting is provided, the intensity of light and arrangement of reflectors shall be such as not to interfere with residential uses or residentially zoned properties.

G. No sign of any kind shall be erected except information signs used to guide traffic and to state the condition and terms of the use of the lots. Only non-intermittent white lighting of signs shall be permitted.

(Ord. No. 97-44, §1, 11-17-97)

6.20.12 Off-Street Parking/Stacking for Drive-Up Windows:

Any establishment providing service from inside of a building directly to customers in automobiles (or other vehicles) shall provide for the following number of in-line vehicle spaces approaching and leaving the drive-up window or station:

Use	Minimum Number of Spaces Required			
	Before	At	After	Total
Bank or ATM (per bay)	6	1	1	8
Restaurant (1 window)	6	1	2	9
Restaurant (2 window)	8	1 ea	2	12
Car Wash (self serve) (per bay)	3	1	2	6
Car Wash (semi or automatic)	12	-	4	16
Other Uses	3	1	1	5

The parking/stacking space required above for drive-up windows shall not be included in the number of permanent parking spaces required elsewhere in this Section.

For the purpose of calculating the number of parking/stacking spaces, a space shall be defined as nine (9) feet in width and twenty (20) feet in length.

The parking/stacking spaces for a drive-up window shall not block or impede the entrance, exit, or primary traffic aisles of a commercial center or subdivision. Said spaces shall be contained on-site of the building being served. (Ord. No. 97-44, §1, 11-17-97)

6.20.13 Visibility at Street Intersections:

On a corner lot in any district, nothing shall be erected, placed, planted, parked, or allowed in such a manner as materially to impede vision between a height of two and a half (2 1/2) and six (6) feet above the centerline grades of the intersecting streets in an area bounded by the street lines of such corner lots and a line joining points along said street lines twenty-five (25) feet from the point of the intersection. (Ord. No. 97-44, §1, 11-17-97)

6.20.14 Joint Parking Facilities for Complexes:

Whenever two or more uses are located together in a common building, shopping center or other integrated building complex, the parking requirements may be compiled within providing a permanent common parking facility, cooperatively established and operated, which contains the requisite number of spaces for each use. The total number of spaces provided shall not be less than the sum of the individual requirements. (Ord. No. 97-44, §1, 11-17-97)

6.20.15 Parking Lot Area Standards:

Parking lots for business, commercial, industrial, or other non-residential uses shall provide a minimum area of three hundred fifty (350) square feet per parking space to provide adequate area to maneuver vehicles. The aisles between rows of parking spaces shall be a minimum width of twenty-four (24) feet for two-way traffic. (Ord. No. 97-44, §1, 11-17-97)

Sec. 10-104 Conversion from Residential to Non-Residential Use.

Site Development Plan Required. Prior to converting the use of land or buildings from residential use to office, commercial, or industrial use, the property shall be subject to site development plan review and approval as prescribed in Article 17, Section 10-460 through 10-467 of this ordinance. Residential dwellings and accessory buildings (when applicable) shall be subject to state building and fire codes as adopted by the City of Greenwood and shall obtain an improvement location permit when required by code.

Paving Required. Driveways and parking area shall be paved with asphalt, concrete, bricks, pavers, or other approved hard surface material designed for vehicular traffic. Paving requirement shall apply to existing stone or gravel driveways and parking areas, as well as new or expanded driveways and parking areas.

Landscape Buffering Required. Property being converted shall provide landscaping and buffering in compliance with Article 19, Sections 10-472 through 10-476 or this ordinance, as amended.

Stormwater Drainage and Sediment Control. Property being converted shall provide stormwater drainage and sediment control measures in compliance with Greenwood Municipal Code Sections 10-533 through 10-537 (Ord. No. 02-07) of this ordinance, as amended.

(Ord. 02-23, § 1, 7-15-02)

Sec. 10-105 through Sec. 10-109 Reserved for Future Use.

Sec. 10-110 Classification and Schedule of Uses.
7.01.1 Classification Definitions.

For the purposes of this Chapter, manufactured homes, mobile homes, and recreational vehicles shall be classified as defined as below:

Class	Min. Width	Min. Occupied Space (sq. ft.)	Underfloor Foundation	Perm. Ext. Retaining Wall	Enclosed Foundation Siding (Skirting)	Anchored to Standards	Wheels, Axles, Hitch Mech. Removed	Proper Utility Connections	Res.-Site Roofing and Siding Materials	Mfg. Date and Applicable Building Code
1	23'	950	Yes	Yes	No	Yes	Yes	Yes	Yes	On or after 1-1-81 HUD Code 42 USC 540
2	12'	700	Yes	Yes	No	Yes	Yes	Yes	Yes	On or after 1-1-81 HUD Code 42 USC 540
3	None	320	Yes	No	Yes	Yes	No	Yes	No	On or after 1-1-76 HUD Code 42 USC 540
4	None	320	Yes	No	Yes	Yes	No	Yes	No	Prior to 1-1-76 None
5	Recreational Vehicles and Travel Trailers are not considered to be manufactured or mobile homes. Such units shall not be occupied in any location other than an approved campground, except as specified in 7.04.01 of this Article.									

Note: For the purpose of this Chapter, Class 1 units shall be deemed the highest class of manufactured or mobile homes. Class 4 deemed the lowest class, and Class 2 and 3 being intermediate classes, respectively.

7.01.02 Schedule of Uses Manufactured and Mobile Homes.

Zoning District	Class 1	Class 2	Class 3	Class 4
JA *1	NA	NA	NA	NA
SF (Suburban Fringe)	P	P	SE	SE
ROS (Recreational Open Space)	X	X	X	X
FH (Flood Hazard)	X	X	X	X
R-l (Single-family Residential)	SE	X	X	X
R-2 (Single-family Residential)	P	SE	X	X
R-2A (Single-family Residential)	P	P	X	X
R-2B (single-Family Residential)	P	P	X	X
R-3 (Multi-family Residential)	P	SE	X	X
R-4 (Multi-family Residential)	P	SE	X	X
R-6 (Mobile Home Parks and Subdivisions)	P	P	P	P
B-l (Professional Offices)	X	X	X	X
C-l (Neighborhood Commercial)	X	X	X	X
C-2 (Tourist Commercial)	X	X	X	X
C-3 (Regional Commercial)	X	X	X	X
I-1 (Planned Industrial)	X	X	X	X
I-2 (Open Industrial)	X	X	X	X
PUD (Planned Unit Development)	SE	SE	X	X

P = Permitted Use
SE = Special Use Exception
X = Prohibited Use
NA = Not Applicable

(Ord. 02-01, § 8 Add R2B, 2-18-02)

*1 JA contains several zoning districts and the schedule of uses is based upon individual zoning districts.
(1983 *Greenwood Municipal Code*, Appendix A, Article 7, § 1)

Sec. 10-111 Nonconforming Manufactured or Mobile Homes.

7. 02. 01 Nonconforming homes.

A manufactured or mobile home placed and maintained on a tract of land and deemed to be a legal nonconforming use prior to the adoption of this ordinance, shall continue to be a legal nonconforming use. If the nonconforming use is discontinued, the land thereafter must be used in conformity with all provisions of the Greenwood Zoning Ordinance.

7.02.02 Replacement of nonconforming homes.

Thereafter, upon application to the Greenwood Plan Commission, a manufactured or mobile home deemed a legal nonconforming use, may be replaced by a manufactured home, provided the replacement is of an equal or higher classification, as defined in Section 1 of this Chapter [Article]. (1983 *Greenwood Municipal Code*, Appendix A, Art. 7, § 2)

Sec 10-112 Installation Standards.

7.03.01 Perimeter retaining wall.

Those manufactured homes designated in the zoning ordinance as requiring permanent perimeter retaining walls must be set onto an excavated area, with foundations, footings and crawl space or basement walls constructed in accordance with the terms of the *One- and Two-Family Dwelling Code*. The space between the floor joists of the home and the excavated underfloor grade shall be completely enclosed with the permanent perimeter retaining wall. The wall shall be composed of solid masonry, concrete, all-weather wood, or other approved materials, which in all cases shall extend below the frost line. The design, by a registered professional engineer or architect, shall safely support those loads, as determined by the character of the soil.

7.03.02 Foundation siding

All manufactured or mobile homes without a perimeter retaining wall shall have an approved foundation siding around the entire exterior perimeter of the home. Foundation siding and back-up framing shall be weather-resistant, non combustible-or self-extinguishing materials, which blend with the exterior siding of the home. Below grade level and for a minimum distance of six (6) inches above finish grade, the materials shall be unaffected by decay or oxidation. The siding shall be installed in accordance with manufacturer's recommendations or approved equal standards.

The area underneath the home floor shall be enclosed with self-ventilating siding or shall be ventilated by openings in the foundation siding. The openings shall have a net area of not less than one and one-half (1/2) square feet for each twenty-five (25) linear feet of exterior perimeter. The openings shall be covered with corrosion-resistant wire mesh not larger than one-half (1/2) inch in any dimension. The underfloor area shall be provided with an eighteen inch by twenty-four inch (18" x 24") minimum size access crawl hole, which shall not be blocked by pipes, ducts, or other construction interfering with the accessibility of the underfloor space, or other approved access mechanism.

7.03.03 Support system (foundation).

l) Type 1 and 2 Manufactured Homes:

All HUD-Code Type 1 and 2 manufactured home foundations shall be installed in conformance with the regulations in the *One- and Two-Family Dwelling Code* and with the manufacturer's installation specifications.

2) Pier Design:

In addition to the above code requirements, the following minimum design standards shall apply to all manufactured and mobile homes:

a) Piers and Caps:

Piers or load bearing supports or devices shall be designed and constructed to evenly distribute the loads. Piers shall be securely attached to the frame of the home or extend at least six (6) inches from the centerline of the frame member.

Manufactured load bearing supports or devices shall be approved for the use intended, or piers shall be constructed as follows:

l) when single eight (8) inch by eight (8) inch by sixteen (16) inch dimension perpendicular to the I-beam frame, and then shall be covered with two (2) inch by eight (8) inch by sixteen (16) inch preservative-treated hardwood or solid concrete block caps;

2) when four (4) high and five (5) high block piers are used, they shall be double blocked with interlocking concrete blocks and they shall be covered with four (4) inch by eight (8) inch by sixteen (16) inch preservative-treated hardwood or solid concrete block caps;

3) for piers extending more than forty (40) inches above finished grade level, they shall be double blocked with interlocking concrete blocks, with Number three (3) reinforcing steel in the four (4) corners, poured solid with two thousand five hundred (2,500) psi concrete, and they shall be covered with four (4) inch by eight (8) inch by sixteen (16) inch preservative-treated hardwood or concrete caps.

b) Plates and Shims:

The plate shall be a cushion of preservative-treated hardwood or other approved material not exceeding two (2) inches in thickness. The preservative-treated hardwood shims, which cannot exceed one inch in thickness, shall be used to fill the gap between the top of the pier cap and the frame of the home. Two (2) inch or four (4) inch solid concrete blocks may be used to fill the remainder of any gap. Shims shall be fitted and driven tight between the plate and the main frame.

7.03.04 Anchoring system.

All manufactured or mobile homes shall be anchored meeting one of the following approved standards:

l) installation pursuant to manufacturers' specifications,

2) installation pursuant to the design of the entire support and anchoring system by a registered professional engineer or architect, or

3) installation pursuant to the regulations established in the ANSI/NFPA 501 A Installation Standards.

7.03.05 Utility connections.

All manufactured or mobile homes' utility connections shall meet one (1) of the following standards:

l) installation pursuant to manufacturers' specifications, as approved by the Building Commissioner,

2) installation pursuant to the design of a registered professional engineer or architect, as approved by the Building Commissioner,

3) installation pursuant to the regulations established in the ANSI/NFPA 501 A Installation Standards,

4) installation pursuant to standards and requirements of the Department of Planning and Zoning,

5) installation pursuant to the standards and requirements of the utility company, as approved by the Building Commissioner.

7.03.06 Approved siding and roofing materials for Type l and Type II manufactured homes.

l) The following siding materials are approved for usage on residential design Type I and Type II manufactured homes:

a) residential horizontal aluminum lap siding,

b) residential horizontal vinyl lap siding,

c) cedar or other wood siding,

d) wood grain, weather resistant, press board siding,

e) stucco siding,

f) brick or stone siding.

2) The following roofing materials are approved for usage on residential design Type I and Type II manufactured homes:

a) asbestos shingles on a roof pitched according to the design specifications of the shingles,

b) fiberglass shingles on a roof pitched according to the design specifications of the shingles,

c) shake shingles on a roof pitched according to the design specifications of the shingles,

d) asphalt shingles on a roof pitched according to the design specifications of the shingles,

e) tile materials on a roof pitched according to the design specifications of the materials.

No materials other than those listed herein shall be permitted without the expressed written approval of the Building Commissioner. (1983 *Greenwood Municipal Code*, Appendix A, Art. 7, § 3)

Sec. 10-113 Improvement Location Permits, Certificates of Occupancy, etc.

7.04.01 Improvement location permit—Requirements.

Prior to the location, relocation or establishment of any manufactured or mobile home, the home owner or authorized representative shall secure from the Building Commissioner an improvement location permit, which states that the building and its location conform with the Comprehensive Plan. Each application for an improvement location permit shall be accompanied by:

a) those plot plans as required for all dwelling units, but which at a minimum include elevations or photographs of all sides of the home, exterior dimensions, roof materials, foundation siding or perimeter retaining wall treatment, foundation siding or perimeter retaining wall treatment, foundation construction and materials, exterior finishes and the like,

b) health department approval for any sewage disposal or water supply, where applicable,

c) PUD or subdivision permit approval, where applicable,

d) a copy of the approved instructions, which will be used for installation purposes, where applicable,

e) such other information, as may be required by the Building Commissioner for proper enforcement of this ordinance (including data sheet provided by the Building Commissioner).

7.04.02 Issuance of permit.

After receipt of the information required for an improvement location permit, the Building Commissioner shall review the standards set in this ordinance. If the applicant has met all required standards, then the improvement location permit shall be issued by the Building Commissioner.

7. 04. 03 Additional action necessary.

If after receipt of the information required for an improvement location permit, the Building Commissioner finds that the applicant has not fully met the standards set in the ordinance, and that changes or additional actions are needed the Building Commissioner may refuse issuance of the permit until such time as the applicant submits plans and specifications that do meet the standards of this ordinance.

7. 04. 04 Certificate of occupancy.

Prior to the occupancy of any manufactured or mobile home, the home owner or authorized representative shall secure from the Building Commissioner a certificate of occupancy, stating that the building and its use comply with all provisions of the ordinance applicable to the building or the use in the district in which it is to be located.

7. 04. 05 Denial of certificate.

If any of the major conditions or standards have not been complied with, the certificate of occupancy shall be denied, with a written statement specifying the reasons for the denial. A copy of the Building Commissioner's inspection log or minutes of a Plan Commission meeting noting such discrepancies shall be deemed sufficient notification.

7.04.06 Failure to obtain required permits or call for inspections.

Failure to obtain either an improvement location permit or a certificate of occupancy shall be in violation of this ordinance and punishable under the provisions of Article 12 of this Chapter. Failure to notify the Building Commissioner for all applicable inspections shall be a violation of this ordinance and punishable under the provisions inspections of this ordinance.

7.04.07 Temporary use—Circumstances for permit issuance.

Subject to conditions, fees, and standards (including schedule of uses) otherwise required by this ordinance, a temporary use permit may be issued:

l) to an applicant in the process of building a conventional dwelling to locate a manufactured or mobile home on a building lot during the course of construction of the dwelling; such permit shall not be issued until after a building permit for the dwelling has been issued;

2) to an applicant to use a manufactured or mobile home as a caretaker's quarters or construction office at a job site;

3) to an applicant whose own health or the health of another necessitates care, and where the facts show that an unnecessary hardship would occur if not permitted to locate a manufactured home adjacent to the residence of one who is able to provide such care or in need of such care.

7.04.08 Length of permit.

A temporary use permit may be issued at the discretion of the Plan Commission for a period not to exceed two (2) years. The temporary permit may be renewed for additional one year periods upon showing of good cause, and with permission of the Plan Commission to do so. However, at the discretion of the Plan Commission a temporary use permit may be issued to an applicant for a health or age-related circumstance for a period coterminous with the health or age-related circumstance.

7. 04. 09 Permit expiration.

At the time the temporary permit expires, the manufactured or mobile home and all appurtenances shall be removed from the property within ninety (90) days.

7.04.10 Utility requirements.

Manufactured or mobile homes used for temporary uses shall have an approved water supply, sewage system, and utility connections, where appropriate, and at the discretion of the Plan Commission.

7.04.11 Permit fee.

A temporary use permit shall be issued by the Plan Commission. The fee shall be as established in the official fee schedule and is in addition to all other required permits for utilities and sewage disposal systems.

7.04.12 Subject to removal.

A manufactured or mobile home, sited upon property in violation of this article, shall be subject to removal from such property. However, the home owner must be given a reasonable opportunity to bring the property into compliance before action for removal can be taken. If action finally is taken by the appropriate authority to bring compliance, the expenses involved may be made a lien against the property.

7.04.13 Removal method.

The Plan Commission may institute a suit in an appropriate court for injunctive relief to cause such violation to be prevented, abated or removed. (1983 *Greenwood Municipal Code*, Appendix A, Article 7, § 4)

Sec. 10-114 Application Procedures and Development Plans for Mobile Home Parks or Subdivisions.

7.05.01 Filing

The applicant for a mobile home park (owner or person with consent of owner) shall file the following documents with the Plan Commission office at least fifteen (15) days prior to the public hearing at which the development plans are to be presented for consideration:

a. Development plans — Two (2) copies

b. Letter of intent — Two (2) copies

c. Zoning petition — Two (2) copies

d. Filing fee

7.05.02 Public notification.

The applicant shall provide the Plan Commission with a legal affidavit for proof of one publication of public notice prior to the hearing. If the applicant is petitioning for rezoning of property for mobile home park use, the applicant shall also provide the Plan Commission with proof that all property owners within six hundred (600 feet and/or two (2) properties which ever is greater distance from said property have been given notice of the public hearing and petition. Mail receipts and proof of publication affidavits must be submitted at least two (2) working days prior to the hearing.

The next page of this book is 867.

Editor's Note Section 10-114, Subsection 7.05.03 through 7.05.05 and Section 10-115, Subsection 7.06.01 through 7.06.23 are now located in the new Article 16, Section 10-462, Subsection 16.15.01 through 16.15.03 and Section 10-463, Subsection 16.16.01 through 16.16.23, of this chapter, of the Greenwood Municipal Code per Greenwood Common Council No. 99-01 adopted January 18, 1999.

Sec. 10-116 General Requirements for Mobile Home Parks.

7.07.01 Storage of travel trailer or RV.

It shall be unlawful for any person to keep, park, store or maintain a travel trailer or RV within the city outside a properly zoned mobile home park which is duly licensed by the Indiana State Department of Health except as specifically permitted in this Section:

a. It shall be permissible for a bona fide guest of a house holder to park a travel trailer or RV in the rear yard or driveway of any single family dwelling house for a period of time not to exceed fifteen (15) days in any one calendar year provided that such travel trailer or RV is used only for sleeping purposes during such fifteen (15) day period. Such travel trailer or RV may not exceed thirty-two (32) feet in length.

b. A travel trailer or RV may be parked or stored in the City provided that it is not used for living or sleeping purposes during such time as it is so stored or parked, or it does not

constitute a nuisance or fire hazard. If such vehicle is parked in a residential zone, it shall meet front, side, or rear setback requirements of that zone. Mobile home parks or campgrounds may set aside designated areas for unoccupied parking or storage of travel trailers or RV's.

c. No travel trailer or RV shall be maintained in the City as a permanent office. However, a vehicle may be used as a contractor's office on a construction site during periods of construction provided that it is not used for living or sleeping purposes during such time. A vehicle may also be used as an office for a mobile home park or for a mobile home or RV sales lot.

7.07.02 Prohibited uses

It shall be unlawful for any person to keep, park, store, or maintain any mobile home within the City's jurisdiction that does not comply with the requirements of this Article. It shall be understood that this regulation does not pertain to vehicles classified as "campers" or "recreational vehicles", except as specifically noted.

7.07.03 Attachment or addition.

Any action to attach a mobile home to the ground by means of posts, piers, foundations, or otherwise, or to add thereto in any way shall be subject to the requirements of the building code of the City as well as this ordinance, and if said building code does not permit the addition, said addition shall be prohibited.

7.07.04 Damaged or dilapidated mobile homes.

Wrecked, damaged or dilapidated mobile homes shall not be kept or stored either within or without a mobile home park at any time. The City Building Commissioner shall determine if a mobile home is damaged or dilapidated to a point which makes said mobile home unfit for human occupancy on either a temporary or permanent basis. Whenever such a determination is made, the mobile home shall be vacated and removed from the premises.

7.07.05 Storage of equipment or materials.

No person shall store lawn equipment, lawn chairs, bicycles, toys, utensils, lumber, debris, or any other item outside of any enclosure fully screened from view. It is not the intent of this paragraph to prohibit furniture and recreational equipment designed for outdoor use. The intent is to encourage the use of a garage or storage shed for the storing of items such as those enumerated in this paragraph.

7.07.06 Nonconforming parks.

A. All mobile home parks in existence prior to the date of adoption of this ordinance shall be deemed nonconforming parks, and shall be permitted to continue in operation provided all other applicable City ordinances are fully complied with, and provided further that all services presently being supplied with or without charge to the customer, including, but not necessarily limited to heat, water, power, light, parking, drainage, screening, or sanitation shall be continued.

B. All licenses and inspection fees required by this chapter shall apply to nonconforming parks.

C. Abandonment of the use being made by the nonconforming park for a continuous period of six (6) months shall terminate the right of the nonconforming parks to operate under this Section, and thereafter all remaining provisions of this Article shall apply.

D. The use of a nonconforming park cannot be extended without the approval of the Plan Commission. Any additional sections or spaces added to a nonconforming park after the date of adoption of this ordinance shall be subject to all remaining provisions of this Article.

7.07.07 Prerequisites for moving mobile homes into parks.

No mobile home shall be moved into any mobile home park until the terms and conditions of the initial license have been fully satisfied and all construction therein completed throughout the entire park area; provided, however, that a staged development plan for a mobile home park may be filed, and if approved by the Plan Commission, the mobile home park may be occupied in accordance with the terms and conditions of that part of the stage of development as set forth in the plan.

7.07.08 Proper zoning required.

All mobile home parks shall be located as provided in the zoning ordinance of the City. All proposed mobile home parks must obtain proper zoning (R-6 District) through the normal procedures for rezoning as set forth in the City zoning ordinance.

7.07.09 Service buildings.

A. A service building or buildings shall be provided and maintained in each RV park or campground for the purpose of providing washing and drying facilities, laundry facilities, public toilet facilities, and said building or buildings shall be permanent structures, complying with all applicable City ordinances and state statutes regulating buildings, the electrical installation therein, and the plumbing and sanitary systems therein.

B. The service buildings in each RV park or campground shall be well lighted at all times during the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture-proof material, which may be painted woodwork, as shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least sixty (60°) degrees Fahrenheit from the first day of October to the first day of May of each year.

C. The floors of all service buildings in each RV park or campground shall be of water impervious material.

D. All service buildings in each RV park or campground and the grounds within each park shall be maintained in a clean, sightly condition and kept free of any condition which will menace the health of any occupant or the public or constitute a nuisance.

E. The requirements for providing a service building may be waived by the Plan Commission if the capacity of the RV park or campground is fewer than twenty (20) units.

7.07.10 Storage buildings.

A storage building shall be provided in each park for inside storage of all equipment and other items used to maintain the park.

7.07.11 Water supply.

A. An adequate supply of pure water for drinking and domestic purposes shall be supplied to all service buildings and to all mobile home spaces within the park to meet the occupancy requirements of the park.

B. Each mobile home space shall be provided with a cold water tap at least four (4") inches above the ground. Said tap shall have a shut-off valve that meets current plumbing code requirements.

7.07.12 Electrical service.

An electrical outlet supplying at least 110-115/220-225 volts, one hundred (100) amperes shall be provided for each mobile home space.

7.07.13 Fire protection.

A. Every mobile home park shall be equipped at all times with a sufficient number of fire hydrants spaced throughout the park. The total number of hydrants and location of hydrants shall be subject to the approval of the City Fire Chief, who shall submit his recommendations to the Plan Commission.

B. No open fires shall be permitted at any place within any mobile home park. Campfires shall be permitted in recreational campgrounds.

7.07.14 Garbage and trash

A. All garbage and trash in each park shall be deposited in metal cans or other suitable containers with tight-fitting covers, with a sufficient supply of said containers for adequate disposal of all such garbage and trash.

B. All receptacles used for storage or collection of garbage shall be kept in a sanitary condition at all times.

C. All garbage and trash in each park shall be collected and disposed of as frequently as is necessary to insure that garbage and trash containers do not overflow or create an odor or otherwise cause a nuisance.

7.07.15 Sewers and sewage disposal.

A. Each mobile home space shall be provided with a sanitary sewer line at least four (4) inches in diameter, which shall be connected to receive the waste from the showers, bathtubs, flush toilets, lavatory and kitchen sinks, and washing machines of the mobile home harbored in such space and having any or all such facilities.

B. The sewer line in each space shall be connected to discharge the mobile home waste into a public sanitary sewer system in compliance with applicable ordinances, or into a privately owned and operated wastewater treatment plant and disposal system, provided said privately owned system is approved by the administrative agency having charge of approvals of such systems.

C. The installation of sanitary sewer main lines and lateral service lines shall meet or exceed the requirements of applicable building codes. (1983 *Greenwood Municipal Code*, Appendix A, Article 7, § 7)

Sec. 10-117 Administration and Enforcement Procedures for Mobile Home Parks.

7.08. 01 Compliance with Indiana State Department of Health

Prior to the issuance of any improvement location permits, a mobile home park licensee must file with the Plan Commission office a letter from the Indiana State Department of Health, evidencing approval by such department and compliance with the requirements of such department.

7.08.02 Permits and inspections required

An improvement location permit shall be obtained by the licensee for each and every mobile home stand within a mobile home park. The Building Inspector shall issue such permits, and collect such fees as established by the Greenwood City Council. Said permits shall pertain to the proper installation of:

(l) the mobile home stand, including any slabs, piers, ribbons, patios, sidewalks, or driveways;

(2) utility service connections, including sewer lines, gas lines, fuel lines, water lines, and electrical lines; and

(3) presence of building code certification tag on mobile home.

7.08.03 Occupancy permit required

It shall be unlawful for any person to occupy a mobile home within an approved mobile home park prior to the issuance of an occupancy permit by the Building Commissioner. An occupancy permit will be issued only after a proper permit has been obtained and permit requirements have been met.

7.08.04 Prerequisites for mobile home park operation.

It shall be unlawful for any person to maintain or operate a mobile home park within the City's jurisdiction unless such person shall first:

A. Obtain a license therefore from the Indiana State Department of Health;

B. Submit development plans to the Plan Commission and receive approval of same;

C. Obtain proper zoning of the property;

D. Obtain required building permits and construct all improvements according to City specifications and appropriate building codes.

7.08.05 Notice of violation.

If at any time a mobile home park is found to be violating any provision of this ordinance any duly authorized officer or agent of the Greenwood Plan Commission shall notify the licensee of such condition. Such condition shall be corrected by the licensee to the satisfaction of the department within a reasonable time after notification.

7.08.06 Emergency situations.

Whenever the state or county health officer or the City Building Commissioner finds that an emergency exists which requires immediate action to protect the public health, safety, or welfare, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency, including the suspension of the license issued pursuant to state laws appertaining thereto. Such order shall be in writing, shall be notwithstanding any other provisions of this Article, and shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately or be subject to suspension or revocation according to law.

7.08.07 Responsibility for violation.

The manager or caretaker of a mobile home park shall, with the licensee, be responsible for the violation of any provisions of this Article to which the licensee is subject.

7.08.08 Responsibility of occupants for violations.

The occupants of a mobile home within a park shall, with the persons operating and maintaining said park, be liable for the violation of any provisions of this Article, except for such requirements that are

only to be complied with expressly by the licensee.

TABLE M

MINIMUM AREA REGULATIONS FOR

MOBILE HOMES AND RECREATIONAL VEHICLES

District Area Regulations	*Mobile Home Park*	*Mobile Home Subdivision*	*Rec'tl Campground*
Zoning District	R-6	R-6	R-6
Lot Area ($ft.^2$)	3 x $ft.^2$ of the mobile home 3200 $ft.^2$ min.	7,500	No min. spaces shall be suitable for intended use
Usable Floor Area (Living Space)	500 $ft.^2$	700 $ft.^2$	N/A
Ground Level Usable Floor Area (Living Space)	500 $ft.^2$	700 $ft.^2$	N/A
Front Lot Width (Lineal Feet)	30'	50'	20'
Front Yard Setback (Lineal Feet)	20'	25'	10'
Side Yard Setback (Lineal Feet)	5'	8'	N/A
Rear Yard Setback (Lineal Feet)	5'	8'	N/A
Max. Building Height	N/A	N/A	N/A
Max. Lot Coverage (Percentage)	40%	40%	N/A
Off-Street Parking Spaces	2	2	1
Clear Distance side/side	20'		10'
Between end/end	10'		10'
Mobile Homes cul-de-sac	15'	N/A	10'

(1983 *Greenwood Municipal Code*, Appendix A, Article 7, § 8)

Sec. 10-118 Definitions.

SECTION 10-118 DEFINITIONS HAS BEEN REPEALED PER ORDINANCE NO. 02-10 PASSED ON MARCH 18, 2002 BY THE GREENWOOD COMMON COUNCIL. DEFINITIONS MAY NOW BE FOUND UNDER A NEW ARTICLE 22, SECTION 10-540.

(Ord. 02-10, §4, 3-18-02)

Sec. 10-119 Reserved for Future Use.

The next page in this book is 877.

ARTICLE 7. PLANNED UNIT DEVELOPMENT

SECTION 10-120 THROUGH 10-124 HAVE BEEN REPEALED PER ORDINANCE 00-06 PASSED ON MARCH 20, 2000 BY THE GREENWOOD COMMON COUNCIL. PLANNED UNIT DEVELOPMENT MAY NOW BE FOUND UNDER A NEW ARTICLE 19, SECTION 10-477 THROUGH 10-483.

(Ord. 00-06, § 1, 03-20-2000)

Sec. 10-125 through Sec. 10-127 Reserved for Future Use.

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(The next page in the book is 891)

ARTICLE 8. ADMINISTRATION AND ENFORCEMENT.

Sec. 10-128 Duties of Administrative Official.

9.01.01 Intent of ordinance.

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Director, and that such questions shall be presented to the Board of Zoning Appeals or appeal from the decision of the Director, and that recourse from the decisions of the Board shall be to the courts as provided by law. (Ord. 00-39, § 1, 10-16-00)

9.01.02 Department and Department Head Established.

The Department of Planning is hererby established. An administrative official who shall be known as the Director and who shall be designated by the Mayor shall administer and enforce this ordinance and shall serve as head of the department. He shall be provided with the assistance of a Building Commissioner and other persons as provided by annual budget. (Ord. 00-39, § 1, 10-16-00)

9.01.03 Duties of Director.

For the purpose of this Chapter, the Director shall have the following duties:

A. With the advice of the Plan Commission attorney:

1. Upon finding that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violation, ordering the action necessary to correct such violation;

2. Order discontinuance of illegal uses of land, buildings, or structures;

3. Order removal of illegal buildings or structures or illegal additions or structural alterations.

4. Order discontinuance of any illegal work being done.

B. Take any other action authorized by this ordinance to insure compliance with or to prevent violation of this ordinance. This may include the issuance of and action on improvement location permits and certificates of occupancy and such other similar administrative duties as are permissible under the law.

C. Perform other duties included in the official job description for the position. (Ord. 00-39, § 1, 10-16-00)

Sec. 10-129 The Plan Commission.

9.02.01 Organization and Rules of Procedure.

The Plan Commission shall adopt rules of procedure consistent with the provisions of Indiana Code 36-7-4-400 series, as enacted by the Indiana General Assembly, and Acts amendatory thererof and supplementary thereto. Meetings shall be held at the call of the President and at such other times as the Commission may determine. All meetings, excluding executive sessions permitted by law, shall be open to the public. At the first meeting of each year the Commission shall elect a President and Vice-President from among its members. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions of which shall be of public record and be maintained in the office of the Commission. (Ord. 00-39, § 1, 10-16-00)

9.02.02 Duties of the Plan Commission.

For the purpose of this Chapter, the Plan Commission shall have the following duties:

A. Initiate proposed amendments to the zoning ordinance and the subdivision control ordinance;

B. Review all proposed amendments to the zoning ordinance and the subdivision control ordinance and make recommendations to the Common Council;

C. Take action on site development plans, subdivision plats, and planned unit developments master plans for all proposed developments within the Commission's jurisdiction;

D. Review and make recommendations to the Common Council on zone map change petitions, annexation petitions, and Planned Unit Development concept plans;

E. Initiate and/or perform other planning functions, such as comprehensive planning, drafting amendments to the comprehensive plan, and perform studies as may be deemed appropriate. (Ord. 00-39, § 1, 10-16-00)

Sec. 10-130 Improvement Location Permits.

9.03.01 Permits to be Issued by Building Commissioner.

No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore issued by the Building Commissioner or his representative in accordance with Commission policies and procedures. No improvement location permit shall be issued by the Building Commissioner or his representative except in conformity with the provisions of this ordinance, unless he first receives a written order from the Board of Zoning Appeals in the form of an administrative review, special exception, or variance as provided by this ordinance. (Ord. 00-39, § 1, 10-16-00)

9.03.02 Application for an Improvement Location Permit.

All applications for improvements location permits shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of building already existing, if any; and the location and dimensions of the proposed building or alteration. the application shall include such other information as lawfully may be required by the Director, Building Commissioner or their representatives, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with the provide for the enforcement of this ordinance. The Building Commissioner or his representative shall retain the plans for a minimum period of five (5) years from the date of issuance of a certificate of occupancy. (Ord. 00-39, § 1, 10-16-00)

9.03.03 Expiration of Plans and Permit Approvals.

A. Site Development Plan

If any applicant fails to obtain both a land alteration permit and an improvement location permit within two (2) years from the date that site development plan approval was granted by the Plan Commission or its designated representative, said approval shall be deemed void and not improvement location permit shall be issued until re-approval is granted by the Plan Commission.

B. Improvement Location Permit

If the work described in any improvement location permit has not begun within ninety (90) days from the date of issuance thereof, said permit shall expire; it shall be cancelled by the Building Commissioner or his representative and written notice thereof shall be given to the applicant and/or owner affected.

C. Completion of Work in a Timely Manner

If the work described in any improvement location permit has not been completed within two (2) years of the date of issuance thereof, said permit shall expire and be cancelled by the Building Commissioner or his representative, and written notice thereof shall be given to the applicant and/or owner affected, together with notice that future work as described in the cancelled permit shall not proceed unless and until a new improvement location permit has been obtained.

(Ord. 00-39, § 1, 10-16-00)

9.03.04 Construction According to Plans.

A. Site Development Plan

Approval granted on the basis of site development plans and applications approved by the Plan Commission or its representative authorize only the use, arrangement, and construction set forth in

such approved plans and applications; and any other use, arrangement, or construction at variance with that authorized shall be deemed as a violation of this ordinance without re-approval by the Plan Commission or its designated representative.

B. Improvement Location Permit

Improvement location permits issued on the basis of plans and applications approved by the Building Commissioner, or his designated representative, authorize only the use, arrangement, and construction set forth in such approved plans and applications, and any other use, arrangement, or construction at variance with that authorized shall be deemed as a violation of this ordinance set forth in such approved plans and applications without re-approval by the Plan Commission or its designated representative. The Building Commissioner or his designated representative shall deem any other use, arrangement, or construction at variance without authorization as a violation of this ordinance, without re-approval.

(Ord. 00-39, § 1, 10-16-00)

9.03.05 Subdivision Covenants.

The City of Greenwood shall not be a party of, not be responsible for enforcement of, subdivision covenants, excepting the following requirements:

A. The City of Greenwood shall recognize the "Architectural Control Committee" or any given subdivision for the purpose of approving site plans, plot plans and construction plans for new construction and remodeling, for non-residential uses and individual single-family dwellings to verify that said plans conform to the square footage requirements of the subdivision covenants. Such requirements must equal or exceed requirements of this zoning ordinance.

B. In order to be recognized by the Building Commissioner, the "Architectural Control Committee" shall properly identify itself in writing to the Building Commission at the time of final plat approval or thereafter for said subdivision. It shall be the responsibility of the committee to notify the Building Commissioner of changes of names of members that may occur from time to time.

C. Before issuing a permit for the construction or remodeling of a non-residential use or a single-family dwelling, the Greenwood Building Commissioner may require the applicant to have both the site plan and the building construction plans approved and signed by the proper "Architectural Control Committee" for the subdivision in which the proposed dwelling is to be built.

D. Final authority for issuing such a permit shall, in all cases, rest with the Building Commissioner.

E. The Plan Commission is hereby granted authority to require additional covenants deemed in the best interest of the health, safety, and general welfare of the development or community in general, including, but not limited to drainage covenants required by the Board of Public Works and Safety.
(Ord. 00-39, § 1, 10-16-00)

Sec. 10-131 Schedule of Permits and Fees.

9.04.01 Schedule of Fees.

The Plan Commission shall establish a schedule of fees, charges, and expenses and a collection procedure for improvement location permits, appeals, and other petitions pertaining to this ordinance. The schedule of fees shall be available to the public in the office of the Plan Commission or its representative, and may be altered or amended only by recommendation of the Plan Commission and approval by resolution of the Greenwood Common Council.

Until all applicable fees, charges, and expenses have been paid in full, no final action or release shall be taken on any permit application, appeal, or petition.

Any person or persons who shall initiate construction of a structure prior to obtaining an improvement location permit or any other required permit shall pay twice the amount of the current permit fee as established by the Greenwood Common Council, and shall be subject to fines pursuant to the penalty provision in Section 10-160 of the Greenwood Municipal Code.

(Ord. 00-39, § 1, 10-16-00)

9.04.02 Schedule of Permits.

The City of Greenwood requires that an improvement location permit be obtained and fee paid for the following:

A. Single-family and two-family residential dwellings

B. Multi-family residential dwellings

C. Detached accessory buildings

D. Residential garages and carports

E. Temporary structures

F. Signs

G. Swimming pools

H. Alterations, modification, remodeling, or additions (residential and commercial)

I. Tents (commercial only)

J. Demolition

K. Commercial, business, office and industrial buildings (new, remodeling, or additions)

L. Structures other than buildings

M. "To-grade" permits (commercial or residential)

N. Land alteration (drainage, grading, fill, parking lots)

O. Street cuts

P. Curb cuts

Q. Communications Towers (Phone, TV, Radio, Microwave, Others) over 35 feet tall

R. Land Alteration (Ord. 00-39, § 1, 10-16-00)

9.04.03 Schedule of Petitions.

The City of Greenwood requires that a formal petition and filing fee be submitted for the following:

A. Annexations

B. Zone Map Change

C. Variances – Use and Developmental Standards (Dimensional)

D. Special exceptions

E. Subdivision Plats

F. Administrative Appeals

G. Site Development Plan

H. Planned Unit Development (PUD) (Ord. 00-39, § 1, 10-16-00)

9.04.04 Submission to Follow Rules of Procedure.

Any application listed in 9.04.02 and 9.04.03 above, when submitted to the Plan Commission or the Board of Zoning Appeals shall be submitted on the forms and in the quantities specified by the Plan Commission or the Board in its written rules of procedure. (Ord. 00-39, § 1, 10-16-00)

9.04.05 Certificate of Occupancy.

It shall hereby be declared unlawful and in violation of the provisions of this ordinance for any builder to allow any structure (for which an improvement location permit has been legally obtained) to become occupied prior to the following: (1) passing a final inspection and (2) receiving Certificate of Occupancy from the Building Commissioner.

For the purpose of this paragraph, the term "builder" shall mean the person or firm who obtained the improvement location permit.

The penalty for such a violation shall be as provided in Section 10-160 of the Greenwood Municipal Code.

(Ord. 00-39, § 1, 10-16-00)

Sec. 10-132 Procedures for Request of Zone Map Change.

9.05.01 Power to Amend.

The Common Council may, from time to time, amend, supplement or change the regulations and districts fixed by this ordinance or any regulations or districts subsequently established. (Ord. 00-39, § 1, 10-16-00)

9.05.02 Initiation of Petition.

Petitions requesting a zoning map change in accordance with IC 36-7-4-602 (c) shall be filed with the office of the plan commission. Said petitions may be initiated by:

1. Plan Commission itself; or

2. By the owner of fifty-one (51) percent of more of the area involved in the petition. (Ord. 00-39, § 1, 10-16-00)

9.05.03 Plan Commission Review Required

Any proposed ordinance for the amendment, supplement, change or repeal of the zoning ordinance not originating from petition of the Plan Commission shall be referred to the Plan Commission for consideration and recommendation before any final action is taken by the Common Council. (Ord. 00-39, § 1, 10-16-00)

9.05.04 Filing Requirements – Zone Map Change.

A. *Written Application* – All Zone Map Change petitions shall be filed on written application forms as prescribed by the Plan Commission. The applicant shall provide all information requested on said forms.

B. *Interested Parties* – Applicants shall serve notice to all "interested parties" as defined in the written rules of procedure of the Plan Commission. Such notice shall be in the form prescribed by the Plan Commission.

(Ord. 00-39, § 1, 10-16-00)

Sec. 10-133 Zoning Text Amendments.

9.06.01 General.
Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Common Council may by ordinance, after receipt of recommendations from the Plan Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property. (Ord. 00-39, § 1, 10-16-00)

9.06.02 Initiation of Amendments.

Amendments to this ordinance in accordance with IC 36-7-4-602 (b) may be initiated in one of the following ways:

1. By adoption of a motion by the Plan Commission;

2. By adoption of a motion by the Common Council and referral to the Plan Commission for its review and recommendation.

(Ord. 00-39, § 1, 10-16-00)

9.06.03 Public Hearing by Plan Commission.

Plan Commission shall hold a public hearing within sixty (60) days of filing of the petition for zoning text amendment. The commission shall review the proposed zoning test amendment, and within ten (10) days of the plan commission's determination, shall certify its recommendations to the Common Council. (Ord. 00-39, § 1, 10-16-00)

9.06.04 Notice of Public Hearing in Newspaper.

Notice of the Plan Commission public hearing shall be given by the Plan Commission by at least one (1) publication in two (2) or more newspapers of general circulation in the City of Greenwood. Said notice shall be in the form prescribed by the written rules of procedure for the commission, and shall be in accordance with I.C. 5-14-15.5. (Ord. 00-39, § 1, 10-16-00)

9.06.05 Recommendation by Commission/Action by Common Council.

Recommendations of the Plan Commission and actions by the Common Council shall be performed in compliance with the time periods and requirements of I.C. 36-7-4-607 et seq. (Ord. 00-39, § 1, 10-16-00)

9.06.06 Common Council Action.

After receiving the recommendation of the Plan Commission, the Common Council at a public meeting thereof shall either adopt or deny the ordinance. In the event that the recommendation of

the Plan Commission is unfavorable to a property annexation or text amendment ordinance referred to it. the ordinance shall not be passed except by affirmative vote of a least the simple majority of the members of the Common Council. (Ord. 00-39, § 1, 10-16-00)

Sec. 10-134 Technical Review Committee.

9.07.01 Establishment of Committee.

The Plan Commission shall establish a Technical Review Committee (TRC) for the purpose of providing detailed review and recommendations to the Commission concerning any proposed site development plans or subdivision plats that may from time to time be submitted to the Plan Commission. (Ord. 00-39, § 1, 10-16-00)

9.07.02 Composition of the Committee.

The Technical Review Committee should consist of the following: (or their delegate)

A. City Engineer

B. Director (Chairman)

C. Building Inspector

D. Chief of Police

E. Fire Chief

F. Street Superintendent

G. Sanitation Superintendent

H. Director of Parks and Recreation

I. Any other persons deemed appropriate by the Plan Commission of the Director

(Ord. 00-39, § 1, 10-16-00)

9.07.03 Scope and Authority of Committee.

The Technical Review Committee shall limit its attention and recommendations to the design and construction aspects of the proposed development or subdivision with emphasis placed on public improvements, development plans, landscaping, traffic safety and circulation, utilities and drainage. The purpose of the Technical Review Committee is to provide "technical assistance" and recommendations. Approval or disapproval of a site development plan or a subdivision plat is clearly the responsibility of the Plan Commission or its designee. (Ord. 00-39, § 1, 10-16-00)

9.07.04 Meetings.

The Technical Review Committee shall comply with the provisions of I.C> 5-14-1.5-3 (the Open Door Law). The committee shall meet prior to a Plan Commission meeting at which a subdivision plat or site development plan is to be hear and shall then submit its review comments and recommendations in writing to the Plan Commission or its designee. The Director, or his designated representative shall be responsible for scheduling meetings of the Technical Review Committee. (Ord. 00-39, § 1, 10-16-00)

Sec. 10-135 The Board of Zoning Appeals.

9.08.01 Organization and Rules of Procedure.

At the first meeting of each year, the Board shall elect a Chairman and a Vice-Chairman form among its members. the Board shall adopt written rules for its procedures consistent with the provisions of Indiana Code 36-7-4-900 series as enacted by the Indiana General Assembly, and Acts amendatory thereof and supplementary thereto.

All meeting of the board shall be open to the public, excluding executive sessions permitted by law. The Board shall keep minutes of its proceedings, keep records of its examinations and other official actions, prepare findings and record the vote of all actions taken. All minutes and records shall be filed in the office of the Board and shall be a public record. (Ord. 00-39, § 1, 10-16-00)

9.08.02 Duties of the BZA.

For the purpose of this ordinance, the Board of Zoning Appeals shall have the following duties:

A. *Administrative Review* – A board of zoning appeals shall hear and determine appeals from and review:

(1) any order, requirement, decision, or determination made by an administrative official, hearing officer, or staff member under the zoning ordinance;

(2) any order, requirement, decision, or determination made by an administrative board or other body except a plan commission in relation to the enforcement of the zooming ordinance; or

(3) any order, requirement, decision, or determination made by an administrative board or other body except a plan commission in relation to the enforcement of an ordinance adopted under this chapter requiring the procurement of an improvement location permit or certificate of occupancy.

B. *Petitions* – A board of zoning appeals shall approve or deny all:

(1) special exceptions from the terms of the zoning ordinance, but only in the classes of cases or in the particular situations specified in the zoning ordinance;

(2) variances from the development standards (such as height, bulk, or area, and including signs) of the zoning ordinance;

(3) variances of use from the terms of the zoning ordinance. (Ord. 00-39, § 1, 10-16-00)

9.08.03 Power to Grant Variances and Special Exceptions.

Pursuant to I.C. 36-7-4-918 et. seq., the Board of Zoning Appeals may authorize upon petition in specific cases such variances from the terns of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship or practical difficulty, and further that the criteria set forth in Section 9.08.06 are satisfied.

The authority to review plans and grant special exceptions shall rest with the Board of Zoning Appeals.

9.08.04 Filing and Notification Requirements.

A. *Writing Application* – All appeals, special exceptions, and variance requests shall be filed on written application forms as prescribed by the Board of Zoning Appeals. The applicant shall provide all information requested on said forms.

B. *Interested Parties* – Applicants shall serve notice to all "interested parties" as defined in the written rules of procedure of the board. Such notice shall be in the form prescribed by the Board.

(Ord. 00-39, § 1, 10-16-00)

9.08.05 Public Hearings.

The Board of Zoning Appeals shall hold a public hearing within a reasonable length of time after receipt of an application but not sooner that ten (10) days after its receipt. (Ord. 00-39, § 1, 10-16-00)

9.08.06 Board Action and Findings.

All determinations of the Board of Zoning Appeals made on petitions for appeal; special exceptions or variance shall be made at a public meeting and following a public hearing. In accordance with IC 36-7-4-915, the Board shall adopt written findings of fact for each petition based on the following criteria:

A. *Use Variance* – Variances of use from the terms of the zoning ordinance, in accordance with IC 36-7-4-918.4 may be approved only upon a determination in writing that:

1) the approval will not be injurious to the public health, safety, morals, and general welfare of the community;

2) the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;

3) the need for the variance arises from some condition peculiar to the property involved;

4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship in applied to the property for which the variance is sought;

5) the approval does not interfere substantially with the comprehensive plan.

B. *Developmental Standards Variance* – Variances from the development standards of the zoning ordinance, in accordance with IC 36-7-4-918.5 may be approved only upon a determination in writing that:

1) the approval will not be injurious to the public health, safety, morals, and general welfare of the community;

2) the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;

3) the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property;

(Ord. No. 03-41, § 2, 10-20-03)

C. *Special Exception* – Before granting a special exception, the Board of Zoning Appeals shall consider the following factors:

1) Appropriate screening and buffering of the site, including refuse and other service areas, is provided to ensure that the use will be compatible with neighboring properties and will be present acceptable views from public ways;

2) Ingress and egress to the site and to structures is safe and adequate, and on-site circulation is also safe and adequate. The Board may receive recommendations regarding ingress and egress and site circulation from the City Engineer and the Fire Chief. The Board may also request that the applicant provide a traffic impact analysis;

3) Satisfactory parking and loading facilities is provided;

4) Adequate utility services and related facilities are available. The Board may require written evidence of this availability from utility authorities;

5) Adequate yards and open space are provided;

6) The proposed use does not generate environmental impacts which may threaten public health and safety, including, but not limited to, negative impacts to air quality (such as odor, smoke or air pollution), increased flooding due to filling of the floodplain, or a loss of wetlands;

7) Compatibility with surrounding uses. The proposed special exception shall not cause a loss of use or enjoyment of adjacent properties;

8) The design of the structures is in harmony with the surrounding area, in both style and scale; and

9) The petition is not in conflict with the Greenwood Comprehensive Plan.

(Ord. 00-39, § 1, 10-16-00)

9.08.07 Appeals.

Every decision of the Board of Zoning Appeals shall be subject to review by certiorari as prescribed in Indiana Code 36-7-4-1000 series. (Ord. 00-39, § 1, 10-16-00)

9.08.08 Supplemental Conditions or Commitments.

In granting any appeal, special exception, or variance, the Board may prescribe appropriate conditions or commitments, per IC 36-7-4-918.2 and IC 36-7-4-921. Violation of such conditions or commitments, when made a part of the terms under which the appeal or variance is granted shall be deemed a violation of this ordinance and ground for revoking said appeal, variance, or special exception. Written commitments shall be subject to the requirements established in Section 10-468 of this ordinance and to written rules of procedure adopted by the Board in relation thereto. (Ord. 00-39, § 1, 10-16-00)

9.08.09 Revocation of a Use Variance.

A use variance shall be deemed automatically null and void under one or all of the following conditions:

A. If the use for which the variance was granted ceases for any continuous period greater than six (6) months in length;

B. If the property or structures for which the variance was granted change ownership;

C. If there is a change in use of the property or structures for which the variance was granted;

D. If the applicant to whom the variance was granted fails to comply with any of the conditions or commitments made a part of the variance;

E. If the Board discovers at some future date that the variance has created some previously unforeseen problem, nuisance, or hazard that is adversely affecting the health, safety, or welfare of adjacent properties or the general public. (Ord. 00-39, § 1, 10-16-00)

9.08.10 Revocation of a Developmental Standards Variance.

A developmental standards variance shall be deemed automatically null and void under one or all of the following conditions:

A. If the applicant to whom the variance was granted fails to comply with any of the conditions or commitments made a part of the variance; and

B. If the property, building, or structure for which the variance was granted is for any reason demolished or destroyed, in which case any repairs or new replacement building or structure shall be required to conform to the regulations in effect at that time. (Ord. 00-39, § 1, 10-16-00)

9.08.11 Revocation of special Exception.

All special exception approvals shall be considered conditional approvals. A special exception shall be deemed automatically null and void under one or all of the following conditions:

A. If the use for which the special exceptions was granted ceases for any continuous period greater than six (6) months in length;

B. If there is a change in use of the property or structures for which the special exception was granted; and

C. If the applicant fails to comply with specific conditions or commitments made a part of the approval by the Board, or fails to comply with a reasonable request of the Board for furnishing specific information related to the proposed use. (Ord. 00-39, § 1, 10-16-00)

9.08.12 Revocation for Failure to Obtain a Permit or Commence Use.

A. *Developmental Standards Variance* – The granting of a developmental standards variance becomes official (final) only upon issuance of an improvement location permit for the subject property and commencement of construction. The issuance of said permit must occur within one year of the date that the Board approved the developmental standards variance or the approval becomes null and void. Actual construction must also begin within that same one year from the date that the BZA approved the developmental standards variance or said permit shall become null and void.

B. *Use Variance* – The granting of a use variance becomes official (final) upon actual commencement of the approved use for the subject property. Commencement of the approved use must occur within one (1) year of the date that the Board approved the use variance or the variance shall become null and void. If an improvement location permit is needed in order to effect the

requested use, the issuance of said permit must occur within one year of the date that the Board approved the use variance or the approval becomes null and void. Any actual construction required to effect the requested use must also begin that same one-year from the date that the BZA approved the use variance, or said permit shall become null and void.

C. *Special Exception* – The granting of a special exception becomes official (final) only upon actual commencement of the approved use for the subject property. Commencement of the approved use must occur within one (1) year of the date that the Board approved the special exception or the special exception shall become null and void. If an improvement location permit is needed in order to effect the request use, the issuance of said permit must occur within one year of the date that the Board approved the special exception or the approval becomes null and void. Any actual construction required to effect the request use must also begin that same one-year from the date that the BZA approved the special exception, or said permit shall become null and void.

(Ord. 00-39, § 1, 10-16-00)

Sec. 10-136 Annexation and Amendments.

9.09.01 General.

The Common Council may be ordinance, and subject to the following procedures and Indiana law, annex property into the corporate limits of Greenwood. (Ord. 00-39, § 1, 10-16-00)

9.09.02 Initiation of Annexation.

Annexation to the City of Greenwood may be initiated in one of the following ways:

1. By the Greenwood Common Council, in accordance with IC 36-7-4-3-3 and I.C. 36-7-4-3-4; and

2. By the filing of a petition signed by a least fifty-one (51) percent of the owners of real property, or owners of seventy-five (75) percent of the assessed value, within the area proposed to be annexed, in accordance with IC 35-4-3-5. Petitions shall be made to the Common Council on forms provided by the City of Greenwood Planning Department. Said requests shall be filed in the office of the City of Greenwood Planning Department. (Ord. 00-39, § 1, 10-16-00)

9.09.03 Public Hearing by Common Council.

After the filing of a petition for annexation, said petition shall be transmitted to the Common Council for introduction. The Common Council shall schedule a public hearing after a petition is received. Said hearing shall be held no earlier that sixty (60) days after the ate the ordinance is introduced by the Common Council, with notice give at least sixty (60) days before the public hearing, except in cases of voluntary annexation, when the notice shall be given at least twenty (20) days before the hearing. All notices shall be give in the manner prescribed in IC 36-4-3-2.1, and in compliance with City Rules of Procedure. The petitioners for annexation shall bear the cost and perform the public notification. (Ord. 00-39, § 1, 10-16-00)

9.09.04 Consideration by Plan Commission.

After a petition for annexation has been filed with the Common Council, but before the Common Council hold the required public hearing, said petition shall be sent to the Plan Commission for consideration at a public meeting. Notice of plan commission's meeting, which is not a public hearing, may be included in the office notice of the Common Council's public hearing. Provided however, if the annexation petition also include a request for a zone map change, the plan commission meeting shall be a public hearing, with notices as required pursuant to I.C. 36-7-4-604 and the Plan Commission's Rules of Procedure.

In addition to determining whether the annexation will be in harmony with, and further the goals of, the City's comprehensive plan, the Plan Commission is directed by the Common Council to consider the following criteria in their evaluation of the annexation petition **(note: Criteria 1-7 are taken from Greenwood Common Council Resolution No 86-2, as may be amended from time to time. The resolution further state that, "One or more criteria are deemed sufficient to warrant annexation, voluntary, or to deny voluntary annexation."):**

1. The area proposed for annexation has a unity of interest with the municipality. That is, the area must be part of the urban community, having geographic, social, and/or economic ties with the City.

2. The advantages to the proposed annexation area outweigh the disadvantages.

3. The advantages to the City outweigh the disadvantages.

4. The city desires to annex the area.

5. The annexation will help to square City corporate limits.

6. The annexation will foster growth and prosperity of the annexing city.

7. The annexation will prevent or solve a public health problems; or otherwise promote the health, safety, and welfare of the general public.

After the receipt of the referral notice from the Common Council, the Plan Commission shall review the annexation petition and transmit its recommendation to the Common Council, prior to the Council's scheduled public hearing. (Ord. 00-39, § 1, 10-16-00)

9.09.05 Adoption of Fiscal Plan.

A fiscal plan shall be prepared for all annexations, as per the provisions of I.C. 36-4-3-13. The fiscal plan for each annexation shall be adopted by the Common Council prior to the adoption of the annexation ordinance. (Ord. 00-39, § 1, 10-16-00)

9.09.06 Common Council Action.

Action by the Common Council shall be performed in compliance with the time periods and requirements of IC 36-7-4-3. If approved by the Common Council, said annexation ordinance shall be published. The annexation ordinance takes effect 60 days after publication, unless a petition for written remonstrance is initiated in accordance with IC 36-4-3-11 et. seq. Said remonstrance must be filed within 90 days following the publication of the ordinance. (Ord. 00-39, § 1, 10-16-00)

9.09.07 Zoning of Annexed Land.

All land annexed to the City of Greenwood subsequent to the adoption of this ordinance shall automatically be zoned as follows, unless otherwise requested at the time of filing:

1. Land which was zoned to an agricultural or residential classification pursuant to the zoning ordinance of Johnson County shall be assigned to a R-1, single-family residential zoning classification of the Greenwood Zoning Ordinance upon annexation to the City of Greenwood;

2. Land which was zoned to a business classification pursuant to the zoning ordinance of Johnson County shall be assigned to a C-1, Neighborhood Commercial zoning classification of the Greenwood Zoning Ordinance upon annexation to the City of Greenwood;

3. Land which was zoned to an industrial classification pursuant to the zoning ordinance of Johnson County shall be assigned to a I-1, light industrial zoning classification of the Greenwood Zoning Ordinance upon annexation to the City of Greenwood; and

4. Land which was zoned to any zoning classification pursuant to the zoning ordinance of Johnson County other than those identified above shall be assigned a R-1, single-family residential zoning classification of the Greenwood Zoning Ordinance upon annexation to the City of Greenwood.

In any of the foregoing circumstances, the Common Council of the City of Greenwood may assign different zoning classification(s) to the land in the ordinance annexing the land based upon evidence or testimony presented at the annexation hearing required under I.C. 36-4-3-2.1.

(Ord. 00-39, § 1, 10-16-00)

Sec. 10-137 Enforcement and Violations.

9.10.01 Civil Zoning Violations.

A) Any person who uses property in violation of the Zoning Code of Greenwood shall be deemed to have committed a civil zoning violation and may be issued a citation by the designated enforcement entity. The Zoning Code of Greenwood is included under a list of ordinances scheduled for the jurisdiction of the Ordinance Violations Bureau.

B) Each day a violation remains uncorrected is a distinct and separate civil zoning violation subject to an additional citation and fine in the amount prescribed by subsection 9.10.01(C) below, provided a warning ticket has first been issued pursuant to subsection 9.10.02(A).

C) The monetary find for each civil zoning violation shall be $50.00, except that for a repeated civil zoning violation, the following fines shall apply:

Second Citation:	$ 75.00
Each Citation in Excess of Two:	$100.00

D) All fines prescribed by this section for civil zoning violations shall be paid within 72 hours to the Violations Clerk of the Ordinance Violations Bureau, who shall render to the person making payment a receipt stating the amount and purpose for which the find has been paid, and duplicate of which shall be made a part of the records of the Plan Commission. All fines thus received shall be deposited with the City of Greenwood Clerk-Treasurer.

(Ord. 00-39, § 1, 10-16-00)

9.10.02 Citation for Civil Zoning Violations.

A) The Director and/or his duly authorized designees, as designated at the Board of Works Meet, may issue a civil zoning violation to a person who commits a civil zoning violation to the legal oner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs, The citation may be served by personal service, be certified mail, or by placement in a conspicuous place on the property where the violation occurs and shall as notice to a person that he or she has committed a civil zoning violation.

B) No citation shall be issued for the first offense unless the person who commits a civil zoning violation, or the legal owner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs has been issued a warning ticket before the issuance of the citation to allow said person to correct the violation to come into compliance with the prescribed zoning ordinance or regulations.

C) A person who receives a warning ticket or a citation may either choose to abate the violation or file a petition for a variance, special exception, rezoning, or other means provided by this Chapter to correct the violation, as prescribed in subsection 9.10.02 (D) below. A person who elects to file such a petition shall indicate this intent in writing to the issuing agency. A person shall have ten (10) working days after issuance of the warning ticket to file the petition, and additional monetary fines as prescribed in subsection 9.10.01 of the Section shall be stayed upon the filing of such petition, as long as the violation does not continue at the real estate. A person who files the petition within said time period shall pursue the petition in an expedition fashion. If the petition is denied, withdrawn, or dismissed fot want of prosecution, and the civil zoning violation continues at the real estate, then a lawsuit will be commenced by the designated enforcement entity in a court of competent jurisdiction in Johnson County, Indiana.

D) If a person believes that the warning ticket or citation received results from an incorrect interpretation of the Greenwood Municipal Zoning Code by a municipal official, the aggrieved person may file an administrative appeal of the decision for a hearing by the Board of Zoning Appeals. Said appeal shall be on the form prescribed and shall include payment of the appropriate filing fee. A person who elects to file such an appeal shall indicate this intent in writing to the issuing agency. A person shall have ten (10) working days after issuance of the warning ticket to file the appeal, and additional monetary fines as prescribed in subsection 9.10.01 of the Section shall be stayed upon the filing of such appeal, as long as the violation does not continue at the real estate. A person who files the appeal within said time period shall pursue the appeal in an expedition fashion. If the board upholds the interpretation of the zoning ordinance which led to issuance of the warning ticket or citation, and the civil zoning violation continues at the real estate, than a lawsuit will be commenced by the designated enforcement entity in a court of competent jurisdiction in Johnson County, Indiana.

E) If the violation is determined be the Director of his designee to be a threat to public health or safety, the Director or his designee may order the land use or activity to cease and desist immediately, regardless of whether a warning ticket or citation has been issued.

F) The warning ticket shall be in the form prescribed by the Plan Commission.

G) The citation shall appear on serialized, designated form and be in the form prescribed by the Plan Commission.

(Ord. 00-39, § 1, 10-16-00)

9.10.03 Trial for Civil Zoning Violation.

A) A person who received a citation may elect to stand trial for the offence by indicating on the citation his intent to stand trial and returning a copy of the citation to the Director. The returned copy of the citation shall serve as notice of the person's intent to stand trial, and additional monetary fines prescribed in Section 9.10.01 shall be stayed upon receipt of the notice. On receipt of the notice of intention to stand trial, a lawsuit will be commenced by the city attorney in a court of competent jurisdiction in Johnson County, Indiana. The mater shall be scheduled for trial, and a Summons and Order to Appear shall be served upon the Defendant.

B) If a person who received a citation fails to pay the assessed fine within 72 hours and fails to give notice of his intention to either file a petition as prescribed in subsection 9.10.02(C), file an appeal as prescribed in subsection 9.10.02(D), or stand trial as prescribed in subsection 9.10.03(A) above, the city attorney may file a civil lawsuit as prescribed by applicable laws and ordinances, and seek penalties as prescribed in this section.

C) A person adjudged to have committed a civil zoning violation is liable for the court costs and fees. No costs shall be assessed against the enforcement agency in any such action.

D) In proceeding before the court for a civil zoning violation, the Indiana Rules of Trial Procedure shall govern. The designated enforcement entity has the burden of proving the civil zoning violation by a preponderance of the evidence.

E) Seeking a civil penalty as authorized by this section does not preclude the city from seeking alternative relief from the court in the same action, or from seeking injunctive relief or other remedy in a separate action for the enforcement of this Code.

F) A change of venue from Johnson County shall not be granted in such a case, as provided in IC 36-7-4-1014.
(Ord. 00-39, § 1, 10-16-00)

Sec. 10-138 and Sec. 10-139 Reserved for Future Use.

ARTICLE 9. PROVISIONS OF THE ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

Sec. 10-140 Minimum Requirements.

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, and general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern. Wherever special or unusual conditions or circumstances exist, or wherever there is an apparent safety hazard, the Plan Commission may prescribe additional requirements in order to promote and protect the health, safety, morals and general welfare of the city. (1983 *Greenwood Municipal Code*, Appendix A, Art. 10)

Sec. 10-141 Through Sec. 10-149 Reserved for Future Use.

ARTICLE 10. COMPLAINTS REGARDING VIOLATIONS.

Sec. 10-150 Complaints Filed With Plan Commission.

Whenever a violation of this ordinance occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Plan Commission or its representative. The complaint shall be properly recorded, immediately investigated, and action taken thereon as provided by this ordinance. (1983 *Greenwood Municipal Code*, Appendix A, Art. 11)

Sec. 10-151 Through Sec. 10-159 Reserved for Future Use.

ARTICLE 11. PENALTIES FOR VIOLATION.

Sec. 10-160 Fines, Costs and Expenses.

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants or variances or special exceptions) shall constitute an infraction. Any person who violates this ordinance or fails to comply with any of its requirements shall upon judgment thereof be fined not less than ten dollars ($10.00) and not more than three hundred dollars ($300.00) and in addition shall pay all costs and expenses involved in the case. Each day such violation continues, a separate offense shall be deemed to be committed.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation. (1983 *Greenwood Municipal Code*, Appendix A, Art. 12)

Sec. 10-161 Through Sec. 10-163 Reserved for Future Use.

ARTICLE 12. MISCELLANEOUS PROVISIONS.[19]

Sec. 10-164 Separability Clause.

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid. (1983 *Greenwood Municipal Code*, Appendix A, Art. 13)

Sec. 10-165 Repeal of Conflicting Ordinances, Effective Date.

All ordinances or parts of ordinances in conflict with this ordinance or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall become effective on the date of passage and adoption by the Greenwood Common Council as provided by law. (1983 *Greenwood Municipal Code*, Appendix A, Art. 14)

Sec. 10-166 Through Sec. 10-169 Reserved for Future Use.

ARTICLE 13. DEFINITIONS

Sec. 10-170 Application and Interpretation.

ARTICLE 13, SECT9ION 10-170 DEFINITIONS HAS BEEN REPEALED PER ORDINANCE NO. 02-10 PASSED ON MARCH 18, 2002 BY THE GREENWOOD COMMON COUNCIL. DEFINITIONS MAY NOW BE FOUND UNDER A NEW ARTICLE 22, SECTION 10-540.

(Ord. 02-10, §4, 3-18-02)

Sec. 10-171 through 10-172 Reserved for Future Use.

(The next page of this book is 930.)

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[19] Editor's Note: Former Article 13 was entitled "Separability Clause" and former Article 14 was entitled "Repeal of Conflicting Ordinances, Effective Date". These have been combined into one Article entitled "Miscellaneous Provisions" during the 1993 recodification.

ARTICLE 14. SIGN CODE. [21]

Sec. 10-173 Purpose of the Sign Code.

1.1 Statement of purpose.

The purpose of this sign code is to regulate all signs so as to protect the health, safety, morals and promote the public welfare. Principal features of the ordinance are to define advertising signage for the premises on which the sign is located, and the total sign area permissible per site.

Whereas, in order to maintain the same level of attention, signs have had to become more aggressive, more numerous and more expensive, and, in some areas they threaten to go out of control, and in some areas are already out of control, thus defeating the purpose for which signage was created, and

Whereas, lack of control has caused dangerous conflicts between advertising signs on the one hand and traffic controls on the other, thus destroying the effectiveness of both, and, the situation has been aggravated by a great increase in automotive traffic, and

Whereas, outdoor signs suspended from or placed on top of structures and/or otherwise erected above the ground may become dangerous to the public, and

Whereas, the uncontrolled use of signs and of their shapes, motion, colors, illumination, plus their insistent and distracting demand for attention can be injurious to the mental and physical well-being of the public and can be destructive to adjacent property values and to natural beauty;

Now, therefore, it becomes necessary to reduce destructive competition between signs, and in the public interest to regulate the signs, location, character and other pertinent features of all exterior signs within the jurisdiction of the Greenwood Plan Commission.

1.2 Title.

This Code shall be known as the "sign code" of the City of Greenwood and may be so cited and pleaded and shall be referred to herein as the sign code.

1.3 Conflict, severability.

(a) If any portion of this code is found to be in conflict with any other provisions of any zoning, building, fire, safety or health ordinance of the codes of the City of Greenwood, the provision which establishes the higher standard shall prevail.

(b) If any section, subsection, sentence, clause or phrase of this code or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction,

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[21] Editor's Note: There were no Articles 16, 17, or 18 in the 1983 *Greenwood Municipal Code*.

the remainder of this code, or the application of the provisions to other persons or circumstances is in effect and shall remain in full force and effect. (Ord. No. 83-3, § 1, 3-21-83)

Sec. 10-174 Definitions.

SECTION 10-174 DEFINITIONS HAS BEEN REPEALED PER ORDINANCE NO. 02-10 PASSED ON MARCH 18, 2002 BY THE GREENWOOD COMMON COUNCIL. DEFINITIONS MAY NOW BE FOUND UNDER A NEW ARTICLE NO. 22, SECTION 10-540.

(Ord. 02-10, § 4, 3-18-02)

(The next page of this book is 934.)

Sec. 10-175 Permits Required, Fees.

3.1 Permits required. Except as otherwise provided herein, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign, or change the copy on an existing sign structure within the jurisdiction of the Greenwood Plan Commission, or cause the same to be done without first obtaining a sign permit for each sign from the Building Commissioner.

3.2 Application. Application for a permit shall be made to the Building Commissioner upon a form provided, and shall be accompanied by such information as may be required to assure compliance with the laws and regulations of the City, including:

(a) Name and address of the property owner of the premises on which the sign is located or is to be located.

(b) Name and address of the owner of the sign.

(c) Clear and legible drawings with description showing the location of the sign which is the subject of the permit, and all other signs whose construction requires permits, when such signs are on the same premises.

(d) Drawings showing dimensions, construction supports, sizes, electrical wiring and components, materials of the sign; method of attachment and character of structural members to which attachment is made. If required by the Building Commissioner, engineering data shall be supplied on plans submitted and certified by a duly licensed engineer.

(e) Any individual or company seeking to erect, construct, alter, repair, improve, maintain, convert or manufacture any sign adjacent to or visible from any state or federal roadway shall register, in writing, a statement that they have all necessary licenses and/or approvals from the other affected governmental agencies.

(f) Permission in writing from the person in possession or ownership of shopping centers and/or industrial premises shall be supplied as part of the application documentation.

3.3 Permit fees. The application, including all required documentation shall be filed with the Building Commissioner together with a permit fee as specified by the Plan Commission .

Fee Schedule. If any sign is hereafter erected, placed, installed or otherwise established on any property before obtaining a permit as required herein, the fees specified shall be doubled.

Payment of such double fee shall not relieve any person from compliance with other provisions of this code penalties prescribed herein.

3.4 Effect of sign permit issuance. No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall a permit issued hereunder constitute a defense in an action to abate an unlawful sign.

3.5 Nullification. A sign permit shall become null and void if the work authorized thereunder has not been started within a period of ninety (90) days following date of the permit, and completed within a reasonable time thereafter.

3.6 Permit exceptions. The following shall not be considered as creating a sign and therefore shall not be required to have a sign permit unless otherwise specified:

(a) Changeable Copy. The changing of advertising copy or message on an approved sign such a theatre marquee and similar approved signs, where are specifically designed for use of replaceable copy.

(b) Maintenance. Painting, repainting, cleaning or other normal maintenance and repair of a sign or sign structure unless a structural change is involved, or a change in copy is involved.

(c) Temporary or Exempt Sign. Temporary Signs as listed per Sec. 10-181; and Exempt Signs per Sec. 10-180 of this code are exempt from permit requirements unless specified elsewhere. (Ord. No. 83-3, § 3, 3-21-83)

Sec. 10-176 Administration and Penalties.

4.1 Enforcement. The Building Commissioner is hereby authorized and directed to enforce all the provisions of this code. Upon presentation of proper credentials, the Building Commissioner and/or his duly authorized representative(s) may enter at reasonable times any building, structure and/or premises in the City of Greenwood, Johnson County, Indiana, to perform any duty imposed upon him by this code.

4.2 Interpretation. Where there is any ambiguity or dispute concerning the interpretation of this code, the decision of the Building Commissioner shall prevail, subject to appeal as provided herein.

4.3 Right to appeal. Any person aggrieved by any decision or order of the Building Commissioner may appeal to the Greenwood Board of Zoning Appeals. The Building Commissioner shall take no further action on the matter pending the Board's decision, except for unsafe signs which present an immediate and serious danger to the public, as provided elsewhere in this code.

4.4 Penalties. Any person who violates this code shall be guilty of an infraction and, upon conviction, shall be punishable by a fine of not less than Ten Dollars ($10.00) nor more than Three Hundred Dollars ($300.00) and for each day on which any such violation continues, a separate offense will be deemed to be committed.

4.5 Civil Remedies. In addition to or instead of proceeding under Section 4.3, the Board of Zoning Appeals of the City of Greenwood, Johnson County, Indiana, or any enforcement official designated by this ordinance, may institute a suit for an injunction in the Circuit Court of Johnson County to restrain an individual or a governmental unit from violating this ordinance. The Board of Zoning Appeals, the Greenwood Plan Commission or any designated enforcement official may also institute a suit for mandatory injunction directing an individual or governmental unit to remove a structure erected in violation of this ordinance. A suit for mandatory injunction is an additional remedy which does not preclude any designated enforcement officials from utilizing any and all other statutory remedies available to the City of Greenwood for the enforcement of city ordinances.

4.6 Administration.

(a) All signs permitted in Interstate Highway Signage, Sec. 10-184, shall be required to obtain a permit for erection, construction, enlargement, or conversion. This requirement shall not be construed to require a permit for each copy change on a sign that is constructed to facilitate changeable letters, or for billboard-type signs which are designed and intended for frequent copy changes.

(b) The permit application shall include:

(l) a site plan showing the dimensions of the property, the location of all existing structures, and the location of the proposed sign;

(2) a lease or other appropriate statement demonstrating the consent of the property owner;

(3) detailed construction plans and specifications of the sign structure and the original copy of the sign face;

(4) a full sign permit fee.

(c) The erection of the sign shall begin within one year of the date of issuance of the permit. The sign shall be completed in a timely and orderly manner.

Where there is ambiguity or dispute concerning the interpretation of this section, the decision of the Building Commissioner shall prevail, subject to appeal to the Greenwood Board of Zoning Appeals. Any party aggrieved by any decision or order of the Building Commissioner relating to this section may file an appeal with the Board within thirty (30) days of the decision. (Ord. No. 83-3, § 4, 3-21-83)

Sec. 10-177 Inspection, Removal, Safety.

5.1 Inspection. Signs for which a permit is required may be inspected periodically by the Building Commissioner and/or his agent for compliance with this and other codes of the City.

5.2 Removal of sign. The Building Commissioner may order the removal of any sign erected or maintained in violation of this code. He shall give thirty (30) days notice in writing to the owner of a permanent sign, or place a notice of such violation on the building, structure, premises or sign in violation, to remove the sign or to bring it into compliance. He shall give a three (3) day notice for temporary or portable signs. The Building Commissioner may remove a sign immediately and without notice if, in his opinion, and with the consent of the Mayor, the condition of the sign is such as to present an immediate threat to the safety of the public.

Any sign removed by the Building Commissioner and/or his agent, pursuant to the provisions of this section, shall be held by the City for redemption by the owner. To redeem, the owner shall pay all costs incurred by the City for removal. Should said sign not be redeemed within thirty (30) days of its removal, it may be disposed of in any manner deemed appropriate by the City. The cost of removal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and owner of the property, and may be recovered in an appropriate court action by the City or by assessment against the property. The cost of removal shall include any and all incidental expenses incurred by the City in connection with the sign's removal.

5.3 Maintenance. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition. Failure to comply will automatically revoke the permit after such noncompliance has been determined by the Building Commissioner and notice has been given to the owner of the sign as reflected by the records of the Building Commissioner.

5.4 Abandoned signs. A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove it, the Building Commissioner shall give the owner ten (10) days written notice to remove it. Upon failure to comply with this notice, the Building Commissioner or his duly authorized representative may remove the sign at cost to the owner. Where a successor to a defunct business agrees to maintain the sign(s) as provided in this code, this removal requirement shall not apply. The new sign user shall forthwith notify the Building Commissioner's office, in writing, of this change. No new sign permit is required, unless the sign is altered or relocated. The Building Commissioner shall be notified in any matters relating to sign relocations.

5.5 Street improvement projects. Any sign projecting over a roadway right-of-way at the time of the effective date of this code which was subject to removal or relocation at the owner's expense, pursuant to a permit or other ordinance of the City, shall be removed by the owner, or altered at the owner's expense to comply with the regulations of this code if, as the result of, or after completion of a roadway improvement project, said sign does not or would not comply with the provisions of this code.

5.6 Assurance of discontinuance. As an additional means of enforcement the Building Commissioner may accept an assurance of discontinuance of any act or practice deemed in violation of this code or of any rule or regulation adopted pursuant thereto, from any owner or person engaging in such act or practice. Such assurance shall be in writing and shall specify a time limit during which such discontinuance is to be accomplished. Failure to perform the assurance shall constitute *prima facie* proof of a violation of this code, or any rule or regulation adopted

pursuant thereto, which makes the alleged act or practice unlawful for the purpose of securing any injunctive relief from a court of competent jurisdiction. (Ord. No. 83-3, § 5, 3-21-83)

Sec. 10-178 Nonconforming Uses and Signs.

All illegal signs existing at the time of enactment of this ordinance shall be removed. Illegal signs are those which do not have a valid permit, or do not qualify as nonconforming under prior Ordinance 69-12.

All signs shall be kept in good repair, safe, neat, clean and attractive condition. In the event signs are not kept in said condition or are demolished by any force whatsoever to the extent of fifty (50) percent of their use, said signs shall then conform to this ordinance.

Nonconforming signs which are structurally altered, relocated or replaced shall comply immediately with all provisions of this code. Nothing in this code shall be construed to give a legal status to any sign without a sign permit. (Ord. No. 83-3, §6 , 3-21-83)

Sec. 10-179 Prohibited Signs.

The following types of signs are expressly prohibited in all zone districts:

7.1 "A" frame signs. "A" frame signs or sandwich-board, sidewalk or curb signs are prohibited.

7.2 Abandoned signs. Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises shall be prohibited and may be removed by the City.

7.3 Animated and intensely lighted signs. No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights or any other device or means not providing constant illumination. Public service information signs and other electronic message centers classified as "changing signs" are permitted under special provisions of this code, and by special sign permit approval by the Plan Commission.

7.4 Banners and pennants. Banners and pennants shall be permitted so long as they are at least ten (10) feet from any street right-of-way and located so as not to obstruct vision or otherwise create a hazard to traffic. No permit shall be required.

7.5 Lights and balloons. Search lights, twirling signs, balloons or other gas-filled figures shall not be used except as set forth below. Such signs shall be permitted at the opening of a new business in a commercial or industrial district for a period not to exceed sixty (60) days; and will be permitted in residential districts in conjunction with an open house or model home demonstration conducted by a realtor for up to thirty (30) days before the open house and two (2) days after and not to exceed a total period of thirty (30) days.

7.6 Miscellaneous signs and posters. The tacking, pasting or otherwise affixing of signs of a miscellaneous character, visible from a roadway, located on the walls of buildings, barns, sheds, on

trees, poles, posts, fences or other structures; are prohibited unless otherwise permitted by this code.

7.7 Moving signs. No sign or any portion thereof shall be permitted which moves or assumes any motion, or gives the illusion of moving.

7.8 Off-premise signs. Off-premise signs shall be prohibited except as expressly permitted by this code.

7.9 Projecting signs. No sign shall project over or into the street right-of-way.

7.10 Public areas. No sign shall be permitted which is placed on any curb, sidewalk, post, pole, electrolier, hydrant, bridge, tree or other surface located on public property or over or across any street or roadway, except as otherwise expressly authorized by this code.

7.11 Swinging signs. Overhead swinging signs are prohibited.

7.12 Towers (water, radio, etc). No sign shall be placed on any tower or tank without the approval of the Plan Commission.

7.13 Unclassified signs. The following signs are also prohibited which:

(a) Bear or contain statements, words or pictures of an obscene, pornographic or immoral character, or which contain advertising matter which is untruthful or will offend public morals or decency;

(b) Are painted on or attached to any fence or any wall which is not structurally a part of a building, except to identify a residence or residence structure by means of posting the name of the occupant or structure, and the street address;

(c) Operate or employ any stereopticon or motion picture projection or media in conjunction with any advertisements, or have visible moving parts, or any portion of which moves or gives the illusion of movements, except as permitted in this code;

(d) Emit audible sound, odor, or visible matter;

(e) Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words "Stop", "Go Slow", "Caution", "Danger", "Warning", or similar words; except as permitted in 8.4;

(f) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or roadway sign or signal or device;

(g) Obstruct any door, fire escape, stairway, or any opening intended to provide air, egress or ingress for any building or structure;

(h) Were erected before the adoption and effective date of these regulations, and for which a proper permit was not issued;

(i) Are not included under the types of signs permitted in this code.

7.14 Visible frames. Visible angle-iron frames or structures to support projecting signs from buildings or posts are prohibited. (Ord. No. 83-3, § 7, 3-21-83)

Sec. 10-180 Exemptions.

The following types of signs are exempted from all provisions of this ordinance, except for construction and safety regulations and the following requirements:

8.1 Business identification sign. An identification sign on or near (above or beside) a public entrance or service entrance to a business in a business, commercial, or industrial zone is permitted, provided such signs state only the street address number and name of the business or building, that such sign shall be mounted flush against the wall, and that such sign shall not exceed four (4) square feet.

8.2 Damaged signs. A sign erected under a legally-obtained permit, which is damaged or destroyed by wind, weather, or other accidental means beyond the control of the applicant, may be replaced or restored to its original size, shape and location (as prior to the accident) without obtaining an additional permit. Replacement of a damaged or destroyed sign with a new sign of different size, shape, or location from the original sign shall require a permit.

8.3 Integral signs. Names of building, date of erection, monumental citations, commemorative tablets and the like, when carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent-type construction, and made an integral part of the structure.

8.4 Parking signs. Signs for public and private parking shall be permitted. Such signs shall be subject to a three-foot setback from right-of-way, and shall not be used for advertising purposes. Signs shall be no higher than six (6) feet and no greater than six (6) feet in area. Such signs shall be installed so as to not present a hazard to traffic entering or leaving the premises.

8.5 Private traffic direction signs. Signs directing traffic movement onto or within premises. Illumination of these signs shall be permitted in accordance with Sec. 10-180 [10], Illumination. The leading edge of such signs shall be a minimum of three (3) feet from any curb or traffic movement aisle, and the sign shall be no higher.than three (3) feet, and no greater than six (6) square feet in area.

8. 6 Public signs. Signs of a noncommercial nature and in the public interest erected by or on the order of public officer(s) in the performance of his (their) public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques signs of historical interest, signs directing

the traveling public to public and quasi-public facilities, or signs on public buildings or structures, and the like.

8.7 Small signs. A nameplate which shall not exceed two (2) square feet in area is permitted for each dwelling unit of a single-family or row-structure; such nameplate shall state nothing other than the name and/or address of the occupant, and/or legal customary home occupation. No other sign shall be allowed. This paragraph shall not be construed to prohibit each dwelling unit from also displaying a house numbering plate for identification, or signs on the premises announcing rooms, apartments or house for rent and not exceeding four (4) square feet in area, provided that the signs are located at least ten (10) feet from the street right-of-way.

8.8 Social or charitable organizations. Signs indicating the names and locations of churches, charitable organizations, and community service organizations are permitted, provided that the sign area shall not exceed four (4) square feet, shall be located at least ten (10) feet off of the street right-of-way, and shall in no way obstruct the view of pedestrians or vehicular traffic. Such signs shall be permitted as "off-premises" signs; providing, however, such signs have a minimum spacing of five hundred (500) feet between any two (2) signs in this category.

8.9 Vehicle signs. Signs on vehicles are permitted, provided the sign is painted or attached directly to the body of the original motor-powered vehicle and does not project or extend beyond the original manufactured body proper of the motor-driven vehicle. Such vehicles and/or semi-trailers shall be parked a minimum distance of ten (10) feet from any street right-of-way, and shall be located so as to not create an obstruction or hazard to the traveling public. Trucks and/or trailers may be used as signs for special events or sales for a maximum period of thirty (30) days.

8.10 Window signs. Window signs are permitted, provided such signs conform to the construction, illumination and safety regulations of this ordinance. (Ord. No. 83-3, § 8, 3-21-83)

Sec. 10-181 Temporary Signs.

The following signs shall be permitted at any location within the City of Greenwood and shall be required to have a permit unless otherwise specified:

9.1 Construction signs. Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with construction; but not including any advertisement of any product; and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, and limited to a maximum of thirty-two (32) square feet for each firm. The minimum setback shall be ten (10) feet from any street right-of-way. The sign shall be confined to the site of construction and shall be removed within thirty (30) days after the end of construction.

9.2 Garage sale signs. Signs advertising the sale of miscellaneous household items for the purpose of a residential "garage" or "yard" sale shall not exceed four (4) square feet in area. Such signs may be erected on the premises one week in advance of the sale and shall be removed within forty-eight (48) hours after the sale. No permit shall be required.

9.3 Political campaign signs. Political campaign signs announcing the candidates seeking public political office shall be confined within private property and not within the street right-of-way, shall be permitted no more than forty-five (45) days prior to the scheduled election, and shall be removed within fourteen (14) days after election for which they were made. Such signs shall not be required to obtain a permit.

9.4 Portable signs. One portable sign may be permitted for a time period not to exceed sixty (60) days in any one hundred eighty-day period. Renewal permits may be obtained so long as there are no zoning violations relative to said permit; provided such sign shall:

(a) Be located not less than ten (10) feet from any public right-of-way;

(b) Not obstruct the flow or sight pattern of vehicular traffic on any established right-of-way;

(c) Be located not less than ten (10) feet from adjoining residential lot;

(d) Have a face not exceeding thirty-two (32) square feet;

(e) Meet the illumination requirements as set forth in Sec. 10-180 [10], Illumination, and in addition be approved by the Building Commissioner.

9.5 Real estate signs. One real estate sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed shall not exceed four (4) square feet in residential, and thirty-two (32) square feet in commercial zones. Such sign shall be removed within fourteen (14) days of the sale, rental or lease of the premises. The minimum setback from street right-of-way shall be ten (10) feet. Signs shall reflect no advertising or promotional material other than to indicate the party listing the property for sale, rental or lease. No permit shall be required.

9.6 Street banners. Street banners advertising a public entertainment or event and only for locations designated by the Building Commissioner, during and for, fourteen (14) days prior and fourteen (14) days after the event. Permits shall not be required for such signs.

9.7 Subdivision or multi-family sign. One temporary subdivision or multiple-family project identity sign indicating only the name and/or address of the premises and/or the name of the management. Such a sign shall not exceed thirty-two (32) square feet of face area and shall be located a minimum distance of ten (10) feet from any street right-of-way; excepting, however, that for each additional foot (beyond 10) that the setback distance is increased, the face area of the sign may be increased by one square foot, up to a maximum allowable size of one hundred (100) square feet. The maximum time period will be twelve (12) months from the date the sign permit is issued. Such sign may be extended for another twelve (12) months by the Plan Commission or until the project is eight-five (85) percent completed or is occupied. Permanent identification signs may be obtained pursuant to Section 11.2 of this Article. (Ord. No. 83-3, § 9, 3-21-83)

Sec. 10-182 Illumination.

10.1 All illuminated signs must meet the standards as specified in the National Electrical Code.

10.2 No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness or color or gives such illusion.

10.3 The full number of illuminating elements thereof shall be kept in satisfactory working condition or immediately repaired or replaced. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated. All electrical wiring shall be in conduit and not exposed to the elements or external stress in any way. All electrical signs shall have a disconnecting switch located in a readily accessible place.

10.4 Neither the direct nor reflected light from a primary light source shall create a traffic hazard to operators of motor vehicles on public and/or private roadways.

10.5 The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to the surrounding areas. (Ord. No. 83-8, § 10, 3-21-83)

Sec. 10-183 Sign Standards by Zone Districts.

11.1 General.

11.1.1 The following sign standards by districts are intended to include every zone district within the jurisdiction of the City of Greenwood. The zones are as defined in the zoning ordinance and official zone map. Only signs as described herein, and as may be described under Temporary Signs and Exemptions, Sections 10-181 and 10-180, shall be permitted in each particular zone.

11.1.2 If any zone is omitted from this ordinance, or if a new zone is created after enactment of this ordinance, no sign shall be permitted therein until this ordinance has been amended to include the new zone.

11.2 Residential.

11.2.1 Scope. This section of the sign code shall apply to all zones designated by the zoning ordinance as R-l, R-2, R-2A, R-2B, R-3, and R-4, Single Family, Multiple-Family, Cluster Housing, Condominiums, High-Rise Apartments or any variety of these. (Ord. 02-01, § 9 Add R-2B, 2-18-02)

11.2.2 R-l, R-2, R-2A, and R-2B Residential (Light Living Densities).

(a) One nameplate not exceeding a combined area of two (2) square feet in area is permitted. Said nameplate shall not be subject to the permit requirements of this code.

(b) Signs in conjunction with home occupations as stated in the Definitions section are permitted; no illumination shall be permitted.

(c) A church or public building, bulletin board or sign, not exceeding thirty-two (32) square feet in area. Such sign may be illuminated but shall conform to Sec. 10-182, Illumination and 11.2.4 below. A wall sign stating only the name of the church, school, or public building may be approved by the Plan Commission.

(d) Any sign as permitted under Temporary, Sec. 10-181, and Exemptions, Section 10-180, of this code.

(e) One subdivision identity sign as permitted under Temporary, Sec. 10-181 of this code. Such sign shall not be illuminated. In the event the subdivision has entries from more than one street, additional identity signs may be permitted by the Plan Commission.

(f) One permanent subdivision identity shall be permitted. In the event the subdivision has entries from more than one street, additional signs may be permitted by the Plan Commission. Any temporary signs as provided in paragraph (e), above, shall be removed before a permanent sign may be erected.

11.2.3 R-3 & R-4 Residential (Medium & Heavy Densities).

(a) For each duplex and/or multiple-family building, one (l) nameplate per occupancy not to exceed two (2) square feet in area is permitted. Such nameplate shall not be subject to the permit requirements of this code. No illumination shall be permitted.

(b) Signs in conjunction with home occupations as stated in definitions. No illumination shall be permitted.

(c) A church or public building bulletin board of sign, not exceeding thirty-two (32) square feet in area. Such sign may be illuminated but shall conform to Sec. 10-182, Illumination and 11.2.4 below. A wall sign stating only the name of the church, school, or public building may be approved by the Plan Commission.

(d) Any sign as permitted under temporary, Sec. 10-181 and exemption, Sec. 10-180 of this code is permitted. Only the multi-family project identity sign may be illuminated, but shall conform to Sec. 10-182, Illumination.

(e) For funeral homes or mortuaries, a nonilluminated nameplate shall be permitted, provided it is not greater than thirty-two (32) square feet in area.

(f) One permanent multi-family project identity sign shall be permitted. In the event the project has entries from more than one street, additional identity signs may be permitted by the Plan Commission. Any temporary sign as provided in paragraph d above shall be removed before a permanent sign may be erected.

11.2.4 Location

(a) A permanent identity sign for a single-family subdivision or for a multi-family project

shall be placed a minimum distance of ten (10) feet from any street right-of-way. The face of any such sign shall not exceed thirty-two (32) square feet in area. Excepting, however, for each additional foot (beyond 10) that the setback distance is increased, the face area of the sign may be increased by one square foot; up to a maximum allowable size of one hundred (100) square feet.

(b) Building-mounted signs shall be flush mounted. There shall be no projection of any sign above the roof line.

(c) All signs shall be placed a minimum of ten (10) feet from any street right-of-way.

(d) Permitted signs shall not be placed on utility easements or drainage easements as defined on recorded plats or site plans without the express consent of the Plan Commission.

(e) Signs shall not be placed as to interfere with the sight path of vehicular traffic.

(f) The height of any ground sign shall be such that no part of the sign face shall exceed a maximum height of four (4) feet above grade level. The height of any pole sign shall be such that no part of the sign face shall be less than nine (9) feet above grade level. Such pole sign shall not exceed a maximum height of twenty (20) feet.

11.3 Business and professional.

11.3. 1 Scope. This section of the code shall apply to all zones designated by the zoning ordinance as B-l - Business, which includes professional offices.

11.3.2 Permitted Signs.

(a) Ground Sign:

(l) Limit of One. One ground sign indicating the name and nature of the business shall be permitted for each business parcel. Such ground sign shall not be illuminated if adjacent to a residential use.

(2) Height. The height of any ground sign shall be such that no part of the sign face shall exceed a maximum height of four (4) feet.

(3) Size and Location. A ground sign shall be placed a minimum distance of ten (10) feet from any street right-of-way. The face of any such sign shall not exceed thirty-two (32) square feet in area.

(b) Wall Sign: One wall sign shall be permitted on each building. Maximum sign area shall be one and one-half square feet for each lineal foot of building frontage; however, in no instance shall such signage exceed fifty (50) square feet for a single business. Location shall be as explained in 11.4.4. Such wall sign shall not be illuminated. The face area may be increased by

seventy-five (75) percent if the sign is for two (2) or three (3) businesses, and may be increased by one hundred (100) percent if the sign is for more than three (3) businesses.

11.4 Commercial and Industrial.

11.4.1 Scope

This section of the code shall apply to all zones designated by the zoning ordinance as C-l, C-2, C-3, I-l, and I-2, Neighborhood Shopping, Tourist Commercial, General Commercial, Industrial and Planned Industrial Uses.

11.4.2 Permitted Signs

11.4.2.1 Permitted Signs for Free Standing Buildings Including Free Standing Buildings Located at Strip and Enclosed Mall Shopping Centers.

(a) Ground Signs. Either one ground sign or one pole sign (but not both) indicating only the name and nature of the occupancy shall be permitted for each business parcel. Such sign shall not exceed one hundred (100) square feet in area (except as permitted in Sections 11.4.3 and 2.13 hereof) and a pole sign shall not exceed thirty-five (35) feet in height. Such sign shall be installed in accordance with location criteria as explained in paragraph 11.4.4. Such ground sign may be illuminated as provided in Sec. 10-182, Illumination, or as approved by the Building Commissioner or the Plan Commission.

(b) Wall Signs. One wall sign on a building shall be permitted per each business therein. Maximum sign area shall be four (4) square feet for each lineal foot of building frontage; however, in no instance shall such signage area exceed two hundred (200) square feet. Location shall be as explained in paragraph 11.4.4. Such wall sign may be illuminated as provided in Sec. 10-182, Illumination, or as approved by the Building Commissioner or Plan Commission. A freestanding building which is situated on a corner lot or which has exposure to two (2) streets may have wall signs on both exposed walls (*i.e*. limit of two (2) wall signs per building.) The face area may be increased by seventy five (75) percent if the sign is for two (2) or three (3) businesses, and may be increased by one hundred (100) percent if the sign is for more than three (3) businesses.

(c) Marquee Signs. Marquee signs are permitted on the face of marquees subject to approval of the Plan Commission. The lower edge of the marquee sign shall be no less than eight (8) feet above the sidewalk at any point. Unless otherwise approved by the Plan Commission, no part of such sign shall project above the roof line.

(d) Bench Signs. Bench signs which are located for the convenience of the public, may be permitted upon the approval of the Plan Commission.

(e) Portable Signs. Portable signs as specified in Section 9.4 shall be permitted.

11.4.2.2 Permitted Signs for Strip Shopping Centers and Industrial Zones.

(a) Pole Signs. Pole signs at strip shopping centers and in industrial zones may be made a part of the site development plan or erected at a later date; shall be subject to the approval of the Plan Commission; and shall meet the following requirements:

(l) One pole sign shall be permitted;

(2) Such sign shall indicate only the name and location of such business or businesses;

(3) Such sign shall have a maximum surface area not exceeding two hundred (200) square feet; except as otherwise permitted in Section 11.4.3 and Section 2.13 hereof;

(4) Where a strip shopping center or developed parcel in an industrial zone has in excess of one hundred (100) feet of street frontage, one additional pole (free standing) sign may be approved by the Plan Commission.

(5) Where a strip shopping center or developed parcel in an industrial zone is authorized by the Plan Commission to have more than one pole (free standing) sign, the distance between each sign shall be not less than one hundred (100) feet;

(6) Such signs may be illuminated as provided in Sec. 10-182, Illumination or as approved by the Plan Commission.

(b) Wall Signs. One wall sign shall be permitted per business. Maximum sign area shall be four (4) square feet for each lineal foot of building frontage; however, in no instance shall any individual signage area exceed two hundred (200) square feet. Location shall be as explained in paragraph 11.4.4.

Such wall sign may be illuminated as provided in Section 10, Illumination or as approved by the Plan Commission.

(c) Marquee Signs. Marquee signs as provided in Section 11.4.2.1(c) shall be permitted.

(d) Bench Signs. Bench signs as provided in Section 11.4.2.1(d) shall be permitted.

(e) Portable Signs. Portable signs as provided in Section 11.4.2.1(e) shall be permitted.

11.4.2.3 Permitted Signs for Enclosed Mall Shopping Centers.

(a) Pole Signs. All pole signs at enclosed mall shopping centers are to be made a part of the site development plan; shall be subject to the approval of the Plan Commission; and shall meet the following requirements:

(l) One pole sign shall be permitted along each street or highway right-of-way abutting such enclosed mall shopping center;

(2) Such sign shall indicate only the name and location of such enclosed mall shopping center or the businesses comprising the same;

(3) Such sign shall have a maximum surface area not exceeding three hundred (300) square feet; except as otherwise permitted in Section 11.4.3 and Sec. 10-175 hereof;

(4) Where an enclosed mall shopping center has in excess of six hundred (600) feet of street frontage along any given street or highway right-of way, one additional pole (free standing pole) sign may be approved by the Plan Commission for placement along such public street, highway or road right-of-way provided that the distance between such signs along such street or highway right-of-way shall be not less than five hundred (500) feet;

(5) Such sign shall not exceed thirty-five (35) feet in height;

(6) Such signs may be illuminated as provided in Sec. 10-182, Illumination, or as provided by the Plan Commission.

(b) Wall Signs. Wall signs shall be permitted on each wall facing the enclosed mall shopping center's parking lot. Maximum sign area on each of such walls shall be two (2) square feet for each lineal foot of building frontage on such parking lot; however, in no instance shall any individual sign exceed four hundred (400) square feet. Such sign shall indicate only the name and location of said business. Location shall be as explained in paragraph 11.4.4. Such wall sign may be illuminated as provided in Sec. 10-182, Illumination or as approved by the Plan Commission.

(c) Marquee Signs. Marquee signs as provided in Section 11.4.2.1(c) shall be permitted.

(d) Bench Signs. Bench signs as provided in Section 11.4.2.1(d) shall be permitted.

(e) Portable Signs. Portable signs as provided in Section 11.4.2.1(e) shall be permitted.

11.4.2.4 Signs for Commercial and Industrial Parks. Off-premise signs shall be permitted for directing the traveling public to commercial or industrial parks (strip shopping center or malls not included) providing the following requirements are met:

(a) A permit shall be obtained prior to the erection of the sign;

(b) Such sign shall indicate only the name, location, and information about the park itself - products or services shall not be advertised;

(c) Such sign shall have a maximum sign face area of one hundred (100) square -a minimum height of nine (9) feet above grade level - and a maximum height of thirty-five (35) feet above grade - a minimum setback of ten (10) feet from street right-of-way;

(d) Such sign shall be a minimum distance of five hundred (500) feet from any residential zoning district;

(e) Such sign shall be a minimum distance of five hundred (500) feet from any other "off-premises" sign.

11.4.3 Signs Advertising More Than One Business.

Signs advertising more than one business shall be permitted subject to the following:

(a) If two (2) or three (3) businesses are served, the maximum permitted sign area shall be increased to an area no greater than seventy-five (75) percent larger than the total area permitted for a single business.

(b) If more than three (3) businesses are served by such advertising, the total area shall be increased no more than double the area permitted for a single business.

(c) In no instance shall a sign exceed four hundred (400) square feet on any face.

11 .4.4 Location

(a) Ground or Pole Signs. Unless otherwise approved by the Plan Commission, the bottom of the signage area for all pole signs shall be no lower than nine (9) feet from the existing lot grade; the top of the signage area for all ground signs shall be no higher than four (4) feet from the existing lot grade. All signs shall be subject to a minimum setback from any street right-of-way of not less than ten (10) feet; and in no way shall be installed so as to obstruct vision of or otherwise create a hazard to traffic entering or leaving the premises. Ground or pole signs shall be no closer to the side property line than a distance equal to thirty-five (35) percent of the frontage of the property upon which said sign is to be located, but in no event shall such sign be closer than fifteen (15) feet.

(b) Wall Signs. Unless otherwise approved by the Plan Commission, all wall signs shall be flush-mounted on the building surface and shall not project above the roof line.

(c) Marquee Signs. Unless otherwise approved by the Plan Commission, all marquee signs shall be flush-mounted on the marquee surface; shall not project above the roof line; and shall be no less than eight (8) feet above grade and/or sidewalk at any point.
(Ord. No. 83-3, § 11, 3-21-83)

Sec. 10-184 Interstate Highway Signage.

12.1 Purpose and intent.

The purpose of this section is to control and regulate off-premises and on-premises advertising signage along interstate highways located within the jurisdiction of the Greenwood Plan Commission in a manner that is fair and equitable.

With this intent in mind, the scope includes, but is not necessarily limited to, regulations that cover location, size, site and construction specifications, illumination, maintenance, and administrative procedures necessary to carry out effective control. Regulations within this Section (12) apply to signs located within six hundred sixty (660) feet of the nearest edge of intersection highway right-of-way. Signs located more than six hundred sixty (660) feet from an interstate right-of-way shall be governed by the other appropriate sections of this ordinance.

12.2 Permitted locations.

Outdoor advertising structures and signs are permitted along an interstate highway where the site is zoned commercially or industrially according to Greenwood Zoning Ordinance No. 82-1, subject to the specifications and requirements of this Sec. 10-184.

12.3 Prohibited signs.

The following types of outdoor advertising signs are prohibited:

(a) Signs which are illuminated or animated by means of flashing, fluctuating, scintillating, blinking, or traveling lights or any other means not providing constant illumination as provided herein. Public service information signs and electronic message centers are excluded by this provision.

(b) Signs which advertise illegal activities, are obscene, contain untruthful copy, are improperly mounted or erected, or represent a traffic hazard.

12.4 Size and height restrictions.

Type	Min. Setback	Min. Height	Min. Height	Max. Face Area	Permitted Location
Billboard	20'	12'	40'	*750 sq.ft.	On-or Off Premise
High-Rise	65'	50'	85'	550 sq.ft.	On-Premises Only

* includes extensions

On back-to-back or "V-ed" double-faced sign structures, the maximum face area shall be permitted for each face. Signs or advertising structures with more than two (2) faces shall be prohibited.

Extensions to the basic rectangular billboard type sign face area shall not exceed a maximum of four (4) feet along the top and one foot on the sides and bottom; providing, however, no extensions along the bottom shall encroach upon the twelve (12) foot minimum height requirement.

Minimum and maximum heights shall be measured from the grade level at the base of the sign.

12. 5 Minimum proximity.

There shall be a minimum spacing of one thousand (1,000) feet between any type of off-premise outdoor highway advertising structures and signs on each side of the interstate highway.

No off-premises billboard shall be allowed within five hundred (500) feet of an interchange. Said five hundred (500) feet to be measured along the interstate from the beginning or ending of pavement widening at the exit from or entrance to the main traveled way. (See illustration at Page 952.1) This five hundred (500) foot prohibition does not apply to on-premise signs which otherwise meet the requirements of this ordinance. (Ord. No. 83-3, §12, 3-21-83)

12.6 Structure specifications.

(a) All pole and structural members shall be of steel. All billboard type signs shall be mounted on single-pole or I-beam structures. High-rise type signs may be erected on one or more steel support structures. All members shall be painted.

(b) All frames surrounding poster or bulletin signs shall be of painted metal, rough sawn cedar, or of a framing material of equivalent quality.

(c) Each sign structure shall have the name, address, and telephone number of the owner posted thereon. On sign structures utilizing electricity for illumination and so forth, the sign structure shall feature Underwriter's Laboratory approval of said installation.

(d) A sign may be mounted with two (2) faces back-to-back (or "V-ed") at an angle not to exceed sixty (60) degrees.

(e) When a structure is constructed in such a manner as to have copy material facing in a single direction, the exposed rear of the sign and the structural members shall be finished and maintained to a degree equal to that of the copy side of the sign.

(f) All lighting intended to illuminate copy on an outdoor interstate highway sign shall be mounted below the sign and directed upward towards the copy in order to prevent spillover into surrounding uses.

(g) All signs and structures shall be kept in good repair and in a safe, neat, clean, and attractive condition. Failure to comply with the maintenance requirements as determined by the Building Commissioner following an inspection of the sign may result in revocation of the sign permit. Should the lack of maintenance of the sign provide an immediate threat to public health, safety, or welfare, as determined by the Building Commissioner, he shall order, in writing, the immediate removal of the sign by the sign owner on record or may, with written notice, undertake immediate removal of the sign himself.

(h) The Building Commissioner shall, following his inspection of the sign and notification of the sign owner of record, order the removal of any obsolete or abandoned sign by the sign owner of record, undertake removal of the sign himself. (Ord. No. 83-3, § 12, 3-21-83)

Sec. 10-185 Through Sec. 10-189 Reserved for Future Use.

Sec. 10-191 Penalties for Violation.

Violation of the provisions of this Article or failure to comply with any of its requirements shall constitute an ordinance violation. Any person who violates this Article or fails to comply with any of its requirements shall be fined not less than Ten Dollars ($10.00) and not more than Three Hundred Dollars ($ 300.00) and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall constitute a separate offense.

The owner or tenant of any building, structure, premises or any part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains any such violation may each be found guilty of a separate offense and shall suffer the penalties herein provided. (Ord. No. 84-15, § 1, 3-5-1984)

Sec. 10-192 through Sec. 10-199 Reserved for Future Use.

****Pages 953 through 1014 Reserved for Future Use**

Insert Interchange drawing here.

See Chart at end of this chapter. Page 952.1

NEXT PAGE OF THIS BOOK IS 1015

ARTICLE 15. SUBDIVISION CONTROL AND LAND DEVELOPMENT

ARTICLE 15. SUBDIVISION CONTROL AND LAND DEVELOPMENT HAS BEEN REPEALED PER ORDINANCE NO. 02-12 PASSED BY THE GREENWOOD COMMON COUNCIL ON 4-15-02. THE SUBDIVISION CONTROL AND LAND DEVELOPMENT MAY NOW BE FOUND UNDER NEW ARTICLE 20, SECTION 10-494 THROUGH 10-530.

(Ord. 02-10, § 4, 3-18-02)

The next page in the book is 1088.1

ARTICLE 16. SITE DEVELOPMENT PLAN REQUIREMENTS

Sec. 10-460 Site Development Plan.

16.01.01 Site Development Plans Required.

No land within the jurisdiction of the Greenwood Advisory Plan Commission shall be developed or altered for the purpose of constructing buildings or establishing uses – except for single family residences, two family residences, and manufactured homes in an approved park – without first having received site development plan approval from the Greenwood Advisory Plan Commission. Site development plan approval shall be required for, but not necessarily limited to, such project as apartments; condominiums; attached single-family dwellings; office buildings; commercial buildings and structures, shopping centers or malls; industrial buildings and structures; and other similar land development projects. Land Alteration Permits and Building Permits shall not be issued until the conditions and requirements of this ordinance are met.

16.02.01 Application.

All applications for site development plan review shall be made on application forms prescribed by the Plan Commission and follow established submittal deadlines.

16.03.01 Design Requirements and Improvements Requirements.

Requirements, standards and specifications for engineering design for construction of improvements for site development plans shall be equal to or greater than the minimum requirements, standards, and specifications established for design and improvements in the Greenwood Subdivision Control and Land Development Ordinance. In addition to the plan sheets specified below, the applicant shall submit a complete drainage report, including calculations and justifications. The City Engineer may approve other engineering designs or practices when deemed necessary.

16.04.01 Contents of Site Development Plans.

All site development plans shall be submitted under the seal and signature of a Professional Engineer or Registered Land Surveyor licensed to practice in the State of Indiana. All sheets shall be 24” x 36” size drawn to scale at a minimum 1” = 50’ and a maximum 1” = 10’ with the exception of the maps on Sheet One, unless otherwise approved by the City Engineer. Site development plans submitted for review shall observe the following format:

A) **Sheet One (Title Sheet)**
The following information shall be submitted as part of Sheet One:

1. Full legal description with sufficient reference to section corners and boundary map of the subject project, including appropriate benchmark references;

2. Name of Project;

3. Name and address of the owner, developer, and person who prepared the plans;

4. Total acreage within the project and the number of residential dwelling units or the gross square footage of non-residential buildings whichever is applicable;

5. Existing zoning of the subject land and all adjacent lands;

6. Boundary lines of adjacent tracts of land, showing owners of record.

7. A key or vicinity map at a scale of one inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located;

8. A statement of the proposed uses, stating the type and size of residential and non-residential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project on traffic, fire hazards, or congestion of populations;

9. Proposed covenants, restrictions, by-laws, or articles of incorporation affecting property owners and/or homeowners associations; and

10. Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing;

B) **Sheet Two (Existing Site Conditions)**
The following information shall be submitted as part of Sheet Two:

1. Location, widths, and type of construction of all existing streets, street names, alleys, or other public ways and easements, street classifications as per the Thoroughfare Plan, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other date considered pertinent by the commission or the administrator for the subject land, and within three hundred (300) feet of the proposed project;

2. Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;

3. Existing contours based in U.S.G.S. datum with intervals of not more than five (5) feet where the slope is greater than ten percent (10%) and not more than two (2) feet where the slope is less than ten percent (10%). Elevations shall be based on sea level datum; and

4. The water elevation at the date of the survey of lakes, streams, or designated wetlands within the project or affecting it, as well as the approximate high and low water elevation of such lakes, streams, or designated wetlands. The plan shall also show the contour line of the regulatory flood (100-year flood) elevations and the contour line for the floodway fringe boundary. All elevations shall be based on sea level datum;

C) **Sheet Three (Proposed Site Conditions)**
The following information shall be submitted as part of Sheet Three:

1. Locations, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low area subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject to flooding, permanent building, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within three hundred (300) feet of the proposed project;

2. Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;

3. Building setback lines, showing dimensions;

4. Full description and details, including engineering calculations, for provision of storm water drainage plans and facilities, including basin mapping. The standard for drainage detention is that the run-off rate of a 100-year post-development event cannot exceed the rate for a 10-year pre-development event;

5. Internal and perimeter sidewalk system/pedestrian circulation plan; and

6. Proposed contours with intervals of not more than five (5) feet where the slope is greater then ten percent (10%) and not more than two (2) feet where the slope is less then ten percent (10%). The plan shall also show the contour line for the floodway fringe boundary.

7. Show the location and detail plans for all trash dumpsters.

D) **Sheet Four (Erosion Control Plan)**
The following information shall be submitted as part of Sheet Four:

1. Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within three hundred (300) feet of the proposed project;

2. Proposed contours with intervals of not more than five (5) feet where the slope is greater than ten percent (10%) and not more than two (2) feet where the slope is less than ten percent (10%).
3. Details of terrain and area drainage, including the identity and location of watercourses, intermittent and perennial streams, receiving waters, and springs, and the total acreage of land that will be disturbed.

4. The direction of drainage flow and the approximate grade of all existing or proposed streets.

5. Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of, the proposed project, together with a map showing drainage area, the complete drainage network, including outfall lines and natural drainage ways which may be affected by the proposed development, and the estimated runoff of the area served by the drains.

6. A description of the methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site.

7. Measures for soil erosion and sediment control which must meet of exceed the methods and standards adopted by the Indiana Department of Natural Resources and/or set forth in the Indiana Handbook For Erosion Control in Developing Area and which must comply with the design principles, performance standards, and requirements set forth in this chapter.

8. A schedule of the sequence of installation of planned erosion and sediment control measurer as related to the progress of the project, including the total area of soil surface that is to be disturbed during each stage, the anticipated starting and completion dates, and a schedule for the maintenance of such measures.

9. Include the following notes on the sheet:

- "All erosion control practices shall be in accordance with the IDNR "Indiana Handbook For Erosion Control In Developing Areas: dated October 1992 and the SCS "Field Office Technical Guide."

- "The City Engineer has the right to require additional erosion control measurer in the field as conditions warrant."

10. Copies of the letter of intent and response from the Johnson County Soil and Water Conservation District office for Rule 5 compliance, when required.

11. Any other information reasonably required by the commission or administrator to properly evaluate the plan.

E) **Sheet Five (Landscape Plan)**
A landscape plan prepared to the standards specified in this zoning ordinance.

F) **Sheet Six (Plat-like dedication sheet, if necessary)**
The following information shall be submitted as part of Sheet Five if a plat-like dedication document for easements and rights-of-way is deemed necessary by the Plan Commission or its authorized designee:

1. Parcels of land proposed to be dedicated or reserved for public use, or reserved for common use of all property owners within the project, with the proposed conditions and maintenance requirements, if any, shall be designated as such and clearly labeled on the plans;

2. Radii, internal angles, points of curvature; tangent bearings and lengths of all arcs, chord, and chord bearings; and

3. Accurate location of all survey monuments erected, corner and other points established in the field in their proper places.

G) **All sheets shall contain the following information:**

1. The proposed name by which the project shall be legally and commonly know;

2. Date of survey, scale, and north point;

3. All lots or outlots intended for sale or lease shall be designated with boundary lines and numbered or labeled for identification purposes;

4. Private parks, common areas, or excluded parcels shall be designated as such and clearly labeled on the plans;

5. Such other information as may be deemed necessary for proper review of the site development plan by the administrator, city engineer, or commission; and

6. All necessary reference points tying the subject property to the appropriate section corners.

7. East sheet shall be sealed and signed by the professional preparing the drawings.

8. All sheets shall be tied to state plane coordinates for horizontal and vertical controls.

16.05.01 Other Required Submittals.

The Applicant shall be required to submit written documentation of the following, when applicable:

1. Utility encroachment approvals;

2. Johnson County Drainage Board approval;

3. Other local, state, and federal approvals, including other City boards, commissions, or departments;

4. Inspection and testing agreements with the Board of Public Works and Safety;

5. Outside reviews as required by the City; and

6. Easements and right-of-ways not on a plat-like document shall be submitted in the form prescribed by the Board of Public Works and Safety and include both a full legal description and a drawing exhibit.

16.06.01 Resubmittal of Plans.

Submit five (5) complete sets of the final, revised plans showing conditions required the Plan Commission. Final revised plans shall be submitted at least ten working days prior to issuance of a land alteration permit.

16.07.01 Reject Statement.

The Administrator may reject any submittal for the following reasons:

1. Incomplete application;

2. The drawing set or supporting documents not complete nor stapled; or

3. Poor legibility.

16.08.1 Waivers: Conditions and Procedure.

A) The Commission may, in its discretion, authorize and approve waivers from the requirements and standards of these regulations upon finding that:

1. practical difficulties have been demonstrated;

2. the requested waivers would not, in any way, contravene the provisions of the Greenwood Subdivision Control and Land Development Ordinance, the Comprehensive Plan, or the Official Map of the City:

3. granting the waiver would not be detrimental to the public health, safety, or welfare and would not adversely affect the delivery of governmental services (e.g., water, sewer, fire protection, etc.);

4. granting the waiver would neither substantially alter the essential character of the neighborhood not result in substantial injury to other nearby properties;

5. the conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties;

6. granting the waiver would not contravene the policies and purposes of the regulations;

7. the waiver is necessary to ensure that substantial justice is done and represents the minimum waiver necessary to ensure that substantial justice is done;

8. the practical difficulties were not created by the Developer, Owner, or Applicant; and

9. the practical difficulties cannot be overcome through reasonable design alternatives.

B) In approving waivers, the Commission may impose such conditions as will, in its judgment, substantially secure the objectives of these regulations.

C) With respect to each requested waiver and each imposed conditions, the Commission shall prepare and approve written findings of fact. Such findings shall address each of the conclusory findings set forth in Subsection (A) above and shall cite the specific facts that support each of the conclusory findings and that support each of the imposed conditions.

D) Applications for waivers shall be submitted to the Commission, in writing, as part of the site development plan application. On the application, the Applicant shall describe the requested waivers and shall submit proposed findings of fact in support of each requested modification. The Applicant shall bear the burden of establishing a sufficient factual basis for each requested modification.

E) The Commission's decision to grant or deny a modification or to impose a condition is discretionary.

16.09.01 Deviation from the Approved Site Development Plan and Additions to Existing Structures.

If the installation of the elements on the site development plan materially deviate from the approved site development plan (as determined by the Planning Director of City Engineer), the site plan shall be resubmitted to the Commission for a new site development plan approval in accordance with the procedures and requirements for site development plan approval. For purposes of this section, material deviation is one that:

1. adds, removes, or reconfigures as internal street or relocates an access point;

2. affects a condition of site development plan approval that was established by the Commission during the site development plan approval stage;

3. reduces the area devoted to open spaces or buffer landscaping;

4. would require a waiver of the requirements and standards of these regulations or would negate the basis for a modification that was granted; and

5. involves the enlargement of a nonresidential building footprint on the site due to future additions that are more than 10 percent of the gross floor area or 5,000 square feet, whichever is less.

Minor changes that do not constitute material deviation shall be reviewed and approved by the City Planning and Engineering staff.

16.10.01 Engineering Assurances.

Each application for approval of a site development plan shall be accompanied by:

1. a Certificate of Sufficiency of Plans; and

2. a Certificate of Obligation of Observe; both properly executed in the form prescribed by the commission by the licensed engineer, or surveyor preparing the site development plan.

16.11.01 Financial Assurances.

The City of Greenwood reserves the right to require financial assurances to guarantee construction according to plans of all public improvements proposed in a site development plan and for certain private improvements, including but not limited to site grading, drainage improvements, erosion control, sanitary sewers, private streets, landscaping and buffering, or other improvements which may directly impact adjacent properties or the health, safety, or welfare of the general public. Such assurances of performance shall be in an amount and form as prescribed by the City. Maintenance bonds shall be required for public improvements. Public improvements shall be dedicated within two years of the date of Planning Commission approval unless time extensions are granted by the City. If public improvements are not dedicated with two years, the City may take any action deemed necessary to insure completion to a point of dedication.

16.12.01 Record Drawings and Certificate of Completion and Compliance.

The developer of owner shall cause record drawings to be prepared and submitted to the Administrator for all streets, drainage ditches and facilities, utility pipes and structures, and finished grade elevations for the project. Said record drawings shall be filed with the Administrator prior to the release of any performance assurances. The record drawings plans shall be accompanied by a Certificate of Completion and Compliance properly executed in the form prescribed by the commission by the licensed engineer, or surveyor preparing the site development plan and/or record drawings. Record drawings, including the approved final plat shall be submitted I the forms specified by the Plan Commission.

1. **General Requirements:**

   Plans are to contain a certification statement that the improvements have been installed in reasonable compliance with the original design plans with respect to horizontal locations and grades and any deviations of locations, grade or material use are shown in these record drawings. Said certification is to be sealed and signed.

2. **Specific Requirements:**

   A. Grading or Development Plan(s)

      1. Grades:

         a) Major drainage swales and percents of slope;
         b) Pad grades;
         c) Street grades;
            1) Centerline and curb if street is bituminous pavement with concrete curb. Centerline only if streets are concrete and placed with electronic control. (Maximum 50 ft. spacing)
            2) All sag and crest points.
         d) Paved swales if any, at 50 ft. intervals;
         e) Lake or pond if applicable
         f) Locations of sidewalk ramps.

B. Plan and Profiles
1. Sanitary Sewers:
   a) Invert elevations and percents of slope;
   b) Top of casting elevations;
   c) Lateral locations based on distances along main from manholes;
   d) Locations of each manhole of structure (to make sure they are sufficiently within designated easements to permit future excavation to system if needed);
   e) Designate any material change from design plans; where plans show any alternatives, indicate alternative actually used.
2. Storm Sewers:
   a) Invert elevations and percents of slope;
   b) Top of casting elevations;
   c) Location of pipe and structures (to make sure they are within designated easements);
   d) Designate any material change from design plans; where plans show any alternatives, indicate alternate actually used.
3. Streets.
   a) Grades
   b) All low and high points;
   c) All percents of slope;
   d) Any deviation of alignment;
   e) Grades and dimensions on accel and decel lanes if applicable.

16.13.01 Expiration Deadlines.

A) Approval of site development plans shall expire two years from the date of Plan Commission approval if necessary land improvements have not been completed. Plan Commission, at its discretion, may grant extensions for a period up to two years.

B) Bonded improvements must be completed within two years is issuance of land alteration permit.

C) Request for extension must be submitted in writing stating the justification for the extension.

(Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-461 R-4 Multi-family Developments.

16.14.01 R-4 Multi-family Development Standards.

A) **MINIMUM PROJECT AREA.** There shall be no required minimum project area other than the land area necessary to provide for the development requirements of paragraphs B, C, and E of this paragraph 6.14.01.

B) **MINIMUM PROJECT FRONTAGE.** Each project shall have at least 150 feet of frontage on a public street, and shall gain access from said street.

C) **MINIMUM YARDS.**

(a) Minimum yards shall be provided in accordance with Section 5.4 wherever the project of lots abuts a public street.

(b) Minimum yards of at least twenty-five (25) feet in depth shall be provided wherever the project or lot abuts adjoining perimeter property.

(c) In projects containing two or more buildings, minimum yards (in addition to the requirements of a and b above) shall be provided between all buildings in accordance with the following standards:

(1) The required minimum depth of such yards shall be determined in relation to the height and length of each such building wall and the placement of windows therein as follows:

(i) ***WALL CONTAINING WINDOWS.*** *If the wall contains one or more windows, the minimum depth of its yard shall be ten (10) feet, plus two (2) feet for each story in height plus one foot for each fifteen (15) feet in length of such wall.*

(ii) ***WALL CONTAINING NO WINDOWS.*** *If the wall contains no windows, the minimum depth of its yard shall be five (5) feet, plus one foot for each story in height, plus one foot for each fifteen (15) feet in length of such wall.*

(2) The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.

(3) The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards. However, required yards may overlap provided such overlapping does not decrease the above minimum yard distance separating buildings.

(4) Walls forming interior courts and serving only one building shall be exempt from the provisions of this paragraph e.

(d) Open balconies, uncovered porches, patios, or structures which qualify as covered open-space (as defined in Section 6.11.08) may project into minimum yards required by paragraphs b and c above. In addition, such yard areas may be used for parking areas, driveways and interior access roads. In no case, however, shall the facilities permitted by this paragraph d be located closer than ten (10) feet to the project boundaries.

D) **MAXIMUM HEIGHT.**

(a) Primary building, Attached Multi-Family Dwellings: 45 feet but not to exceed four (4) floors containing a dwelling unit or u nits.

(b) Accessory building: 25 feet.

E) **DEVELOPMENT AMENITIES.** (See Footnotes 1 and 2 below)

Floor area, open space, livability space, recreation space and parking area shall be provided for each project in accordance with the following required ratios (ass as defined in Section 6.14.03).

(a) Maximum Floor Area:	
Floor area ratio (FAR)	0.40
(1) Refer to Table N (Page 45) for formulas.	
(2) Refer to Definitions (Pages 42-44)	
(b) Minimum Open Space:	
Open space ratio (OSR)	2.65
(c) Minimum Livability Space:	
Livability space ratio (LSR)	1.65
(d) Minimum Major Livability Space:	
Major livability space ratio (MLSR)	0.16
(e) Minimum Parking Space	
Total car ratio (TCR)	1.75

In addition: site plans, public streets, interior access roads or driveways and off-street parking areas shall be provided in accordance with Section 6.14.02.

16.14.02 Special Regulations.

A) Building Setback Lines

Yards, having a minimum depth in accordance with the following setback requirements, shall be provided along all public street right of ways lines, and building setback lines shall be as follows:

(1) **EXPRESSWAY, ARTERIAL HIGHWAY, OR PRIMARY THOROUGHFARE.** (As designated on the Official Thoroughfare Plan) No part of any structure (except an eave or cornice overhang not exceeding 4 feet) shall be built closer than fifty (50) feet to any right of way line of an Expressway or Arterial Highway, nor closer than forty-five (45) feet to any right of way line of a Primary Thoroughfare.

(2) **SECONDARY THOROUGHFARE.** (As designated on the Official Thoroughfare Plan) No part of any structure (except an eave or cornice overhang not exceeding 4 feet) shall be built closer than 40 feet to any right of way line of a secondary thoroughfare.

(3) **COLLECTOR STREET.** No part of any structure (except an eave or cornice overhang not exceeding 4 feet) shall be built closer than 35 feet to any right of way line of a collector street.

(4) **RESIDENTIAL STREET, MINOR RESIDENTIAL STREET, OR CUL-DE-SAC.** No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right of way line of a Residential street, Minor residential street or cul-de-sac.

Provided, however, that in any block in which an existing yard depth is established (by existing legally established structures within the same Dwelling District) for more than twenty-five percent (25%) of the frontage of the block (or a distance of four hundred (400) feet, whichever is the lesser), the required yard depth and setback for any new building shall be the average of such established yards.

Further, provided that along the right of way of any street, highway, or thoroughfare where access rights thereto have been purchased or otherwise acquired by the governmental agency having jurisdiction thereof, yards having a minimum depth in accordance with the following requirements shall be provided;

B) Attached Multi-Family Dwellings – Site Plan Requirements to Improvement Location Permit Issuance.

Prior to improvement location permit issuance for any structure within an attached multi-family dwelling project, two copies of the site plan for the entire project shall be filed with the Plan Commission.

C) Public Street Requirements.

(1) All public streets shall be dedicated to the public and improved and constructed in accordance with the standards set forth in the Subdivision Regulations.

(2) The right of way of all streets indicated on the Official Thoroughfare Plan within the project shall be dedicated to the public, ore the right of way thereof shall be reserved for future dedication or acquisition.

D) Requirements for Private Interior Access Roads or Driveways Attached Multi-Family Dwellings.

(1) All interior access roads (within a multiple dwelling project) and driveways shall be paved with concrete or improved with a compacted aggregate base, and surfaced with an asphalt pavement to adequately provide a durable and dust-free surface.

(2) Interior access roads and driveways shall be privately maintained (not by governmental agencies) in good condition and free of weeds, dirt, trash, and debris.

(3) Where interior access roads or driveways intersect with public streets, a turning radius of not less than ten (10) feet shall be provided.

(4) No fence, wall, hedge, tree, shrub, or other sight obstruction shall be located within the turning radius described in No. 3 above to materially impede the view of any street, highway, or railroad intersection with an interior access road or driveway.

(5) Interior access roads and driveways shall be designed with sufficient width to provide at all times for the passage of emergency vehicles.

(6) Interior access roads or driveways shall be located a minimum distance of twenty-five (25) feet from the nearest point of intersecting street right of way lines. Such locations shall further conform to all requirements of traffic engineering departments having jurisdiction thereof.

E) Off-Street Parking Requirements.

Off-street parking facilities shall be provided and maintained for all uses permitted in the Dwelling District, in accordance with the following regulations:

(1) **NUMBER OF SPACES REQUIRED.** For every attached multi-family dwelling in the R-4 Dwelling District, parking spaces shall be provided in accordance with the Development Amenities of the District.

(2) **DEVELOPMENT REQUIREMENTS.**

(a) Parking areas for uses in Item 1 above shall be subject to the following requirements:

(1) Off-street parking entrances or exits shall be located a minimum distance twenty-five (25) feet from the nearest point of two intersecting street right of way lines. Such access cuts from a public street shall further conform to all requirements of traffic engineering department shaving jurisdiction thereof.

(2) The parking area shall not be used for permanent storage or the display, advertisement, sale, repair, dismantling, or wrecking of any vehicle, equipment, or materials.

(3) Parking areas shall be paved with concrete or improved with a compacted aggregate base and surfaced with an asphalt pavement, to adequately provide a durable and dust free surface. Parking areas shall be maintained in good condition and free of weeds, dirt, trash and debris.

(4) The surface shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or sidewalks.

F) Off-Street Parking Requirements.

Off-street parking facilities shall be provided and maintained for all uses permitted in the Dwelling District, in accordance with the following regulations:

(1) **NUMBER OF SPACES REQUIRED.** For every attached multi-family dwelling in the R-4 Dwelling District, parking spaces shall be provided in accordance with the Development Amenities of the District.

(2) **DEVELOPMENT REQUIREMENTS.**

(a) Parking areas for uses in Item 1 above shall be subject to the following requirements:

(1) Off-street parking entrances or exits shall be located a minimum distance twenty-five (25) feet from the nearest point of two intersecting street right of way lines. Such access cuts from a public street shall further conform to all requirements of traffic engineering departments having jurisdiction thereof.

(2) The parking area shall not be used for permanent storage or the display, advertisement, sale, repair, dismantling, or wrecking of any vehicle, equipment, or materials.

(3) Parking areas shall be paved with concrete or improved with a compacted aggregate base and surfaced with an asphalt pavement, to adequately provide a durable and dust free surface. Parking areas shall be maintained in good condition and free of weeds, dirt, trash and debris.

(4) The surface shall be graded and drained in such a manner than there will be no free flow of water onto either adjacent properties or sidewalks.

(5) The parking area shall be provided with bumper guards or wheel guards so located that no part of the parked vehicles will extend beyond the boundary of the established parking road.

(6) Lighting facilities used to illuminate the parking areas shall be so located, shielded and directed upon the parking area that they do not glare onto or interfere with street traffic, adjacent buildings, or adjacent uses.

6.14.03 Definitions.

A) **ATTACHED MULTI-FAMILY.** A structure for multi-family use having common or party wall or walls.

B) **BUILDING AREA (BA).** The total ground area, within the lot or project, covered by enclosed residential building space plus garages, carports, and other accessory buildings.

C) **CAR AREA (CA).** Open space area (uncovered and covered) used for car traffic, maneuvering and parking. Included are all parking areas, driveways, interior access roads and right of way of all streets with the project, plus the area of half of any abutting alley or street right of way.

D) **COVERED OPEN SPACE (COS).** All exterior space within the project which is open on its sides, but not open above to the sky. It includes roofed porches, roofed carports, covered exterior balconies and exterior spaces covered by portions of buildings.

E) **FLOOR AREA (FA).** The sum of the horizontal areas of the one or several floors and basements of all buildings or portions thereof within the project and devoted to permitted uses. Not including, however, floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space; or floor area used for recreational purposes that is available to all occupants within the project.

F) **FLOOR AREA RATIO (FAR).** The total floor area of all stories of all buildings within the project divided by the land area.

G) **LAND AREA (LA).** The total area within the project boundaries, plus the area of half of any abutting alley or street right of way plus half the area of any abutting open space, such as a river, lake, public park, playground, or golf course with reasonable expectance of perpetuity; provided, however, that no portion of such open space located more than 80 feet from the project boundaries shall be included in computing such open space.

H) **LIVABILITY SPACE (LS).** The Open Space minus the Car Area within the Open Space.

I) **LIVABILITY SPACE RATIO (LSR).** The Livability Space divided by the Floor Area.

J) **MAJOR LIVABILITY SPACE (MLS).** The total area provided for outdoor recreation, relaxation, amusement, pleasure and for similar use within the project, which area may or may not be improved;

however, all livability space countable for purposes of the Major Livability Space Ratio shall be at least 20 feet away from any residential wall containing one or more windows on the ground floor and shall have a minimum dimension averaging 80 feet except that an area of lesser dimension is countable if:

1) The total required Major Livability Space is less than 6,000 square feet, or

2) The shape or topography of the site prevents compliance with the minimum dimension.

K) **MAJOR LIVABILITY SPACE RATIO (MLSR).** The total Major Livability Space of countable size divided by the total Floor Area.

L) **OPEN SPACE (OS).** The total horizontal area of all Uncovered Open Space plus one half of the total horizontal area of all Covered Open Space.

M) **OPEN SPACE RATIO (OSR).** The Open Space divided by the Floor Area.

N) **PARKING SPACE (PS).** A portion of the Car Area at least nine feet in width and twenty feet in length, which shall be used only for the off-street parking of a vehicle.

*
(Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-462 Manufactured and Mobile Homes, Recreational Vehicles - Applications Procedures and Development Plans.**

16.15.01 Preparation of Development Plans.

All development plans for a mobile home park shall contain the following information:

a. A vicinity key map at an appropriate scale.

b. Description:

1. Proposed name of such mobile home park.

2. Location by quarter section, township and range, or by other legal descriptions, and city, town, or civil township.

3. Name and address of applicant.

*Editor's Note: See old section 10-95 for remaining definitions "O), P), & R). Remaining definitions will be moved to new section 10-461 with next revision on the Zoning Ordinance of the Greenwood Municipal Code.

**Editor's Note: See old section 10-114 for subsections 7.05.01 and 7.05.02. First two subsections will be moved to Article 16, section 10-462 with next revision of the Zoning Ordinance of the Greenwood Municipal Code.

4. Name, address, and seal of registered professional engineer or land surveyor preparing the plan.

5. Scale of the plan, north point, and date.

c. Existing conditions:

1. Boundary line of proposed mobile home park indicated by solid heavy line

2. Location, width, and names of all existing or prior dedicated streets or public ways abutting or in said area of the proposed mobile home park, railroad and utility right of ways, parks, and other public open spaces within said area, and location of permanent buildings or structures.

3. Any existing sewers, water mains, culverts, drainage tile or underground facilities within the area of the proposed mobile home park.

4. Existing zoning of proposed mobile home park and adjacent tracts.

5. Other conditions on the tract such as water courses, marshes, rock outcrop, wood areas, etc.

d. Proposed Conditions:

1. Layout of streets and sidewalks with width thereof, whether dedicated or private street, together with typical cross section.

2. Layout of any alleys, crosswalks, and easements.

3. The dimensions and number of lots.

4. Land to be set aside for common use of the tenants of the mobile home park.

5. All setback lines.

6. Location of all proposed permanent buildings, storage area, office, and community center.

7. Sanitary sewer system, storm sewer system, offsite drainage system, or similar related items.

16.15.02 Improvement Plan.

At the time of filing the development plan, the applicant shall also file two (2) copies of the proposed improvement plans which shall contain the following information:

a. Description

1. The same information as contained in 16.15.01 b. above.

b. Proposed Conditions

1. Plan and profile sheets of the proposed mobile home park streets, including typical cross-section showing pavement design.

2. Plans for the proposed handling of surface water drainage, including plan and profile sheets of storm sewers, if included in the proposed improvements.

16.15.03 Public Hearing.

The Planning Commission shall hold a public hearing prior to granting approval of any mobile home park plans. The applicant shall give at least fifteen (15) days notice prior to such hearing as prescribed in Section 7.02.01. The applicant shall meet the public notification requirements prescribed in Section 7.02.02. Either the applicant or his designated representative shall attend the public hearing. Such notification and attendance requirements shall be a condition precedent to the right of the Planning Commission to conduct such hearing. At the hearing, the Commission may approve, deny, modify, or take under advisement the plans presented by the applicant. If the plans are modified or denied by the Commission, the Commission shall promptly notify the applicant of such action, together with the reasons for such modification or denial. The Planning Commission may, at its own discretion, require the applicant to submit their development and improvement plans to the Johnson County Drainage Board for approval.

(Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-463 Design Requirements.

The design requirements of a mobile home park are as follows:

16.16.01 Minimum Acreage.

Each mobile home park shall contain a minimum of five (5) acres total area.

16.16.02 Hazards to Health and Safety.

Conditions of soil, groundwater level, drainage, geologic structures, and topography shall not create hazards to the park site or to the health and safety of occupants, nor shall the site be subject to the hazards of objectionable smoke, odor, or noise, or the possibility of subsidence, sudden flooding or sever erosion.

16.16.03 Setback of Mobile Home Park.

The minimum setback of a mobile home park exterior boundary where such park abuts a public street right of way shall be shown in table B-2 on page 20 of this ordinance.

16.16.04 Access to Public Thoroughfare.

Mobile home parks shall have direct access to an adequate public thoroughfare with sufficient frontage thereon for the proper construction of entrances and exits. Such entrances and exits shall be designed for the safe movement of mobile homes into and out of the park.

16.16.05 Internal Park Streets.

Internal mobile home park streets, if dedicated to public use, shall meet the minimum standards for design and construction as required in the Greenwood Subdivision Control Ordinance. Whether public or not, no street name shall duplicate any other street name in the city.

16.16.06 Private Park Streets.

Mobile home park streets that are not dedicated to public use shall meet one of the following width requirements. The street may be either:

a. A minimum of twenty-two (22) feet of pavement with no parking allowed on the pavement, or

b. A minimum of twenty-eight feet of pavement, with parking permitted on one side only of the pavement.

Private streets shall meet construction specifications of the Greenwood Subdivision Control Ordinance.

16.16.07 Sidewalks.

A paved sidewalk shall be installed on at least one side of each mobile home park street. The minimum width of such sidewalks shall be three (3) feet and the minimum thickness shall be four (4) inches. Sidewalks may abut, but shall not intersect a driveway or street so as to be subjected to vehicular traffic or parking.

16.16.08 Off Street Parking Spaces.

Each mobile home space shall be provided with at least two (2) paved off-street parking spaces adjacent thereto, which parking spaces shall have unobstructed access to a mobile home park street.

16.16.09 Mobile Home Stands.

Mobile home stands must be so located within the mobile home space that when occupied by a mobile home, the clear distance between a mobile home and any adjacent mobile home will not be less than twenty (20) feet, except end to end clear distance which may not be less than ten (10) feet. The clear distance between mobile homes located on spaces which are on a cul-de-sac shall be at least fifteen (15) feet. In any case the back side (side opposite the main entrance) of a mobile home shall be no closer than five (5) feet to the sideline of the mobile home space that it occupies.

16.16.10 Setback from Permanent Buildings.

No mobile home shall be located closer than fifteen (15) feet to any permanent building within the mobile home park or closer than ten (10) feet to any property line of the park which does not abut upon a public street or highway.

16.16.11 Mobile Home Spaces.

Each mobile home park shall provide mobile home spaces, and each such space shall be clearly defined or delineated. Each space shall have an area of not less than three thousand two hundred (3,200) square feet or three (3) times the mobile home living space area, whichever is greater, exclusive of roadways; provided, however, that mobile home parks which, at the time of the adoption of this ordinance, existed lawfully or whose plans were approved with mobile home spaces that do not comply with any of the foregoing minimum area and width or minimum average widths required, may continue to operate and shall be excused.

16.16.12 Front Line Setback.

No mobile home shall be located closer than twenty (20) feet to the edge of the pavement of the street.

16.16.13 Accessory Buildings and Structures.

a. Storage Sheds.

One general storage shed not exceeding one hundred and twenty (120) square feet in floor area or ten (10) feet in height shall be permitted upon an individual mobile home space; provided, however, that the following minimum setbacks are met:

a.	Side Yard	3 feet
b.	Rear Yard	3 feet
c.	Front Yard	10 feet or mobile home setback line, whichever is greater.

Storage sheds shall be free-standing and not attached to the mobile home itself. Sheds shall set a minimum of three (3) feet from a mobile home. (Ord. No. 96-40, § 3, 10-22-96)

b. Carports.

One carport shall be permitted upon an individual mobile home space or lot, provided however, that the following minimum setbacks are met:

a.	Side Yard	3 feet
b.	Rear Yard	3 feet
c.	Front Yard	1 foot

Carports shall be free-standing and not attached to the mobile home itself. No portion of the carport shall overhand into or above any portion of the street pavement or street right-of-way. The sides or carports shall be open and not obstruct vision. Excepting, however, the lower four (4) feet of the sides may include siding, lattice work, railings, or other decorative features. (Ord. No. 96-40, § 3, 10-22-96)

c. Garages.

Garages (attached and/or detached) shall be prohibited upon an individual mobile home space or lot that is less than six thousand (6,000) square feet in area.

One detached garage shall be permitted upon an individual mobile home space or lot, provided however, that said space or lot is six thousand (6,000) square feet or larger in area, and that the following minimum setbacks are met:

a.	Side Yard	3 feet
b.	Rear Yard	3 feet
c.	Front Yard	20 feet or mobile home setback line, whichever is greater

A detached garage shall set a minimum of three (3) feet from a mobile home.

(Ord. No. 96-40, § 1, 10-22-96)

16.16.14 Patio and Slab Requirements.

The stand upon which a mobile home is placed shall be designed and built to allow ever support point of the mobile home to be located upon a slab, ribbon, or pier of portland cement concrete. Such stand shall include at least fifty (50) square feet of asphalt or portland cement concrete patio area at the mobile home front door location.

16.16.15 Skirting of Mobile Homes.

Skirting of mobile home is required and shall be of fireproof material and of uniform appearance. Areas enclosed by such skirting shall be so maintained so as not to provide harborage for rodents or create a fire hazard. Easy access to utility service lines and pipes shall be provided.

16.16.16 Utility Line Shut off Valve.

Any utility pipes, lines or hoses which serve a mobile home with water, fuel oil, natural gas, or other similar resources shall provide shut off valves which are easily accessible, either above grade or in a meter pit or box.

16.16.17 Fences and Hedges.

Fencing or hedges on mobile home spaces shall be permissible, but shall be limited to forty-two (42) inches in height. Design and materials shall meet approval of the park manager or licensee.

16.16.18 Playground and Recreational Areas.

Each mobile home park shall contain a playground and recreational area which shall be furnished and equipped. The total recreational area shall be adequate for the size of the park and the number of mobile home spaces within the park, as determined by the Plan Commission. In no park shall the recreational area be less than five percent (5%) of the gross area of the park less area taken by dedicated public streets of rights of way. Streets, parking areas, dedicated right of way, and park service facility areas shall not be included in the required recreational area. The recreational area should be generally centrally located, or proper shape and dimension with visibly marked and convenient access points for park tenants. The area shall be mowed and maintained.

16.16.19 Maximum Mobile Home Density.

A maximum of nine (9) mobile homes per acre shall be permitted. This maximum shall be determined from the gross acreage of the mobile home park.

16.16.20 Mobile Home Subdivision.

The size of a mobile home subdivision shall be as provided for a mobile home park. The procedure and design of a mobile home subdivision shall be the same as those provided for in the Subdivision Control Ordinance.

16.16.21 Recreational Campground.

The size of, and the procedure for, a recreational campground shall be as provided herein for a mobile home park; and the design, installation, and maintenance shall be as required by the Indiana State Board of Health.

16.16.22 Campers, Tents and RV's.

Recreational vehicles, campers, and recreational tents shall not be occupied in any location other than an approved recreational campground; except, however, as prescribed in Section 7.04.01 of this Article.

16.16.23 Recreational Campground Standards.

Recreational campgrounds shall meet the following standards:

A. Recreational campgrounds shall have direct access to a public highway or road with sufficient frontage thereon for the proper construction of entrances and exists that are designed for the safe movement of recreational vehicles into and out of the park.

B. The density of a recreational campground shall not exceed fifty (50) recreational vehicles spaces per acre of gross site area.

C. The minimum area of a Recreational campground shall be five (5) acres.

D. Recreational vehicles shall be separated from each other and from other park buildings or structures by at least ten (10) feet.

E. Where the boundary line of a recreational campground coincides with that of a residential district other than along a thoroughfare or alley, a yard separation of at least twenty-five (25) feet in width shall be required.

F. At least one centrally located recreation area equal in size to eight percent (8%) of the gross site area shall be provided in each recreational campground. Street, parking areas, dedicated rights-of-way, and park service facility areas shall not be included in the required recreational area.

G. Food stores, restaurants, sporting goods, laundromats, drycleaners, service stations, and similar convenience and service shops may be permitted in recreational campgrounds containing fifty (50) or more spaces; provided that:

1. Such shopes and the parking area required by the use shall not occupy more than ten percent (10%) of the total area of the park.

2. The shops shall be primarily for the use of the occupants of the park.

H. Management offices and storage, playground and picnic equipment, sanitation and laundry facilities, informational signs and other structures customarily incidental to a recreational campground shall be permitted as accessory uses.

(Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-464 to Sec. 10-467 reserved for future use.

ARTICLE 17. WRITTEN COMMITMENTS.

Sec. 10-468 Written Commitments.

17.01.01 Purpose, Intent, And Authority.

This Article grants authority to the Greenwood Plan Commission and the Greenwood Board of Zoning Appeals to allow or require commitments in connection with the following approvals or actions, in compliance with applicable state statutes:

-- **I.C. 36-7-4-615**: Commitments in connection with zoning map changes pursuant to I.C. 36-7-4-608 and planned unit development ("PUD") district ordinances pursuant to I.C. 36—7-4-1500 Series;

-- **I.C. 36-7-4-613**: Commitments in connection with site development plans under the I.C. 36-7-4-1400 Series;

-- **I.C. 36-7-4-921**: Commitments in connection with variances, special use exceptions, other actions by the Board of Zoning Appeals.

This Article also grants authority to the Plan Commission to adopt rules regarding commitments in connection with site development plans, and to the Board of Zoning Appeals to adopt rules regarding commitments in connection with Board of Zoning Appeal actions.

The Greenwood Plan Commission and the Board of Zoning Appeals have the authority to adopt the following types of rules, per I.C. 36-7-4-613 (which pertains to site development plans under the 1400 series) and I.C. 36-7-4-921 (which pertains to BZA variances, special uses exceptions, etc.), as amended:

A. Rules governing the creation, form, recording, modification, enforcement, and termination of commitments; and

B. Rules designating which specially affected person and classes of specially affected persons are entitled to enforce commitments.

17.02.01 Application.

When the Greenwood Zoning Ordinance designates zoning districts in which a development plan is required, then when the owner of a parcel of real property within one of those districts or other applicant with the owner's consent submits a development plan, the Greenwood Plan Commission may permit or require that real property owner to make a written commitment concerning the use or development of that parcel.

When an owner of a parcel of real property or other applicant with the owner's consent applies for a special exception, special use, contingent use, or variance from the terms of the Greenwood Zoning Ordinance, then the Board of Zoning Appeals may permit or require the property owner to make a written commitment concerning the use or development of that parcel.

Section 17.03 below applies to commitments in connection with proposals submitted under IC 36-7-4-608 and proposals for a PUD district ordinance.

17.03.01 Commitments For Rezoning Or PUD Proposal.

Pursuant to IC 36-7-4-615, the Greenwood Common Council specifies the following for a written commitment required or allowed for a proposal to change the zone maps incorporated by reference into the zoning ordinance (a rezoning proposal under IC 36-7-4-608) or a proposal for a PUD district ordinance (under IC 36-7-4-1500 et seq.):

A. The Plan Commission may require or allow a written commitment either for a proposal submitted under IC 36-7-4-608 (zone map change), a proposal for a PUD district ordinance, or for both of these proposals, to the extent allowed by applicable law.

B. If the Greenwood Common Council adopts (as certified) the proposal submitted under IC 36-7-4-608 or the proposal for PUD district ordinance for which the Plan Commission required or allowed the written commitment, then the owner of the parcel shall record or cause the commitment to be recorded before the rezoning or PUD district ordinance can become effective.

C. Once the commitment is recorded, the commitment may be modified or terminated only by a decision of the Plan Commission made at a public hearing after notice as provided by Section 17.11 below. The request for modification or termination may be initiated by the property owner or by the Plan Commission. The Plan Commission may approve or disapprove modification or termination to the extent allowed by applicable law.

However, pursuant to I.C. 36-7-4-615(b), a commitment required or allowed for a rezoning or PUD district ordinance terminates if the zoning for the parcel changes in the future.

D. The enforcement provisions set forth in paragraph 17.08 below apply to commitments for proposals for zone map change and PUD district ordinances.

E. The form of commitments for proposals for zone map change and PUD district ordinances shall be as determined by the Plan Commission pursuant to Paragraph 17.04 below.

F. Paragraphs 17.05, 17.07, 17.09, 17.10, 17.11, and 17.12 below are also applicable to commitments for proposals for zone map change and PUD district ordinances.

17.04.01 Standard Forms.

A. The Plan Commission may adopt written commitment forms as the Standard Forms for written commitments which are permitted or required by the Plan Commission, including written commitments for development plans, zone map changes, and PUD district ordinances.

B. The Board of Zoning Appeals may adopt written commitment forms as the Standard Forms for written commitments which are permitted or required by the Board of Zoning Appeals.

C. The appropriate Standard Form shall be used whenever a written commitment is permitted or required by the Plan Commission or Board of Zoning Appeals. When necessary, the Standard Forms may be modified in order to conform to the type of commitment needed and not already provided for in one of the Standard Forms. However, the basis of the Standard Forms shall be used, with the content modified only as needed to conform to the type of commitment permitted or required. An otherwise modified form may be rejected by a majority vote of the Plan Commission or Board of Zoning Appeals (whichever body permitted or required the commitment).

17.05.01 Binding Effect.

A. Unless modified or terminated as described in Paragraph 17.10, a written commitment that is permitted or required by the Plan Commission or Board of Zoning Appeals is binding on:

(1) the owner of the parcel;

(2) a subsequent owner of the parcel; and

(3) a person who acquires an interest in the parcel.

B. A written commitment that is permitted or required by the Plan Commission or Board of Zoning Appeals is binding on the owner of the parcel even if the commitment is unrecorded (see Paragraph 17.09 on Recording); however, an unrecorded commitment is binding on a subsequent owner or other person acquiring an interest in the parcel only if that subsequent owner or other person has actual notice of the commitment.

17.06.01 Effective Date Of Commitment.

A written commitment permitted or required by the Plan Commission in connection with a development plan or a written commitment permitted or required by the Board of Zoning Appeals shall take effect upon the approval of the development plan, special exception, special use, contingent use, conditional use, or zoning variance related to the commitment.

A written commitment for a zone map change or a PUD district ordinance shall take effect upon the later of the adoption of the rezoning or PUD district ordinance or the recording of the commitment. However, the rezoning ordinance will not become effective until the commitment has been recorded and all necessary legal requirements have been met.

17.07.01 Covenant Running With The Land.

A written commitment that is permitted or required by the Plan Commission or Board of Zoning Appeals shall be considered a covenant running with the land and shall bind all subsequent owners to its terms and conditions and any subsequent modification thereto made pursuant to this instrument, statutes of the State of Indiana, or ordinance of the City of Greenwood.

17.08.01 Enforcement.

Written commitments permitted or required by the Plan Commission or Board of Zoning Appeals may be enforced jointly and severally by:

A. The Greenwood Plan Commission or Board of Zoning Appeals (whichever body permitted or required the commitment); and

B. Owners of all parcels of ground adjoining the real estate involved in the relevant commitment to a depth of 300 feet. The identity of such owners shall be determined from the records of the Office of the Johnson County Auditor which list the current owners of record. For purposes of this paragraph, the cutoff date for such determination shall be at twelve (12) o'clock noon on the date of filing for enforcement.

17.09.01 Recording.

A. Commitments shall be recorded in the office of the Johnson County Recorder.

B. The Plan Commission or Board of Zoning Appeals shall require the owner of the parcel giving a written commitment to either record the commitment or authorize the City of Greenwood to record the commitment at the owner's expense.

C. Commitments in connection with development plans, special exceptions, special uses, contingent uses, conditional uses, or zoning variances shall be recorded upon the granting of the approval. Commitments in connection with zone map changes or PUD district ordinances shall be recorded as soon as possible after approval by the Greenwood Common Council of the rezoning or PUD district ordinance. Such ordinance will not take effect until the commitment has been recorded.

17.10.01 Modification And Termination.

A written commitment that is permitted or required by the Plan Commission or Board of Zoning Appeals may be modified or terminated only by a decision of the Plan Commission or Board of Zoning Appeals (whichever body permitted or required the commitment) made at a public hearing after notice as provided by Paragraph 17.11. The request for modification or termination may be initiated by the property owner or by the body that permitted or required the commitment. The body that permitted or required the commitment may approve or disapprove modification or termination to the extent allowed by applicable law.

However, pursuant to I.C. 36-7-4-615(b), a commitment required or allowed for a rezoning or PUD district ordinance terminates if the zoning for the parcel changes in the future.

17.11.01 Public Notice.

When the Plan Commission or Board of Zoning Appeals is going to consider modification or termination of an existing written commitment, notice of a public hearing shall be given in the following manner:

A. **NEWSPAPER.** Notice by publication shall be given by the petitioner in two (2) newspapers of general circulation in the City of Greenwood, and shall be published at least thirty (30) days prior to the public hearing. A proof of publication affidavit from each publisher shall be submitted at least three (3) days prior to the hearing.

B. **MAIL.** Written notice of the public hearing shall also be given by the petitioner to all interested parties or property owners by certified return receipt mail post marked at least thirty (30) days prior to the hearing. For purposes of notice given under this Section, "interested parties or property owners" shall mean the owner(s) of the real estate giving the relevant commitment and the owners of all parcels of ground adjoining said real estate.

17.12.01 Validity Of Other Land Use Restrictions.

This Article does not affect the validity of any covenant, easement, equitable servitude, or other land use restriction created in accordance with law.

(Ord. No. 99-01, § 1, 1-18-99)

Sec. 10-469 to Sec. 10-471 Reserved for future use.

ARTICLE 18. LANDSCAPING REQUIREMENTS

Sec. 10-472 Landscaping Requirements.

18-01. Purpose.

The purpose of this chapter is to establish minimum standards for the provision, installation, and maintenance of landscape plantings in order to achieve a healthy, beautiful, and safe community. These regulation are intended to:

a. Foster aesthetically pleasing development that will protect and preserve the appearance and character of the community.
b. Increase the compatibility of development with both adjacent development and the natural environment.
c. Improve environmental quality by recognizing the numerous beneficial effects of landscaping upon the environment.
d. Maintain and increase the value of land by requiring landscaping to be incorporated into development, thus becoming by itself a valuable capital asset.
e. Provide direct and important physical and psychological benefits to human beings through the use of landscaping to reduce noise and glare, and to break up the monotony and soften the harsher aspects of urban development
f. Eradicate or control certain exotic plant species that have become nuisances because of their tendency to damage public and private works, to have a negative effect upon public health, or to disrupt or destroy native ecosystems.
g. Promote innovative and cost conscious approached to the design, installation, and maintenance of landscaping.
h. Establish procedures and standards for the administration and enforcement of this Landscaping Ordinance. (Ord. 99-33, § 1, 8-2-99)

18-02. Applicability.

This Landscape Ordinance shall apply to all public, private, and institutional development, except that previously approved development need not comply unless new site development approval is being sought.

In a case where there are conflicts between the landscaping requirements of this Article and the

landscaping requirements of other City of Greenwood ordinances, the stricter standard shall apply.

Special use exceptions, as identified in the Official Schedule of Uses, Article 5, shall be exempt from these landscape requirements. Special Use Exception applications shall include a landscape/buffer plan proposal subject to review and approval by the Board of Zoning Appeals (or may be delegated by the BZA to the Plan Commission as part of site development in plan approval).

The requirements of this ordinance shall be applicable to the bufferyard, streetscape, street buffer, yard, and parking lot areas specifically stated in the ordinance. Portions of a developed site that are outside those specific areas shall not be governed by these landscape requirements. (Ord. 99-33, § 1, 8-2-99)

18-03. Enforcement.

Wherever site plan review is required by this Zoning Ordinance, a landscape plan shall be a required part of such site plan. No permanent certificate of occupancy shall be issued without completion of all landscaping shown on the landscape plan required herein. A temporary certificate of occupancy may be issued for the building for a period of one year when weather condition do not permit landscape installation. Failure to implement the approved landscape plan, including preservation of existing features, or to maintain the landscaping as long as incompatibility of adjoining uses exists, shall be a violation of this Zoning Ordinance subject to the penalties outlined in Article 12. (Ord. 99-33, § 1, 8-2-99)

18-04. Content of Landscape Plan

Where required, a landscape plan shall conform to the following requirement:

a. A landscape plan is required for each lot within the proposed development. It is recommended that the landscape plan be prepared by a landscape architect, nurseryman, or other professional experienced in landscape design and the installation and care of plant materials.

b. All landscape plans submitted for approval as a component of a required site plan shall show the entire zoning lot to scale, on 24" x 36" sheets and shall contain the following information:

    1. the location and dimensions of all existing and proposed structures, parking lots and drives, roadways and right-of-way, sidewalks, bicycle paths, ground signs, refuse disposal areas, bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines and easements, freestanding structural features, and other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courts or paved areas;

    2. the name and address of the owner, developer, and plan preparer, the date the plan was prepared, scale, and north arrow;

    3. the location, quantity, size, and name – both botanical and common – of all proposed planting materials;

4. the location, size, and common name of existing trees and individual shrubs, areas of dense trees or shrubs, and other natural features, indicating which are to be preserved and which are to be removed;

5. the approximate location and generic identification of existing structures and plant materials within the yard of adjoining properties;

6. existing and proposed grading of the site, including proposed berming, indicating contours at not more than two-foot intervals;

7. specification of the type and boundaries of all proposed vegetative ground cover;

8. design of fences and other significant accessory structures;

9. the location of barriers to be placed at or beyond the drip line of any trees to be preserved, and the type of material to be used for the barrier;

10. planting and installation details as necessary to ensure conformance with all required standards;

11. details indicating specific grading measures or other protective devices where trees are to be preserved in areas of cut and fill; and,

12. a tabulation clearly displaying the relevant statistical information necessary for the Plan Commission to evaluate compliance with the provisions of this ordinance.

(Ord. 99-33, § 1, 8-2-99)

18-05. Preservation of Existing Features.

a. Trees and shrubs already existing on land subject to the provisions of this chapter shall be preserved wherever feasible. Criteria for judging the feasibility of retaining existing vegetation include:

1. the practicability of arranging site plan components around existing features. In general, plans for groups of structures should be designed so as to preserve tree masses, individual tree specimens, and small stands of trees or shrubs;

2. the condition of the vegetation with respect to continued vitality;

3. the amount of healthy vegetation the area involved will support;

4. the practical and economic possibility of designing the location and grades of proposed structures and paving to preserve existing vegetation;

5. the desirability or lack thereof of a particular tree or species by reason of its appearance; historic or ecological significance; botanical characteristics; and the function the vegetation would fulfill as a site plan component;

6. interference with utility services or encroachment into the traffic visibility triangle; and,

7. the possibility of preserving the vegetation while meeting the development needs through pruning rather than removal.

b. Existing trees that are preserved will contribute to the required landscaping, based on individual tree types. For each shade tree that is preserved, which is greater than 6 inch caliper, and is found on the approved list, the amount of new shade trees to be installed shall be reduced by two trees. Shrubbery will be evaluated in the same manner as new shrubbery based on the species. Such credit shall apply only to the required landscaping for the specific bufferyard, parking lot, commercial strip, or residential plot in which the existing vegetation is located.

c. Substantial barriers shall be specified on the Landscape Plan and shall be placed at or beyond the drip line of trees to be protected. These barriers shall remain in place during heavy construction on the site, and no vehicle, machinery, tools, chemicals, construction materials, or temporary soil deposits may be permitted within the barriers, nor may any notice or other object be nailed or stapled to protected trees.

d. Where trees are to be preserved in areas of cut or fill, specific grading measures or other protective devices, such as tree wells, tree walls, or specialized fill and pavement designs shall be required and shall be fully detailed on the Landscape Plan.

(Ord. 99-33, § 1, 8-2-99)

18-06. General Landscaping Requirements.

All land areas that are not covered with buildings and pavement or used for agricultural purposes shall be appropriately landscaped in accordance with the requirements of this section. Landscaping shall be provided in the areas specified and of the minimum intensity, specified below.

a. The tables of materials included in this chapter are classified by type. Trees are group into three categories: shade trees, ornamental trees; and evergreens. Shrubs are grouped by height: small shrubs (<2'), medium shrubs (2'-6'), and large shrubs (>6'). Plant materials not listed on the tables will be assigned a classification based on height, spread, and/or crown at maturity, using the best available resources to determine mature characteristics. For design flexibility, deciduous plat substitutions may be made on the following basis, however required evergreen plant material shall not be substituted: (Ord. 02-21, § 1, 6-3-02)
(1) 1 Shade tree = 2 ornamental trees 2 evergreen trees
(2) 1 ornamental tree = 1 evergreen tree
(3) 1 large shrub = 2 medium shrubs or 4 small shrubs
(4) 1 medium shrub = 2 small shrubs

b. Where front and rear yards overlap side yards, the yard shall be treated as part of the yard having the greater requirement.

c. The scale and nature of landscape materials shall be appropriate to the size of the structures and the available space. Materials shall be located to avoid interference with overhead and underground utilities and utility easements or vehicular or pedestrian movements and visibility. Growth characteristics should be carefully considered.

d. Plant material shall be selected to achieve an intended purpose such as shading, screening, ornamentation, etc.

e. The planting patterns of plant material shall be staggered and mixed in order to avoid long, monotonous and repetitive edges, especially along roadways. (Ord. 02-21, § 2, 6-3-02)

f. Trees shall be planted to maintain a minimum five feet clearance between the tree trunk and structures, building overhangs, walls, fences, and other trees.

g. Plantings should be arranged to promote energy conservation wherever practicable; e.g. use of tall deciduous trees on the south and west sides of buildings to provide shade from the summer sun and planting evergreens on the north of buildings to dissipate the effect of winter winds.

h. All trash dumpsters, trash pads, loading areas consisting of two or more loading spaces, loading docks, building service and outside storage areas shall be screened from land in a residential zone and must be screened if visible from a public street, Such screening may be achieved by using a minimum six feet high, completely opaque fence or wall, a six feet high berm, or a six foot high evergreen screen. Height of screen shall be measured from the grade of the nearest street.

i. Ground-mounted heating and cooling units for nonresidential or multifamily structures and above ground fuel tanks shall be adequately screened so as not to be visible from public streets and/or adjacent properties.

j. Grass and other vegetative ground cover shall be used for all open space including parking lot islands, except for:

(1) Decorative mulch planting beds containing trees and/or shrubs
(2) Inert stabilization in areas subject to severe runoff, erosion, or pending.

k. Where stone or other inert materials are to be used for ground cover, they shall be specifically identified on the landscape plan. Any area not so designated shall be required to have grass or vegetative ground cover.

l. All landscaping shall conform to the regulations established for visibility triangles to maintain safe sight distances and intersections and points of access as designated in Article 6, Section 8 of the Zoning Ordinance of the Greenwood Municipal Code.

m. Except as provided in 18-6(n) below, all landscape areas shall be separated from vehicular use areas be concrete curbing. Roll curbs may not be used for this separation. The width of curbing shall be excluded from the calculation of the minimum dimensions of all required landscape areas.

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

o. Minimum open space shall be as required by the Zoning Ordinance Height, Bulk, Area, and Density Provisions chapter.

p. All trees and shrubs must be planted a minimum of five feet behind the right-of-way line.

q. In no case may a tree or shrub be planted within a drainage, sewer or utility easement.

(Ord. 99-33, § 1, 8-2-99)

18-07. Bufferyard Landscaping Requirements.

a. the following bufferyard requirements are intended to physically separate and visually screen adjacent land uses that are not fully compatible. Regardless of the method chosen to provide the required bufferyard, a six feet high screen shall be used to buffer adjoining incompatible properties. Plants used exclusively for screening must reach a minimum height of 48 inches within three years of installation, and be at least 24 inches tall when planted.

b. To determine the size of the buffer, two variables are considered: the intensity of the adjacent use (as indicated in Table A, the Official Schedule of Uses) and the amount of required vegetation.

   1. Use Table 18-1 to determine the buffer type required for the situation. The table assigns a minimum bufferyard to each potential development scenario. If the adjoining property has a mix of land uses, the highest intensity of use determines the bufferyard's required size.

   2. If the use is not listed in Table A of the Zoning Ordinance, or if there is a dispute about which intensity level applies, planning staff shall review the use and determine the appropriate intensity rating.

   3. After determining the bufferyard type, refer to Table 18-2, which enumerates the physical design requirements of each bufferyard.

c. If woodlands are located within the minimum landscaped yard, preservation may substitute for the required plants. If existing woodlands are located in only part of the minimum landscaped yard, the landscape requirement is proportionately reduced.

d. A six feet high berm, or opaque fence or wall may be located within the bufferyard reducing the required width and plant material amounts by 50 percent.

(Ord. 99-33, § 1, 8-2-99)

Table 18-01 Minimum Required Bufferyard

PROPOSED USES	ADJOINING USES						
		Single Family Dwelling	Two Family Dwelling	Multi Family Dwelling	Low Intensity Use	Medium Intensity Use	High Intensity Use
	Single Family Dwelling	None	A*	B*	B*	C*	D*
	Two Family Dwelling	A	None	A*	B*	C*	D*
	Multi Family Dwelling	B	A	None	A*	B*	D*
	Low Intensity Use	B	B	A	None	A*	C*
	Medium Intensity Use	C	C	B	A	None	B*
	High Intensity Use	D	D	D	C	B	None

* The Maximum buffer that may be required. If all or any part of the buffer has been provided by the adjacent property, the proposed use must provide only that amount of the buffer that has not been provided on the adjacent property. (Ord. 99-33, § 1, 8-2-99)

Table 18-02 Bufferyard Types

TYPE	Minimum Landscaped Yard	Landscaping Required per 35 Linear Feet of Property Line or Right-of-Way
A	10 Feet	1 shade tree and 4 large shrubs
B	20 Feet	1 shade tree and 6 large shrubs
C	30 Feet	1 shade tree, 1 evergreen tree* and 10 large shrubs
D	40 Feet	1 shade tree, 2 evergreen trees*, and 10 large shrubs
*Substitutions shall not be permitted for the evergreen trees required in Type C and D Bufferyards		

(Ord. 99-33, § 1, 8-2-99; Ord. 02-21, § 3, 6-3-02)

18-08. Parking Lot Landscaping Requirements.

The following landscape requirements applied to parking lots are intended to screen parking areas from the street, prevent large expanses of unbroken paving, and provide shade to cool paved areas during the hot summer months. The requirements are established for three areas: along the public right-of-way, along the parking lot's perimeter, and in the lot's interior.

a. Landscape Strip Along the Right-of-Way.

1. When a parking lot is located adjacent to a public right of way or public street, a landscape strip may shield views of parked cars to passing motorists and pedestrians, block headlights glare, and may establish coordination among architecturally diverse buildings.

2. These minimum requirements apply to all parking lots adjacent to a street except those used in association with single family dwellings. To provide flexible standards that reflect site constraints and opportunities, five options are available to meet the landscaped strip requirements.

(Ord. 99-33, § 1, 8-2-99)

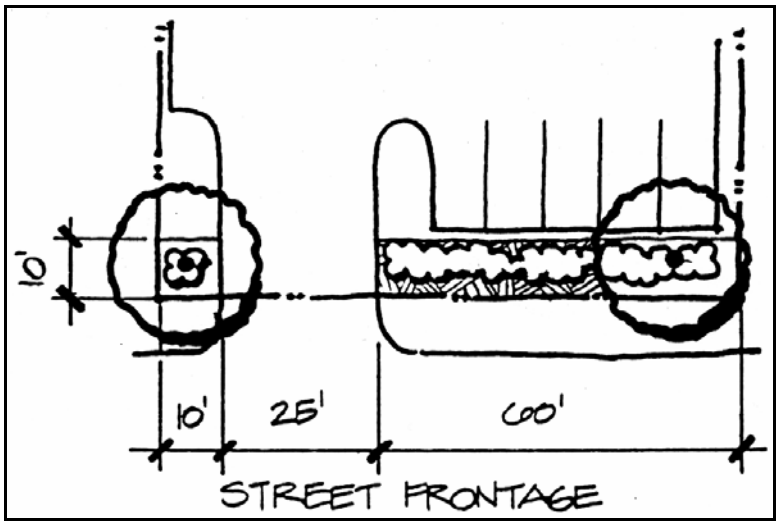

Figure 18-01. Parking Lot Landscaped Strip, Option 1

Provide a minimum ten-foot wide strip between a right way and the parking lot, planted with a minimum of one shade tree and 10 medium shrubs for every 35 linear feet of street frontage, excluding driveway openings. (Ord. 99-33, § 1, 8-2-99)

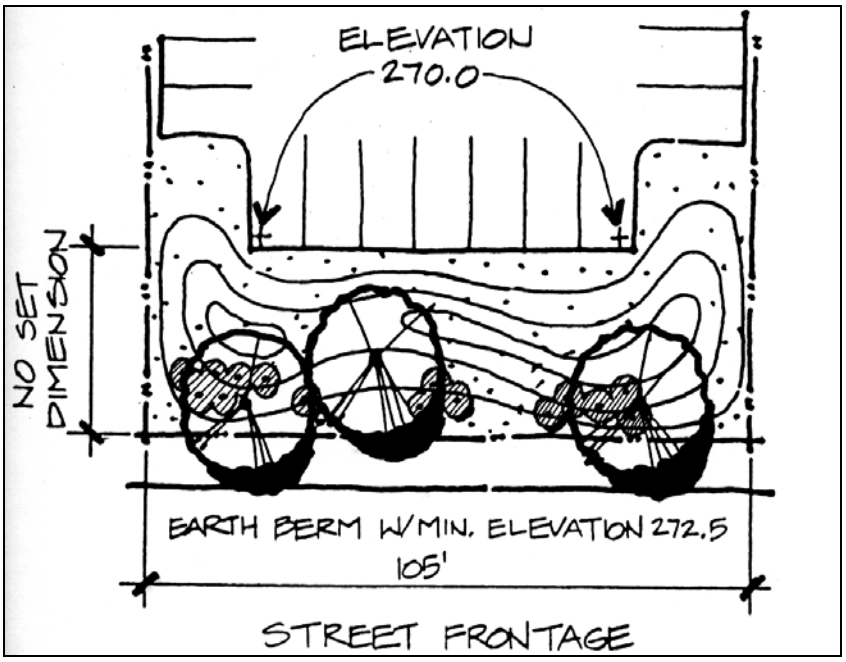

Figure 18-02. Parking Lot Landscaped Strip, Option 2

Provide a berm at least 2.5 feet higher that the finished elevation of the parking lot. The berm shall have a minimum side slope of 2:1 and a minimum crown width of two feet. Live vegetation must cover the berm with a minimum of one shade tree and 5 medium shrubs for every 35 linear feet of street frontage, excluding driveway openings. (Ord. 99-33, § 1, 8-2-99)

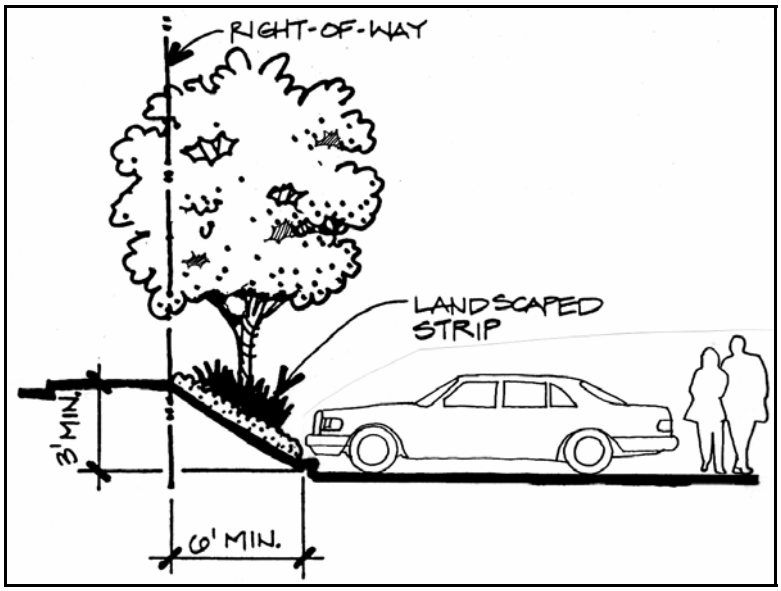

Figure 18-03. Parking Lot Landscaped Strip, Option 3

Provide a six foot landscaped strip with a minimum three feet grade drop from the right-of-way to the parking lot. A minimum of one shade tree and five medium shrubs are required for every 35 linear feet of street frontage, excluding driveway openings. (Ord. 99-33, § 1, 8-2-99)

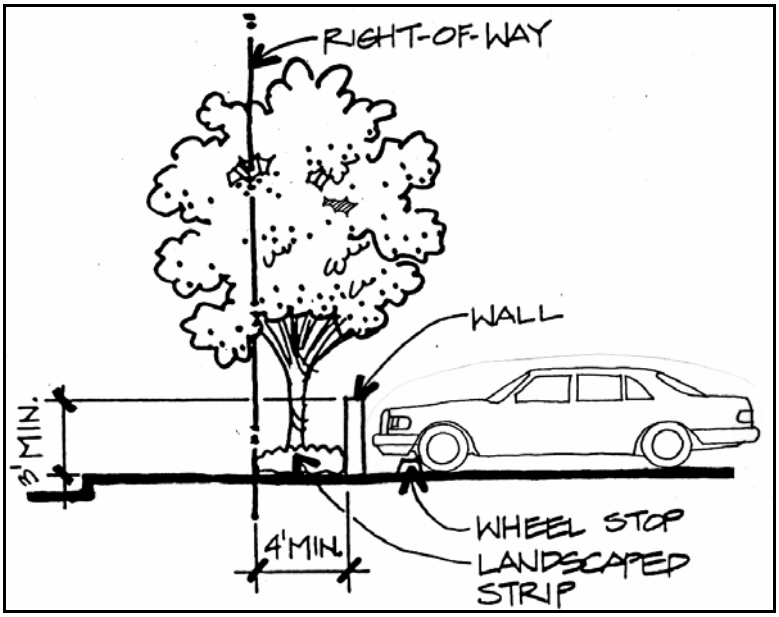

Figure 18-04. Parking Lot Landscaped Strip, Option 4

Provide a three foot high opaque fence or wall constructed of materials compatible with the principal building and a four foot wide landscaped strip planted with vegetative ground cover (low growing, dense vegetation), and a minimum of one shade tree for every 35 linear feet of street, excluding driveway openings. (Ord. 99-33, § 1, 8-2-99)

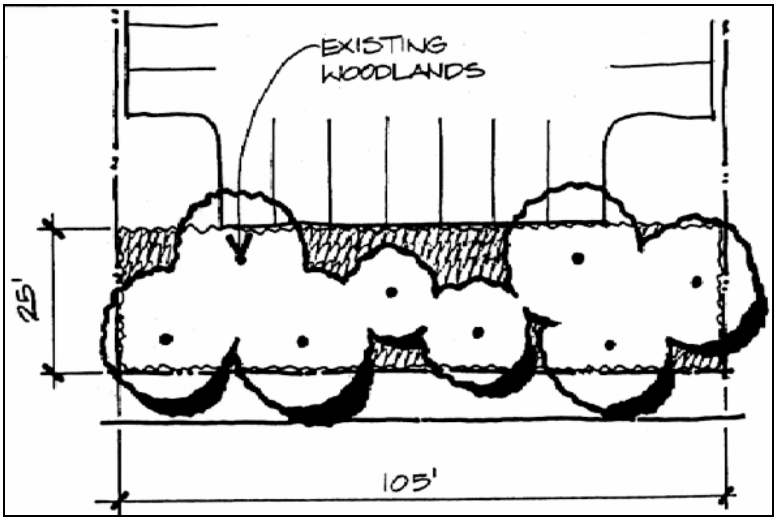

Figure 18-05. Parking Lot Landscaped Strip, Option 5

Preserve a 25 feet wide strip of existing woodlands in lieu of the landscaping requirement. (Ord. 99-33, § 1, 8-2-99)

3. Understory plants installed to meet the requirements of the parking lot landscaped strip shall be evergreen or dense deciduous shrubs. Plants used exclusively for screening must reach a minimum height of 30 inches within three years of installation and e at least 18 inches tall when planted.

b. Perimeter landscaping is required to define parking areas and prevent two adjacent lots from becoming one large expanse of paving. The required perimeter landscaping between adjacent lots does not preclude the need to provide vehicular access between the lots.

1. Figure 18-06 illustrates the required perimeter landscape strip. For lost 10,000 square feet or smaller, the landscape strip must be a minimum of three feet wide. Lots larger than 10,000 square feet must have a landscape strip at least five feet wide.

2. One tree and three small shrubs are required for every 35 linear feet, excluding vehicular access aisles. Understory plants installed to meet the requirements of the parking lot landscaped perimeter shall be evergreen or dense deciduous shrubs.

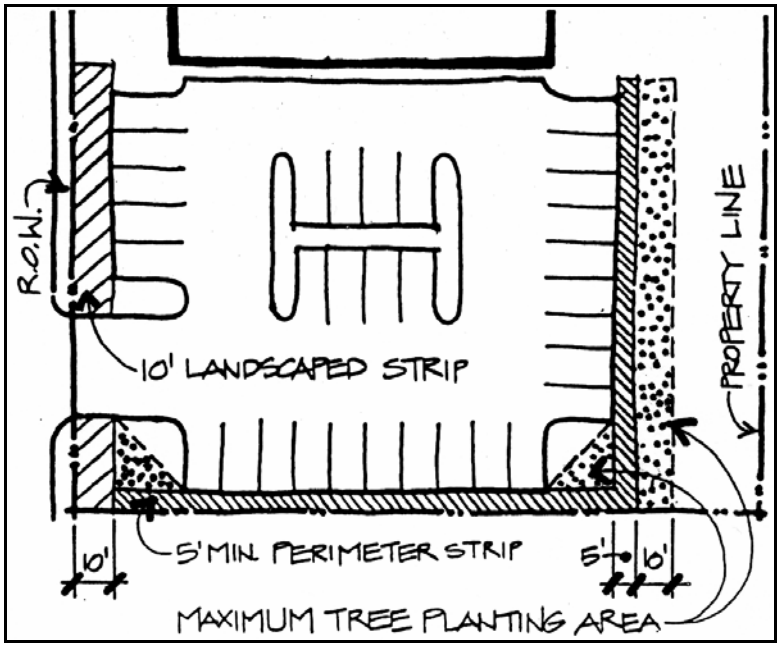

Figure 18-06. Parking Lot Perimeter (Ord. 99-33, § 1, 8-2-99)

3. The applicant may preserve existing woodlands at least 25 feet in width located within the same parcel in lieu of the above perimeter landscaping requirements.

c. Interior parking lot landscaping requirements are required for all parking lost 7,000 square feet or larger. Figure 18-07 illustrates how to calculate the required interior lot planting. All areas within the lots perimeter are counted, including planting islands, curbed areas, corner lots, parking spaces, and all interior driveways and aisles. Only driveways and aisles with no parking spaces located on either side are excluded from the interior are calculation.

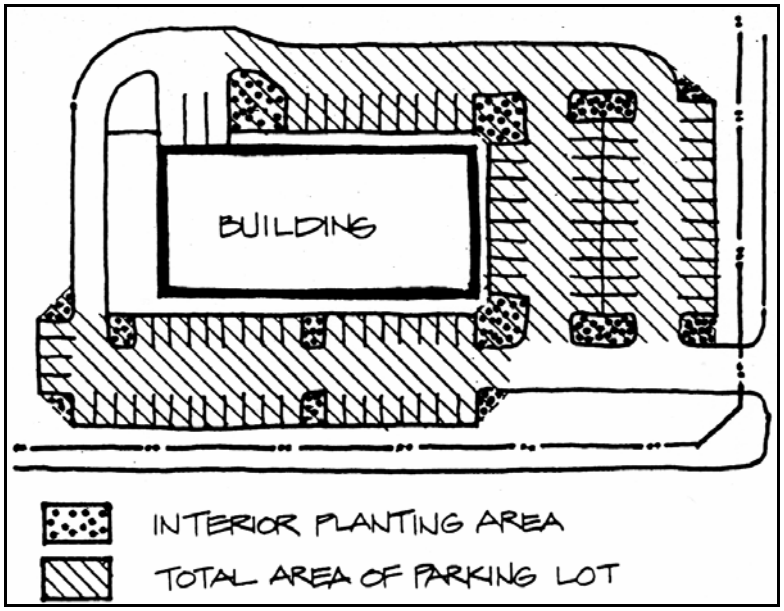

Figure 18-07. Parking Lot Interior Calculations. (Ord. 99-33, § 1, 8-2-99)

1. For all parking lots 7,000 square feet or larger, 8% of the total area must be an interior planting area.

2. Landscaped areas outside the parking lot may not be used to meet the interior planting requirement.

3. All rows of parking spaces shall be provided a terminal island with concrete curbs and at lest 130 square feet of area to protect parked vehicles, provide visibility, confine moving traffic to aisles and driveways, and provide space for landscaping.

4. Landscaped islands with concrete curbs and at least 130 square feet of area shall be provided every ten spaces or less within a row of spaces for multi-family residential sites and every 15 spaces or less within a row of spaces for commercial developments. Planting islands should be evenly spaced throughout the parking lot to consistently reduce the visual impact of long rows of parked cars. Islands shall be utilized where needed to control vehicular circulation and define major drives.

5. At least one tree shall be provided for each landscaped island area. Islands exceeding 260 sq. ft. shall have two or more trees. Trees must have a clear truck at least six feet above the finished grade to allow for visibility and vehicular circulation beneath the tree canopy. Vegetative ground cover or low shrubs listed on Table 18-08 shall be planted in all landscaped island areas. Gravel and bark mulch may not be substituted for the ground cover or low shrubs. (Ord. 02-21, § 4, 6-3-02)

6. To prevent cars from parking too close to trees or damaging shrubs, an extended curb or wheel stop must be provided. Planting islands parallel to parking spaces must be a minimum of five feet wide to allow car doors to swing open. (Ord. 99-33, § 1, 8-2-99)

18-09. Commercial and Industrial Streetscapes.

a. The following landscape strip requirements apply to all commercial and industrial zones and all nonresidential uses within a residential zone. The strip must be located on the property, adjacent to the public right-of-way or private streets, and may not include paved surfaces, with the exception of driveway openings and pedestrian sidewalks or trails that cross the strip.

b. To provide flexible standards that reflect site constraints and opportunities, three options are available to meet the landscaped strip requirements. (Ord. 99-33, § 1, 8-2-99)

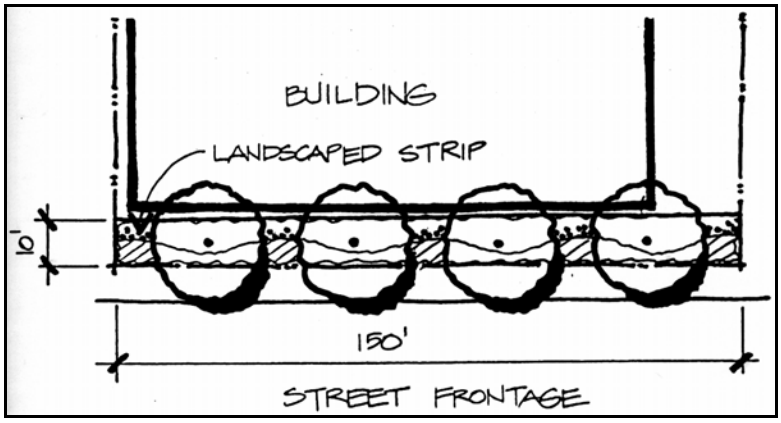

Figure 18-08 Commercial and Industrial Landscaped Strip, Option 1

Provide a minimum 10 foot wide strip between a right-of-way and the building, planted with a minimum of one shade tree and 10 medium shrubs for every 35 linear feet of street frontage, excluding driveway openings. (Ord. 99-33, § 1, 8-2-99)

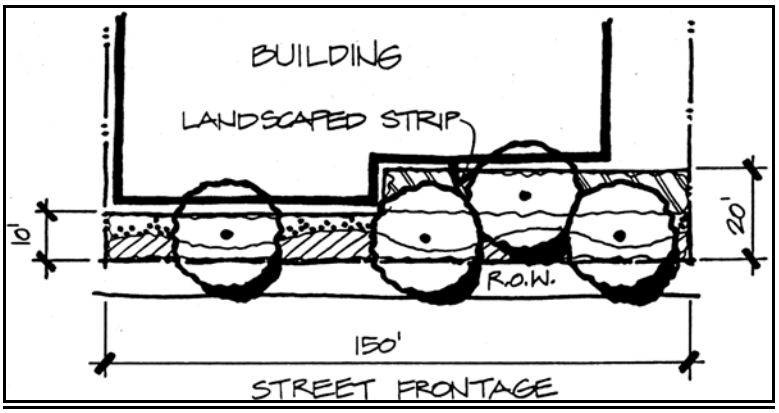

Figure 18-09. Commercial and Industrial Landscaped Strip, Option 2.

Provide a landscape strip a minimum of 10 feet wide and maximum of 20 feet wide and an average width of 15 feet strip adjacent to the public right way, planted with a minimum of one shade tree and five medium shrubs for every 35 linear feet of street frontage, excluding driveway openings. (Ord. 99-33, § 1, 8-2-99)

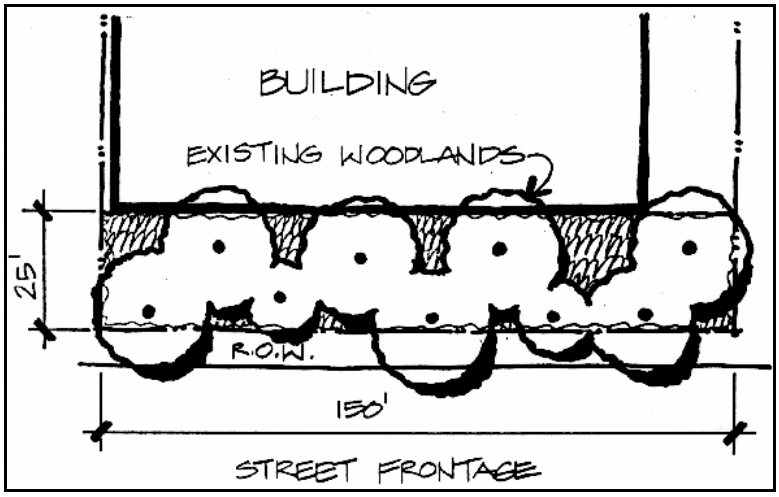

Figure 18-10. Commercial and Industrial Landscaped Strip, Option 3.

Preserve a 25 foot wide strip of existing woodlands in lieu of the landscaping requirement.

c. In the above options, two ornamental trees may substitute for one required shade tree. One shade tree may substitute for five medium shrubs, however shrubs may not be substituted for required trees. (Ord. 99-33, § 1, 8-2-99)

18-10. Residential Landscaping.

All residential developments, except those noted in Section 18-02, shall meet the following requirements for minimum planting and buffering of rear yards from minor collector streets of higher road classifications.

a. Trees in residential subdivisions should be grouped together to simulate natural three stands.

b. Yards, setbacks, and other open space areas within residential developments shall be landscaped with live vegetation. The minimum number of shade and evergreen or ornamental trees to be planted on each lot is a function of the lot size. Table 18-04 specifies the minimum tree requirements.

c. To allow for flexibility and creativity, two ornamental or two evergreen trees may substitute for on required shade tree, Substitutions may be made for up to one half of the number of require shade trees, but in all cases, at least one shade tree must be planted.

Table 18-04 On-Site Residential Planting Requirements.

Residential Type	Minimum Number of Shade Trees	Number of Ornamental or Evergreen Trees	Notes
Single Family or Two Family Development	One (1) per dwelling unit in front yard	One (1) per dwelling unit	One (1) shade tree shall be in the front yard
Multifamily Dwelling Developments	One (1) per 1,200 sq. ft. or fraction thereof of the building footprint		See ordinance for explanation of green area and permissible plant substitutions.

d. When determining the amount of trees required for multifamily dwellings, the following features are not included in the landscape area calculation: lakes and other water features, required parking lot landscaping along a right-of-way, and interior parking lot landscape areas. Figure 18-11 illustrates this calculation.

e. Trees fulfilling the perimeter bufferyard requirements may be counted toward the minimum planting requirements. Existing trees and woodlands may also fulfill part or all of the minimum planting requirements. The existing trees must exceed 2.5 inches in diameter and must be located on an individual lot within 75 feet of a dwelling unit. Ornamental and evergreen trees must still be planted. For any subdivision, existing shade trees larger than 2.5 inches in caliper located on an individual lot or common green area may fulfill part or all of the shade tree requirement for that site.

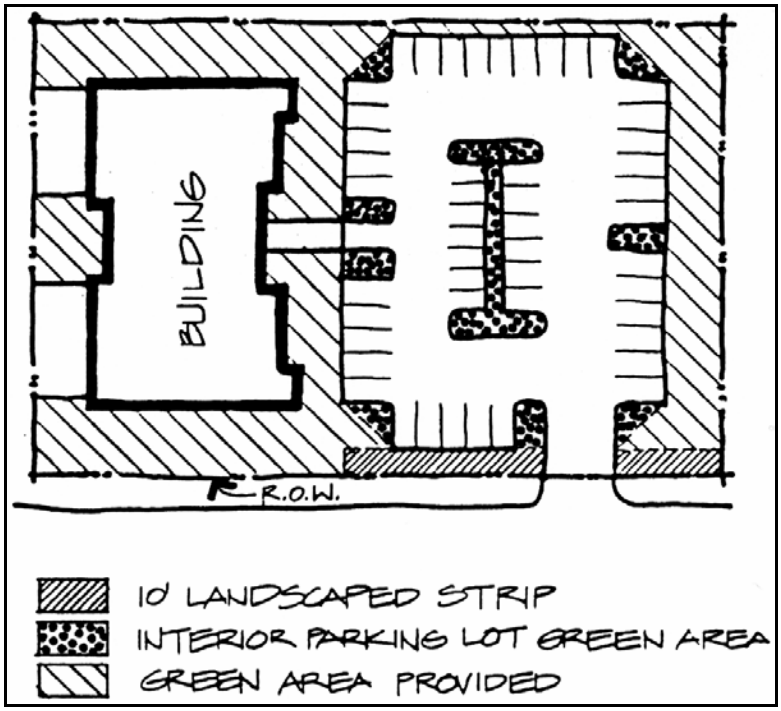

Figure 18-11 Multifamily Dwelling Landscape Area Calculations.

f. The side and rear yards along the perimeter of any residential development (including single family residential, multi-family residential and manufactured housing) must be screened from the view of any street classified as a collector or higher classification street. The buffer is required either on individual lots or as part of the common open space owned and maintained by a homeowners association. Buffer landscaping shall not encroach into the sight triangles (Figure 18-12 at street intersections. Privacy fences, if constructed, shall be on the residential structure side of the lot. The bufferyard shall be a minimum of 20 feet wide and planted with one shade tree, two evergreen trees, and four large shrubs per 15 linear feet of right-of-way. (Ord. 99-33, § 1, 8-2-99; Ord. 02-21, § 5, 6-3-02))

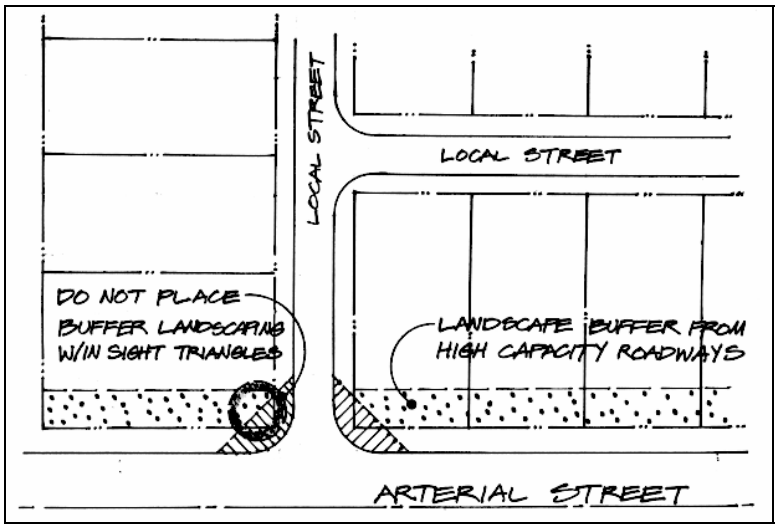

Figure 18-12. Visibility Triangle. (Ord. 99-33, § 1, 8-2-99)

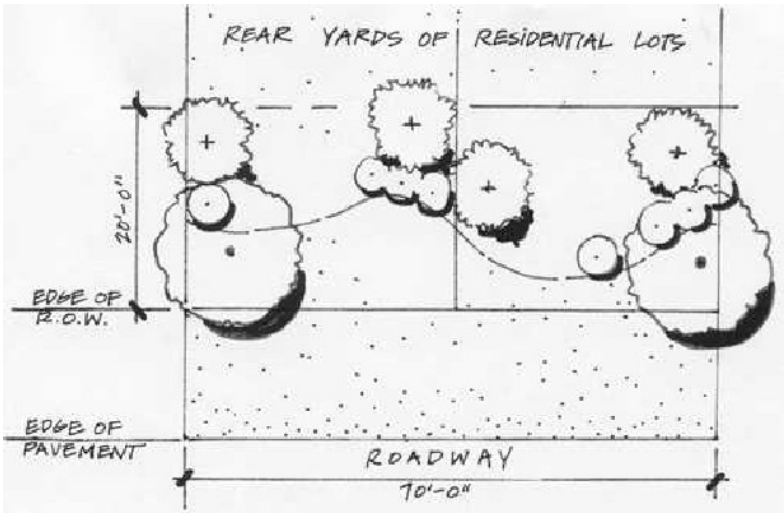

Figure 18-13.Collector, Secondary, Primary, and Arterial Thoroughfare Buffering.

A minimum of 20 feet wide with one shade tree, two evergreen trees, and four medium shrubs per 35 linear feet of right-of-way. (Ord. 02-21, § 6, 6-3-02)

h. If existing woodlands are located entirely in the buffer area, preserving the trees may satisfy all plant requirements. If existing woodlands are partially located within the buffer area, the number of shade trees, evergreen trees, and shrubs may be proportionately reduced. (Ord. 99-33, § 1, 8-2-99)

18-11. Modifications and Waivers.

a. Under conditions where a strict interpretation of requirements may be either physically impossible or create practical difficulties, an alternative compliance procedure may be used to maintain the spirit—rather than the letter—of the law. The proposed solution must equal or exceed standard landscaping requirements. Requests to the Plan Commission for use of alternative landscaping schemes are justified only when one or more of the following conditions apply:

1. The sites involve space limitations or unusually shaped parcels;
2. Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical;
3. Due to a change of use of an existing site, the required bufferyard is larger than can be provided;
4. Safety considerations are involved; and
5. Existing utility lines or easements complicate the placement of required plant materials.

The applicant must provide a justification statement that described which of the requirements established by the Landscaping Ordinance will be met with modifications, which project conditions justify using alternatives, and how the proposed measures equal or exceed normal compliance. The Planning Director will review the alternative compliance application and recommend approval, approval with conditions, or disapproval of the proposal to the Plan Commission, who will make the final decision.

b. Where compliance is required as a result of change in use or expansion of an existing building and compliance with this section will necessitate removal of existing pavement, the Plan Commission may approve a reduction of parking lot setbacks and other minimum planting areas, provided that proposed plantings, screens, and other landscape features are the equivalent to the minimum requirements in terms of landscaping.

c. After initial approval of the landscape plan by the Plan Commission, the Planning Director may approve any substitute landscape proposal that he/she deems to be equivalent to the plan approved by the Plan Commission. As described in 18-11(b), the Plan Director may also allow reduction of the required setbacks or reductions of the landscaping requirements for setbacks, buffer, or parking area when compliance with the landscape standards would require removal of existing pavement.

d. Occasionally, plant substitutions for species specified on approved landscape plans are required due to seasonal planting problems and a lack of plant availability. Minor revisions to planting plans can be approved by the Planning Director if there is not reduction in the quantity of plant material, no significant change in size or location of plant materials, and if the substitute plants are of the same general category and have the same general design characteristics as the plants

originally approved. Proposed materials must also be compatible with the microclimate of the site to ensure healthy plant growth. If the proposed plant substitution doe not fulfill these criteria, then the changes must be submitted to the Plan Commission and reviewed for new approval. (Ord. 99-33, § 1, 8-2-99)

18-12. Installation and Maintenance.

a. Plant materials shall conform to the requirements described in the latest edition of the American Standard for Nursery Stock, which is published by the American Association of Nurserymen, Plants shall be nursery grown.

b. Plants shall conform to the measurements specified below:

   1. Caliper measurements shall be taken six inches above grade for trees under four inches in diameter and 12 inches above grade for trees four inches or larger in diameter.

   2. Minimum branching height for all shade trees shall be four feet.

   3. Minimum size for shade trees shall be 2.5 inches in caliper.

   4. Minimum size for ornamental trees shall be 1.5 inches in caliper.

   5. Minimum size for evergreen trees shall be 4 feet high.

   6. The Plan Commission may impose a condition at the time of development plan approval, that plants be larger at the time of installation, due to surrounding character of neighborhood.

c. After cultivation, all plant materials shall be mulched with a two to three inch layer of shredded bark, peat moss, or another suitable material over the entire area of the bed or saucer, except that required per section 10-10 are not subject to the planting requirement.

d. The owner of the premises shall be responsible for the maintenance, repair, and replacement of all landscaping materials on the premises.

e. All landscape areas shall be kept free of refuse and debris. Fences, walls, and other barriers shall be maintained in good repair.

f. It is the responsibility of each private property owner to remove any dead, diseased, or dangerous trees or shrubs, or parts thereof, which overhand or interfere with line of sight, traffic control devices, public sidewalks, rights-of-way, or property owned by the City. The City shall have the authority to order the removal of any such trees or shrubs.

(Ord. 99-33, § 1, 8-2-99)

18-13. Tables or Approved Plant Materials.

a. The following tables list plant materials approved for specific applications. Divisions were created to represent certain characteristics of the plant materials – height, spread, maintenance, and durability.

b. Trees proposed to meet the parking lot and commercial and industrial landscaping requirements must come from Table 18-5. Trees proposed to meet the bufferyard and residential landscaping requirements may be from either Table 18-5 or Table 18-6.

c. Shrubs proposed to meet the interior parking lot landscaping requirements must come from Table 18-. Shrubs and vines proposed to meet all other requirements of the Landscape Ordinance may come from Table 18-7, Table 18-8, and Table 18-9.

c. Plants used to fulfill the requirements of Article 18 must be selected from the following tables, unless the Plan Commission approved the use of another plant for cause shown.

(Ord. 99-33, § 1, 8-2-99)

Table 18-5

Trees Approved for Planting Along Public Streets and Highways and in Locations Where Low Maintenance, Hardy Specimens with High Canopies are Required.

Botanic Name	Common Name	Type	Height	Tree Category
Acer campestre	Hedge Maple	D	30-40’	Ornamental
Acer Freemanii	Freeman Maple	D	50-60’	Shade
Acer rubrum	Red Maple	D	50-60’	Shade
Acer saccharum	Sugar Maple	D	50-70’	Shade
Carpinus betulas ‘Fastigiata’	Upright European Hornbeam	D	30-40’	Ornamental
Carpinus caroliniana	American Hornbeam	D	25-30’	Ornamental
Celtis occidentalis	Hackberry	D	50-75’	Shade
Cercis canadensis	Eastern Redbud	D	20-25’	Ornamental
Crataegus crus-galli	Cockspur Hawthorn	D	15-25’	Ornamental
Crataegus phacnopyrum	Washington Hawthorn	D	20-25’	Ornamental
Fraxinus americana	White Ash	D	45-65’	Shade
Fraxinus pennsylvanica	Green Ash	D	40-50’	Shade
Gingko biloba	Gingko	D	40-60’	Shade
Gleditzia tricanthos inermis	Thornless Honeylocust	D	40-45’	Shade
Koelreuteria paniculata	Golden Rain Tree	D	20-35’	Ornamental
Liquidamber styraciflua	American Sweet Gum	D	40-60’	Shade
Malus hybrids	Flowering Crabapple	D	15-30’	Ornamental
Prunus ‘Newport’	Newport Plum	D	15-20’	Ornamental
Prunus maackii	Amur Chokecherry	D	25-30’	Ornamental
Prunus virginiana	Chokecherry	D	20-25’	Ornamental
Pyrus calleryana	Ornamental Pear	D	20-25’	Ornamental
Quercus coccinea	Scarlet Oak	D	60-80’	Shade
Quercus palustris	Pin Oak	D	50-80’	Shade
Quercus phellos	Willow Oak	D	50-70’	Shade
Quercus robur	English Oak	D	50-70’	Shade
Quercus rubra	Red Oak	D	40-60’	Shade
Sorbus alnifolia	Korean Mountain Ash	D	20-30’	Ornamental
Sorbus “Aria”	White Bean Mountain Ash	D	25-40’	Ornamental
Tillia americana	American Linden	D	40-60’	Shade
Tillia cordata	Little-Leaf Linden	D	40-50’	Shade
Tillia tomentosa	Silver Linden	D	40-50’	Shade
Zelkova serrata ‘Village Green’	Village Green Zelkova	D	40-60’	Shade

(Ord. 99-33, § 1, 8-2-99)

Table 18-06

Trees Approved for Use within the interior of the site

Botanic Name	Common Name	Type	Height	Tree Category
Acer ginalla	Amur Maple	D	15-20’	Ornamental
Acer palmatum	Japanese Maple	D	15-20’	Ornamental
Amelachier canadansis	Juneberry	D	30-35’	Ornamental
Amelachier gransifloria	Apple Serviceberry	D	25-30’	Ornamental
Amelchier laevis	Allegheny Serviceberry	D	25-30'	Ornamental
Betula nigra	River Birch	D	30-40’	Ornamental
Betula papyrifera	Paper Birch	D	30-40’	Ornamental
Cercidyphyllum japonicum	Katsura Tree	D	25-40’	Ornamental
Cornus kousa	Japanese Dogwood	D	20-25’	Ornamental
Cotinus coggyria	Smoke Tree	D	15-20’	Ornamental
Gymnocladus dioicus	Kentucky Coffee Tree	D	40-50’	Shade
Liriodendron tulipifera	Tulip Tree	D	60-80’	Shade
Magnolia loebneri	Magnolia	D	12-15’	Ornamental
Magnolia soulangiana	Saucer Magnolia	D	15-20’	Ornamental
Magnolia stellata	Star Magnolia	D	10-15’	Ornamental
Picea abies	Norway Spruce	E	50-60’	Evergreen
Picea glauca densata	Black Hills Spruce	E	50-60’	Evergreen
Picea pungens	Colorado Spruce	E	60-75’	Evergreen
Picea pungens ‘Glauca’	Colorada Blue Spruce	E	60-75’	Evergreen
Pinus nigra	Austrian Pine	E	30-60’	Evergreen
Pinus ponderosa	Ponderosa Pine	E	40-50’	Evergreen
Pinus strobus	Eastern White Pine	E	50-100’	Evergreen
Quercus alba	White Oak	D	60-80’	Shade
Quercus bicolor	Swamp White Oak	D	40-50’	Shade
Salix blanda	Wisconsin Weeping Willow	D	40-50’	Shade
Salix matsudana ‘Tortuosa’	Corkscrew Willow	D	25-30’	Ornamental
Tsuga canadensis	Canada Hemlock	E	60-75’	Evergreen

(Ord. 99-33, § 1, 8-2-99)

Table 18-7

Upright Shrubs Approved for Screening, Hedges, and Specimen Planting

Botanic Name	Common Name	Type	Height
Aronia melanocarpa	Black Chokeberry	D	4-6’
Berberis thunbergii Hybrids	Japanese Barberry	D	3-5’
Buxus microphylla ‘Koreana’	Korean Boxwood	E	2-3’
Caragana arborescens	Siberian Peashrub	D	12-15’
Chaenomeles species	Flowering Quince	D	2-6’
Cornus alba ‘Elegantissima’	Variegated Dogwood	D	6-10’
Cornus alternifolia	Pagoda Dogwood	D	15-20’
Cornus sericea baileyi	Redtwig Dogwood	D	8-10’
Cotinus coggygrian	Smoke Tree	D	8-10’
Cotoneaster acutifolious	Peking Cotoneaster	D	4-8’
Cotoneaster divaricata	Spreading Cotoneaster	D	5-6’
Euonymus alatus	Burning Bush	D	7-10’
Euonymus fortunei	Euononymous	E	4-6’

Table 18-7, Cont'd.

Upright Shrubs Approved for Screening, Hedges, and Specimen Planting

Botanic Name	Common Name	Type	Height
Forsythia intermedia Hybrids	Hybrid Forsythia	D	7-10'
Forsythia suspense	Weeping Forsythia	D	8-10'
Hamamelis virginiana	Common Witch Hazel	D	10-15'
Hibiscus syriacus	Rose of Sharon	D	4-12'
Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	D	4-15'
Hydrangea macrophylla 'Nikko Blue'	Nikko blue Hydrangea	D	3-4'
Hydrangea paniculata 'Grandiflora'	Peegee Hydrangea	D	6-10'
Ilex crenata	Japanese Holly	E	3-5'
Ilex meserveae	Blue Holly	E	6-8'
Ilex opaca	American Holly	E	8-15'
Juniperus chinensis	Chinese Juniper	E	6-15'
Juniperus scopulorum	Rocky Mountain Juniper	E	6-15'
Ligustrum amurense	Amur Privet	D	4-8'
Ligustrum 'Vicaryi'	Golden Vicary Privet	D	4-12'
Mahonia aquifolium	Oregon Grape	E	3-6'
Philadelphus coronarius	Sweet Mockorange	D	8-10'
Philadelphus virginialis	Minnesota Snowflake	D	6-8'
Physocarpus opulifolius intermedius	Dwarf Ninebark	D	4-5'
Picea glauca conica	Dwarf Alberta Spruce	E	6-10'
Prunus cistena	Cistena Plum	D	6-8'
Prunus glandulosa	Dwarf Flowering Almond	D	4-6'
Prunus triloba	Flowering Almond	D	8-10'
Rhamnus frangula	Alder Buckthorn	D	12-15'
Rhus aromatica	Fragment Sumac	D	4-6'
Rhus glabra	Smooth Sumac	D	8-10'
Rhus typhina	Staghorn Sumac	D	8-12'
Salix caprea	French Pussy Willow	D	15-20'
Sambucus canadensis	American Elderberry	D	6-8'
Shepherdia argentea	Silver Buffaloberry	D	5-8'
Sorbaria sorbifolia	Flase Spiraea	D	6-8'
Symphoricarpos alba	White Snowberry	D	5-6'
Syringa chinensis	Chinese Lilac	D	6-8'
Syringa hyacinthiflora Hybrids	Hybrid Canadian Lilac	D	8-12'
Syringa vulgaris	Common Lilac	D	8-12'
Syringa vulgaris Hybrids	Hybrid French Lilac	D	8-12'
Taxus cuspidata 'Capitata'	Upright Japanese Yew	E	10-25'
Taxus 'Hicksi'	Hick's Yew	E	10-12'
Thuja occidentalis Hybrids	American Arbovitae	E	4-15'
Viburnum dentatum	Arrowwood Viburnum	D	10-15'
Viburnum lantana	Wayfaring Tree	D	8-15'
Viburnum lantago	Nannyberry	D	8-15'
Viburnum opulus	European Cranberry Bush	D	10-12'
Viburnum placatum tomentosum	Doublefile Viburnum	D	8-10'
Viburnum prunifolium	Black Haw Viburnum	D	10-12'
Viburnum rhytidophyllum	Leatherleaf Viburnum	D	6-15'
Viburnum trilobum	American Cranberry Bush	D	8-12'
Weigela florida	Flowering Weigela	D	4-5'
Weigela vaniceki	Cardinal Shrub	D	4-5'

Table 18-8

Spreading Shrubs Approved for Low Borders, Parking Lot Islands, and Ground Covers

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

(Ord. 99-33, § 1, 8-2-99)

Sec. 10-473 to Sec. 10-476 Reserved for future use.

ARTICLE 19. PLANNED UNIT DEVELOPMENT (PUD)

Sec. 10-477 Planned Unit Development.

19.01 Purpose.

The purpose of the planned unit development is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character, and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; and to mitigate the problems which may be presented by specific site conditions. It is anticipated that Planned Unit Developments will offer one or more of the following advantages:

A. Reflect the policies of the Comprehensive Plan specific to the neighborhood in which the PUD is to be located;

B. Provide substantial buffers and transitions between areas of different land use and development densities;

C. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;

D. Counteract urban monotony and congestion on streets;

E. Promote architecture that is compatible with the surroundings;

F. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development;

G. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area; and

H. Effectuate implementation of the Comprehensive Plan.

(Ord. 00-06, § 1, 03-20-2000)

Sec. 10-478 Planned Unit Development Definitions.

19.02 Definition.

Planned Unit Development is an area under single ownership or control to be developed in conformance with an approved PUD master plan, consisting of a map showing the development area and all improvements to the development area, a text which sets forth the uses and the development standards to be met, and exhibits setting forth any aspects of the PUD master plan not fully described in the map and text. The map, exhibits, and text constitute a PUD master plan. The uses and standards expressed in the PUD master plan constitute the use and development regulations for the Planned Unit development site in lieu of the regulations for the underlying district. (Ord. 00-06, § 1, 03-20-2000)

Sec. 10-479 Requirements.

19.03 Requirements for Planned Unit Development.

A. The area designated in the Planned Unit Development map must be a tract of land under single ownership or demonstrated control. Single control of property under multiple ownership may be accomplished through the use of enforceable covenants and commitments, which run to the benefit of the Plan Commission.

B. The concept plan shall indicate the land use, development standards, and other applicable specifications of the City of Greenwood Code, which shall govern the Planned Unit Development. If the Concept Plan is silent on a particular land use, development standard, or other specification of the City of Greenwood Code, the standard of the underlying district or the applicable regulations shall apply.

C. The Planned Unit Development map shall show the location of all improvements. The location of Planned Unit Developments shall be designated on the zoning Map and adopted pursuant to this Ordinance.

D. The Planned Unit Development must comply with all required improvements, construction standards, design standards, and all other engineering standards contained within the City of Greenwood Code and other pertinent regulations, except where specifically varied through the provisions of this Section of the Ordinance.

E. Designation and Conveyance of Permanent Open Space.

1) Definition. Permanent open space shall be defined as parks, playgrounds, waterways (as defined in paragraph 2 of this section, landscaped green space, and natural areas, not residential yard space surrounding dwelling units, and not including schools, community centers or other similar areas in public ownership.

2) Designation. No plan for a Planned Unit Development shall be approved unless such plan provides for permanent landscaped or natural open space. A minimum of 25% of the proposed Planned Unit Development area shall be designated as Permanent Open Space. No more than 35% of the required permanent open space can be covered by water defined as the high-water elevation, including detention and retention ponds. The remaining permanent open space must be usable space, and the developer must provide the necessary facilities to make them usable. (Ord. No. 03-41, § 4, 10-20-03)

3) In the case of mixed uses, permanent open space shall be allocated to the property in proportion to the uses assigned to the Planned Unit Development and shall be located in a reasonable proximity to those uses. Provided, however, the permanent open space need not be located in proximity to the use in the case of preservation of existing features.

4) If the Concept Plan provides for the Planned Unit Development to be constructed in stages, open space must be provided for each stage of the Planned Unit development in proportion to that stage.

5) Conveyance. Permanent open space shall be conveyed in one of the following forms:

a. To a municipal or public corporation; or

b. To a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the Planned Unit Development, or where appropriate and where approved by the Plan Commission and the common Council, adjoining property owners, or both. All conveyances hereunder shall be structures to ensure that the grantee has the obligation and the right to effect maintenance and improvement of the common openspace; and that such duty of maintenance and improvement is enforced by the owners and tenants of the Planned Unit development and, where applicable, by adjoining property owners; or

c. To owners other than those specified in Subsections (a) and (b) above, and subject to restrictive covenants describing and guaranteeing the open space and its maintenance and improvement, running with the land for the benefit of residents of the Planned Unit Development or adjoining property owners; or both; or

F. Uses permitted in a Planned Unit development may be any use which is found on Table A, the Official Schedule of Uses, subject to the approval of the Plan commission and Common Council of the City of Greenwood.

(Ord. 00-06, § 1, 03-20-2000)

Sec. 10-480 Procedure for Approval.

19.04 Procedure for Approval of Planned Unit Development.

A. Introduction. Application shall be accompanied by all plans and documents required by Section 10-482. A three-step application process shall be used. The steps in the process are:

1) Pre-Design Conference;

2) Concept Plan Approval; and

3) PUD master plan Approval. (Ord. No. 03-41, § 4, 10-20-03)

B. Pre-Design Conference. Prior to filing a formal application for approval of a Planned Unit development, the applicant shall schedule a pre-design conference with the planning staff. The purpose of the pre-application conference shall be to:

1) Allow the applicant to present a general concept and to discuss characteristics of the development concept in relation to adopted City policies.

2) Allow the planning staff to inform the applicant of applicable policies, standards, and procedures for the Planned Unit Development.

3) The pre-design conference is intended only for the above purposes. Neither the developer nor the jurisdiction is bound by any decision made during a pre-application conference.

C. Procedure for Concept Plan Approval (PUD Rezoning).

1) The Concept Plan, application for the Planned Unit development, and written development standards shall be submitted to the planning staff. Written development standards shall include, at a minimum, the following information:

a. Minimum lot size;

b. Maximum height;
c. Maximum density;
d. Minimum setbacks;
e. Maximum floor area;
f. Minimum open space;
g. Any other relevant development standard, as determined by planning staff.

The planning staff shall certify the application to be complete. Planning staff shall initiate review of complete applications by the technical review committee.

2) The application and the results of the review shall then be forwarded to the Plan Commission for its consideration, public hearing, and recommendations, together with the Planning Department's report and such other documents as may be pertinent to the Planned Unit Development.

3) The Plan Commission shall hold a public hearing in accordance with its Rules of Procedure.

4) Where there are environmentally sensitive features on the site or the PUD master plan is expected to be complex, or there are other important planning implications involved, the Plan Commission shall review the PUD master plan. And, where the Plan Commission recommends denial of a Concept Plan and the Common Council approves the plan, the Plan Commission shall review the PUD master plan.

5) Upon completion of its review, the Plan Commission shall certify the application to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation. (Ord. No. 03-41, § 4, 10-20-03)

6) The Common council shall vote on the proposal within 90 days after the Plan Commission certifies the proposal. The Council may adopt or reject the proposal. If the Plan commission has given the proposal a favorable recommendation and the Council fails to act on the proposal within 90 days, the Ordinance takes effect as if it had been adopted as certified 90 days after certification. If the Plan Commission has failed to make a recommendation or has given the proposal an unfavorable recommendation and the Council fails to act on the proposal within 90 days, the proposal is defeated.

D. Effect of Approval of Concept Plan.

1) When a PUD Concept Plan has been approved by the council, the PUD zoning shall become effective and its location shall be shown on the Zoning Map. The Zoning Map shall be amended to designate the site as a Planned Unit Development.

2) Upon such amendment of the zoning map, the use and development of the site shall be governed by the Planned Unit Development Concept Plan, subject to approval of a PUD master plan.

3) No permit of any kind shall be issued until the PUD master plan has been approved.

E. PUD Master Plan.

1) Purpose of PUD Master Plan Approval. The purpose of the PUD master plan is to designate the controls for development of the Planned Unit Development. The PUD master plan shall show the exact location of each building and improvement to be constructed and a designation of the specific internal use or range of uses to which each building shall be put.

2) Time Limit for Approval of PUD master plan. The PUD master plan shall be submitted to the Planning Department not more than 18 months following Common Council approval of the Concept Plan. The Concept and PUD master plans may be submitted as a single plan if all requirements of Section 10-481(B) and (C) are met. The PUD master plan may be submitted and approved in stages, with each stage representing a portion of the Concept Plan, at the discretion of the Plan commission. The time limit for submitting each stage for approval may be set forth in the Concept Plan, in which case that schedule shall control the timing of development, rather than the time period contained in this paragraph. The Plan commission may extend the time for application for approval of the PUD master plan for good cause, consistent with the purposes of this Ordinance. (Ord. No. 03-41, § 4, 10-20-03)

3) Expiration of Time Limit. Periodically, the planning staff shall report to the Plan commission on Planned Unit Developments whose time limits have expired. The applicants shall be notified. The Plan Commission shall determine whether to consider extending the time or to initiate action to amend the Zoning Map so as to rescind the Planned Unit Development designation.

4) Relationship of Development and concept Plan. The PUD master plan shall conform to the Concept Plan as approved.

5) Procedure for approval of a PUD master plan shall be:

a. PUD master plan submission. The PUD master plan and supporting data shall be filed with the planning staff.

b. Staff review. The planning staff shall review the PUD master plan to include site plan review, in accordance with the requirements of Article 16 of the Zoning Ordinance (Development Plans).

c. Plan commission Review. If the Plan Commission has retained PUD master plan approval authority, as provided in Section 10-480(C)(4), or where a new PUD master plan is required, the Plan commission shall hold a public hearing in accordance with its rules of Procedure. The Commission may approve, deny, or approve with modifications. (Ord. No. 03-41, § 4, 10-20-03)

d. Staff Approval. If the plan commission has authorized staff to approve any PUD master plans during the PUD concept plan approval process, staff shall have approval authority for said PUD master plans. Staff decisions may be appealed by the property owner to the Plan commission.

6) Expiration of PUD master plan. The PUD master plan shall expire two years after approval, unless grading and/or building permits have been obtained and site work is still current and valid on that date. This rule shall also apply to each stage of a PUD master plan approved in stages. The applicant may request an extension of time in writing, and the approving authority may extend the time limit where appropriate. Such extension may be considered at the time of PUD master plan approval.

7) Effect of Approval of PUD master Plan. No permit of any kind shall be issued for any purpose within a Planned Unit Development except in accordance with the approved PUD master Plan, and after acceptance by the City of all required guarantees for improvements pursuant to Section 10-481(C)(6). (Ord. No. 03-41, § 4, 10-20-03)

(Ord. 00-06, § 1, 03-20-2000)

Sec. 10-481 Content of Plans.

19.05 Specific Content of Plans.

Planned Unit PUD Master Plans and supporting data shall include all documentation listed in this Section of the zoning Ordinance unless certain documentation is deemed superfluous by the planning staff due to the specific circumstances of the particular request.

A. Pre-Design Conference Requirements.

1) A written letter of intent from the applicant describing the applicant's intention for developing the site. This letter shall set forth proposed uses and developmental standards.

2) A scaled drawing of the site, in simple sketch form, showing the proposed location and extent of the land uses, major streets, and the approximate location of all existing easements, natural features, and topographic or geologic constraints.

B. Concept Plan Requirements.

1) A drawing of the Planned Unit development shall be prepared at a scale not less than 1"=50', or as considered appropriate by the Planning Staff, and shall show in concept major circulation; generalized location and dimensions of buildings, structures, and parking areas; open space areas, recreation facilities, and other details to indicate the character of the proposed development. The submission shall include:

a. A site location map.

b. The name of the development, with the words "Concept Plan".

c. Boundary lines and acreage of each land use component.

d. Existing easements, including location, width and purpose.

e. Existing land use on abutting properties.

f. Other conditions on adjoining land; topography (at two-foot contours) including any embankments or retaining walls; use and location of major buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision plat.

g. Existing streets on and adjacent to the tract, including street name, right-of-way width, walks, curbs, gutters, and culverts.

h. Proposed public improvements; streets and other major improvements planned by the public for future construction on or adjacent to the tract.

i. Existing utilities on the tract.

j. Any land on the tract within the 100-year floodplain.

k. Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, isolated trees six inches or more in diameter, existing structures and other significant features.

l. Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.

m. Map data such as north point, scale and date of preparation.

2) Miscellaneous. The Planning Staff shall inform the applicant of any additional documents or data requirements after the pre-application conference.

3) Written Statement of character of the Planned Unit Development. An explanation of the character of the Planned Unit Development and the reasons why it has been planned to take advantage of the flexibility of these regulations. The written statement shall be considered the proposed draft ordinance, and shall include:

a. A specific explanation of how the proposed Planned Unit Development meets the objectives of all adopted land use policies which affect the land in questions.

b. Ownership. A statement of present and proposed ownership of all land within the project including the beneficial owners of a land trust.

c. Development scheduling indicating

1. Stages in which the project will be built, including the area, density, use, public facilities, and open space to be developed with each stage. Each stage shall be described and mapped.

2. Projected dates for beginning and completion of each stage.

d. Proposed uses.

1. Residential Uses: gross area, architectural concepts (narrative, sketch, or representative photo), number of units, bedroom breakdown, and proposed occupancy limits for each residential component.

2. Nonresidential Uses: specific nonresidential uses including gross areas, architectural concepts (narrative, sketch, or representative photo), and building heights.

e. Facilities Plan. Preliminary concepts and feasibility reports for:

1. Roads
2. Sidewalks
3. Sanitary Sewers
4. Stormwater Management
5. Water Supply System
6. Street Lighting
7. Public Utilities

4) Traffic Analysis. If requested by the Planning Staff or the Plan Commission, a study of the impact caused by the Planned Unit Development and any measures proposed to accommodate that impact.

5) Notification. The petitioner shall notify all interested property owners, as directed by the Plan commission's Rules of Procedure, of the proposed PUD and the scheduled hearing date. Notices shall include a reduced copy of the proposed concept plan and a copy of the proposed uses section of the written statement of character of the PUD. (Ord. No. 03-41, § 4, 10-20-03)

C. PUD Master Plan Requirements. The application for PUD Master Plan approval shall include, but not be limited to, the following documents:

1) Such additional information as may have been required by the concept Plan approval.

2) An accurate map exhibit of the entire phase for which PUD Master Plan approval is being requested, which complies with the requirements of Article 16 of the Greenwood Zoning Ordinance (Development Plans). Single family residential development on individual lots need not show precise locations of buildings on each lot, but plans shall show setback and other bulk constraints.

3) If lands to be subdivided are included in the Planned Unit development, a subdivision plat meeting the requirements of a preliminary plat, as modified by the Concept Plan approval, is required where platting is to be done concurrent with the PUD Master Plan approval.

4) Projected construction schedule.

5) Agreements and covenants which govern the use, maintenance, and continued protection of the Planned Unit Development and its common spaces, shared facilities, and private roads.

6) Guarantee of Performance for Completion of Improvements. A bond or other guarantee acceptable to the City shall be provided for all required improvements and shall be executed at time of permit application or platting, whichever comes first. Improvements that must be guaranteed include facilities which shall become public, and may include other facilities or improvements as may be specified in the Concept or PUD Master Plan approval. If the project is to be built in phases, the guarantee shall specify the time for completion of improvements, and shall be in an amount of 125% of the estimated cost of the improvement.

(Ord. 00-06, § 1, 03-20-2000)

Sec. 10-482 Review Considerations.

19.06 Review Considerations.

A. In their consideration of a Planned Unit development Concept Plan, the Planning Staff in its report to the Plan Commission, the Plan Commission in its recommendation, and the common Council in its decision, shall consider as many of the following as may be relevant to the specific proposal.

1) The extent to which the Planned Unit Development meets the purposes of the zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the City.

2) The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.

3) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to the density, dimension, bulk, use required improvements, and construction and design standards and the reasons which such departures are or are not deemed to be in the public interest.

4) The proposal will not be injurious to the public health, safety, and general welfare.

5) The physical design of the Planned Unit Development and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated permanent open space, and furthers the amenities of light and air, recreation, and visual enjoyment.

6) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood, and whether the proposed plan would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.

7) The desirability of the proposed plan to the City's physical development, tax base, and economic well being.

8) The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.

9) The proposal preserves significant ecological, natural, historical, and architectural resources to the extent possible.

(Ord. 00-06, § 1, 03-20-2000)

Sec. 10-483 Changes in the Planned Unit Development.

19.07 Changes in the Planned Unit Development.

A. Changes Requiring New Concept Plan Approval by the City Council. Changes which alter the concept or intent of the Planned Unit Development including but not limited to:

1) Significant changes in the proportion or allocation of land uses;

2) Changes in the list of approved uses;

3) Changes in the location of uses;

4) Changes in functional uses or open space, where such change constitutes and intensification of use of the open space; and/or

5) Changes in the final governing agreements where such changes conflict with the Concept Plan approval.

B. The following changes are considered major modifications to the PUD Master Plan and shall require new PUD Master Plan approval by the Plan Commission. Major modifications shall include, but are not limited to, the following:

1) Changes in site design requirements such as location of required landscaping, signage, building height, cube and/or footprint, or other such requirements of this ordinance.

2) Increases in the number or size of signs

3) Reduction in landscaping

4) Reduction of parking spaces or setbacks by 5% or more;

5) Increase in building square footage or height of 10% or more;

6) Density increases by 10% or more;

7) Changes to the internal street system or off-street parking areas which the City Engineer considers to be significant;

8) Significant changes in drainage management structures, as determined by the City engineer;

9) Changes in access to the development site, where such change amounts to an intensification in the traffic patterns of roadways; and/or

10) All other changes not expressly addressed under Section (A) shall require new PUD Master Plan approval by the Plan Commission.

C. The following changes are considered minor modifications to the PUD Master Plan, and may be approved by the Planning Director. The Planning Director may choose to send a minor modification request directly to the Plan Commission, if in his opinion it would be in the best interest of the community, or if the request appears to be controversial. The Planning Director's decision may be appealed to the Planning Commission by the property owner. Minor modifications shall include, but are not limited to, the following: (Ord. No. 03-41, § 4, 10-20-03)

1) Changes in lot arrangements which are not detrimental to the proposed thoroughfare pattern of the development;

2) Substitutions of plants which are considered by the Planning Director to be equivalent to those shown on the Plan Commission approved PUD Master Plan;

3) Reduction of parking spaces or setbacks by less than 5%;

4) Increase in building square footage or height by less than 10%;

5) Addition of buildable lots that result in density increases of less than 10%;

6) Changes to the internal street system or off-street parking areas, which are considered minor by the City Engineer;

7) Minor changes in drainage management structures, as determined by the City Engineer;

8) Changes in access to the development site, where such change amounts to a reduction in intensity in the traffic patterns of roadways, as determined by the City Engineer.

(Ord. 00-06, § 1, 03-20-2000)

Sec. 10-484 through 10-493 has been reserved for future use.

ARTICLE 20. SUBDIVISION CONTROL ORDINANCE

DIVISION I.

PURPOSE AND JURISDICTION.

Sec. 10-496 Short Title.

This ordinance shall be known and may be cited as the Subdivision Control Ordinance of the City of Greenwood, Indiana.

Sec. 10-497 Purpose.

The subdivision of land is the first step in the process of urban development. The arrangement of land parcels in the community for residential, commercial, and industrial uses and for streets, alleys, schools, parks and other public purposes, will determine to large degree, the conditions of health, safety, economy and amenity that prevail in the urban area. The quality of these conditions is of public interest. These regulations and standards for the subdivision and improvement of land for urban use are to make provisions for adequate light, air, open spaces, drainage, transportation, public utilities and other needs, to insure the development and maintenance of a healthy, attractive and efficient community that provided for the conservation and protection of its human and natural resources. These regulations are designed, intended and should be administered in a manner to:

1. Implement the Comprehensive Development Plan, and complement the Stormwater Drainage and Sediment Control Ordinance and the Zoning Ordinance;
2. Provide neighborhood conservation and prevent the development of slums and blight;
3. Harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of adjoining tracts;
4. Ensure quality installation of improvements that shall be later maintained by the City;
5. Provide the best possible design for the tract; and
6. Establish adequate and accurate records of land subdivision.

Sec. 10-498 Jurisdiction and Application.

The regulations and standards of this ordinance shall apply to the division of land within the territorial jurisdiction of the Plan Commission as hereby defined:

1. "Subdivision" shall be defined as any land, vacant or improved, which is divided or proposed to be divided, into two or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, including re-subdivision. Subdivision includes the division or development of either residential or non-residential zoned land, whether by deed, metes and bounds description, or other recorded instrument.
2. Exemptions From Platting Requirements. For the purpose of these regulations, the following are exempt as implying subdivision, and thereby exempted from the platting requirements of this ordinance:
   a. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth, or building setback lines of each building site below the minimum

zoning requirements, and does not change the original number of lots in any block of the recorded plat;

b. A division of land into two or more tracts for an agricultural use;
c. An allocation of land in the settlement of an estate of a descendent or a court decree for the distribution of property;
d. The unwilling sale of land as a result of legal condemnations as defined and allowed in the Indiana State Law;
e. Widening of existing streets to conform to the Comprehensive Plan;
f. The acquisition of street rights-of-way by a public agency in conformance with the Comprehensive Plan;
g. The exchange of land for the purpose of straightening property boundary lines which does not result in the change of the present land usage; or
h. A division of land for the sale or exchange of tracts between adjoining landowners, provided that no additional building sites other than for accessory buildings are created by the division.

Sec. 10-499 Authority and Administration.

These subdivision regulations and minimum standard for land developments are adopted by ordinance passed by the Common Council under the authority granted in Indiana Code (IC 36-700, et. Seq.).

No plat of a subdivision of land within the territorial jurisdiction of the Plan Commission shall be filed with the Auditor or recorded in the Recorder's Office until it has been duly approved by the Plan Commission, in accordance with the requirements, standards and specifications of this ordinance.

The Plan Commission may grant waivers to the requirements, standards and specifications of this ordinance as set forth herein in accordance with the provisions Section 10-501 of this ordinance.

DIVISION II.

ADMINISTRATION AND ENFORCEMENT.

Sec. 10-500 Administration.

20.01.01. Severability Clause.

If any section, clause, paragraph, provision, portion of these regulations shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision, or portion of these regulations.

20.01.02. Repeals.

All other subdivision ordinances or regulations, or part thereof, in conflict with the provisions of this ordinance, are hereby repealed.

20.01.03. Administration and Amendment.

The Common Council may, from time to time, adopt, amend, and make public rules and regulations for the administration of these regulations to the end that the public be informed and that approval of plats be expedited. These regulations may be enlarged or amended by the Common Council after public hearing, due notice of which shall be given as required by law.

20.01.04. Resubdivision (Replat).

Resubdivision shall be required if, in the opinion of the Director, there has been a substantive change in a map of an approved or recorded subdivision plat. Substantive changes may include changes to street layout, any area reserved thereon for public use, any lot line, or changes which affect any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions. The same procedure and regulations as for a subdivision shall approve such change

If, in the opinion of the Plan Commission, there are indications that future resubdivision will occur, including the presence of parcels containing more than one acre of land, the Plan Commission may require that the initial plat allow for the future opening of streets and the ultimate extension of adjacent streets. Easements or rights-of-way providing for the future opening and extension of such streets may be made a requirement of the plat. See Section 10-504 (B) for further regulations governing resubdivision of multi-family, industrial and commercial plats.

Sec. 10-501 Waivers.

20.02.01. Waivers from these Regulations.

Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes and intent of these regulations may be served to a greater extent by an alternative proposal, it may approved waivers to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such waivers shall not have the effect of nullifying the intent and purpose of these regulations. Such waivers may be granted upon written request of the subdivider stating the reason(s) for each waiver and may be waived by two-thirds of the regular membership of the Plan Commission.

20.02.02. Waiver Guidelines.

The Plan Commission shall not approve waivers unless it shall make findings based upon the evidence presented to it by the applicant, as addressed on the prescribed Plan Commission form, in each specific case that:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare, or injurious to other property;
2. The conditions upon which the request for a waiver is based are unique to the property for which a waiver is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out. Financial hardship does not constitute grounds for a waiver;

4. The waiver will not in any manner vary the provisions of the Zoning Ordinance, Stormwater, Drainage and Sedment Control Ordinance, Comprehensive Development Plan, or Thoroughfare Plan of the City of Greenwood;
5. Where the waiver impacts on design and construction of public facilities, all appropriate public agencies will be given ample time to comment in writing to the Plan Commission; and
   The requested waiver is the minimum amount necessary.

20.02.03. Waiver Procedures.

In order to request a waiver, the subdivider shall submit the proper application form at the time when the plat is filed for consideration in the Plan Commission office. The contents of the form shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

20.02.04. Jurisdiction.

It is not within the jurisdiction of the Board of Zoning Appeals to grant waivers to these subdivision regulations. Likewise, it is not within the jurisdiction of the Plan Commission to grant variance to the Zoning Ordinance.

20.02.05. Appeals.

Any person aggrieved by a decision of the Plan Commission relating to the Subdivision Control Ordinance may appeal said decision to the Johnson County Circuit Court as provided by Indiana law. The appeal shall be filed within 30 days of the date of the decision upon which the grievance is based.

Sec. 10-502 Improvement Location Permits (ILP).

20.03.01. General.

No ILP shall be issued for any new structure and its location on platted or unplatted lands unless the structure and its location conform to the Comprehensive Development Plan, Zoning, Ordinance, and Subdivision Control Ordinance. Under not circumstances shall an ILP be issued for any structure proposed to be located upon any lot or parcel within a subdivision prior to a reproducible copy of the property signed and recorded plat of that subdivision, or part thereof, being filed with the Plan Commission office. Recorded plats shall be submitted on material and in quantities specified by the Plan Commission Rules of Procedure.

20.03.02. ILP Application.

After all necessary approvals have been granted by the Plan Commission, the Building Commissioner may issue an ILP upon written application when the proposed structure and its location conform to the Comprehensive Development Plan, the Zoning Ordinance, the Subdivision Control Ordinance, and the appropriate state and local building code.

20.03.03. Submission Data.

Upon application for an ILP, the applicant shall provide drawings, maps, reports, and plans of sufficient detail as determined by the Building Commissioner in order to ascertain compliance with the Comprehensive Development Plan, Zoning Ordinance and Subdivision Control Ordinance.

20.03.04. Combining of Permits.

The Plan Commission is hereby authorized to coordinate the issuance of permits with other departments and agencies which may be required by these subdivision regulations as well as previously or subsequently adopted ordinances or regulations. This regulation shall include, but not be limited to, permits for sanitary sewer hook-ons, storm sewer hook-ons (from homes or other sources), curb cuts, street cuts, required approvals of county, state, or federal agencies, or other permits that may be required.

20.03.05. Withholding of Final Permits.

No Building Permit shall be issued for the last 10% of lots in a final recorded subdivision plat or section thereof of if 10% be less than two, for the last two lots of a subdivision or section thereof, until all public improvements required by the City for the plat (with the exception of sidewalks) have been fully completed and accepted for maintenance guarantee by the appropriate jurisdiction.

20.03.06. Additional Construction Regulations.

After issuance of a Land Alteration Permit, and during any period when construction is still underway, the developer or his representative shall contain all trash and debris on the site, and shall take measures to ensure that mud or gravel are not tracked from the site onto public streets. Contractors constructing buildings on individual lots within a subdivision shall contain trash and debris on the lot and shall take measures to ensure that mud and gravel are not tracked from the site onto public streets. Trash, debris, mud, and gravel tracked onto public streets shall be promptly cleaned up.

20.03.07. Model Homes/Sales Offices, Conditional ILP.

Model Homes

1. After secondary approval or the plat and plans, and prior to recording of the plat, the Plan Commission and/or its duly authorized representative(s) may conditionally authorize the issuance of conditional ILPs for show models. The conditional ILPs shall be valid for a period of one year; however, the Plan Commission may choose to renew the ILPs at one-year intervals. The Plan Commission shall adopt written Rules of Procedure for the issuance and administration of conditional model home ILPs. (Ord. 03-41, § 10, 10-20-03)
2. A model home shall serve as temporary sales office only for homes sold within the subdivision in which it is located. A model home shall not be used as a real estate sales office for properties located outside the boundaries of the Primary Plat of the subdivision in which it is located.
3. Two ILPs shall be require initially. A standard ILP shall be required for construction of the dwelling. A one-year permit for use as a model home/sales office shall be required and may be renewed on an annual basis.
4. The number of show model permits issued (per primary plat) shall be limited to the following:
   a. Single-Family Dwelling Subdivision: maximum of five dwellings;

b. Two-Family Dwelling Subdivision: maximum of four dwellings (two buildings)
c. Multi-Family Dwelling Subdivision: maximum of four dwellings units. Multi-Family dwellings may have more than four units in a single building, but no more than four units may be used as show models.

5. Prior to issuance of a permit for a model home, one of the following conditions shall be met:
   a. Stabilized access surface and stone base for streets, and municipal water with fire hydrant in service shall be in lace or;
   b. Applicant shall provide the city with writing verification of indemnification/hold-harmless provision provided by applicant's insurance coverage.

6. A show model shall not be occupied until the subdivision plat has been recorded.

(Ord. 03-41, § 10, 10-20-03)

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Temporary Sales Offices, Conditional ILP

1. After recording of the plat, the Plan Commission and/or its duly authorized representative(s) may conditionally authorize the issuance of conditional ILPs for a temporary sales office for placement in a residential, commercial, or industrial subdivision. The conditional ILPs shall be valid for a period of one year for residential subdivisions, and two years for commercial or industrial subdivisions, however, the Plan Commission may choose to renew the ILPs at one-year intervals. The Plan Commission shall adopt written Rules of Procedure for the issuance and administration of temporary sales office conditional ILPs.
2. A temporary sales office shall serve as temporary sales office only for buildings and lots sold within the subdivision in which it is located. A temporary sales office shall not be used as a real estate sales office for properties located outside the boundaries of the Primary Plat of the subdivision in which it is located.
3. A temporary sales office shall be a transportable (and removable) structure including, but not necessarily limited to, a manufactured home or modular building.

Sec. 10-503 Enforcement and Violations.

20.04.01. Civil Subdivision Control Violations.

Any person who is in violation of the Subdivision Control Ordinance of Greenwood shall be deemed to have committed a civil subdivision control violation and may be issued a citation by the designated enforcement entity. The Subdivision Control Ordinance of Greenwood is included under a list of ordinances scheduled for the jurisdiction of the Ordinance Violations Bureau.

Each day a violation remains uncorrected is a distinct and separate civil subdivision control violation subject to an additional citation and fine in the amount prescribed below, provided a warning ticket has first been issued.

The monetary fine for each civil subdivision control violation shall be $50.00, except that for a repeated subdivision control violation, the following fines shall apply:

Second Citation: $75.00
Each Citation in Excess of Two: $100.00

All fines prescribed by this section for civil subdivision control violations shall be paid within 72 hours to the Violations Clerk of the Ordinance Violations Bureau, who shall render to the person making the payment a receipt stating the amount and purpose for which the fine has been paid, and duplicate of which shall be made a part of the records of the Plan Commission. All fines thus received shall be deposited with the City of Greenwood Clerk-Treasurer.

20.04.02. Citation for Civil Subdivision Control Violations.

The Director and/or his duly authorized designees, as designated at a Board of Public Works and Safety meeting, may issue a civil subdivision control violation to a person who commits a civil subdivision control violation to the legal owner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs. The citation may be served by personal service, by

certified mail, or by placement in a conspicuous place on the property where the violation occurs and shall serve as notice to a person that he or she has committed a civil Subdivision Control Ordinance violation.

No citation shall be issued for the first offense unless the person who commits a civil subdivision control violation, or the legal owner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs has been issued a warning ticket before the issuance of the citation to allow said person to correct the violation to come into compliance with the prescribed Subdivision Control Ordinance or regulations.

A person who receives a warning ticket or a citation may either choose to abate the violation or file a petition for a subdivision plat, a Subdivision Control Ordinance waiver, or other means provided by this section to correct the violation. A person who elects to file such a petition shall indicate this intent in writing to the issuing agency A person shall have 10 working days after issuance of the warning ticket to file the petition, and additional monetary fines as prescribed in Section 10-503 shall be stayed upon the filing of such petition, as long as the violation does not continue at the real estate. A person who files the petition within said time period shall pursue the petition in an expeditious fashion. If the petition is denied, withdrawn, or dismissed for want of prosecution, and the civil subdivision control violation continues at the real estate, then a lawsuit will be commenced by the designated enforcement entity in a court of competent jurisdiction in Johnson County, Indiana.

If a person believes that the warning ticket or citation received results from an incorrect interpretation of the Greenwood Municipal Code by a municipal official, the aggrieved person may file an administrative appeal of the decision for a hearing by the Board of Zoning Appeals. Said appeal shall be on the form prescribed and shall include payment of the appropriate filing fee. A person who elects to file such an appeal shall indicate this intent in writing to the issuing agency. A person shall have 10 working days after issuance of the warning ticket to file the appeal, and additional monetary fines as prescribed in Section 10-503 shall be stayed upon the filing of such appeal, as long as the violation does not continue at the real estate. A person who files the appeal within said time period shall pursue the appeal in an expeditious fashion. If the Board of Zoning Appeals upholds the interpretation of the Subdivision Control Ordinance that led to issuance of the warning ticket or citation, and the civil subdivision control violation continues at the real estate, then a lawsuit will be commenced by the designated enforcement entity in a court of competent jurisdiction in Johnson County, Indiana.

If the violation is determined be the Director or his designee to be a threat to public health or safety, the Director or his designee may order the land use or activity to cease and desist immediately, regardless of whether a warning ticket or citation has been issued..

The warning ticket shall be in the form prescribed by the Plan Commission.

The Citation shall appear on serialized, designed form and be in the form prescribed by the Plan Commission.

20.04.03. Trial for Civil Zoning Violations.

A person who receives a citation may elect to stand trial for the offence by indicating on the citation his intent to stand trial and returning a copy of the citation to the Director. The returned copy of the citation

shall serve as notice of the person's intent to stand trial, and additional monetary fines prescribed in Section 10-501 shall be stayed upon receipt of the notice. On receipt of the notice of intention to stand trial, a lawsuit will be commenced by the city attorney in a court of competent jurisdiction in Johnson County, Indiana. The matter shall be scheduled for trial, and a Summons and Order to Appear shall be served upon the Defendant.

If a person who receives a citation fails to pay the assessed fine within 72 hours and fails to give notice of his intention to either file a petition as prescribed in Section 10-501), file an appeal as prescribed in Section 10-501, or stand trial as prescribed in Section 10-501, the city attorney may file a civil lawsuit as prescribed by applicable laws and ordinances, and seek penalties as prescribed in this section.

A person adjudged to have committed a civil subdivision control violation is liable for the court costs and fees. No cost shall be assessed against the enforcement agency in any such action. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction, thereof be fined $50.00 and, in addition, shall pay all costs and expenses involved in the case, including but not limited to mediation costs, court costs, coverage of reasonable attorney fees, short-term and long-term mitigation of damages, and restoration and restitution. Each day such violation continues shall constitute a separate offense.

In proceedings before the court for a civil subdivision control violation, the Indiana Rules of Trial Procedure shall govern. The designated enforcement entity has the burden of proving the civil subdivision control violation by a preponderance of the evidence.

Seeking a civil penalty as authorized by this section does not preclude the city from seeking alternative relief from the court in the same action, or from seeking injunctive relief or other remedy in a separate action for the enforcement of this Code.

A change of venue from Johnson County shall not be granted in such a case, as provided in IC 36-7-4-1014.

DIVISION III

APPLICATION AND APPROVAL PROCESS.

Sec. 10-504 Procedural Guidelines.

20.05.01. Subdivision Procedural Outline.

1. Primary Plat – Plan Commission
   a. Required Pre-filing Consultations:
      i. Planning Director
      ii. City Engineer
      iii. Fire Department
   b. File application, primary plat plans (including preliminary drainage plans and calculations) and supporting documents per published schedule deadline. The Planning Department reserves the right not to docket incomplete submittals.
   c. Technical Review Committee meeting
   d. Overlay Committee (if applicable)

e. Sanitation clearance letter
f. Johnson County Drainage Board (if applicable)
g. Miscellaneous agency approvals/notifications
h. Plan Commission public hearing – Primary Determination. Plan Commission's Primary Determination of Approval is required prior to filing secondary application. Indiana State Code requires a minimum ten-day period between primary and secondary approvals. Submission deadlines shall be pursuant to Plan Commission Rules of Procedure.

2. Secondary Plat – Plan Commission.
   a. File application, secondary plat plans (including final drainage plans and calculations) and supporting documents per published schedule deadline. The Planning Department reserves the right not to docket incomplete submittals.
   b. Technical Review Committee meeting (street names shall be submitted for review and approval before this meeting occurs).
   c. Overlay Committee (if applicable).
   d. Sanitary Sewer -- outside consultant review, if applicable.
   e. Submit six copies of final revised secondary plat and development plans to Plan Commission office.
   f. Plan Commission or Designated Official-- Secondary Determination.
3. Secondary Plat – Board of Public Works and Safety
   a. File documents with City Engineer
      i. Secondary Plat with rights-of-ways, easements, covenants
      ii. Performance Guarantees
      iii. Off-site easements if applicable
      iv. Inspection/Testing agreement.
   b. Acceptance of performance guarantees and inspection/testing agreements by Board of Public Works and Safety or its designee. Posting of performance guarantee for erosion control shall be mandatory prior to issuance of a land alteration permit.
4. Land Alteration Permit – Plan Commission.
   a. Submit one copy of inspection/testing agreement executed with Board of Public Works and Safety.
   b. Land Alteration permit – authorization to commence work. A copy of the Land Alteration Permit and stamped approved final plans shall be kept on site during the course of construction.
5. Installation and Acceptance of Improvements – Board of Public Works and Safety – The developer shall install the associated infrastructure improvements (public and private), and gain the City's acceptance before recording the Secondary Plat for a single-family or two-family residential subdivision.

   For commercial or industrial subdivisions the developer shall have the option of posting performace guatantees with the Board of Public Works and Safety and recording the Secondary Plat prior to the installation of the associated infrastructure improvements. (Ord. No. 05-10, §2, 8-15-05).

   a. Install infrastructure improvements.
   b. Inspection of improvements as required by ordinance.
   c. Prepare and submit Record Drawings of improvements.
   d. Post maintenance guarantees and submit original final plat.

e. Board of Public Works and Safety acceptance of improvements, release of performance guarantees, and acceptance of maintenance guarantees.
f. Board of Public Works and Safety signatures on recordable plat and acceptance of other easements and dedications.

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6. Plan Commission Designated Official – Plat Recording & Submittal.
    a. Submit plat with Board of Public Works and Safety signatures to the Designated Official for final signatures.
    b. Record secondary plat.
    c. Submit one electronic disc copy and two reproducible recorded secondary plats to the Plan Commission Office.
    d. Eligible for improvement location permit application.

20.05.02. Resubdivision of Multi-family, Industrial and Commercial Plats.

Land zoned for multi-family, industrial or commercial use may initially be platted into blocks, with the understanding that these blocks may eventually be resubdivided into lots, and recorded, without completing a new primary plat. If, in the opinion of the Plan Commission, there are indications that such future resubdivision will occur, including the presence of parcels containing more than one acre of land, the Plan Commission may require that the initial plat allow for the future opening of streets and the ultimate extension of adjacent streets. Easements or right-of-ways providing for the future opening and extension of such streets may be made a requirement of the plat.

Sec. 10-505 Submittal and Contents of Plat and Plans.

20.06.01. Initial Consultation/Conceptual Plan.

The applicant's first step shall be to consult with the staff of the Planning Department, the Fire Department and the City Engineer to provide general information concerning the proposed plat, as well as to familiarize the applicant with the procedures and requirements of the Commission and appropriate Greenwood ordinances.

20.06.02. Drainage Plan Review.

Drainage plan review shall conform to the process outlined in the Stormwater Drainage and Sediment Control Ordinance of the City of Greenwood. The General (Preliminary) Drainage Plan shall be incorporated into the Primary Plat Plans. The Detailed (Final) Drainage Plan shall be incorporated into the Secondary Plat Plans.

20.06.03. Utility Service Clearance.

The applicant shall obtain written clearances from the appropriate agency providing utility services, which confirms that the utility has adequate access and capacity to serve the proposed subdivision.

20.06.04. Submittal of Plats and Development Plans.

In compliance with the process and deadlines adopted by the Greenwood Advisory Plan Commission, as part of their Rules of Procedure, for "Primary Approval", the applicant shall file in required form and numbers the required documents.

All submittals are subject to a cursory review. Applicants with incomplete submittals will not be granted a place on the public hearing docket.

Prior to or at the meeting of the Technical Review Committee, the applicant shall file the County Drainage Board Report (Preliminary).

20.06.05. Licensed Professional Required.

All plats and development/construction plans shall be prepared by a qualified professional licensed in the state of Indiana.

20.06.06. Contents of Primary Plat.

As set forth herein, plats and plans shall be submitted under the seal and signature of a professional. All sheets for plats and development/construction plans shall be 24" x 36" size drawn to scale at a minimum 1"=50' and a maximum 1"=10' with the exception of the maps on Sheet One, unless otherwise approved by the City Engineer. Each sheet of the plat plans shall be sealed and signed. Plans submitted for review shall observe the following format:

1. All sheets shall contain the following information:
   a. The proposed name by which the project shall be legally and commonly known;
   b. Date of survey, scale, and north point;
   c. All lots or outlots intended for sale or lease shall be designated with boundary lines and numbered or labeled for identification purposes;
   d. Private parks, common areas, or excluded parcels shall be designated as such and clearly labeled on the plans;
   e. Such other information as may be deemed necessary for proper review of the primary plat by the administrator, city engineer, or Plan Commission; and
   f. All necessary reference points tying the subject property to the appropriate section corners.
   g. Each sheet shall be sealed and signed by the professional preparing the drawings.
   h. All sheets shall be tied to state plane coordinates for horizontal and vertical controls.
2. Sheet One (Title Sheet). The following information shall be submitted as part of Sheet One:
   a. Full legal description with sufficient reference to section corners and boundary map of the subject project, including appropriate benchmark references;
   b. Name of the Project;
   c. Name and address of the owner, developer, and person who prepared the plans;
   d. Total acreage within the project and the number of residential dwelling units or the gross square footage of non-residential buildings whichever is applicable;
   e. Existing zoning of the subject land and all adjacent lands;
   f. Boundary lines of adjacent tracts of land, showing owners of record;
   g. A key or vicinity map at a scale of one inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located;
   h. A statement of the proposed uses, stating the type and size of residential and non-residential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project on traffic, fire hazards, or congestion of population;

i. Proposed covenants, restrictions, by-laws, or articles of incorporation affecting property owners and/or homeowners associations; and
j. Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing;

3. Sheet Two (Existing Site Conditions): Note that the General (Preliminary) Drainage Plan information must be incorporated onto this sheet. The following information shall be submitted as part of Sheet Two:
   a. Location, widths, and type of construction of all existing streets, street names, alleys, or other public ways and easements, street classifications as per the Thoroughfare Plan, railroad and utility rights-of-way or easements, parks, wooded areas, trails, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and the locations of all existing stormwater facilities. Storm drains, manholes and other structures shall be located by dimensions on the plans, in relation to surrounding physical features. Show the direction of flow, elevation of inverts, gradient, materials and size of existing storm drains. Other data may be added which is considered pertinent by the commission or the administrator for the subject land. Existing site conditions shall include all land within 300 feet of the proposed project.
   b. Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;
   c. Existing contours based in U.S.G.S. datum with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. Off-site watershed boundary maps can be submitted at an appropriate contour interval sufficient to depict drainage areas and slopes. A benchmark, which is easily accessible and re-locatable, shall be shown. The benchmark shall be determined by use of NAVD 88 datum (vertical), and elevations shall be based on sea level datum; and
   d. The water elevation at the date of the survey of lakes, streams, or designated wetlands within the project or affecting it, as well as the approximate high and low water elevation of such lakes, streams, or designated wetlands. The plan shall also show the contour line of the regulatory flood (100-year flood) elevation and the contour line for the floodway fringe boundary. All elevations shall be based on sea level datum;
4. Sheet Three (Proposed Site Conditions) Note that the General (Preliminary) Drainage Plan information must be incorporated onto this sheet. The following information shall be submitted as part of Sheet Three:
   a. Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, trails, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within 300 feet of the proposed project;
   b. Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;
   c. Building setback lines, showing dimensions;

d. Full description and details, including engineering calculations, for provision of storm water drainage plans and facilities, including basin mapping. The standard for drainage detention is that the run-off rate of a 100-year post-development event cannot exceed the rate for a 10-year pre-development event;
e. Internal and perimeter sidewalk system/pedestrian circulation plan; and
f. Proposed contours with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. The plan shall also show the contour line for the floodway fringe boundary.
g. Show the location and detail plans for all trash dumpsters.

5. Sheet Four (Erosion Control Plan) – not required with this submittal erosion control plan shall be required as part of secondary plat submittal.
6. Sheet Five (Landscape Plan) – not required with primary plat submittal; landscape plan shall be required as part of secondary plat submittal.
7. Sheet Six (Plat-like dedication sheet, if necessary) – not required with this submittal; plat-like dedication sheet shall be required as part of secondary plat submittal.
8. Sheet Seven (Storm Plan and Profile) – not required with this submittal storm plan and profile shall be required as part of secondary plat submittal.
9. Standard Detail Sheets – not required with this submittal; standard detail sheets shall be required as part of secondary plat submittal.

Sec. 10-506 Review and Approval Process.

20.07.01. Technical Review Committee.

At such time as the documents required in paragraph 3.02.04 have been submitted in proper form and numbers, the applicant will be notified of the time and date of meeting with the Technical Review Committee. For Primary Plats, the Technical Review Committee shall meet prior to the Plan Commission meeting at which the subdivision plat or other development plan is to have "Primary Hearing". For secondary plats, the Technical Review Committee shall meet prior to action being taken by the Plan Commission or designated official. The committee shall review the design and construction aspects of the proposed development or subdivision with emphasis placed on public improvements, utilities, drainage, and related standards of the Zoning and Subdivision Ordinances of the City. The Committee shall then submit its review comments in writing to the Plan Commission, or the designated official, where applicable. For Primary Plats, the applicant may make the recommended revisions to the plans before said plans are submitted to the Plan Commission at the primary public hearing, however, such revisions are considered voluntary. For Secondary Plats, if the Plan Commission, or designated official (where applicable), adopts the recommendations of the Technical Review Committee, all revisions must be made to the secondary plat before final approval is granted.

20.07.02. "Primary" Public Hearing.

The Plan Commission shall hold the primary public hearing for a subdivision plat not less than 10 days following proper submittal by the applicant. After the Plan Commission has reviewed the primary plan, Technical Review Committee report, other agency reports, and heard testimony submitted at the public hearing, the Commission shall then advise the applicant of its findings within 45 days of the hearing. If not approved within this time limit it is deemed automatically approved.

20.07.03. Written Finding of Facts -- Primary Plat.

1. If "primary approval" is granted the plat, then the Plan Commission shall:
   a. render its findings and decision in writing on the Notice of Determination form and
   b. it shall be signed by the "Designated Official".
2. If approval is denied at primary hearing, then the Plan Commission shall:
   a. state its finding in writing on the Notice of Determination form, citing the reasons for denial,
   b. the findings must be signed by the "Designated Official", and
   c. presented to the applicant.

   If primary approval is denied, the applicant shall correct all deficiencies noted by the Plan Commission prior to re-submitting for primary approval.

20.07.04. Period of Remonstrance.

"Secondary" approval may be granted by the Plan Commission no sooner than 15 calendar days following official notice of primary approval. During such period, an applicant or other interested party may appeal to the Plan Commission the primary approval or disapproval of a plat or the imposition of a condition on primary approval. The primary approval or disapproval of a plat by the Plan Commission or the imposition of a condition on primary approval is a final decision of the Plan Commission that may be appealed to the Johnson County Circuit Court.

20.07.05. Prerequisites for Filing Secondary Application.

Following primary approval by the Plan Commission, and prior to applying for secondary approval, the applicant shall complete the following requirements and obtain the following approvals, and submit same along with the secondary application:

1. Submit the take-off sheets for estimates for the financial guarantees for the public (and private when applicable) improvements.
2. Submit to the City Engineer the proposed dollar amounts for the financial guarantee for the required public improvements;
3. Satisfy any other conditions of primary approval as required by the Plan Commission.
4. Submit written documentation of the following, when applicable:
   a. Utility encroachment approvals;
   b. Johnson County Drainage Board approval and approval of the General (Preliminary) Drainage Plan by the City Engineer;
   c. Other local, state, and federal approvals, including other City boards, commissions, or departments;
   d. Outside reviews as required by the City.

<u>Contents of Secondary Plat.</u>

The secondary plat shall show all items required for the primary plat, as listed in Section 10-503.

20.07.07. Contents of Final Development and Construction Plans.

All final development and construction plans shall be submitted under the seal and signature of a qualified professional licensed in the state of Indiana. All sheets shall be 24" x 36" size drawn to scale at a minimum 1"=50' and a maximum 1"=10' with the exception of the maps on Sheet One, unless otherwise approved by the City Engineer. Plans submitted for review shall observe the following format:

1. All sheets shall contain the following information:
   a. The proposed name by which the project shall be legally and commonly known;
   b. Date of survey, scale, and north point;
   c. All lots or outlots intended for sale or lease shall be designated with boundary lines and numbered or labeled for identification purposes;
   d. Private parks, common areas, or excluded parcels shall be designated as such and clearly labeled on the plans;
   e. Such other information as may be deemed necessary for proper review of the primary plat by the administrator, city engineer, or commission; and
   f. All necessary reference points tying the subject property to the appropriate section corners.
   g. Each sheet shall be sealed and signed by the professional preparing the drawings.
   h. All sheets shall be tied to state plane coordinates for horizontal and vertical controls.
2. Sheet One (Title Sheet). The following information shall be submitted as part of Sheet One:
   a. Full legal description with sufficient reference to section corners and boundary map of the subject project, including appropriate benchmark references;
   b. Name of the Project;
   c. Name and address of the owner, developer, and person who prepared the plans;
   d. Total acreage within the project and the number of residential dwelling units or the gross square footage of non-residential buildings whichever is applicable;
   e. Existing zoning of the subject land and all adjacent lands;
   f. Boundary lines of adjacent tracts of land, showing owners of record;
   g. A key or vicinity map at a scale of one inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located;
   h. A statement of the proposed uses, stating the type and size of residential and non-residential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project on traffic, fire hazards, or congestion of population;
   i. Proposed covenants, restrictions, by-laws, or articles of incorporation affecting property owners and/or homeowners associations; and
   j. Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing;
3. Sheet Two (Existing Site Conditions) Note that the Detailed (Final) Drainage Plan information must be incorporated onto this sheet. The following information shall be submitted as part of Sheet Two:
   a. Location, widths, and type of construction of all existing streets, street names, alleys, or other public ways and easements, street classifications as per the Thoroughfare Plan, railroad and utility rights-of-way or easements, parks, wooded areas, trails, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and the locations of all existing stormwater facilities. Storm drains, manholes and

other structures shall be located by dimensions on the plans, in relation to surrounding physical features. Show the direction of flow, elevation of inverts, gradient, materials and size of existing storm drains. Other data may be added which is considered pertinent by the commission or the administrator for the subject land. Existing site conditions shall include all land within 300 feet of the proposed project.

b. Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;

c. Existing contours based in U.S.G.S. datum with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. Off-site watershed boundary maps can be submitted at an appropriate contour interval sufficient to depict drainage areas and slopes. A benchmark, which is easily accessible and re-locatable, shall be shown. The benchmark shall be determined by use of NAVD 88 datum (vertical), and elevations shall be based on sea level datum; and

d. The water elevation at the date of the survey of lakes, streams, or designated wetlands within the project or affecting it, as well as the approximate high and low water elevation of such lakes, streams, or designated wetlands. The plan shall also show the contour line of the regulatory flood (100-year flood) elevation and the contour line for the floodway fringe boundary. All elevations shall be based on sea level datum;

4. Sheet Three (Proposed Site Conditions) Note that the Detailed (Final) Drainage Plan information must be incorporated onto this sheet. The following information shall be submitted as part of Sheet Three:

a. Location, widths, grades and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, trails, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within 300 feet of the proposed project;

b. Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;

c. Building setback lines, showing dimensions;

d. Full description and details, including engineering calculations, for provision of storm water drainage plans and facilities, including basin mapping. The standard for drainage detention is that the run-off rate of a 100-year post-development event cannot exceed the rate for a 10-year pre-development event;

e. Internal and perimeter sidewalk system/pedestrian circulation plan; and

f. Proposed contours with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. The plan shall also show the contour line for the floodway fringe boundary.

g. Show the location and detail plans for all trash dumpsters.

5. Sheet Four (Erosion Control Plan). The following information shall be submitted as part of Sheet Four:

a. Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements,

parks, wooded areas, trails, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within 300 feet of the proposed project;

b. Proposed contours with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%.

c. Details of terrain and area drainage, including the identity and location of watercourses, intermittent and perennial streams, receiving waters, and springs, and the total acreage of land that will be disturbed.

d. The direction of drainage flow and the approximate grade of all existing or proposed streets.

e. Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of, the proposed project, together with a map showing drainage area, the complete drainage network, including outfall lines and natural drainage ways which may be affected by the proposed development, and the estimated runoff of the area served by the drains.

f. A description of the methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site.

g. Measures for soil erosion and sediment control which must meet of exceed the methods and standards adopted by the Indiana Department of Natural Resources and/or set forth in the Indiana Handbook For Erosion Control in Developing Areas and which must comply with the design principles, performance standards, and requirements set forth in this chapter.

h. A schedule of the sequence of installation of planned erosion and sediment control measures as related to the progress of the project, including the total area of soil surface that is to be disturbed during each stage, the anticipated starting and completion dates, and a schedule for the maintenance of such measures.

i. Include the following notes on the sheet:

   i. "All erosion control practices shall be in accordance with the IDNR "Indiana Handbook For Erosion Control In Developing Areas" dated October 1992 and the SCS "Field Office Technical Guide."

   ii. "The City Engineer has the right to require additional erosion control measures in the field as conditions warrant."

j. Copies of the letter of intent and response from the Johnson County Soil and Water Conservation District office for Rule 5 compliance, when required.

k. Any other information reasonably required by the commission or administrator to properly evaluate the plan.

6. Sheet Five (Landscape Plan). A landscape plan shall conform to the following requirements:

   a. It is recommended that the landscape plan be prepared by a landscape architect, nurseryman, or other professional experienced in landscape design and the installation and care of plant materials. The name and address of the plan preparer shall be included on the plan;

   b. All plans shall show the entire lot to scale;

   c. Show the location and dimensions of all existing and proposed structures, parking lots and drives, roadways and right-of-way, sidewalks, bicycle paths, ground signs, refuse disposal areas, bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines and easements, freestanding structural features, and other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights and courts or paved areas;

d. The location, quantity, size, and name – both botanical and common – of all proposed planting materials;
e. The location, size and common name of existing trees and individual shrubs, areas of dense trees or shrubs, and other natural features, indicating which are to be preserved and which are to be removed;
f. The approximate location and generic identification of existing structures and plant materials within the yard of adjoining properties;
g. Existing and proposed grading of the site, including proposed berming, indicating contours at no more than two-foot intervals;
h. Specification of the type and boundaries of all proposed vegetative ground cover;
i. Design of fences and other significant accessory structures;
j. The location of barriers to be placed at or beyond the drip line of any trees to be preserved, and the type of material to be used for the barrier;
k. Planting and installation details as necessary to ensure conformance with all required standards;
l. Details indicating specific grading measures or other protective devices where trees are to be preserved in areas of cut and fill; and
m. A tabulation clearly displaying the relevant statistical information necessary for the Plan Commission to evaluate compliance with the provisions of this ordinance.

7. Sheet Six (Plat-like dedication sheet, if necessary). The following information shall be submitted as part of Sheet Five if a plat-like dedication document for easements and rights-of-way is deemed necessary by the Plan Commission or its authorized designee:
   a. Parcels of land proposed to be dedicated or reserved for public use, or reserved for common use of all property owners within the project, with the proposed conditions and maintenance requirements, if any, shall be designated as such and clearly labeled on the plans;
   b. Radii, internal angles, points of curvature; tangent bearings and lengths of all arcs, chord, and chord bearings; and
   c. Accurate location of all survey monuments erected, corners and other points established in the field in their proper places.
8. Sheet Seven (Storm Plan and Profile). For all pipe, a storm drain plan and profile shall be submitted. The plan shall be shown on the upper portion of the drawing. The plan, generally, shall be drawn on a scale that is clear and legible and not greater than 1”=50’. The plan shall show appropriate right-of-way and easement limits. The profile shall be shown under the plan and shall extend a sufficient distance downstream of the outlet to allow any pertinent information concerning the outfall channel to be shown. All invert elevations and pipe slopes shall be listed. For each pipe, the length, size, material and class shall be annotated on the profile sheet near the dimension line. Detail title and/or number references shall be called out on the profile plan.

   The storm drain and inlet profile shall generally be drawn on a scale of 1”=50’ horizontal and 1”=5’ vertical. Where a storm drain is located inside the limits of an existing or proposed pavement or shoulder, the centerline grade of the road shall be shown. Where a storm drain is located outside pavement or shoulder, the existing ground over the storm drain with proposed grading shall be shown. If the storm drain is to be constructed on fill, the profile of the undisturbed earth, at the storm drain location shall be shown. All utility locations at intersections with the storm drain shall be shown.

a. Size of pipe or channel cross-section.
b. Pipe or channel invert's slope in percent.
c. Material and roughness coefficient.
d. Flowing velocities in feet per second.
e. Design capacity in cubic feet per second.

9. Standard Detail Sheets. Standard detail sheets as adopted by the Greenwood Board of Public Works and Safety, shall be included as part of the submittal.

20.07.08. "Secondary" Approval.

The Plan Commission or its "Designated Official" may grant secondary approval and issue a Notice of Determination of Secondary Plat/Plan Approval only after the following requirements have been satisfied:

1. Conditions and requirements set forth by the Plan Commission for primary approval;
2. Submittal of
   a. the final revised secondary plat in which contents and form comply with this ordinance,
   b. general development plans, and
   c. final construction plans.
3. Required Performance Guarantees and inspection/testing agreement have been submitted and approved by the BPWS. Posting of performance guarantee for erosion control shall be mandatory prior to issuance of a land alteration permit.
4. Detailed (Final) Drainage Plans have been submitted to and written approval obtained from the Office of the City Engineer (as granted by the Greenwood Board of Public Works and Safety). The Plan Commission shall establish in its written Rules of Procedure the manner in which Secondary Approval is to be administered.

20.07.09. Applicability to a PUD.

Following adoption of an ordinance by the Common Council providing for a planned unit development, the procedure for platting within such districts shall be the same as that prescribed for subdivisions in this Article and in compliance with the procedures and regulations set forth in Article 20 of the Greenwood Municipal Code.

20.07.10. Land Alteration Permit.

A Land Alteration Permit to begin site development may be granted by the Planning Department office provided that:

1. The applicant has fulfilled all requirements of Paragraph (h) above and received Secondary Approval from the Designated Official;
2. The applicant has filed with the Planning Department office copies of the final revised secondary plat, and final development and construction plans.

20.07.11. Complete Installation of Improvements.

<u>Residential Subdivisons</u>. Infrastructure improvements, whether public or private, including but not limited to streets, curbs, manholes, catch basins, swales, storm and sanitary sewers, off-site or area

drainage, street signs, survey monumentation, and park and recreation facilities, shall be installed and accepted by the Board of Public Works and Safety prior to the recording of the Secondary Plat or issuance of Improvement Location Permits (Building Permits) for single-family or two-family residential subdivision. Erosion control measures need to be in place, but need not be green and growing if installed outside the normal growing season. Erosion control shall be covered by a performance guarantee until such time that 85% of the lots have been built upon.

Commercial or Industrial Subdivisons. For commercial or industrial subdivisions the developer shall have the option of posting performance guatantees with the Board of Public Works and Safety and recording of the Secondary Plat prior to the installation of the associated infrastructure improvements. (Ord. No. 05-10, §4, 8-15-05)

DIVISION IV.

PROVISIONS FOR COMPLETION & MAINTENANCE OF IMPROVEMENTS

Sec. 10-507 Financial Guarantee Requirements.

20.08.01. Board of Public Works and Safety Approval.

The developer shall submit separate financial guarantees for each public or private improvement. The financial guarantees shall be in the form and amount prescribed by the City of Greenwood. Once the form and amounts of a financial guarantee have been officially approved, said financial guarantee shall be filed with the Board of Public Works and Safety or its designee. The authority for administration and enforcement of said financial guarantee shall then lie with the Greenwood Board of Public Works and Safety.

20.08.02. Types of Performance Guarantees.

The following types of performance guarantees may be filed with the City of Greenwood:

1. Insurance Bond - The Insurance Bond must be securable to the City of Greenwood in the amount equivalent to 110% of the estimated cost of completion of the required public improvements.
2. Letter of Credit - The Letter of Credit must be irrevocable on behalf of the applicant and securable to the City of Greenwood in an amount equivalent to 110% of the estimated cost of completion of the required public improvements. In the event an irrevocable letter of credit is utilized, it shall be written for a maximum length of one year, but shall be automatically renewed for additional one-year periods. The Board of Public Works and Safety shall after a period of 10 months determine if the public improvements have been accepted for maintenance by the governmental unit have jurisdiction over the public improvement. If they have not been accepted, the Board shall so notify the developer of intent to secure the funds and then commence procedures to secure the funds pledged by such letter of credit. At its discretion the Board of Public Works and Safety may grant an extension for such period fixed by the Board, not to exceed one year. In which case the subdivider shall file with the Board a new letter of credit for the period so fixed. The Board may require the filing of a financial statement in determining whether or not to accept a Letter of Credit.

3. Certificate of Deposit - The certificate of deposit must be made out to the City of Greenwood and the developer, in an amount equivalent to 110% of the cost of completion of the required public improvements. All interest accrued on the certificate of deposit shall be payable to the applicant.
4. Miscellaneous – Other types of financial guarantees may be used, if approved by the Board of Public Works and Safety.

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20.08.03. Force and Forfeiture of Performance Guarantee / Time Limit for Installation of Improvements.

A performance guarantee shall be deemed by the City of Greenwood to be in full force and effect until such time said guarantee is released by official action and written notice by the Greenwood Board of Public Works and Safety. Any public improvements must be completed and accepted within two years of secondary approval (the date the Notice of Determination of Secondary Approval is issued), unless an extension of time is granted by official action of the Board of Public Works and Safety. Failure to complete improvements within said time limits may result in forfeiture of financial guarantee without additional notice to financially responsible party to secure completion of said improvements.

20.08.04. Performance Guarantee Released/Maintenance Guarantee Received.

1. Upon completion of the public improvements within a subdivision or development (or sections thereof), the developer shall request inspection of construction improvements and release of performance guarantee by the City. Upon receipt of such request the Board of Public Works and Safety shall instruct the City Engineer and other appropriate city representatives to inspect said improvements and submit recommendations to the Board of Public Works and Safety. Any deficiencies found in the design and workmanship of public improvements shall be corrected by the developer prior to release of the performance guarantee. At such time as the public improvements are acceptable to the Board of Public Works and Safety, the Board shall release the performance guarantee in lieu of the three-year maintenance guarantee. The amount of the maintenance guarantee shall be equal to or greater than 20% of the corresponding performance guarantee. Performance guarantees may only expire in months of April through November. Improvements shall only be accepted in the months of April through November.
2. Performance guarantee for erosion control shall remain in full force and effect until such time that 85% of the lots have been built upon.

20.08.05. Record Drawings Required.

As a condition for release of a performance guarantee, the developer shall submit to the City Engineer two complete sets of record drawings of all public improvements covered by said guarantee. Final record drawings shall not be accepted until the Board of Public Works and Safety accepts the improvements. Record drawings shall be initially submitted as paper copies, while the final record drawings shall be submitted as original Mylar copies, and in an electronic format compatible with the City of Greenwood's database.

20.08.06. Types of Maintenance Guarantees.

Maintenance guarantees shall be of one of the forms as deemed acceptable for financial guarantees in Section 10-505 (C) above.

20.08.07. Release of Maintenance Guarantee.

Maintenance guarantees may only expire in months of April through November. Improvements shall only be accepted in the months of April through November.

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At least 60 days prior to the expiration date of a maintenance guarantee it shall be the responsibility of the developer to make a written request to the Board of Public Works and Safety for final inspection and full acceptance of responsibility of the public improvement. Failure to comply will result in immediate forfeiture of guarantee. Upon receipt of such request the Board of Public Works and Safety shall instruct the City Engineer and other appropriate representatives to inspect said improvements and submit recommendations to the Board of Public Works and Safety. Any deficiencies found in the workmanship or materials shall be corrected by the developer prior to release of the maintenance guarantee. At such time as the improvements are acceptable to the Board of Public Works and Safety, the Board shall release the maintenance guarantee and the city thereby assumes full and permanent responsibility for maintenance of the public improvement.

20.08.08. Official Board Action Required.

Construction and maintenance of a public improvement shall be deemed as the full responsibility of the developer until said public improvement is accepted by official action and written notice by the Greenwood Board of Public Works and Safety. Expiration of a maintenance guarantee does not relieve a developer from the responsibility of having the public improvements meet city standards and specifications prior to official acceptance by the city.

Sec. 10-508 General Inspection Procedures.

20.09.01. Execution of Contractual Agreement.

As a condition for secondary approval the developer shall enter into a contractual agreement with and as prescribed by the Board of Public Works and Safety to provide for the inspection and testing services in accordance with the standards and procedures of this ordinance, and subject to terms, conditions, and amendments as may be imposed by the Board of Public Works and Safety.

20.09.02. Duties and Powers of Inspectors.

The City Engineer or his designated representative shall be responsible for adequate inspection and review of all public improvements constructed within the jurisdiction of the City of Greenwood. Private improvements (including, but not limited to, drainage, streets, grading, erosion) are also subject to inspection when they have the potential to impact adjacent property. Inspector shall perform, but not necessarily be limited to the following duties:

1. monitor work being performed to insure that it complies with the standards and specifications of this ordinance;
2. maintain an accurate log of his inspections and findings;
3. issue directives or stop-work orders when necessary to assure compliance with this ordinance; and
4. make reports to the Board of Public Works and Safety when necessary or when requested.

20.09.03. Installation and Inspection of Improvements.

Improvements shall be installed per approved plans. The developer shall be responsible for notifying the City Engineer for inspection of all improvements at least two working days in advance.

1. Street Sub-Grade: When the sub-grade has been graded to proper elevation and compacted in compliance with City specification, the developer shall request inspection. The developer shall not proceed with any stoning or paving until having received approval to proceed from the inspector.
2. Street Sub-Base: When the stone sub-base has been graded and compacted in compliance with City specifications the developer shall request inspection. The developer shall not proceed with any paving until having received approval to proceed from the inspector.
3. Street Paving: When ready to begin paving the developer shall give the City Engineer at least 48 hours notice so that the inspector may be present during the time of paving.
4. Drainage Roughed-In: When the land has been cut to grade and properly sloped in compliance with the approved plans, then the developer shall request an inspection.
5. Open Trench Storm Sewer Rough-In: When all conduits or storm sewer structures that are to be at or below grade level are in place in the open trench, the developer shall call for an inspection.
6. Open Trench Sanitary Sewer Rough-In: When all conduits or sanitary sewer structures that are to be at or below grade level are in place in the open trench, the developer shall call for an inspection. In addition, the developer shall be responsible for providing the City Engineer with documentation for the appropriate tests and certification as required in this ordinance for sanitary sewers.
7. Block or Street Sections of Sidewalks: If the developer installs sidewalks in relatively large sections such as sections of blocks or streets involving several lots, the developer shall notify the City Engineer for inspection at such time as a given section of sidewalk has been poured and all forms removed. The developer shall not proceed with backfilling or grading until having received approval to proceed from the inspector.
8. Sidewalks on a Lot-By-Lot Basis: If the developer installs sidewalks on a lot-by-lot basis he may perform all work necessary for complete installation of the sidewalk, including backfilling. The City Engineer may make periodic inspections of such sidewalks to assure compliance with standards and specifications. The developer may request a one-time reduction in the amount of the performance guarantee posted, in relation to the amount of sidewalk that has been completed. The Board of Public Works and safety shall rely on the recommendation of the City Engineer when considering this request.
9. Final: When all work for said improvement in a given subdivision (or section thereof) has been completed, and record drawings have been submitted, the developer shall then request a final inspection, before a reduction of the performance guarantee is requested.

DIVISION V.

DESIGN STANDARDS.

Sec. 10-509 General.

In determining whether an application for approval shall be granted, the Plan Commission shall determine that the plat is in accordance with the Comprehensive Development Plan and conforms to the principles and standards required in this portion of the regulations; and whenever the applicable requirements of the zoning ordinance or the requirements of any other governmental unit or agency thereof are higher or more restrictive, those requirements shall control any application for plat approval.

Nothing in this ordinance shall be construed as a rule or regulation that would prevent or restrain the complete use of any material resources by the owner. Due consideration shall be given to the preservation of natural features, including large trees, forests, waterways, scenic and historic points of interest and other community assets.

Land subject to flooding or otherwise uninhabitable shall not be platted for any use or in any manner tending to increase the danger to the public health, safety or welfare.

Sec. 10-510 Urban Design Principles.

20.10.01. General Guidelines.

The quality of design of the urban area is dependent on the quality of design of the individual subdivisions that compose it. Good community design requires the coordination of the efforts of each subdivider and developer of land within the urban area. Therefore, the design of each subdivision shall be prepared in accordance with the principles established by the Comprehensive Development Plan for land use, circulation, community facilities and public utility services and in accordance with the following general principles:

1. It is intended that the urban area shall be designed as a group of integrated residential neighborhoods and appropriate commercial and industrial and public facilities. The neighborhood, as a planning unit, is intended as an area principally for residential use. Space for religious, recreational and educational facilities to serve the residents of the neighborhood should be provided and designed as an integral part of each neighborhood.
2. The size of lots and blocks and other areas for residential, commercial, industrial and public uses should be designed to provide adequate light, air, open space, landscaping and off-street parking and loading facilities.
3. The arrangement of lots and blocks and the street system should be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees should be preserved. The system of sidewalks and roadways and the lot layout should be designed to take advantage of visual qualities of the area.
4. Circulation within the urban area shall be provided in accordance with the following design criteria:

a. Each subdivision should provide for the continuation of all arterial streets and highways as shown on the Comprehensive Thoroughfare Plan Map. Arterial streets should be located on the perimeter of the residential neighborhood.
b. Minor streets should be designed to provide access to each parcel of land within a subdivision or development, to adjoining undeveloped tracts, and in a manner that will discourage use by through traffic. They should be planned so that future urban expansion will not require the conversion of minor streets to arterial routes.
c. Collector streets should be designed to provide a direct route from other minor streets to the major street expressway system. Each subdivision shall provide for the continuation of collector streets as shown on the Comprehensive Thoroughfare Plan Map.
d. Ingress and egress to residential properties should be provided only to minor and collector streets.
e. Pedestrian ways should be separated from roadways used by vehicular traffic and to provide anticipated pedestrian traffic within all residential building sites with access to neighborhood facilities, such as schools, parks and playgrounds, churches and shopping centers. An internal trail system shall be provided to connect common areas to the public sidewalks within the subdivision as well as to connect to perimeter sidewalk and trail systems.

5. Minimum standards for development are contained in the zoning ordinance, the building code and in these regulations. However, the Comprehensive Development Plan expresses policies designed to achieve an optimum quality of development in the urban area. If only the minimum standards are followed, as expressed by the various ordinances regulating land development, a standardization of development will occur. This will produce a monotonous urban setting. Subdivision design should be of a quality to carry out the purpose and spirit of the policies expressed in the Comprehensive Development Plan and in these regulations rather than be limited to the minimum standards required herein.

Sec. 10-511 Subdivision Design Standards.

20.11.01. Streets.

The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the Comprehensive Thoroughfare Plan Map.

1. Major streets and collector streets shall be planned to conform with the Comprehensive Thoroughfare Plan Map.
2. Whenever a subdivision abuts or contains an existing or proposed major street, the Plan Commission may require service streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. The Plan Commission may require trails along abutting streets or within the subdivision in conformance with the Comprehensive Plan.
3. Residential and cul-de-sac streets shall be laid out so that their use by through traffic will be discouraged.
4. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way the Plan Commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances also shall be determined with due regard for the requirements of approach grades and future grades separation structures.

5. Easements providing access to streets shall be prohibited except where their control and maintenance is defined in a manner approved by the Plan Commission.
6. Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a preliminary plan of a proposed future collector street system for the unsubdivided portion shall be prepared and submitted by the subdivider.
7. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate subdivision, with provision for adequate utility easements and connections for such resubdivision.
8. Street intersections shall not be closer than 150 feet centerline to centerline. This provision does not apply to frontage roads.
9. Street right-of-way widths shall be in accordance with the Comprehensive Development Plan MAP, with the following standards intended as minimum guidelines -- actual street right-of-way widths may be more. Where not designated in the Comprehensive Development Plan MAP, street right-of-way widths, shall be not less than the following:
   a. Major Streets:
      i. Arterial - 120 feet minimum
      ii. Primary - 100 feet minimum
      iii. Secondary - 80 feet minimum
   b. Minor Streets:
      i. Collector - 70 feet minimum
      ii. Residential Service - 60 feet minimum
      iii. Cul-de-sac - 60 feet minimum
10. The grades of all streets shall not exceed the following, except where unusual topographic conditions justify in the opinion of the Plan Commission, a modification of these standards.
    a. Major Streets:
       i. Arterial - 5%
       ii. Primary - 5%
       iii. Secondary - 7%
    b. Minor Streets:
       i. Collector - 10%
       ii. Residential Service - 10%
       iii. Cul-de-sac - 10%

       The minimum street grade shall not be less than 0.5%.
11. The horizontal and vertical alignment for all streets shall conform to the following:
    a. Horizontal Alignment - center line radius

Major Streets (40mph design speed)	
Arterial	Refer to AASHTO Design Tables
Primary	Chapter 3 – Elements of Design
Secondary	(Superelevation 0.08)

Minor Streets		
Street	*Design Speed*	*Minimum Radius (no super)*
Collector	30 mph	300 feet
Local & Cul-de-sac	30 mph (no desirable)	300 feet
	25 mph	200 feet

b. Vertical Alignment – minimum k-value for sag and crest vertical curves. Sight distance for vertical alignment shall be determined by measuring from a point 4.0 feet above the roadway surface along a line of sight to a point 4.0 inches above the roadway surface.

Major Streets			
Street	*Design Speed*	*AASHTO k-value Sag Crest*	
Arterial	40 mph	60	60
Primary	40 mph	60	60
Secondary	40 mph	60	60

Minor Streets			
Street	*Design Speed*	*AASHTO k-value Sag Crest*	
Collector	30 mph	40	30
Local & Cul-de-sac	30 mph (desirable)	40	30
	25 mph	30	30

12. The paved width of all streets shall be adequate to serve the existing and future estimated traffic load for the facility. Lane widths for streets shall be as follows:
    a. All major streets shall have lanes for traffic movement of not less than 11 feet or more than 12 feet in width, and lanes for parallel parking or emergency stopping of not less than 10 feet in width.
    b. All minor streets shall have lanes for traffic movement of not less than 10 feet or more than 12 feet in width and lanes for parallel parking of not less than eight feet in width.
13. A cul-de-sac should street shall not exceed six (600) feet in length, measured from the entrance to the center of the turnaround. The right-of-way radius of the cul-de-sac shall be a minimum of 60 feet. The paved area of the cul-de-sac shall have a minimum radius of 45 feet.
14. Construction of half streets shall be prohibited. However, the plan commission as deemed necessary may require partial right-of-way dedication.
15. The arrangement of streets shall be such as to cause no hardship in the subdividing of adjacent properties. The Plan Commission may require the dedication of street right-of-ways to facilitate the development of adjoining properties or to facilitate future improvement or expansion of streets in accordance with the Comprehensive Development Plan.
16. Permanent dead-end streets shall be prohibited. When permitted, stub streets shall have approved barricades. Right-of-way shall be dedicated to provide for future cul-de-sac turnaround to comply with City of Greenwood Street Standards. Design Standards for streets are illustrated on the Standard Detail Sheets adopted by the Board of Public Works and Safety.

17. Vehicular Traffice shall be protected from bodies of water and from topographic or geologic hazards, including, but not necessarily limited to, streams, lakes, detention ponds, ditches, ravines, rock outcrops, hillsides, or walls by one of the following:

    a) "W" Beam guardrail to be installed per Indiana Department of Transportation specifications.
    b) Stell Backed Timber Guardrail per U.S. Department of Transportation Federal Highway Administration Bederal Lands Highway Office Standards listed in Section 617 of the Federal Highway Adinistration Website or approved equal as supplied by the Cor-Tenn Company of Knoxville, Tennessee.
    c) Mounding of Dirt at least eight (8) feet in height with maximum slopes of 3:1.

(Ord. No. 05-10, §6, 8-15-05)

NEXT PAGE INTHIS BOOK IS 1089.27

20.11.02. Alleys.

1. Pavement width.
   a. Two-way traffic. Minimum pavement width shall not be less than 24 feet for alleys designed for two-way traffic.
   b. One-way traffic. Minimum pavement width shall not be less than 12 feet for alleys designed for one-way traffic.
2. Alley intersections and sharp changes in alignment shall be avoided, but where unavoidable, the corners shall be a minimum 25-foot radius.
3. Permanent dead-end alleys shall be prohibited, but if unavoidable shall be provided with adequate turnaround facilities at the dead-end, as determined by the Plan Commission.
4. Alley pavement cross-section shall meet or exceed minimum standards and specifications for a residential public street. Performance guarantees and inspection agreement shall be required. Maintenance guarantees shall not be required for privately owned and maintained alleys.
5. Sufficient area shall be provided by either right-of-way or easement along both sides of alleys to allow safe and sufficient maneuvering of vehicles and maintain a clear area of visibility.

20.11.03. Blocks.

1. The lengths, widths and shapes of blocks shall be determined with due regard for the following:
   a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
   b. Zoning requirements as to lot sizes and dimension.
   c. Needs for convenient access, circulation, control and safety of street traffic.
   d. Limitations and opportunities of topography.
2. Blocks for residential use shall not be longer than 1,200 feet, measured along the centerline of the block. The Plan Commission may require a dedicated common area easement not less than 15 feet in width and paved crosswalk not less than four feet in width to provide pedestrian access across the block.
3. Blocks used for residential purposes should be of sufficient width to allow for two tiers of lots of appropriate depth. Blocks intended for business and industrial use should be of a width suitable for the intended use, with due allowance for off-street parking and loading facilities.

20.11.04. Street Names.

1. Street names and number shall conform to the established pattern in the City and shall be subject to the approval of the Commission.
2. Street names shall not duplicate or too closely resemble, phonetically or in spelling, the name of any existing street within the City of Greenwood or within the service area of the Greenwood Post Office.
3. Streets which are logical extensions or continuations of, or obviously in alignment with, any existing streets, either constructed or appearing on any validly recorded plat shall bear the names of such existing streets.
4. Street names shall be finalized and approved by the Planning Director prior to submission of Secondary Plat.

5. All buildings and premises shall have street numbers clearly marked in characters not less than four inches high, on a contrasting background, clearly visible on the face of the building. When the numbers of a building or of each individual occupancy within a building are not visible from the street or when more than one building is on site or uses an access driveway, provision shall be made to clearly identify which driveway serves the appropriate address, and a sign shall be provided at the street indicating the numbers of the premises served.

20.11.05. Subdivision Names.

Subdivision or project names shall not duplicate or too closely resemble, phonetically or in spelling, the name of an existing subdivision or development project in Johnson County. Subdivision names shall be finalized and approved by the Planning Director prior to submission of Secondary Plat.

20.11.06. Intersections.

1. Street curbs shall be rounded by radii of sufficient length to permit the smooth flow of traffic, but in no case shall said curb radii be less than 25 feet for minor streets, or a minimum of 40 feet for major streets and subdivision entrances.
2. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than 60 degrees.
3. Street intersections shall be designed to avoid the simultaneous intersection of more than two streets carrying traffic from more than four directions.

20.11.07. Sight Distance at Intersections.

The following paragraphs shall be required as a provision of the covenants of all secondary plats.

1. No fence, wall, hedge, tree or shrub planting or other similar item which obstructs sight lines at elevation between 2.5 and 8 feet above the street, shall be permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 25 feet from the intersection of said street lines (25 feet for minor streets and 50 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.
2. The same sight line limitations shall apply to any lot within 10 feet from the intersection of a street right-of-way line with the edge of a driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street centerlines. If the available distance is less than 70 feet, the driveway shall be located at the greatest distance from the intersection of street centerlines.

20.11.08. Lots.

Subdivision lots shall be adequate for the type of development and land use proposed, and shall be in conformity with zoning ordinance provisions applicable thereto.

1. A developer may request, at the time of submittal of a preliminary plat, use of the "20/20" option in accordance with Greenwood Zoning Ordinance No. 82-1. This option allows 20% reduction of the lot area and lot width requirements for a maximum of 20% of the total number of lots. Such

reduced lots must be so noted on the primary plat plans. The "20/20" option shall not be applied to R-2B residential zoning districts or in Zero Lot Line subdivisions.

2. Whenever individual sewage or water systems are authorized, increased lot areas may be required in order to insure the public welfare against health hazard.
3. The lot size, width, depth and shape, grade, location and orientation, shall be in proper relation to street and block design and to existing and proper topographical conditions.
4. Every lot or parcel shall have sufficient frontage and access to a public street designated, designed and improved in accordance with the terms of this ordinance, provided, however, the Commission may modify this requirement to include a private street. Frontage for lots facing a cul-de-sac turnaround shall be as approved by the Plan Commission.
5. As a general principle:
   a. Side lot lines shall be approximately at right angles or radial to street lines.
   b. Corner lots shall be of sufficient size to permit required building setback and orientation to both streets.
   c. Excessive lot depth in relation to width, or more than a proportion of 3.5 to 1, shall be avoided
   d. Lots shall be graded to provide positive drainage away from building sites.
   e. Lot driveways shall be so located, designed, and constructed as to provide a reasonable sight distance at intersections of a car behind the right-of-way line.
   f. Where difficult problems of driveway curvature and excessive grades are likely to be present, the subdivider shall submit for Commission approval the details of driveway location and grade before lot lines and building sites are finally determined.
   g. Double frontage and reverse frontage lots shall not be permitted, except where the purpose according to this ordinance is to buffer residential development from adverse influences or to minimize the number of intersections with arterial streets. A screen planting buffer strip, across which there shall be no right of access, shall be provided along the lot lines adjoining such adverse influence.

20.11.09. Building Lines.

1. The setback provisions of the zoning ordinance applicable to said area proposed to be platted shall regulate building setback lines on lots.
2. There shall be a minimum 10-foot separation between the edge of any utility or drainage easement and the front or back wall of any structure.

20.11.10. Easements and Dedications.

1. Where alleys are not provided, easements not less than 15 feet in total width (minimum 7 ½ feet each side) shall be provided along each rear lot line, and along side lot lines where necessary, for use by public and private utilities where it is deemed necessary. Larger easements may be required for storm or sanitary sewer lines.

20.11.11. Sidewalks.

Sidewalks shall be labeled upon the improvement plans and installed by the subdivider in subdivisions, as follows:

1. Sidewalks shall be installed in all subdivisions, according to the following:

a. Along both sides of all streets within the subdivision, in which case the outside edge of sidewalks shall normally be placed a minimum of one ft. from the right-of-way line, and the area between the sidewalk and curb or street pavement shall constitute a grass strip. Sidewalks shall be placed a minimum of six feet from curb except on cul-de-sac turnarounds they shall be placed a minimum of five feet.
b. In mid-block locations for purpose of pedestrian circulation, as required by the Commission.
c. In instances where pedestrian access to schools, parks, or other community facilities is necessary, as required by the Commission.
d. In a planned unit development sidewalk location may be adjusted to the pedestrian circulation element of the design, as approved by the Commission.
e. The Plan Commission shall require sidewalks along an existing street bordering a subdivision.
f. The Commission may waive the requirements of this sub-section in instances where a park, railroad, extreme topographical conditions or other unusual conditions make sidewalk installation difficult on both sides of the street.

2. Minimum sidewalk width shall be four feet. Integral sidewalk and curb, which must be chairback or standing curb, shall be five feet in width. In multi-family residential development and non-residential development said sidewalks shall be of a width determined by the Commission. Additional widths may be required by schools, churches, etc. Handicap ramps must be provided at all corners, and mid-block whenever there is an intersection with a perpendicular street.

20.11.12. Public Sites.

All proposed subdivision submitted for Commission approval under the provisions of this ordinance shall allocate adequate areas for park, school, recreational and other public and semi-public sites, wherever necessary in order to conform with the Comprehensive Plan, or as required by the Commission in planned unit development plans. The location, shape, extent and orientation of such areas shall be consistent with existing and proposed topographical and other conditions, and public and semi-public needs created by said proposed subdivision.

20.11.13. Underground Utilities.

All proposed installations for the transmission of water, sewage, gas, electricity, telecommunications, and storm water and similar facilities providing service to and used by the public shall be installed underground unless otherwise authorized by the City.

20.11.14. Trail Systems.

All proposed subdivisions shall provide for trail systems at two levels:

1. Internal trail system within the subdivision to link common areas with the public sidewalk system and to link to perimeter or abutting regional trails; and
2. Regional trail systems that abut or traverse the subdivision in conformance with the Comprehensive Plan. Although easements across private property may be necessary in some instances, the preferred locations for trails are common areas, public rights-of-way, or easements abutting/paralleling such areas.

DIVISION VI.

IMPROVEMENTS.

Sec. 10-512 General Provisions.

20.12.01. General Provisions.

All improvements shall be designed and installed in accordance with all of the elements of the Comprehensive Development Plan and shall meet the minimum standards established by the Zoning and Subdivision Control Ordinances.

20.12.02. Plan Preparation.

Plans for the improvements herein required shall be prepared and certified by a qualified professional licensed in the state of Indiana. Prints of the proposed plat plan, construction drawings and specifications for all improvements shall be filed with the Plan Commission. One set of "record drawings" and specifications, certified and signed by a professional engineer or land surveyor registered in the State of Indiana shall be filed with the Greenwood Board of Public Works and Safety prior to the acceptance of any improvement installed by the subdivider.

20.12.03. Permanent Markers and Monuments.

1. Elevation Control: Permanent monuments in each subdivision shall be installed to establish elevation control where required by Plan Commission. This marker shall:
   a. Be 4" x 4" x 48" concrete with the top 12" above grade.
   b. Contain the elevation based on U.S.G.S. datum to the nearest one-hundredth of a foot.
   c. Be installed prior to acceptance of maintenance guarantee on that section.
   d. Have its location and elevation of the monument filed with the Board of Public Works and Safety and the office of the City Engineer prior to acceptance of maintenance guarantee on that section.
2. Streets: Permanent markers consisting of steel pipes or pins not less than 3/4 inch in diameter and 18 inches in length shall be installed at:
   a. The intersection of all street centerlines within the plat.
   b. The beginning and ending of all curves in street center lines.
   c. The center point of each cul-de-sac turnaround.

   Street markers shall be at least one inch below finished grade.
3. Plat Boundaries. All outside boundary corners and angle points of the primary plat of each subdivision shall be marked with permanent concrete markers with not less than ¾-inch diameter steel rod 36 inches in length. Top of markers shall be at or up to six inches above final grade.

Sec. 10-513 Streets - General.

20.13.01. Street Improvements.

The subdivider of any subdivision designed to be used for residential, commercial, industrial or other purposes shall layout, grade, and otherwise improve all streets that are designated on the approved plat or that directly serve the subdivision in accordance with the following provisions:

1. The design of an improvement of an intersection of any new street with an existing State or Federal highway shall be in accordance with the specifications of the Indiana State Highway Department.
2. All driveways that connect with city streets shall be constructed in accordance with the standards and regulations of the City of Greenwood.
3. All driveways that connect with Federal or State streets shall be constructed in accordance with the standards and regulations of the Indiana Department of Transportation.
4. Curb and gutters shall conform to Standard Details as per city specifications.
5. In the event that City standards and regulations fail to address a situation, the Indiana Department of Transportation standard specifications and details shall be enforced.
6. Vehicluar Traffic shall be protected from bodies of water and from topographic or geologic hazards, including, but not limited to, streams, lakes, detention ponds, ditches, ravines, rock outcrops, hillsides, or walls by one of the following:
   a) "W" Beam guardrail to be installed per Indiana Department of Transportation specifications.
   b) Steel Bcked Timber Gaurdrail per U.S. Department of Transportation Federal Highway Administration Federal Lands Hgihway Office Standards listed in Section 617 of the Federal Highway Adminstration Website or approved equial as supplied by the Cor-Tenn Company of Knoxville, Tennessee.
   c) Mounding of Dirt at least eight (8) feet in height with maximum slopes of 3:1.

(Ord. No. 05-10, §8, 8-15-05)

20.13.02. Requirements for Private Streets.

It is the intent and purpose of this paragraph to encourage streets and right-of-ways to be dedicated to the proper governmental agency for ownership and maintenance whenever possible. It is a long-range benefit to the entire community for streets and right-of-ways to be owned and maintained publicly rather than privately. There may be, however, situations in which privately owned and maintained streets are a more reasonable alternative. In any development in which private streets are allowed, said streets shall conform to the requirements of this paragraph:

1. A private street shall meet or exceed the minimum width, depth, and other City of Greenwood construction standards and specifications.
2. The right-of-way width of a private street shall not be less than 60 feet.
3. Private streets shall not be permitted which interfere or conflict with the Comprehensive
4. Thoroughfare Plan of the City of Greenwood.
5. Higher street classification standards and specifications (than those in items A and B above) may be applied at the discretion of the Plan Commission if the street is of such length or of such design as to actually serve as a higher classified street.
6. The covenants of a plat shall contain the following statement: "The streets and public right-of-ways shown hereon are to be privately owned and maintained by the homeowners association pursuant to the articles of incorporation of said association. The streets and right-of-ways shown

hereon may become publicly owned and maintained streets only upon the express written consent by the governmental body having jurisdiction."

7. A performance guarantee and inspection agreement shall be executed by the developer with the City of Greenwood. A maintenance guarantee shall not be required for an approved private street.
8. Private streets shall be posted with the appropriate signage so that the street may be identified as a private street.
9. Vehicular Traffice shall be protected from bodies of water and from topographic and geologic hazards, including, but not necessarily limited to, streams, lakes, detention ponds, ditches, reavines, rock outcrops, hillsides, or walls by one of the following:
   a) "W" Beam guardrail to be installed per Indiana Department of Transportation specifications.
   b) Steel Backed Timber Gaurdrail per U.S. Department of Transporation Federal Highway Adminstration Federal Lands Highway Office Standards listed in Section 617 of the Federal Highway Adminstration Website of approbal equal as supplied by the Cor-Tenn Company of Knoxville, Tennessee.
   c) Munding of Dirt at least eight (8) feet in height with maximum slopes of 3:1.

(Ord. No. 05-10, §10, 8-15-05)

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Sec. 10-514 Street Construction Standards.

20.14.01. General.

Construction Standards for reinforced concrete streets and asphaltic concrete streets are illustrated on Standard Detail Sheets adopted by the Board of Public Works and Safety. Note that drawings are for illustrative purposes only. The City Engineer shall provide clarification when necessary. Refer to Section 10-509 for Street Design Standards.

20.14.02. Compliance with Standards.

The Greenwood Board of Public Works and Safety may choose to reject any or all improvements not complying with City of Greenwood Standards.
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20.14.03. Coring Provisions for Reinforced Concrete Streets and Asphaltic Concrete Streets.

The Board of Public Works and Safety shall, when it seems necessary and prudent, and at the developer's expense, have cores taken from the finished structures, subject to the approval or inspection of said Board, at locations designated by the Greenwood City Engineer or Board of Public Works and Safety to verify construction thickness and quality.

If the average thickness of any concrete structure as disclosed by the coring procedure is less than the required thickness, it shall be grounds for the rejection of the improvements by the Board of Public Works and Safety.

20.14.04. Certification and Affidavit.

Developer and his engineer shall, upon completion of all street construction, prepare sworn affidavits for the Board of Public Works and Safety stating that all construction has been carried out in accordance with the provisions of this section.

Sec. 10-515 Sidewalks.

20.15.01. Sidewalks Plan.

A plan for a system of sidewalks shall be prepared that will provide every lot within a residential or commercial subdivision, or portion thereof, with reasonable access to sidewalks connecting with all of the community facilities and commercial enterprises located within or adjacent to the subdivision, and in a manner that will provide convenient pedestrian circulation throughout the neighborhood or area in which the subdivision is located. The Plan Commission may require the construction of sidewalks to connect with existing or future proposed sidewalks in areas adjacent to the subdivision where the Plan Commission approves such sidewalk system plan, and in accordance with specifications governing sidewalk construction.

20.15.02. General.

Construction Standards for sidewalks are illustrated on the Standard Detail Sheets adopted by the Board of Public Works and Safety. Note that drawings are for illustrative purposes only. The City Engineer shall provide clarification when necessary.

20.15.03. Compliance with Standards.

The Greenwood Board of Public Works and Safety may choose to reject any or all improvements not complying with City of Greenwood Standards.

Sec. 10-516 Water.

20.16.01. Water Mains.

The developer/subdivider shall install water lines and installation shall be in accordance with the Indiana State Board of Health and regulations and requirements of the water utility having jurisdiction.

Water lines used for fire protection shall be a minimum of eight inches or larger. Sizing of water mains shall be reviewed and approved by the Fire Chief or his designee in conjunction with the water utility having jurisdiction. Water mains sizing shall be determined by the required fire flow of the occupancies serviced by such mains. Required fire flow shall be calculated using the National Fire Protection Association Standard on Water Supplies for Suburban and Rural Fire Fighting (NFPA 1231).

Water mains shall be in service prior to issuance of an improvement location permit for the structure.

Sec. 10-517 Fire Protection.

20.17.01. Fire Hydrants.

1. General.
   a. Fire hydrants shall be installed as per the requirements of the water utility having jurisdiction. Quantity and location of hydrants to be determined by the Fire Chief or his designee.
   b. Fire hydrant(s) shall be placed on eight inch or larger water main and outlets 18 inches above finished grade.
   c. Fire hydrants shall be located not more than eight feet from the edge of pavement.
   d. If a temporary water system is to be used, prior approval shall be given by the Fire Chief or his designee.
   e. Fire hydrants out of service shall be covered with a bag indicating “Out of Service”.
   f. Fire hydrants shall only be used for Fire Protection, or as so directed by the water utility having jurisdiction.
   g. Fire hydrants shall be kept clear and accessible at all times. There shall be no obstructions of any kind within a four-foot radius of any fire hydrant.
   h. Fire hydrants shall be in service prior to any issuance of an improvement location permit for the structure.

2. Multiple Family, Commercial and Industrial Development. Fire hydrants shall be installed no more than 300 feet apart on a public or private road. When any portion of a building being protected is in excess of 150 feet from a water supply on a public or private road, there shall be provided on site, mains and hydrants capable of supplying the required fire flow as required by the Fire Chief or his designee. Required fire flow shall be calculated in accordance with National Fire Protection Association Standard 1231.
3. Single Family Residential Development. Fire hydrants shall be installed no more than 500 feet apart on a public or private road.
4. Sprinkler Systems or Standpipes. Fire hydrants installed to service sprinkler systems or standpipes shall be installed within 50 feet of Fire Department Connection or as required by the Fire Chief or his designee.
5. Dry Hydrants. Dry hydrants are required to be installed when an available static water supply is available in the development to be used as an additional water supply for fire protection. Dry hydrant(s) are to be placed within eight feet of the roadway and thirty-two inches above grade. The connection is to be a six-inch male connection National Standard Thread with cap. Specifications of required installations are available through the Greenwood Fire Department, Fire Prevention Division.
6. Public and Private Fire Hydrants. Public fire hydrants shall be painted SAFETY YELLOW in accordance with the regulations of the water utility having jurisdiction.

   Private fire hydrants shall be painted per NFPA 291 (Fire Flow Testing and Marking of Hydrants). Barrel to be painted SAFETY YELLOW. The top portion (bonnet) and nozzle caps to be painted with the following color scheme to indicate flow capacity.

Class	**Capacity**	Color
Class AA	1500 gom or greater	Light blue
Class A	1000 gpm to 1400 gpm	Green
Class B	500 gpm to 999 gpm	Orange
Class C	499 gpm or less	Red

   The type and model of fire hydrants to be installed shall be in accordance with the requirements of the water utility having jurisdiction.

20.17.02. Fire Department Access.

A minimum of two means of access shall be provided for:

1. Any subdivision with 50 or more one or two family residential lots.
2. Any development having one or more commercial, multi family, or industrial structures, three stories or greater in height.
3. Any development having three or more commercial, multi family, or industrial structures of any height.

20.17.03. Fire Department Access Roads.

Fire Department or emergency access roads shall be a minimum 20 feet in width, with a minimum 10-inch sub-grade base, and shall be subject to approval by the Fire Chief.

Sec. 10-518 Sanitary Sewers.

20.18.01. General.

The subdivider shall install sanitary sewers as determined by the City. Sanitary sewers shall be installed in compliance with the standards and specifications adopted by the city in the ordinance and written policies of the Greenwood Sanitation Department and Board of Public Works and Safety.

20.18.02. Compliance with Standards.

The Greenwood Board of Public Works and Safety may choose to reject any or all improvements not complying with City of Greenwood Standards.

Sec. 10-519 Storm Water.

20.19.01. Storm Sewers and Drainage.

Storm sewers and drainage shall be provided in accordance with the specifications of the Stormwater Drainage and Sediment Control Ordinance of the City of Greenwood.

20.19.02. Compliance with Standards.

The Greenwood Board of Public Works and Safety may choose to reject any or all improvements not complying with City of Greenwood Standards.

Sec. 10-520 Maintenance & Supervision.

Where the subdivision contains sewers, sewage treatment plants, water supply systems, or other physical facilities necessary or desirable for the welfare of the area, or that are of common use or benefit which are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made which is acceptable to the agency having jurisdiction over the location and maintenance of such facilities for the proper and continuous operation, maintenance and supervision of such facilities.

Sec. 10-521 Traffic Control Devices.

20.20.01. Street Name Signs.

The developer shall install street name signs in accordance with local standards and the Manual on Uniform Traffic Control Devices of Indiana. One sign shall be installed at each intersection and at each point where street names change indicating the name of each street and hundred blocks. Street name signs shall be installed prior to acceptance of the streets in a residential subdivision or primary buildings in a non-residential subdivision or project. The location of street name signs shall be shown as part of the primary plat submittal.

20.20.02. Regulatory Signs.

Speed limit, stop, yield, and other necessary regulatory signs in accordance with the Manual on Uniform Traffic Control Devices of Indiana shall be provided by the developer in the type and quantity approved as part of the development plans. Installation of regulatory signs shall be the responsibility of the developer.

20.20.03. Warning Signs and Other Devices.

The local government having jurisdiction over same shall be responsible for the installation of all warning signs, traffic lights, and other traffic control devices, except when warranted in industrial and commercial areas, the developer and/or owner may be required to pay the cost of traffic signal installation in interconnection. Warning signs and other devices shall be in accordance with the Manual on Uniform Traffic Control Devices of Indiana.

20.20.04. Building Numbering & Street Addresses.

All buildings shall display street address numbers large enough to be visible from the street (minimum four inches tall) as per Section 10-509(D) of this ordinance. Numbers shall be clearly visible on the front wall of the house, building, or garage.

DIVISION VII.

VACATION OF PUBLIC WAYS OR PUBLIC PLACES.

Petitions requesting the vacation of an existing public way or public place shall comply with the requirements and procedures established in the "Greenwood Ordinance for Vacation of Public Ways and Public Places" Ordinance No. 84-1, as adopted and amended by the Greenwood Common Council.

DIVISION VIII.

LAND ALTERATION STANDARDS.

Sec. 10-522 General.

20.21.01. Conformance to this Article.

Any land alteration must be accomplished in conformity with the regulations of this Article. However, where any apparent conflict exists between this article and similar regulations of the Indiana Department of Natural Resources, Federal Emergency Management Agency, or other local, state or federal agencies of competent jurisdiction, the more stringent requirements shall apply.

20.21.02. Deviation from the Plan.

Any significant deviation or change in the detailed plans and specifications after the granting of a land alteration permit shall be filed in duplicate with the Planning Department office prior to the time land alteration involving the change occurs. The developer may proceed with the change only upon the written approval of the Planning Director. Copies thereof, if approved, shall be attached to the original plans and specifications.

20.21.03. Dedication of Easements.

The Plan Commission may, as a prerequisite to the secondary approval of a plat or development plan, require the dedication of easements to the City of Greenwood and to owners of other affected lands by the owner of a parcel (relative to which application for a land alteration permit has been obtained) where such is necessary to achieve satisfactory present and future drainage of the parcel and the area surrounding the parcel.

Sec. 10-523 Minimum Standards for Land Alterations – Accomplished relative to a one or two-family dwelling or accessory structure.

20.22.01. Conformance with Minimum Standards.

Land alteration accomplished in conjunction with the construction, enlargement, or location, on a permanent foundation, in a non-impacted area, of a one-family dwelling, two-family dwelling or accessory structure appurtenant to either a one or two-family dwelling, shall be in accordance with the Stormwater Drainage and Sediment Control Ordinance and in accordance with regulations adopted by the Plan Commission which are pertinent to these standards.

20.22.02. Conformity to Other Legal Requirements.

Land alteration shall be carried out in conformity with written commitments executed in connection with rezoning cases, variances, subdivision plat restrictions and covenants, and building code standards.

20.22.04. Slopes Within 100 Feet of Building Foundation.

All final grades shall slope away from building foundations:

1. Around each permanent building foundation there shall be a slope with a minimum vertical fall of six inches for the area measured from the foundation to a point 10 feet from the foundation or to the property line, whichever is closer; thereafter;
2. A slope with a minimum vertical fall of ¼ inch per foot (2%) for previous surfaces and a slope with a minimum vertical fall of 1/16 inch per foot (1/2%) for concrete, asphalt, or other impervious surfaces for the area from the perimeter of the area subject to (1) above to a point 100 feet from the building foundation or into a drainage facility or to the property line, whichever is closer.

20.22.04. Permanency of Grade.

Land alteration shall be accomplished in such a way that the grades left at the time that the work is completed will be permanent and stable. Vegetative materials may be buried in the ground only if placement will clearly not interfere with the stability of all areas and cause settlement or erosion.

Sec. 10-524 Storm Sewer Tap-ons.

20.23.01. Tap-On Permit Required.

No person or persons shall connect to a public storm sewer without first submitting plans and obtaining a permit to do so from the City. Such plans and application shall show in detail the manner in which the proposed connection is to be made, the exact location, and other pertinent details as may be necessary to insure a proper connection.

20.23.02. Applicability.

The requirements of this Section apply to both residential and non-residential buildings and structures.

Sec. 10-525 Minimum Standards for Land Alteration to Control Erosion and Sediment.

Conformance with Minimum Standards. Land alterations shall be accomplished in accordance with standards found in the Stormwater Drainage and Sediment Control Ordinance of the City of Greenwood.

DIVISION IX.

DEFINITIONS.

For applicable definitions, refer to Article 22 of the Greenwood Zoning Ordinance No. 82-1 and Greenwood Municipal Code, as amended.

Sec. 10-526 through Sec. 10-532 Reserved for future use.

ARTICLE 21 STORMWATER DRAINAGE & SEDIMENT CONTROL ORDINANCE

Sec. 10-533 Policies and Procedures.

21.01.01. Purpose.

This ordinance establishes minimum standards for the planning and design of drainage systems and stormwater management facilities within the jurisdiction of the City of Greenwood. The purpose of this Ordinance is to control stormwater drainage facilities, grading, excavation, clearing, and other alterations of the land in order to limit the dangers of personal injury or property damage that may be caused by stormwater runoff and to comply with the standards set forth in 327 IAC 15-13. Also, these provisions are needed to secure the eligibility for flood insurance under Public Law 1016 and thereby promote the public health, safety, and general welfare of the citizens of Greenwood. This Ordinance regulates:

1. Stormwater drainage improvements related to development of lands located within the jurisdiction of the City of Greenwood;
2. Drainage control systems installed during new construction and grading of lots and other parcels of land;
3. Erosion and sediment control systems installed during new construction and grading of lots and other parcels of land;
4. The design, construction, and maintenance of stormwater drainage facilities and systems; and
5. Existing stormwater drainage systems where the inclusion of improvements is feasible.

It is recognized that smaller streams and drainage channels serving the City of Greenwood and its extra-territorial planning jurisdiction may not have sufficient capacity to receive and convey stormwater runoff, as land changes from agricultural or open use to a more urbanized use. It is further recognized that deposits of sediment from developments during and after construction can reduce capacities of storm sewers and drainage systems and result in damages to receiving water bodies. Therefore, it shall be the policy of the City of Greenwood that the storage and controlled release of storm water runoff shall be required of all new development, any redevelopment and other new construction in the City of Greenwood's jurisdiction. The release rate of stormwater from developed lands shall not exceed the release rate from the land area in its present land use, as further defined in Section 10-535, Hydrology and Hydraulics.

Because topography and the availability and adequacy of outlets for stormwater run-off vary with almost every site, the requirements for stormwater drainage tend to be an individual matter for any project. It is recommended that each proposed project be discussed with staff from the City Engineer's Office at the earliest practical time in the planning stage.

21.01.02. Conflicting Ordinances.

The provisions of this Ordinance shall be deemed as additional requirements to minimum standards required by other City, State or Federal regulations. In the case of conflicting requirements, the most restrictive shall apply.

21.01.03. Compliance with Other Ordinances.

In addition to the requirements of this ordinance, compliance with the requirements set forth in other applicable ordinances for submission and approval of preliminary and final subdivision plats, improvement plans, building permits, zoning approvals, and similar matters, and compliance with applicable State of Indiana statutes and regulations shall be required.

The following approvals, if applicable, must be obtained before City approval on the Detailed Design Drainage Plan will be granted:

1. Permit for Construction in a Floodway, Chapter 318, Acts of 1945, as amended from the State of Indiana, Department of Natural Resources. This permit is required if the drainage area for the affected stream is one square mile or greater and is required for any construction in a floodway and any works for flood control.
2. Section 404 Permit, Section 404 of the Clean Water Act, 33 CFR Part 330 from the U.S. Army Corps of Engineers. This permit is required for projects that may involve the discharge of dredged or fill material into waters of the United States.

3. Section 401 Water Quality Certification from the State of Indiana, Department of Environmental Management. This permit is required for any project that has a Section 404 Permit from the Corps of Engineers.
4. Rule 5 Compliance, NPDES General Permit, 327 IAC 15. For any construction activity on a site of one acre or more, proof of compliance with these requirements must be provided. A Notice of Intent letter and fee must be submitted to the Indiana Department of Environmental Management and an Erosion Control Plan must be submitted to the Johnson County Soil and Water Conservation District office.

21.01.04. Definitions.

Definitions pertinent to the drainage ordinance shall be found in Article 22 of the Greenwood City Code.

21.01.05. Stormwater Control Policy.

It is recognized that the streams and drainage channels serving the drainage needs of the City of Greenwood and its extra-territorial planning jurisdiction may not have sufficient capacity to receive and convey stormwater runoff resulting from continued development. To address this condition, the storage and controlled release rate of excess stormwater runoff shall be required for any development, redevelopment and new construction located within the City of Greenwood and its extra-territorial planning jurisdiction. All drainage in the developed area must be confined and maintained on site through perimeter structures including swales and inlets, and shall be channeled through the stormwater storage area.

No improvement location permit will be issued by the City for construction or extension of any proposed or existing building until the required drainage plans have been approved in writing by the City, except for the following exemptions:

1. Construction or extension of a single family dwelling house or an accessory use building thereto;
2. Construction or extension of a duplex dwelling house or an accessory use building thereto;
3. Extension or replacement of any existing building that does not increase the existing rate of runoff.

The above exceptions, 1 - 3, however, shall not be applicable to a project if located in a previously designated Impact Drainage Area as established per Sec. 10-533 (F) of this Ordinance.

The City may waive the requirement of controlled runoff for certain subdivisions, only when formal application has been made, in accordance with Sec. 10-534, 21.02.11 of this Ordinance, and the Board of Public Works and Safety finds that the criteria listed in the Ordinance have been satisfied.

The release rate of storm water from development, redevelopment, and new construction may not exceed a 2-year pre-developed rainfall event rate for a 10-year post-developed storm, or a 10-year pre-developed rainfall event rate for a 100-year post-developed storm ("peak flows").

The developer must submit to the City Engineering Department detailed computations of runoff before and after development, redevelopment, or new construction that demonstrates that runoff will not be increased. Hydrograph techniques and computer modeling methods used to determine stormwater runoff shall be proven and accepted methods, and will be subject to approval of the City Engineering Department.

These computations must show that the peak runoff rate after development for the 100-year return period storm of critical duration must not exceed the 10-year return period pre-development peak runoff rate. These computations must show that the peak runoff rate after development for the 10-year return period storm of critical duration must not exceed the 2-year return period pre-development peak runoff rate. The critical duration storm is that storm duration that requires the greatest stormwater storage. The top of the embankment must provide a two-foot freeboard above the elevation of the 100-year routed pool level. Also, the emergency spillway must be designed so that it becomes operational at or above the elevation of the routed 100-year storm. The 100-year storm must be routed through the pond with the primary spillway inoperative.

Acceptable methods of computing the quantities of runoff will be described in Section 10-535, Hydrology and Hydraulics.

21.01.06. Determination of Impact Drainage Areas.

The Board of Public Works and Safety is authorized, but is not required, to classify certain geographical areas as Impact Drainage Areas and to enact and promulgate regulations that are generally applied. In determining impact drainage areas, the Board of Public Works and Safety shall consider such factors as topography, soil type, and capacity of existing regulated drains and distance from adequate drainage facility. The following areas shall be designated as Impact Drainage Areas, unless good reason for not including them is presented to the Board of Public Works and Safety:

1. A Floodway Fringe as designated on the Federal Emergency Management Agency's Floodway Maps;
2. Land within 75 feet of the top of each bank of any regulated drain; and
3. In situations where there is not available land to provide an adequate outlet, taking into consideration the capacity and depth of the outlet, the location may be designated as an impact drainage area by resolution of the Board of Public Works and Safety. Special requirements for development within any impact drainage area shall be included in the resolution.

21.01.07. Board of Public Works and Safety Authority.

The Board of Public Works and Safety has the authority to review and act on all drainage plans for Primary Plats, Secondary Plats and Site Development Plans. The Board of Public Works and Safety may choose to delegate that responsibility.

Sec. 10-534 Local Review Process.

21.02.01. When to Submit.

Applicants must submit drainage plans for review and approval prior to the initiation of any land alteration on the site. Local drainage review as part of the land alteration process shall typically be accomplished as a two-step process, in conjunction with the platting of land. A general drainage plan, including submittal of drainage calculations, and information for the entire parent tract shall be required with submittal of a primary plat. A detailed design drainage plan shall be submitted with the secondary plat. In addition to the information required by the platting process, other information shall be required, as noted in this section.

In the case where the site has already been platted, but development plan approval has not been granted, the drainage review process shall be completed in conjunction with the initial site development plan application. In addition to the information required by the development review process, other information shall be required, as noted in this section.

21.02.02. Pre-Submittal Meeting.

The Board of Public Works and Safety or the City Engineering Department can require a pre-submittal meeting.

21.02.03. General (Preliminary) Drainage Plan.

The applicant shall file in required form and numbers the application form, filing fee, and copies of the General Drainage Plan, in compliance with the applicable filing requirements set forth by the plan commission for the associated subdivision plat or development plan. All submittals are subject to cursory review. Incomplete submittals will not be accepted for review. The general drainage plan submission shall include the following information:

1. Site Features. The plan shall be drawn to scale, preferably 1" = 50', or a sufficient scale to accurately depict all features that affect stormwater design, and an arrow indicating north shall appear on each page. Sheet size shall not exceed 24" by 36". Show existing contours with intervals of not more than two feet where the slope is greater than 4% and not more than one foot where the slope is less than or equal to 4%. Off-site watershed boundary maps can be submitted at an appropriate contour interval sufficient to depict drainage areas and slopes. A benchmark, which is easily accessible and re-locatable, shall be shown. The benchmark may be assumed at the discretion of the City Engineering Department if the area contains less than 3 acres, but otherwise shall be determined by use of NAVD 88 datum (vertical).
2. Location and Vicinity Map. A map that identifies the location and vicinity of the proposed land alteration shall be included in the stormwater plan, and shall reference a nearby major road intersection.
3. Existing Stormwater Facilities. Show the locations of all existing stormwater facilities. Dimensions on the plans shall locate storm drains, manholes and other structures in relation to surrounding physical features. Show the direction of flow, elevation of inverts, gradient, materials and size of existing storm drains.
4. Topographic Map. A topographic map shall be provided covering the land to be developed and any adjoining land whose topography may affect the layout or drainage of the development. The contour intervals shall be one foot when slopes are less than 4% and two feet when the slope is greater than 4%.

   Drainage areas shall be delineated showing all existing on-site and off-site drainage areas and flow paths to stormwater facilities, and the limits of the 100-year floodplain for all areas with contributing drainage watersheds of one acre or greater and shall also include 100-year base flood elevation ("BFE") with notation as to the source of the BFE.

5. Proposed Stormwater Facilities. The complete proposed system should be shown in plan view, including swales, storm sewers, and stormwater ponds. Supplemental data and calculations supporting the design of all drainage facilities shall also be submitted. It is the intent of the Board that the drainage system design be verified early in the permitting process.

6. Technical Information Report. A completed Technical Information Report is required as part of the drainage plan application. All reports submitted under this section to the City Engineering Department must be prepared by a qualified professional licensed in the State of Indiana, and engaged in storm drainage design. The Technical Information Report shall contain the following information:
   a. Existing site conditions, with specific problem areas identified during site inspections;
   b. Known neighborhood concerns;
   c. Written commitments related to stormwater management;
   d. Downstream conditions/restrictions (with a justification for the level of downstream analyses performed);
   e. Design calculations are required as part of the stormwater plan and shall, at a minimum, include:
      i. Estimation of Stormwater Runoff - hydrographs/peak runoff rates for all design storms;
      ii. Drainage area calculations;
      iii. Weighted curve number or runoff coefficient computations;
      iv. Time of concentration computations indicating overland flow time, and flow time in the swale, gutter, pipe or channel;
      v. Capacity of the pond in acre-feet by pool elevation (stage-storage relationship);
      vi. Design of the pond's outfall control structure, with stage-discharge relationship and pond outfall velocity in feet per second;
      vii. Computations of the routings of the design hydrographs through the proposed stormwater pond, indicating the maximum routed pond discharge rate, and the maximum routed 100-year, 10-year and 2-year pool elevation;
      viii. Design of the emergency spillway, including the routing of the 100-year storm through the pond with the primary spillway inoperative, and showing the maximum pool elevation and flow through the emergency spillway; and
      ix. Information regarding the computer models used, including printouts and an identification of the pertinent output data.
7. Additional Information. The City Engineering Department shall be empowered to require additional information to evaluate and determine the adequacy of the proposed stormwater facility.
8. Certification Required. All drainage plans submitted to the City Engineering Department, as described under this section, must be prepared and certified by a qualified professional licensed in the State of Indiana, and engaged in storm drainage design.

21.02.04. Detailed Design (Final) Drainage Plan.

The detailed drainage plan shall be incorporated into the secondary plat, as part of the construction drawings, or with a final site development plan. That submittal should be a finalized version of the earlier Preliminary Drainage Plan. All final development and construction plans shall be submitted under the seal and signature of a qualified professional licensed to practice in the State of Indiana. All sheets shall be 24" x 36" size drawn to scale at a minimum 1"=50' and a maximum 1"=10' with the exception of the maps on Sheet One, unless otherwise approved by the City Engineering Department. The drainage component of the final construction plans shall be incorporated into the following sheets. Plans submitted for review shall observe the following format:

1. All sheets shall contain the following information:
   a. The proposed name by which the project shall be legally and commonly known;
   b. Date of survey, scale, and north arrow; All lots or outlots intended for sale or lease shall be designated with boundary lines and numbered or labeled for identification purposes;
   c. Private parks, common areas, or excluded parcels shall be designated as such and clearly labeled on the plans;
   d. Such other information as may be deemed necessary for proper review of the secondary plat or site development plan by the administrator, City Engineering Department, or commission; and
   e. All necessary reference points tying the subject property to the appropriate section corners.
   f. Each sheet shall be sealed and signed by the professional preparing the drawings.
   g. All sheets shall be tied to state plane coordinates for horizontal and vertical controls.
2. Sheet One (Title Sheet).
   The following information shall be submitted as part of Sheet One:
   a. Full legal description with sufficient reference to section corners and boundary map of the subject project, including appropriate benchmark references;
   b. Name of the Project;
   c. Name and address of the owner, developer, and person who prepared the plans;
   d. Total acreage within the project and the number of residential dwelling units or the gross square footage of non-residential buildings whichever is applicable;
   e. Existing zoning of the subject land and all adjacent lands;
   f. Boundary lines of adjacent tracts of land, showing owners of record;
   g. A key or vicinity map at a scale of one inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located;
   h. A statement of the proposed uses, stating the type and size of residential and non-residential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project on traffic, fire hazards, or congestion of population;
   i. Proposed covenants, restrictions, by-laws, or articles of incorporation affecting property owners and/or homeowners associations; and
   j. Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing;
3. Sheet Two (Existing Site Conditions).
   The following information shall be submitted as part of Sheet Two:
   a. Location, widths, and type of construction of all existing streets, street names, alleys, or other public ways and easements, street classifications as per the Thoroughfare Plan, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and the locations of all existing stormwater facilities. Storm drains, manholes and other structures shall be located by dimensions on the plans, in relation to surrounding physical features. Show the direction of flow, elevation of inverts, gradient, materials and size of existing storm drains. Other data may be added which is considered pertinent by the commission or the administrator for the subject land. Existing site conditions shall include all land within 300 feet of the proposed project;
   b. Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;

c. Existing contours based in U.S.G.S. datum with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. Off-site watershed boundary maps can be submitted at an appropriate contour interval sufficient to depict drainage areas and slopes. A benchmark, which is easily accessible and re-locatable, shall be shown. The benchmark shall be determined by use of NAVD 88 datum (vertical), and elevations shall be based on sea level datum; and

d. The water elevation at the date of the survey of lakes, streams, or designated wetlands within the project or affecting it, as well as the approximate high and low water elevation of such lakes, streams, or designated wetlands. The plan shall also show the contour line of the regulatory flood (100-year flood) elevation and the contour line for the floodway fringe boundary. All elevations shall be based on sea level datum;

4. Sheet Three (Proposed Site Conditions).

The following information shall be submitted as part of Sheet Three:

a. Location, widths, grades and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within 300 feet of the proposed project;

b. Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;

c. Building setback lines, showing dimensions;

d. Full description and details, including engineering calculations, for provision of storm water drainage plans and facilities, including basin mapping. The standard for drainage detention storage is that the peak run-off rate of a 100-year post-development event cannot exceed the peak run-off rate for a 10-year pre-development event; and that the peak runoff rate of a 10-year post-development event cannot exceed the peak run-off rate for a 2-year pre-development event;

e. Internal and perimeter sidewalk system/pedestrian circulation plan;

f. Proposed contours for proposed ponds with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. The plan shall also show the contour line for the floodway fringe boundary. Spot elevations will be satisfactory for other proposed improvements, unless otherwise directed by the City Engineering Department; and

g. The location and detail plans for all trash dumpsters.

5. Sheet Four (Erosion Control Plan).

The following information shall be submitted as part of Sheet Four:

a. Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within 300 feet of the proposed project;

b. Proposed contours with intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%;

c. Details of terrain and area drainage, including the identity and location of watercourses, intermittent and perennial streams, receiving waters, and springs, and the total acreage of land that will be disturbed;
d. The direction of drainage flow and the approximate grade of all existing or proposed streets;
e. Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of, the proposed project, together with a map showing drainage area, the complete drainage network, including outfall lines and natural drainage ways which may be affected by the proposed development, and the estimated runoff of the area served by the drains;
f. A description of the methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site;
g. Measures for soil erosion and sediment control which must meet or exceed the methods and standards adopted by the Indiana Department of Natural Resources and/or set forth in the Indiana Handbook For Erosion Control in Developing Areas and which must comply with the design principles, performance standards, and requirements set forth in this chapter and the Indiana Department of Environmental Management Municipal Separate Storm Water Sewer System Conveyances storm water run-off requirements;
h. A schedule of the sequence of installation of planned erosion and sediment control measures as related to the progress of the project, including the total area of soil surface that is to be disturbed during each stage, the anticipated starting and completion dates, and a schedule for the maintenance of such measures;
i. Include the following notes on the sheet:
   i. "All erosion control practices shall be in accordance with the IDNR "Indiana Handbook For Erosion Control In Developing Areas" dated October 1992 and the SCS "Field Office Technical Guide."
   ii. "The City Engineering Department has the right to require additional erosion control measures in the field as conditions warrant."
j. Copies of the letter of intent and response from the Johnson County Soil and Water Conservation District office for Rule 5 compliance, when required; and
k. Any other information reasonably required by the commission or administrator to properly evaluate the plan.

6. Sheet Five (Landscape Plan).
A landscape plan shall conform to the following requirements:
a. It is recommended that the landscape plan be prepared by a landscape architect, nurseryman, or other professional experienced in landscape design and the installation and care of plant materials. The name and address of the plan preparer shall be included on the plan;
b. All plans shall show the entire lot to scale;
c. Show the location and dimensions of all existing and proposed structures, parking lots and drives, roadways and right-of-way, sidewalks, bicycle paths, ground signs, refuse disposal areas, bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines and easements, freestanding structural features, and other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights and courts or paved areas;
d. The location, quantity, size, and name, both botanical and common name of all proposed planting materials;
e. The location, size and common name of existing trees and individual shrubs, areas of dense trees or shrubs, and other natural features, indicating which are to be preserved and which are to be removed;

f. The approximate location and generic identification of existing structures and plant materials within the yard of adjoining properties;
g. Existing and proposed grading of the site, including proposed berming, indicating contours at no more than two-foot intervals;
h. Specification of the type and boundaries of all proposed vegetative ground cover;
i. Design of fences and other significant accessory structures;
j. The location of barriers to be placed at or beyond the drip line of any trees to be preserved, and the type of material to be used for the barrier;
k. Planting and installation details as necessary to ensure conformance with all required standards;
l. Details indicating specific grading measures or other protective devices where trees are to be preserved in areas of cut and fill; and
m. A tabulation clearly displaying the relevant statistical information necessary for the Plan Commission to evaluate compliance with the provisions of this ordinance.

7. Sheet Six (Plat-like dedication sheet, if necessary).
The following information shall be submitted as part of Sheet Five if a plat-like dedication document for easements and rights-of-way is deemed necessary by the Plan Commission or its authorized designee:
a. Parcels of land proposed to be dedicated or reserved for public use, or reserved for common use of all property owners within the project, with the proposed conditions and maintenance requirements, if any, shall be designated as such and clearly labeled on the plans;
b. Radii, internal angles, points of curvature; tangent bearings and lengths of all arcs, chord, and chord bearings; and
c. Accurate location of all survey monuments erected, corners and other points established in the field in their proper places.

8. Sheet Seven (Storm Plan and Profile).
For all pipe intended to be dedicated to the City of Greenwood, a storm drain plan and profile shall be submitted. Sections of pipe that will not be dedicated to the public, shall at a minimum show pipe sizes and invert elevations, material and slope unless a plan/profile is requested by the City Engineering Department. The plan shall be shown on the upper portion of the drawing. The plan, generally, shall be drawn on a scale that is clear and legible and not greater than 1”=50’. The plan shall show appropriate right-of-way and easement limits. The profile shall be shown under the plan and shall extend a sufficient distance downstream of the outlet to allow any pertinent information to be listed. For each pipe, the length, size, slope, material and class shall be annotated on the profile sheet near the dimension line. Detail title and/or number references shall be called out on the profile plan.

The storm drain and inlet profile shall generally be drawn on a scale of 1”=50’ horizontal and 1”=5’ vertical. Where a storm drain is located inside the limits of an existing or proposed pavement or shoulder, the centerline grade of the road shall be shown. Where a storm drain is located outside pavement or shoulder, the existing ground over the storm drain with proposed grading shall be shown. If the storm drain is to be constructed on fill, the profile of the undisturbed earth, at the storm drain location shall be shown. All utility locations at intersections with the storm drain shall be shown.

The Storm and Profile Plan shall contain the following information:
a. Size of pipe or channel cross-section;
b. Pipe or channel invert’s slope in percent;

c. Material and roughness coefficient; and
d. Flowing velocities in feet per second.

9. Standard Detail Sheets.
Standard detail sheets as adopted by the Greenwood Board of Public Works and Safety, shall be included as part of the submittal.

10. Technical Information Report.
A completed Technical Information Report is required as part of the drainage plan application. All reports submitted under this section to the City Engineering Department must be prepared by a qualified professional licensed in the State of Indiana, and engaged in storm drainage design. The Technical Information Report shall contain the following information:

a. A written narrative describing the existing and the proposed drainage system and the results of the design, including a summarization of calculations and design recommendations for the collection system and the stormwater pond (including primary and emergency spillways);
b. Existing site conditions, with specific problem areas identified during site inspections;
c. Known neighborhood concerns;
d. Written commitments related to stormwater management;
e. Downstream conditions/restrictions (with a justification for the level of downstream analyses performed); and
f. Design calculations are required as part of the stormwater plan and shall, at a minimum, include:
    i. Estimation of Stormwater Runoff. hydrographs/peak runoff rates for all design storms;
    ii. Drainage area calculations with appropriate drainage basin maps;
    iii. Weighted curve number or runoff coefficient computations;
    iv. Time of concentration computations indicating overland flow time, and flow time in the swale, gutter, pipe or channel;
    v. Inlet grate and gutter flow computations;
    vi. Closed conduit and open channel design computations with appropriate drainage basin maps;
    vii. Size of pipe or channel cross-section;
    viii. Pipe or channel slopes in percent;
    ix. Pipe/channel material and roughness coefficient;
    x. Design velocities, for channels, pipes, and pond outfalls, in feet per second;
    xi. Design calculations for culvert pipes;
    xii. Design capacity of channels and pipes in cubic feet per second, capacity of the pond in acre-feet by pool elevation (stage-storage relationship);
    xiii. Hydraulic grade line computations for storm sewer design;
    xiv. Design of the pond's outfall control structure, with stage-discharge relationship;
    xv. Computations of the routings of the design hydrographs through the proposed stormwater pond, indicating the maximum routed pond discharge rates and the maximum routed 2-year, 10-year, and 100-year pool elevation.
    xvi. Design of the emergency spillway, including the routing of the 100-year storm through the pond with the primary spillway inoperative, and showing the maximum pool elevation and flow through the emergency spillway;
    xvii. Information regarding the computer models used, including printouts and an identification of the pertinent output data;

xviii. Summary of planned erosion control measures to be utilized.

(Ord. No. 02-07, §1, 3-18-02)
(Ord. No. 04-55, §4, 1-17-05)

g. A written narrative is required with the submittal stating that the drainage plans are in compliance with the provisions of the Greenwood Stormwater Drainage and Sediment Control Ordinance.

11. Required Information.
The City Engineering Department shall be empowered to require additional information to evaluate and determine the adequacy of the proposed stormwater facility, which may include, but is not limited to, written documentation of the following, when applicable:
a. Utility encroachment approvals;
b. Johnson County Drainage Board approval;
c. Other local, state, and federal approvals, including other City boards, commissions, or departments;
d. Inspection and testing agreements with the Board of Public Works and Safety;
e. Outside reviews as required by the City; and
f. Easements and rights-of-ways not on a plat-like document shall be submitted in the form prescribed by the Board of Public Works and Safety and include both a full legal description and a drawing exhibit.

The City Engineering Department shall also be empowered to waive information requirements when he/she determines that it is not necessary for evaluating or determining the adequacy of the proposed stormwater facility.

12. Certification Required.

All drainage plans submitted to the City Engineering Department, as described under this section, must be prepared by a qualified professional licensed in the State of Indiana, and engaged in storm drainage design.

21.02.05. Deviations from Approved Plans.

Deviations from approved plans and specifications shall not be made after the Board of Public Works and Safety grants formal drainage plan approval. Written application for deviation(s) from approved plans shall be filed in duplicate with the City Engineering Department and approved by the Board of Public Works and Safety, prior to implementation of the revision or change(s). Copies of the revisions or changes, if approved, shall be attached to the original plans and specifications.

Examples of deviations from the approved drainage plan shall include, but are not limited to, the following:
1. Pipe size changes;
2. Pipe grade changes (because of their affect on the hydraulic capacity of the stormwater facility);
3. Significant changes in horizontal alignment;
4. Construction materials and installation which are not in conformance with the requirements of this ordinance;

5. Changes in grade of the site that will effect the stormwater direction, velocity, and amount of concentration or may expose structures or streets to a greater risk of flooding than under approved plans;
6. Changes to drainage swales or ditches within right-of-ways, or on easements dedicated to the City; and
7. Addition of storm pipes or ditches;
8. Other changes deemed substantial by the City Engineering Department. If an applicant does not agree with the decision of the City Engineering Department, as it relates to this section, the applicant may request review and action by the Board of Public Works and Safety.

21.02.06. Responsibilities for Maintenance.

Responsibilities for maintenance are listed on the associated plat and/or plan.

21.02.07. Performance and Maintenance Guarantees.

The City of Greenwood may require financial guarantees such as performance bonds, or irrevocable letters of credit to be submitted. These performance bonds, irrevocable letters of credit, or other accepted financial guarantees may be part of the financial guarantee package required by the Board of Public Works and Safety for subdivisions, development plans, etc.

1. Performance Guarantees.
   Submission of Performance Guarantees. Performance guarantees shall be in a form approved by the City Attorney, and shall be based upon the bond estimate form and unit prices, as approved by the Board of Public Works and Safety for the cost to complete proposed site improvements.
   a. Performance guarantees shall be required to cover total installed cost for storm drainpipe, culvert, manhole, and box inlet installation, etc.
   b. Performance guarantees shall be required to cover total cost for site filling and grading, including but not limited to construction of open drainage swales and stormwater storage detention/ retention facilities.
   c. A separate performance guarantee shall be required for the installation of erosion and sediment control measures and regrading of minor drainage collector swales. Erosion and sediment control performance guarantees shall be in a form approved by the City Attorney, and shall be based upon the bond estimate form and unit prices, as approved by the Board of Public Works and Safety, for the cost to complete proposed sediment and erosion control installation, including, but not limited to:
      i. Re-establishment of erosion and sediment control devices;
      ii. Re-grading of the site;
      iii. Seeding of the entire disturbed area; and
      iv. Cleaning of the storm drain system.
2. Release of Performance Guarantees. The contractor or owner will schedule the final inspection with the Office of the City Engineering Department. After successful completion of the final inspection, the performance guarantees will be released in conformance with Board of Public Works and Safety policies and procedures, after the City Engineering Department approves the Maintenance Guarantees and "Record" drawings prepared under the supervision of and certified by a qualified professional licensed in the State of Indiana.

3. Maintenance Guarantees.
   1. Submission of Maintenance Guarantees. Prior to the release of the stormwater facility, and erosion and sediment control performance guarantees, a maintenance guarantee shall be submitted.
      a. This guarantee shall be in the amount not to exceed 20% of 110% of the performance bond amount.
      b. Guarantees shall not be accepted from December 1 through March 1 of any given year.
      c. Maintenance guarantees shall be in a form approved by the City Attorney.
      d. Maintenance guarantees may be required for storm systems that are to remain privately owned and maintained at the discretion of the Board of Public Works and Safety.
   2. Release of Maintenance Guarantees.
      a. Maintenance guarantees shall cover a period of 3 years from the date of acceptance by the City.
      b. Guarantees shall not expire From December 1 through March 1 of any given year unless the Board of Public Works and Safety specifically determines otherwise.

21.02.08. Record Drawings.

As part of the final acceptance process, record drawings of the drainage facilities must be submitted to the City Engineering Department, as set forth herein, for all platted subdivisions and site development plans for both public and private improvements. A qualified professional licensed to practice in the State of Indiana shall certify record drawings. Record drawings shall provide at a minimum the following information:

1. Building pad elevations;
2. Calculated percentage slope in swales, pipes and from building pads;
3. Elevation shots along the flow line of the rear yard swales at its intersection with the property lines, and also at the midpoint of the swale on each lot. In no case shall the distance between elevation shots along the rear yard swale exceed 50';
4. Flow line elevations of the highpoint along sideyard swales;
5. Pipe size and pipe material;
6. Lengths of all pipe structures;
7. Data regarding the stormwater storage basin, including top of bank elevation, invert elevations of primary and emergency spillways, size and pipe material of primary spillway, emergency spillway shape and dimensions, and width of top of embankment;
8. Structure inverts, pipe inverts, top-of-castings;
9. Horizontal alignment of storm drain pipes, culverts, streets and storm drain structures, to a minimum accuracy of ± 2 feet;
10. The horizontal location and/or bank cross-sections for all wet-bottom or dry-bottom storage facilities or other information sufficient to verify that the constructed stormwater storage facility provides the required minimum runoff storage volume;
11. Certified statement on plans stating the completed storm drainage system substantially complies with construction plans as approved by the Board; and
12. Other information which may be requested by the City Engineering Department.

Final record drawings shall not be accepted until the Board of Public Works and Safety accepts the improvements. Record drawings shall be initially submitted as paper copies, while final record drawings shall be submitted as original Mylar copies, and in an electronic format compatible with the City of Greenwood's database.

21.02.09. Land Alteration Permit.

A Land Alteration Permit to begin site development shall not be granted by the Planning Department office until the detailed design drainage plan has been approved by the City Engineering Department, in addition to the execution of required performance guarantees, inspection agreements, and other required documents.

21.02.10. Driveways and Swales.

Driveways should be constructed over swales or ditches within public right-of-way or easements only when the City Engineering Department has permitted appropriate sized culverts or other approved structures.

21.02.11. Waivers from these Regulations.

The Board of Public Works and Safety may grant waivers from these regulations, based on evidence submitted by the developer that the natural surface drainage is adequate, and that a constructed storm water system is not necessary, in which case easements for such natural surface drainage would be provided instead of construction of a storm drainage system. Waivers may be based on "Show no Impact" or a hydraulic study of peak flows.

1. Waiver Guidelines.
   The Board of Public Works and Safety shall not approve waivers unless it agrees with the evidence presented to it by the applicant in each specific case, that:
   a. The granting of the waiver will not be detrimental to the public safety, health, or welfare, or injurious to other property;
   b. The conditions upon which the request for a waiver is based are unique to the property for which a waiver is sought and are not applicable generally to other property;
   c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out. Financial hardship does not constitute grounds for a waiver;
   d. The waiver is exclusive to the Drainage Ordinance, and shall not in any manner vary the provisions of the Zoning Ordinance, Subdivision Ordinance, Comprehensive Plan or Thoroughfare Plan of the City of Greenwood; and
   e. Where the waiver impacts on design and construction of public facilities, all appropriate public agencies will be given reasonable time to comment in writing to the Board of Public Works and Safety.
2. Conditions of Waivers.
   In order to request a waiver, the petitioner shall submit the proper application form at the time when the drainage plan is filed for consideration with the Plan Commission Office, as part of the application for the subdivision plat or development plan. The contents of the form shall state fully the grounds for the application and all of the facts relied upon by the petitioner.
3. Jurisdiction.
   It is not within the jurisdiction of the Plan Commission to grant waivers to these drainage regulations. Likewise, it is not within the jurisdiction of the Board of Public Works and safety to grant waivers to the subdivision ordinance.

Sec. 10-535 Hydrology and Hydraulics

21.03.01. Determination of Runoff Quantities.

It is the intent of this Ordinance that all runoff generated on the project site be subject to the controlled release rate provisions of this Ordinance. Runoff from adjoining property that flows through the project site must also be addressed. Runoff values for developed conditions should be calculated under the assumption that the tributary drainage area is in its ultimate, fully developed condition.

As described elsewhere in the Ordinance, there are instances where a direct discharge is allowed rather than a controlled release. Where a direct release is allowed, only a peak discharge value may be required. When a controlled release is required, a hydrograph procedure is required, since a volume of runoff must be routed through a stormwater pond. An adequate downstream receiving facility shall be identified on the plans. There shall be no increase in erosion potential on the adjoining properties. All proposed outfalls shall have an adequate receiving facility identified on the plans. There shall be no increase in erosion and sedimentation on adjoining properties. All pipe systems shall accommodate the 10-year storm event with the hydraulic gradeline in the crown of the pipe. In addition, an overflow route for the detention structure shall be provided for the flows resulting from storms with a return period greater than the 10-year. In situations where an overflow route to the detention structure cannot be created, the pipes shall be designed with the 100-year hydraulic gradeline runoff below the top of casting or provide an easement encompassing the 100-year inundated areas. This section describes the recommended procedures for calculating stormwater runoff.

1. Rational Method.

   The Rational Method may be used to calculate peak runoff where:

   a. The total drainage area is 5 acres or less, and
   b. No on-site storage will occur.

   The Rational Method calculates peak discharge only (as opposed to developing a runoff hydrograph for a drainage area). It makes a basic assumption that the design storm has constant rainfall intensity for a time period equaling the project area time of concentration.

   i. The rational method is based on the equation,

$$Q = C\,i\,A$$

Where Q = is the peak runoff rate, cubic feet per second (cfs)

C = the runoff coefficient (Table _1_)

i = the rainfall intensity (in/hr)

A = area of the drainage basin in acres.

The rainfall intensity is chosen corresponding to the time-of-concentration. The time-of-concentration shall be calculated as described in ii., below.

The following steps summarize the procedure:

- Determine the watershed area;
- Estimate from Table _1_ the runoff coefficient C or the composite area runoff coefficient;
- Calculate the time-of-concentration (per subsection ii.);
- Determine the rainfall intensity (per subsection _iv_).

ii. Time-of-Concentration (Tc)

The time-of-concentration shall be determined using the Time of Concentration or Travel Time Worksheet in Technical Release 55 (TR-55). This method addresses the time-of concentration in three parts. Sheet flow, shallow concentrated flow and channel flow. See Tim of Concentration Worksheet _1_, Manning's roughness coefficients for sheet flow (Table _2_), and the graph for determining the average velocity for shallow concentrated flow (Figure _1_). A minimum time-of-concentration of 5 minutes shall be used for all calculations. In addition, only a 5 minute time-of-concentration may be assumed for calculations. All other times-of-concentration must be supported with calculations.

iii. Curve Number

The curve number shall be calculated using the TR-55 methodology. The composite curve number shall be calculated and documented using Worksheet _2_ and Tables _3_ and _4_ (from TR-55) as appropriate for the project site. The Worksheet and Tables are provided for reference at the end of this Chapter.

iv. Rainfall

Intensities – Rational Method

The rainfall intensities for use in the rational method can be determined using the following equation:

$\mathbf{i = a / (t + b)^N}$ where:

i = intensity, in / hr

t = time (min)

a,b, and ^{N} are values from Table _5_

These variables were determined from the Indianapolis Intensity-Duration-Frequency (IDF) curves (Figure 2). Table _6_ provides intensities for specific durations and return periods.

Tables are provided at the end of this Chapter for use in selecting appropriate values of C (for various land use categories) and I (for the Greenwood area). The Rational Method should be applied using standard engineering procedures as provided in numerous reference books.

2. Hydrograph Procedures.
Determination of runoff for projects that require a stormwater pond must be developed by use of a hydrograph procedure. Hydrographs should be developed by a procedure based on that outlined in Chapter 4 of the USDA Soil Conservation Service (SCS) National Engineering Handbook (NEH-4) or FHWA publication Hydraulic Engineering Circular #19, "Hydrology."

Rainfall Depths – Hydrograph Methods

Rainfall depths for various storm durations and return periods are given in Table _7_ (the Intensity Duration Depth [IDD])

Rainfall Distribution – Hydrograph Methods

All hydrographs shall be generated using the appropriate Huff, 50% rainfall distribution. The Huff Distributions were derived from historical rainfall data in the Midwest. The first quartile is applicable to storm durations up to 6 hours, the second quartile is applicable to storm duration of 6 up to 12 hours, third quartile for durations between 12 and 24 hours and the fourth quartile for storm durations of 24 hours and greater.

A table of the Huff quartile ordinates is given in Table _8_ at the end of this Chapter.
(See also Figure 3, "Second Quartile Huff Rainfall Distribution", and Table 13.).

This procedure makes use of the hydrologic soil group, cover type, land use, hydrologic condition, and antecedent runoff condition. Information regarding soil types in Johnson County and the selection of appropriate runoff curve numbers is provided in Tables 3 and 4 and Figure 4, "Soil and Water Features".

21.03.02. Amount of Runoff to be Accommodated.

Various parts of a drainage facility must accommodate runoff water as follows:

1. Street Drainage.
The street drainage system, such as inlets, catch basins, street gutters, swales, sewers and small channels which collect storm water must accommodate peak runoff from a 10-year return period storm.

a. The allowable spread of water on Collector and Arterial Streets is limited to maintaining two clear 10-foot moving lanes of traffic. One lane is to be maintained on Local Streets.
b. Open channels carrying peak flows greater than 30 cubic feet per second shall be capable of accommodating peak runoff for a 50-year return period storm within the drainage easement.
c. Culverts under roadways designated as thoroughfares, arterials or that provide the only means of ingress and egress to developments shall accommodate the 100-year flow to the culvert without overtopping the roadway. Culverts under collector roadways (those roadways connected to designated thoroughfares and arterials) shall accommodate the 50-year flow to the culvert without overtopping the roadway. All other roadway culverts shall accommodate the 25-year flow to the culvert without overtopping the roadway. Driveway culverts shall accommodate the 10-year flow to the culvert without overtopping the driveway. In no case shall a new culvert be designed to carry less than the existing capacity of the channel.
d. The gutter spread should be determined using the 10-year storm event. The gutter spread shall be computed using the following equation.

$$\mathbf{Q = (0.56 / n)(S_x^{\ 1.67})(S_L^{\ 0.5})(T^{2.67})}$$

Where Q = is the peak flow through the gutter on each side of the inlet

n = the Manning's roughness coefficient (Table _9_)

S_x = the cross slope of the pavement from the crown to the gutter (ft/ft)

S_L = the longitudinal grade/slope of the street (ft/ft)

T = the width of water extending into the roadway from the vertical gutter face (ft)

Once the peak gutter flow is determined, the maximum drainage area can be calculated using the rational method and the basin characteristics. For a basin consisting only of the roadway itself, the maximum area can be calculated by using a fixed width of the roadway from the crown to the curb and determining the total length required to achieve the maximum flow.

2. Overall Drainage System.
The overall drainage system shall be designed in accordance with Indiana Department of Natural Resources standards. Storm sewers shall be designed for a 10-year storm. Swales shall be designed to accommodate the 10-year storm runoff within the banks. Ditches shall accommodate the 100-year runoff within the banks or a designated easement.

a. Pre-developed runoff rates. Pre-developed runoff rates shall be based on the existing land use at the time the new development is being planned.
b. General Drainage System Design Standards. The drainage system shall be constructed and installed in accordance with plans and specifications approved by the Board of Public Works and Safety. All streets shall have a storm drainage system consisting of curbs, gutters and storm sewers, unless a waiver is granted to the applicant.

c. Storm Sewer Design Standards. All public storm sewers shall conform to the design standards and other requirements contained in this ordinance, and per the standard detail sheets as approved by the Board of Public Works and Safety.

i. Manning Equation. The hydraulic capacity of storm sewers shall be determined using Manning's Equations:

v = (1.486 /n) R2/3 S½, where

v = mean velocity of flow in feet per second,
R = the hydraulic radius in feet,
S = the slope of the energy grade line in feet per foot,
n = roughness coefficient,

The hydraulic radius, R, is defined as the cross sectional area of flow divided by the wetted flow surface or wetted perimeter. Typical "n" values are listed in Table 10.
Roughness coefficient (n) values for other sewer materials can be found in standard hydraulics texts and references.

ii. Velocity. The minimum pipe flow should not be less than 2 ½ feet per second. The maximum pipe velocity is to be 15 feet per second. However, outlet velocities in excess of 5 feet per second will necessitate energy dissipation measures, as approved by the City Engineering Department.

iii. Minimum Pipe Size. The minimum pipe size of all storm sewers shall be 12" diameter. An orifice plate, weir, or other devices, subject to approval of the City Engineering Department shall control the rate of release for stormwater storage, where the pond's primary spillway pipe will not limit the required rate of release.

iv. Grade. Storm sewer grade shall be such that, in general, a minimum of 2 feet of cover is maintained over the top of the pipe. Pipe cover less than the minimum may be used only upon approval of the City Engineering Department. Uniform slopes shall be maintained between inlets, manholes, and inlets to manholes. Final grade shall be set with full consideration of the capacity required, sedimentation problems, and other design parameters. Minimum and maximum allowable slopes shall be those capable of producing velocities of 2 ½ and 5 feet per second, respectively, when the storm sewer is flowing full.

v. Alignment. Storm sewers shall be straight between manholes, insofar as possible. Where long radius curves are necessary to conform to street layout, the minimum radius of curvature shall be no less than 100 feet for sewers 42" and larger in diameter. Deflection of pipe sections shall not exceed the maximum deflection recommended by the pipe manufacturer. The deflection shall be uniform and finished installation shall follow a smooth curve.

vi. Manholes. Manholes shall be installed to provide access to continuous underground storm sewers for the purpose of inspection and maintenance. Manholes shall be provided at the following locations:

a. Where two or more storm sewers converge;
b. At the point of beginning or at the end of a curve, and at the point of reverse curvature (PC, PT, PRC);
c. Where pipe size changes;

d. Where an abrupt change in alignment occurs;
e. Where a change in grade occurs; and
f. At suitable intervals in straight sections of the storm sewer. The maximum distance between storm sewer manholes shall be 300' for pipe 12" through 42", and 500' for pipes larger than 42";

vii. Inlets. Inlets or drainage structures shall be utilized to collect surface water through grated openings and convey it to storm sewers, channels or culverts. Inlet design and spacing shall be in accordance with INDOT's Road Design Manual or other appropriate design procedure, but in no case may be spaced more than 500 feet apart. Inlets shall be sized and each individual inlet shown on plans. The inlet grate opening provided must be adequate to pass the design 10-year flow with 50% of the sag inlet areas clogged. An overload channel from sag inlets to the overflow channel or basin shall be provided at sag inlets, so that the maximum depth of water that might be ponded in the street sag shall not exceed 6 inches.

viii. Protection of Embankment. Erosion protection shall be provided for the primary outlet and emergency spillway so that the stormwater facility embankment will be adequately protected. The location of the emergency spillway shall be in undisturbed material, unless otherwise approved by the City Engineering Department.

ix. Outlet Conduit. The minimum allowable size for the primary outlet conduit, from the stormwater facility, shall be 12 inches. If further restriction of the outlet conduit is required, the restriction shall be made to the inlet end of the conduit.

x. Outlet Velocity. In those instances where the discharge velocity from the primary outlet or emergency spillway is excessive in the opinion of the City Engineering Department, energy dissipation may be required. In general, outlet velocities in excess of 5 feet per second in earth/grassed channels are considered excessive.

xi. No submerged pipes shall be allowed in any storm detention/retention facility for either the inflow or outflow pipes.

21.03.03. Regional vs. Individual Site Drainage.

All drainage in developed area must be confined and maintained on site through perimeter structures including swales and inlets, and shall be channeled through the stormwater storage area. However, regional stormwater storage may be allowed for a development. In the case of approval of a regional stormwater storage system plan, individual lots shall not create separate lot stormwater storage, but shall follow the regional stormwater storage plan.

21.03.04. Open Channel Design Standards.

1. Manning Equation.
Open channel design shall be based on the Manning Equation. See Sec. 10-535 (B)2.c.(i) for an explanation of Manning equation. Open channels (swales and ditches) shall be designed using Manning's equation and using Table _11_. The swales should be designed to convey the 10-year storm event within the banks. The 100-year storm event should remain within the easement of the ditch.

2. Minimum Size.
The required channel cross-section and grade are determined by the design capacity, the material in which the channel is to be constructed, and the requirements for maintenance. A minimum depth may be required to provide adequate outlets for subsurface drains, tributary ditches or streams. The channel grade shall be such that the velocity in the channel is high enough to prevent siltation but low enough to prevent erosion. Velocities less than 1.5 feet per second should be avoided because siltation will take place and ultimately reduce the channel cross-section. The maximum permissible velocities in vegetal-lined channels are shown in Table 12. Developments through which the channel is to be constructed must be considered in design of the channel section.

3. Side Slopes.
Side slopes for grass-lined channels shall be no steeper than 3 to 1. Side slopes for rock riprap-lined channels shall be no steeper than 1 ½ to 1. Channels with vertical walls may be constructed, with approval of the City Engineering Department.

4. Drainage of Vegetated Waterways.
Vegetated waterways that have less than 1 ½ % slope, are subject to low flows of long duration or where wet conditions prevail shall be drained with an underdrain or low flow structure. Lines may be outletted through a drop structure at the end of the waterway, or through a standard tile outlet.

5. Open Channel Design Standards.
For Drainage Swales, longitudinal slopes shall be grass-lined and the minimum standard longitudinal slope shall be 1.30%. If the longitudinal slope of the drainage swale is less than 1.30% but at least 1.00%, a 6" solid perforated underdrain is required which shall outlet into a storm structure or daylight. If the longitudinal slope of the drainage swale is less than 1.00%, a paved concrete swale as approved by the engineering department shall be required and the minimum slope of the paved concrete swale shall be 0.50% (The minimum longitudinal slope shall be 0.50%).

6. Alternative swale/ditch treatments.
Alternative open channel treatments shall be subject to approval of the City Engineering Department. All channels shall be lined with material capable of withstanding the shear stress from the proposed design velocity. Channels that convey runoff with velocity greater than 5 fps will be required to have invert treatment. A table of channel linings and maximum velocities is provided at the end of this Chapter as Table 12.

7. Channel Stability.
All swales shall be blanketed (not seeded), so erosion control extends completely to the top of the bank.

8. Effect of Channel Improvements.
The effect of channel improvements on existing culverts, bridges, buried cables, pipelines and inlet structures for surface and subsurface drainage on the channel being improved and laterals thereto shall be evaluated to determine the need for modification or replacement. Culverts and bridges which are modified or added as part of channel improvement projects shall meet reasonable standards for the type of structure, and shall have a minimum capacity equal to the design discharge or governmental agency design requirements, whichever is greater.

9. Disposition of Spoil.
Spoil material resulting from clearing, grubbing and channel excavation shall not stay on the site unless it is to be used as part of the approved grading plan. In no case shall spoil be deposited in the floodway. Excavated materials, when stored temporarily on-site, must be handled in accordance with the Rule 5 Erosion Control Plan and the erosion control measures included in the construction plans.

10. Flood Modeling. On lands that adjoin a ditch, stream, or river that has a watershed of 25-acres or greater, upstream from the subject parcel, the base flood elevation (BFE) shall be provided for the entire stream reach through the affected property. If available the BFE shall be determined from a Flood Insurance Rate Study (FIS) or DNR approved study. If no published BFE is available for the watershed the submitting engineer must determine the BFE. The US Army Corps of Engineers HEC-2 or HEC-RAS programs shall be acceptable methods. Any other methods must be approved by the City Engineering Department.

21.03.05. Construction and Materials.

1. Construction.
Specifications shall be in keeping with the current standards on file with the Johnson County Soil and Water Conservation District, and shall describe the requirements for proper installation of the project to achieve its intended purpose.

2. Street Drainage.
Street drainage shall be divided to drain on both sides of the street, and shall comply with the City's approved standard details, as adopted by the Greenwood Board of Public Works and Safety.

3. Materials.
Storm Sewers. Pipes shall comply with the City's approved standard detail. End treatments shall be slopewalls or reinforced concrete end sections. Storm sewers within public right-of-way or to be accepted by the City shall be reinforced concrete pipe, unless otherwise approved by the City Engineering Department.

Open Channels. Materials acceptable for use as channel lining are grass, revetment rip-rap, concrete, hand-laid rip-rap, pre-cast cement concrete rip-rap, grouted rip-rap, and gabions. Lining materials shall receive specific approval of the City Engineering Department. Materials shall comply with the latest edition of INDOT's Standard Specifications.

4. Special Hydraulic Structures.
   Special hydraulic structures, including junction chambers, drop manholes, inverted siphons, stilling basins, energy dissipation structures, etc. shall be used only if they match one of the City's approved standard details or if approved by the City Engineering Department.

21.03.06. Stormwater Storage.

The following shall govern the design of any improvement with respect to the temporary storage of stormwater runoff.

1. Acceptable Storage Methods.
   Increased stormwater runoff resulting from a proposed development should be detained on-site by the provision of appropriate stormwater storage ponds. Storage of stormwater shall not be allowed to occur within any swales.

2. Design Storm.
   Design of stormwater storage facilities shall be based on a return period of once in 100 years. The storage volume and outflow rate shall be sufficient to handle storm-water runoff from a critical duration storm, as defined in this Ordinance.

3. Allowable Release Rate ("Peak Flows").
   The allowable release rate of stormwater originating from a proposed development shall not exceed a 2-year pre-developed rainfall event rate for a 10-year post-developed storm, and a 10-year pre-developed outlet rate for a 100-year post-developed storm, and as described by the determination of storage volumes through hydrograph methods (See Sec. 10-535 (F) 5.) In any case the system must assure adequate positive outfall to a recognized water way or drainage facility.

   In the event that the natural downstream channel of the storm sewer system is inadequate to accommodate the release rate provided above, then at the discretion of the City Engineering Department, one of the following alternative solutions must be selected:

   a. The allowable release rate shall be reduced to that rate permitted by the capacity of the receiving downstream channel or storm sewer system, and additional storage volume determined by the Board shall be required to store that portion of the runoff exceeding the capacity of the receiving sewers or waterways; or

   b. The developer must correct the downstream restriction.

   If more than one stormwater basin is involved in the development of the area upstream of the limiting restriction, the allowable release rate from any one basin shall be in direct proportion to the ratio of its drainage area to the drainage area of the entire watershed upstream of the restriction.

4. Drainage System Overflow Design.

   Drainage systems shall have adequate capacity to convey the stormwater runoff from all upstream tributary areas through the development under consideration for a storm of 100-year design return period calculated on the basis of the upstream land in its present state of development.

   The Board of Public Works and Safety or the City Engineering Department may approve, upon review of evidence submitted by the developer, an allowance, equivalent to the reduction of flow rate provided, for upstream storage when such upstream storage and release rate have previously been approved by the Board and evidence of its construction can be shown.

5. Determination of Storage Volume.

   Hydrograph Method. For developments requiring that stormwater storage be provided, the hydrograph methods shall be used to determine the required volume of stormwater storage.

21.03.07. General Stormwater Basin Design Requirements.

Basins shall be constructed to detain temporarily the stormwater runoff that exceeds the maximum peak flow rate authorized by this Ordinance. The volume of storage provided in these basins shall be sufficient to control excess runoff from the 100-year storm.

1. Detention ponds collecting watersheds greater than 5 acres and facilities not designed using the rational method shall be designed by hydrograph routing techniques. The 0.5, 1, 2, 3, 6, 12, and 24-hour duration storms shall be routed to determine the peak release rates, maximum pond elevation and required peak volumes for the 2-year, 10-year, and 100-year storm events. The peak elevations shall be shown on the grading plan. Fully developed conditions of the watershed shall be used.
2. Runoff for upstream off-site development will flow through the site, but will not be stored. The 100-year run-off under existing upstream conditions shall be determined, and this shall be used in sizing the emergency spillway for the pond.
3. The 100-year runoff for the fully developed watershed routing shall determine the maximum 100-year pool elevation, the maximum routed 100-year peak discharge, and the maximum 100-year pond storage requirement for the design storm. The maximum fully-developed routed 100-year peak discharge shall be equal to or less than the 10-year frequency peak discharge from the watershed under pre-developed conditions.
4. The 10-year peak run-off for the fully developed watershed must be routed through the stormwater pond and have a routed peak discharge rate not to exceed the pre-developed 2-year peak discharge rate.
5. The lip of the emergency spillway shall be established at or above the routed 100-year pool elevation. The pond embankment shall have a minimum freeboard of two feet between the maximum routed 100-year pool elevation and the top of the facility embankment.
6. The emergency spillway shall be designed by routing the 100-year peak run-off through the pond assuming that the primary spillway is not operating. This peak storm run-off should be routed through the basin with the maximum pool level below the top of the embankment.

7. All stormwater storage facilities shall be separated by a minimum of 50 feet from any primary building or structure to be occupied. A 20' wide easement around the perimeter of the pond, measured from top of bank shall be required. Off-site or other access easements may be required by the City, based on the location of primary and emergency pond spillways, and their proximity to adjacent property.
8. Outlet control structures shall be designed to operate as simply as possible and shall require little or no maintenance and/or attention for proper operation. They shall limit discharges into existing or planned downstream channels or conduits so as not to exceed the predetermined maximum authorized peak flow rate. This facility shall be designed to allow easy access from the embankment to remove trash and debris from the outlet structure.
9. Emergency access easements (easement) shall be provided for all stormwater conveyances and facilities to be maintained by the City of Greenwood. In addition, easements shall be provided for all conveyances, including ponds, carrying runoff from off-site drainage basins and for any pond serving greater than 5 acres. Regulated Drains (proposed and existing) may have additional easement requirements to ensure the provisions of this Chapter and the Stormwater Drainage and Sediment Control Ordinance are met. The City Engineering Department shall be contacted to determine any special requirements prior to design. All stormwater conveyances must be centered within the required drainage easement. Easements for all drainage conveyances, retention/detention facilities, floodways and floodway fringes, and BMP's must be exclusively Drainage Easements and can not be shared with utilities or used as vehicular access easements.

   Stormwater BMP's used for the water quality requirements must maintain easements as well. Stormwater ponds shall maintain the same easement as required for a detention facility. Off-line manufactured BMP's structures should maintain an easement that includes the connecting manholes and the weir structure. All easements should be clearly included on the plans. On a case-by-case basis the City Engineering Department may determine additional easement requirements. The City Engineering Department may require such additional easement requirements as are necessary to ensure that the provisions of this Chapter and the Stormwater Drainage and Sediment Control Ordinance are met.
10. Emergency overflow facilities such as a weir or spillway shall be provided for the release of exceptional storm runoffs or in emergency conditions should the primary spillway become totally or partially inoperative. The overflow facility shall be of such design that its operation is automatic and does not require manual attention. All stormwater storage facilities shall be provided with an emergency spillway.
11. Sod or other vegetative cover acceptable to the City Engineering Department shall be provided throughout the entire basin area. Grass should be cut regularly at approximately monthly intervals during the growing season or as required.
12. Debris and trash removal and other necessary maintenance shall be performed regularly by the designated body (e.g., developer or homeowner's association) to assure continued operation in conformance to design.
13. A report shall be submitted to the Office of the City Engineering Department describing the proposed development, the current land-use conditions, the method of hydraulic and hydrologic analysis used (including any assumptions or special conditions), the results of the analysis, and the recommended drainage control facilities. Hydraulic and hydrologic calculations, including input and output files, shall be included as appendices to the report.

14. Drainage easement. All stormwater storage facilities should be located in a drainage/utility easement so that the City can access the facility under emergency conditions.

21.03.08. Dry-Bottom Basin Design Requirements.

Dry-bottom stormwater storage basins shall only be permitted if approved by the Board of Public Works and Safety as a waiver, under the conditions of this ordinance. Stormwater storage facilities, which are designed to have dry bottoms, must be designed to include underdrains that shall connect to a storm structure or daylighted to drain the bottom of the stormwater storage facility, so that the facility can be maintained. Also, the bottom of the facility shall be designed to have a longitudinal slope of 1.3% and traverse grade to the outlet, so that the facility will empty, leaving no ponded water.

21.03.09. Wet-Bottom Basin Design Requirements.

Where part of a stormwater basin will contain a permanent pool of water, all the items required for stormwater storage shall apply except that the system of drains with a positive gravity outlet required to maintain a dry-bottom basin will not be required. A controlled positive outlet will be required to maintain the design water level in the wet-bottom basin and provide required temporary storage above the design water level (permanent pool). However, the following additional conditions shall apply:

1. Stormwater basins designed with permanent pools shall have a water area of at least one-half acre surface area, and a minimum surface width of 50 feet. The pond shall have a minimum water depth of 10 feet, except for the side slopes;
2. Stormwater basins shall be designed in compliance with the City of Greenwood's Standard Detail;
3. In the case of valley storage, natural slopes may be considered to be stable;
4. A safety ledge shall be provided per the City's standard detail must be installed in all ponds;
5. There shall be a minimum easement width around the pond of 20 feet <u>from top of bank</u>, with an additional easement area adjacent to the pond large enough to serve as a staging area for maintenance equipment such as dredges and dump trucks and as a boat launch area; and
6. Periodic maintenance by the developer/owner is required in ponds to control weed and larval growth. The pond shall also be designed to provide for the easy removal of sediment that will accumulate during periods of pond operation. A means of maintaining the designed water level of the pond during prolonged periods of dry weather is also required.

21.03.10. Roof Top Storage.

Stormwater storage requirements shall not be met by temporary storage on flat roofs.

21.03.11. Paved Parking Lot Storage.

Paved parking lots may be designed to provide temporary storage of stormwater on all or a portion of their surfaces, up to a maximum depth of 6 inches. Outlets will be designed to empty the stored waters slowly. The developer must identify the area for storage, subject to approval by the City Engineering Department. Parking lot detention facilities may not accept runoff from off-site drainage basins and must have an appropriate emergency overflow route.

(Ord. No. 02-07, §1, 3-18-02)
(Ord. No. 04-55, §13-16, 1-17-05)

21.03.12. Underground Detention Requirements.

Underground detention facilities may not accept runoff from off-site drainage basins and must include emergency overflow facilities, including a flow path. Appropriate details of each pond design must be included on the plans. The appropriate normal pool elevation, 2-year, 10-year, and 100-year water surface elevations must also be indicated on the grading plan.

21.03.13. Facility Financial Responsibilities.

The construction cost of the stormwater control systems and facilities as required by this Ordinance shall be accepted as part of the cost of land development, and the developer shall be responsible for all costs.

21.03.14. Facility Maintenance Responsibilities.

Maintenance of stormwater facilities during construction and thereafter shall be the responsibility of the land developer/property owner. Assignment of responsibility for maintenance of drainage facilities serving more than one lot shall be part of appropriate covenants to property deeds. The City shall not be responsible for maintenance of drainage facilities unless the Board of Public Works and Safety formally agrees to accept responsibility for maintenance.

21.03.15. Joint Development of Control Systems.

Stormwater control systems may be planned and constructed jointly by two or more developers as long as compliance with this Ordinance is maintained.

21.03.16. Installation of Erosion Control Systems.

Runoff and erosion control systems shall be installed as soon as possible during the course of site development. Perimeter and entrance/exit erosion facilities are required prior to the start of any site work. Basins should be designed to collect sediment and debris in specific locations so that removal costs are kept to a minimum.

21.03.17. Stormwater Storage Facilities in Floodway and Floodway Fringe Areas.

No storage facilities shall be permitted in the floodway or floodway fringe.

21.03.18. Off-Site Drainage Provisions.

When the allowable runoff is released in an area that is susceptible to flooding, the developer may be required to construct appropriate storm drains through such area to avert increased flood hazard, caused by the concentration of allowable runoff at one point, instead of the natural overland distribution. The requirement of off-site drains shall be at the discretion of the City Engineering Department.

21.03.19. Standard Details.

Standard detail sheets are adopted by the Greenwood Board of Public Works and Safety, which has the authority to enforce these regulations.

(Ord. No. 02-07, §1, 3-18-02)
(Ord. No. 04-55, §17-24, 1-17-05)

21.03.20 Water Quality.

Unless determined by the City Engineering Department that a project is exempt, the following criteria shall be addressed for stormwater management at all sites: The plan sheets shall specify stormwater best management practices (BMPs) (stormwater quality treatment systems) to be implemented, operated and maintained to meet water quality requirements. Because water quality requirements vary depending on the uses of the water bodies in the watershed, a framework methodology is provided here.

1. Treatment Objective.
   The City of Greenwood has adopted a policy that the control of stormwater runoff quality will be based on the management of total suspended solids (TSS). Control of sediment is required for construction site run off within the City.

   For new and existing development areas that disturb one (1) or more acre of land, or disturbances of less than one (1) acre of land that are part of a larger common plan of development, whether for sale or lease, (if the larger common plan will ultimately disturb one (1) or more acres of land), or for new and existing development that disturb more than 0.5 acres, structural BMPs shall be designed to comply with this manual. It is presumed that a BMP complies with this standard if it is:

   - sized to capture the prescribed water quality volume (WQ_v) or water quality treatment rate,
   - constructed properly, and
   - maintained regularly.

   The following requirements shall be fulfilled:

   (a) All stormwater runoff generated from land development and land use conversion activities shall not discharge untreated stormwater runoff directly into a jurisdictional wetland or local water body without adequate treatment. Where such discharges are proposed, the impact of the proposal on the wetland shall be assessed using a method acceptable to the City Engineering Department. In no case shall the impact by any less than allowed by the Army Corp of Engineers (ACOE) or IDEM.

   (b) Infiltration practices shall not be allowed where stormwater is generated from highly contaminated source areas as recognized by the EPA, IDEM or the City Engineering Department; where stormwater is carried in a conveyance system that also carries contaminated, non-stormwater discharges; where stormwater is being managed in a designated groundwater recharge area; and under certain geologic conditions (e.g. karst) that prohibit the proper pretreatment of stormwater.

   (c) Land Development projects shall comply with the water quality performance-based criteria in accordance with the following:

A BMP shall be located, designed, and maintained to achieve the target pollutant removal efficiencies to effectively reduce the pollutant load to the required level.

(d) Stormwater discharges to critical areas with sensitive resources (I.e., cold water fisheries, shellfish beds, swimming beaches, recharge areas, water supply reservoirs) may be subject to additional criteria, or may need to utilize or restrict certain stormwater management practices at the discretion of the City Engineering Department.

(e) Industrial sites which are listed under the Standard Industrial Code are required to prepare and implement a stormwater pollution prevention plan, and shall file a notice of intent (NOI) under the provisions of the National Pollutant Discharge Elimination System (NPDES) general permit. The stormwater pollution prevention plan requirement applies to both existing and new industrial sites.

(f) Stormwater discharges from land uses or activities with higher potential pollutant loadings may require the use of specific structural BMPs and pollution prevention practices at the discretion of the City Engineering Department.

(g) Prior to design, applicants are required to consult with the City Engineering Department to determine if they are subject to additional stormwater design requirements.

(h) Discharges will not be allowed directly into sinkholes or fractured bedrock, without treatment that results in discharge meeting Indiana ground water quality standards as referenced in 327 IAC 2-11.

(i) Any stormwater practice that is a Class V injection well must ensure that the discharge from such practices meets Indiana ground water quality standards as referenced in 327 IAC 2-11.

2. Plan Requirements.

Pursuant to the Ordinance all Stormwater Management Plans must include the following:

(a) Location, dimensions, detailed specification, and construction details of all post construction stormwater quality treatment BMPs.

(b) A description of those measures (BMPs) that will be installed to treat stormwater discharges that will occur after construction activities are completed.

(c) A sequence describing when each post construction stormwater quality treatment BMP will be installed.

(d) Stormwater quality treatment BMPs that will remove or minimize pollutants from stormwater run-off.

(e) Stormwater quality treatment BMPs that will be implemented to prevent or minimize adverse impacts to stream and riparian habitat.

(f) An Operation and Maintenance manual.

3. Operations and Maintenance Manual

Each BMP on a site must have an operations and maintenance (O&M) manual. The O&M Manual must be submitted with the Stormwater Management Plan. The approved O&M manual must be signed by and provided to the BMP owner and the City Engineering Department. The O&M manual shall include the following:

(a) BMP owner name and contact person, address, and contact information, i.e. business phone, fax e-mail, pager, cell phone, etc., as appropriate;

(b) Site drawings clearly indicating the location of the BMP and including plan and cross-sectional details, showing the BMP and applicable features. Dimensions, easements (as previously defined), outlet works, forebays, signage, connecting structures, weirs, invert elevations, etc. shall be clearly indicated on the plans and details;

(c) Guidance on both owner-required periodic inspections and inspections to be performed by the City Engineering Department;

(d) Guidance on routine maintenance, including mowing, litter removal, woody growth removal, etc.;

(e) Guidance on remedial maintenance, such as inlet replacement, outlet work, etc.;

(f) Guidance on sediment removal, both narrative and graphical, describing when sediment removal shall occur in order to insure that the BMP remains effective as a water quality and/or quantity control device;

(g) A statement that the City Engineering Department has the right to enter the property to inspect the BMP;

(h) A tabular schedule showing inspections and maintenance requirements;

(i) Identification of the property/BMP owner as the party responsible for maintenance, including cost; and

(j) A text or graphic narrative of the easement around the BMP.

Completed inspection forms must be maintained by the BMP owner and produced upon request by the City Engineering Department. The City Engineering Department must be notified of any changes in BMP ownership, major repairs, or BMP failure in writing within 30 days of the change. The letter should be addressed to:

City of Greenwood
Engineering Department
225 S. Emerson Avenue, Suite A
Greenwood, IN 46143

In the event that the City Engineering Department finds that a BMP is in need of maintenance or repair, the City Engineering Department will notify the BMP owner of the necessary maintenance or repairs and give the landowner 60-calendar days for completing the maintenance or repairs. If the maintenance or repairs are not completed within the 60-calendar days, the City Engineering Department shall perform the repairs or maintenance and bill the landowner for the actual costs for the work and if not paid shall become a lien on the property.

4. Water Quality Volume / Rate Calculations

In order to protect and maintain water quality, a portion of the stormwater runoff created by the development project must be treated. BMPs may be designed to treat on a volumetric basis or flow rate basis. The runoff volume to be treated or the peak flow rate to be treated by a BMP shall be determined by the following methods.

(a) Water Quality Volume

The volume of stormwater runoff to be captured, stored, and treated is called the Water Quality Volume ("WQv").

The formula for determining WQv is:

$$\mathbf{WQv = \frac{(P)\,(Rv)\,(A)}{12}}$$

where:

WQv = water quality volume (acre-feet)
P = rainfall depth (inches); the volume of rainfall for 90% of the storm events which produce runoff in the watershed annually (e.g., 1.0 inches)
A = project area (acres)
Rv = volumetric runoff coefficient; [0.05 + 0.009(I)], where I is the percent impervious cover on the site as defined by the area that does not have permanent vegetative or permeable cover.

(b) Water Quality Treatment Rates

The peak water quality treatment rate shall be determined using hydrograph generation methods. The hydrograph shall use the Huff 1st Quartile, 50% distribution with a 0.5 inch rainfall and a one-hour storm duration. The peak rate of this hydrograph shall be used as the minimum water quality treatment rate.

Documentation for all proposed manufactured BMPs shall be provided clearly demonstrating the BMP will remove 80% of the particles listed below at this peak flow rate.

Runoff Particle Distribution

Particle Size (μm)	% of TSS
250	20
125	40
75	40

5. Pretreatment

Several practices that are not capable of providing water quality treatment can nonetheless function in a pretreatment role or as a supplemental practice. These practices can often be incorporated into the Stormwater Management Plan design as pretreatment devices, to treat a small portion of a site, or in retrofit or redevelopment applications. Some of these practices, including dry ponds and underground storage vaults, can be used to meet water quantity goals such as channel protection and flood control requirements. In addition, some of these practices may be helpful to reduce the total volume of runoff from a site or to disconnect impervious surfaces. Some practices ***not*** currently deemed effective for stand-alone water quality treatment include:

- Catch basin inserts
- Dry Ponds
- Underground vaults (designed for flood control)
- Oil/grit separators
- Filter strips
- Grass channels (includes ditches designed primarily for conveyance as well as modified practices that can achieve some pollutant removal)
- Deep sump catch basins
- On-line storage in the storm drain network
- Porous pavement

The City Engineering Department shall determine, in its discretion, whether a practice is effective for pretreatment.

6. Primary Treatment

   Effective storm water management is often achieved from a management systems approach. A combination of BMPs can be used to meet the water quality treatment requirements.

7. Specific Practices

   The principles and practices provided by the State in Rule 13 (327 IAC 15-13) and in Rule 5 (327 IAC 15-5) are to be followed in the development of all water quality treatment options. Rule 14 (327 IAC 15-13) and Rule 5 (327 IAC 15-5) do not give specific requirements for use of various practices leaving that to the localities. The designer and operator shall rely on the EPA's Stormwater Phase II Menu of Best Management Practices (BMPs) as well as the Indiana BMP manual (as it is developed and updated), currently under development by the State of Indiana, for detailed design, construction and maintenance criteria for water quality treatment. Stormwater quality treatment systems will be approved on a case-by-case basis by the City Engineering Department. As the City Engineering Department develops a more specific and comprehensive menu of stormwater treatment BMPs that information will be included in updated versions of the Stormwater Drainage and Sediment Control Ordinance.

8. Regional Stormwater Management Plans

   Applicants are directed to communicate with the City Engineering Department prior to submitting an application for stormwater management plan approval to determine if a Regional Stormwater Management Plan has been developed for the applicable watershed. If such a plan is in existence, the applicant must provide stormwater management water quality treatment on-site in accordance with the provisions of the regional plan, and other management provisions as specified by the City Engineering Department.

21.03.21. Soil Erosion and Sedimentation Control.

The purpose of this section is to control soil erosion, sediment damages, and related environmental damage by requiring adequate provisions for surface water detention/retention and drainage and for the protection of exposed soil surfaces in order to promote the safety, public health, convenience, and general welfare of the citizens of the City of Greenwood.

The volume and rate of any stormwater discharges allowed under this Ordinance must be managed to prevent the physical degradation of receiving waters, such as by streambank scour and erosion. The following requirements are necessary for soil erosion and sedimentation control:

1. All persons who cause, in whole or in part, any earth change to occur shall provide erosion and sedimentation control so as to adequately prevent soils from being eroded and discharged or deposited onto adjacent properties or into a stormwater drainage system, a public street or right of way, wetland, creek, stream, water body, or floodplain.

2. All development shall be in accordance with all applicable federal, state and local ordinances, rules and regulations.

3. During any earth change, which exposes soil to an increased risk of erosion or sediment track-out, the property owner and other persons causing or participating in the earth change shall do the following:

   (a) Comply with the stormwater management standards of this Ordinance.

   (b) Obtain and comply with the terms of a soil erosion and sedimentation control permit if required by law.

   (c) Prevent damage to any public utilities or services within the limits of grading and within any routes of travel or areas of work of construction equipment.

   (d) Prevent damage to or impairment of any water body on or near the location of the earth change or affected thereby.

   (e) Prevent damage to adjacent or nearby land.

   (f) Apply for all required approvals or permits prior to the commencement of work.

   (g) Proceed with the proposed work only in accordance with the approved plans and in compliance with this Ordinance.

   (h) Maintain all required soil erosion and sedimentation control measures, including but not limited to, measures required for compliance with the terms of this manual.

   (i) Promptly remove all soil, sediment, debris, or other materials applied, dumped, tracked, or otherwise deposited on any lands, public streets, sidewalks, or other public ways or facilities, including catch basins, storm sewers, ditches, drainage swales, or water bodies. Removal of all such soil, sediment, debris or other materials within twenty-four (24) hours shall be considered to comply with this requirement, unless such materials present an immediate hazard to public health and safety.

   (j) Refrain from grading lands at locations near or adjoining lands, public streets, sidewalks, alleys, or other public or private property without providing adequate support or other measures so as to protect such other lands, streets, sidewalks or other property from settling, crackling or sustaining other damage.

   (k) Request and obtain inspection of soil erosion and sedimentation control facilities, by the City Engineering Department or its designee. Qualified personnel provided by the owner or operator shall inspect construction sites for which the City Engineering Department or its

designee will not perform inspections. The qualified person shall inspect all disturbed areas which are not finally stabilized, storage areas of possible polluting agents such as paints, solvents, fuels, fertilizers and pesticides that are exposed to precipitation, structural control measures and locations of vehicle entrance and exit at least once every seven (7) calendar days and, for sites which disturb greater than five (5) acres, within 24 hours of the end of a storm that is 0.5 inches or greater. Inspections will continue until all disturbed areas are stabilized, structural controls are removed or converted to stormwater management facilities, and stored materials are removed from exposure. Corrective action will be taken for all noted deficiencies. Such actions will be initiated within 24 hours of inspection notification.

(l) Follow the minimum design standards of this manual to protect properties and receiving waterways downstream of any land development project from erosion and damage due to increases in volume, velocity and frequency of peak flow rate or stormwater runoff.

4. Land alterations, including regrading, which strip the land of vegetations, shall be accomplished in a manner, which minimizes erosion or the addition of sediments to natural and mandmade drainageways. This will reduce the impact on adjacent properties and water quality of receiving waters. Whenever feasible, natural vegetation shall be retained, protected and supplemented.

5. Cut and fill operations shall be kept to a minimum to endure conformity with existing topography to reduce the potential erosion. Applicants shall follow the procedures and comply with the requirements of Rule 5 (327 IAC 15-5), regarding sediment and erosion control during construction.

6. Sediment controls shall be installed whenever runoff from disturbed portions of the parcel will leave the parcel. Sediment controls may include vegetative buffer strips, filter barriers, sediment basins, debris basins or silt traps. Vegetative buffer strips shall only be used where runoff is dispersed and exits the parcel as sheet flow. Filter barriers shall not be used in areas of concentrated flow. Synthetic filter fences are more effective than straw bales and shall be used in series. Straw bales shall also be anchored with stakes and grounded to reduce unfiltered underflow by burying the lower 3 inches of each bale.

7. Any flow from a disturbed parcel shall pass through a vegetative filter barrier or sediment basin before entering a storm drain inlet. Existing inlets or those being constructed in a disturbed area shall have all flow diverted away from them, be plugged or protected by a filter. Downstream development parcels shall be protected from increases in volume, velocity, and sediment load or peak flow rates.

8. The duration of time, which an area remains exposed, shall be kept to a practical minimum and the area stabilized as quickly as possible. Temporary vegetation or mulch shall be used to protect exposed areas during development. For areas subject to daily disturbance, a weighted cover of impermeable material may be used, if approved by the City Engineering Department.

9. Stockpiles shall be located outside of drainage ways and the 100-year floodplain. It may be necessary to divert drainage around a stockpile that must be located in a drainage way.

10. Soil stabilization shall be maintained in an effective condition throughout construction until permanent vegetation stabilization is achieved.

11. Permanent vegetation or structural erosion control devices shall be installed as soon as practical after as-built topographic conditions are finalized.

12. Permanent stabilization requires permanent structures, pavement or vegetation sufficiently mature to withstand annual climate cycle or permanent mulch.

(a) Plan Requirements.

If the owner or operator is required to prepare an erosion and sedimentation control plan (ESCP) under Rule 5 (327 IAC 15-5) and/or Rule 6 (327 IAC 15-6) and/or Rule 13 (327 IAC 15-13), all applicable state and federal permits or notices for land disturbing activities shall be obtained or filed prior to commencement of land disturbing activities. All applicable state or federal standards shall be adhered to when conducting land-disturbing activities. For land disturbances within the MS4 area that are greater than or equal to one (1) acre, or disturbances of less than one (1) acre of land that are part of a larger common plan will ultimately disturb one (1) or more acres of land, copies of all applications, letters of intent submittals, plans and other erosion and sediment control related information shall be submitted to the City Engineering Department. The construction project site owner shall also submit a copy of the application directly to the IDEM. (Johnson County Soil and Water Conservation District)

If an ESCP is prepared, it shall be prepared under the supervision of, and certified by a registered professional and shall include at a minimum the requirements as specified in Rule 5 (327 IAC 15-5).

(b) General Criteria for Erosion and Sediment Control Practices.

i. Perimeter Control and Sediment Trapping – Perimeter control and other sediment trapping measures shall be installed as specified on the approved plan, including: construction access drives, straw bale dams and fabric fencing, temporary sediment traps. Sediment basins, and diversions. Also storm drain system inlet shall be protected from sedimentation.

ii. Vegetative Control – Disturbed areas, which are at finish grade, shall be permanently seeded within seven (7) days. At the discretion of the City Engineering Department, barren areas to be rough graded and left undisturbed for more than thirty (30) days shall be established with temporary vegetation; and dormant seeding will be required during seasonal periods (October through February) for those barren areas to be left undisturbed for one-hundred and twenty (120) days or longer.

iii. Slope Protection – Slope protection shall be provided by use of temporary and permanent diversion dikes, vegetative cover, and slope drains. Concentrated stormwater flows shall not be allowed to flow down cut or fill slopes without proper slope stabilization.

iv. Protection of Outlet Channel – Concentrated stormwater runoff leaving a development site shall be outlet to an open channel, storm sewer pipe inlet or culvert, which is capable of receiving this discharge. Runoff velocities shall be controlled during all storm events, up to the 100-year return interval storm, so that the peak runoff velocity during and after the completion of the land alteration approximates existing conditions.

v. Waste, Debris, and Pollution Elimination – Appropriate measures shall be taken to minimize or eliminate wastes and unused building materials and all pollutants from being carried from the site by runoff. Proper storage, handling and use of all potentially polluting substances shall be employed.

vi. Roadways – Public and private roadways shall be kept clear of accumulated sediment. Bulk clearing of accumulated sediment shall not include flushing the area with water.

(c) Specific Practices

The principles and practices provided by the State in Rule 5 (327 IAC 15-5) are to be followed in the development of all ESCPs. Rule 5 (327 15-5) does not give specific requirements for use of various practices leaving that to the localities. The designer and operation shall rely on the Indiana Handbook for Erosion Control in Developing Areas (HECDA) or an approved equivalent for detailed design, construction and maintenance criteria for all erosion control practices. The manual may be obtained from:

Urban Conservation Program
Division of Soil Conversation
Indiana Department of Natural Resources
402 West Washington Street, Room W-265
Indianapolis, IN 46204-2748
Tel: (317) 232-4180

21.03.22. Other Requirements.

1. Sump Pumps.
Sump pumps shall adhere to the requirements set forth in Section 10-524 of the Greenwood Municipal Code. In no case shall a sump pump be used for more than one function; sump pumps shall be used only for the discharge of stormwater. Sump pumps shall be discharged onto a grass surface in the side or rear yard, no closer to the street than the building setback line. (Ord. No. 03-41, § 6, 10-20-03)

2. Downspouts and Roof Drains.
All downspouts or roof drains shall be discharged, no closer to the street than the building setback line. In no case shall a downspout or roof drain be connected to the sanitary sewer.

3. Footing Drains and Drainage Tiles.
   Footing drains and drainage tiles shall be connected to designated storm drainage channels. In no case shall a footing drain or drainage tile be connected to the sanitary sewer.

4. Basement and Garage Floor Drains.
   Basement and garage floor drains shall be connected to the sanitary sewers.

5. Outlet Points.
   A sump pump discharge pipe which outlets onto the surface of the ground shall have its point of discharge outside the boundaries of any drainage or utility easement or street right-of-way. Discharge pipes directed toward or into an open drainage swale or ditch shall provide sufficient separation distance so as to provide sufficient area for reasonable absorption of water into the soil without creating erosion control problems.

6. Open Street Drains Prohibited.
   No person or persons shall connect or construct a sump pump or floor drain from the basement or crawl space of any building or structure so as to spill the discharge water onto a public street. Such discharges must drain directly into a storm sewer (or appurtenant structure) in compliance with Sec. 10-524, or drain directly into a drainage ditch or swale. (Ord. No. 03-41, § 6, 10-20-03)

7. Facility Maintenance and Inspection Responsibilities
   a. It shall be the responsibility of the developer/owners to maintain all detention/retention facilities, BMPs and drainage easements on their property. If there are more than one lot or holding served by the facility this shall be documented on the property deeds and recorded on the plat unless responsibility is formally accepted by a public body. This shall be determined prior to final drainage plan approval. In addition, the developer/owners shall be responsible for getting an annual inspection of each BMP.

   b. Failure of the developer/owner to maintain such easements or facilities as approved in the original plan shall constitute a violation of the Greenwood Stormwater Drainage and Sediment Control Ordinance and subject the developer/owner to the penalty provided in Section 10-538, *21.06.05 Penalties for Water Quality Stormwater Drainage and Sediment Control Ordinance Violations.*

   c. Annually, thirty (30) days prior to the anniversary date of the acceptance of the improvements, to thirty (30) days after said anniversary date, the developer/owner shall contact the City Engineering Department to schedule an inspection of each BMP and detention/retention facility maintained by the developer/owner. An inspection fee shall be charged the developer/owner by the City Engineering Department for each BMP and detention/retention inspected. Payment shall be made to the Clerk-Treasurer of the City of Greenwood. The fee shall be set at the same amount, and subject to the same agreement terms, as the fee set by the Board of Public Works and Safety for inspection and testing of sanitary sewer lines pursuant to Greenwood Municipal Code Section 9-134.

d. Failure of the developer/owner to have each BMP and detention/retention facility inspected annually or failure to schedule the inspection shall be a violation of the Greenwood Stormwater Drainage and Sediment Control Ordinance and subject the developer/owner to the penalty provided in Section 10-538, *21.06.05 Penalties for Water Quality Stormwater Drainage and Sediment Control Ordinance Violations.*

e. If the annual inspection finds a BMP or detention/retention facility to be deficient the developer/owner shall be given 60 calendar days to correct the deficiency. However, if in the judgment of the City Engineering Department such deficiency poses a threat to the public health, safety, or welfare, the City has the right and authority to repair the deficiency at developer/owner's expense with or without prior notice to developer/owner. After 60 days if the deficiency has not been corrected, or there has not been a good faith effort made on making corrections, it shall be a violation of the Greenwood Stormwater Drainage and Sediment Control Ordinance and subject the developer/owner to the provisions of Section 10-538, *21.06.04 Enforcement of Water Quality Requirements.*

Sec. 10-536 Illicit Connections and Illegal Dumping.

21.04.01 Illicit Connections.

No person shall:

1. Cause or allow an illicit discharge to the storm drain system or any component thereof, or onto driveways, sidewalks, parking lots, sinkholes, creek banks, or other areas that may drain to the storm drain system;

2. Connect, or allow to be connected any sanitary sewer system to the storm drain system, including any sanitary sewer or septic system connected as of the date the Rule 13 Regulations amendments to the Greenwood Stormwater Drainage and Sediment Control Ordinance are adopted;

3. Connect, or allow to be connected, any stormwater system to a sanitary sewer.

21.04.02 Illegal Dumping.

No person shall:

1. Dump, deposit, release, leak, pump, pour, emit, empty, discharge, inject, bury, or dispose of any oil, anti-freeze, herbicide, pesticide, fungicide, animal or human excrement or any other solid, liquid, or hazardous waste to any part of the storm drain system or on any public or private premises in the City.

2. Dispose of any leaves, brush, sticks, dirt, landscape debris, or other yard waste to any part of the storm drain system. This includes the blowing of grass, leaves, or other yard waste by mower or any other means into any part of the storm drain system.

21.04.03 Illicit Connections and Illegal Dumping Violations.

Any person found in violation of the activities prohibited by this Section shall be subject to the fine set forth in Section 10-538, *21.06.05 Penalties for WaterQuality Stormwater Drainage and Sediment Control Ordinance Violations*, for each violation, and further shall be responsible for the cost of cleanup or correction of the prohibited action. If the responsible person has not taken corrective active within fifteen (15) calendar days after notification of a violation then the City or a designated third party may take whatever action is necessary to cleanup or correct the prohibited act with the cost to be taken as a lien against the property from which the violation originated.

Sec. 10-537 Reporting.

21.05.01 Reporting Requirements.

The City Engineering Department or an appointed representative shall report in the month of July of each year to the Greenwood Board of Public Works and Safety an account of the status of the Greenwood Stormwater Drainage and Sediment Control Ordinance. The report shall contain no less than the following:

1. The number of drainage reviews completed;

2. The number of Stormwater Management Plan Approvals granted;

3. The number of water quality Best Management Practices approved and installed in the City;

4. The number of Erosion and Sediment Control plans reviewed by the City Engineering Department or its representative;

5. A statement as to the effectiveness of the Stormwater Drainage and Sediment Control Ordinance to address ongoing drainage issues and concerns within the City of Greenwood; and

6. A statement as to the adequacy of the established fees to affectively cover expenses associated with the administration and implementation of the Stormwater Drainage and Sediment Control Ordinance.

Sec. 10-538 Enforcement and Violations.

21.06.01. Civil Stormwater Drainage and Sediment Control (Non-Water Quality Violations).

Any person who is in violation of the Stormwater Drainage and Sediment Control Ordinance other than water quality requirements of Greenwood shall be deemed to have committed a civil stormwater drainage and sediment control violation and may be issued a citation by the designated enforcement entity. The Stormwater Drainage and Sediment Control Ordinance of Greenwood is included under a list of ordinances scheduled for the jurisdiction of the Ordinance Violations Bureau.

Each day a violation remains uncorrected is a distinct and separate civil stormwater drainage and sediment control violation subject to an additional citation and fine in the amount prescribed by below, provided a warning ticket has first been issued pursuant to Sec. 10-536 (B).

The monetary fine for each civil stormwater drainage and sediment control violation shall be $50.00, except that for a repeated stormwater drainage and sediment control violation, the following fines shall apply:

Second Citation: $ 75.00
Each Citation in Excess of Two: $100.00

All fines prescribed by this section for civil stormwater drainage and sediment control violations shall be paid within 72 hours to the Violations Clerk of the Ordinance Violations Bureau, who shall render to the person making the payment a receipt stating the amount and purpose for which the fine has been paid, and duplicate of which shall be made a part of the records of the Plan Commission. All fines thus received shall be deposited with the City of Greenwood Clerk-Treasurer.

21.06.02. Citation for Civil Stormwater Drainage and Sediment Control (Non-Water Quality) Violations.

The Director and/or his duly authorized designees, as designated at a Board of Works meeting, may issue a civil stormwater drainage and sediment control violation other than water quality requirements to a person who commits a civil stormwater drainage and sediment control violation to the legal owner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs. The citation may be served by personal service, by certified mail, or by placement in a conspicuous place on the property where the violation occurs and shall serve as notice to a person that he or she has committed a civil stormwater drainage and sediment control ordinance violation.

No citation shall be issued for the first offense unless the person who commits a civil stormwater drainage and sediment control violation, or the legal owner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs has been issued a warning ticket before the issuance of the citation to allow said person to correct the violation to come into compliance with the prescribed stormwater drainage and sediment control ordinance or regulations.

A person who receives a warning ticket or a citation may either choose to abate the violation or file a petition for a drainage plan, a Stormwater Drainage and Sediment Control Ordinance waiver, or other means provided by this Chapter to correct the violation, as prescribed below. A person who elects to file such a petition shall indicate this intent in writing to the issuing agency. A person shall have 10 working days after issuance of the warning ticket to file the petition, and additional monetary fines as prescribed in this section shall be stayed upon the filing of such petition, as long as the violation does not continue at the real estate. A person who files the petition within said time period shall pursue the petition in an expeditious fashion. If the petition is denied, withdrawn, or dismissed for want of prosecution, and the civil stormwater drainage and sediment control violation continues at the real estate, then a lawsuit will be commenced by the designated enforcement entity in a court of competent jurisdiction in Johnson County, Indiana.

If a person believes that the warning ticket or citation received results from an incorrect interpretation of the Greenwood Municipal Code by a municipal official, the aggrieved person may file an administrative appeal of the decision for a hearing by the Board of Zoning Appeals. Said appeal shall be on the form prescribed and shall include payment of the appropriate filing fee. A person who elects to file such an appeal shall indicate this intent in writing to the issuing agency. A person shall have 10 working days after issuance of the warning ticket to file the appeal, and additional monetary fines as prescribed in this section shall be stayed upon the filing of such appeal, as long as the violation does not continue at the real estate. A person who files the appeal within said time period shall pursue the appeal in an expeditious fashion. If the board upholds the interpretation of the Stormwater Drainage and Sediment Control Ordinance which led to issuance of the warning ticket or citation, and the civil stormwater drainage and sediment control violation continues at the real estate, then a lawsuit will be commenced by the designated enforcement entity in a court of competent jurisdiction in Johnson County, Indiana.

If the violation is determined by the Board of Public Works and Safety or its designee to be a threat to public health or safety, the Board of Public Works and Safety or its designee may order the land use or activity to cease and desist immediately, regardless of whether a warning ticket or citation has been issued.

The warning ticket shall be in the form prescribed by the plan commission.

The Citation shall appear on serialized, designated form and be in the form prescribed by the plan commission.

21.06.03. Trial for Civil Stormwater Drainage and Sediment Control (Non-Water Quality) Violations.

A person who receives a citation may elect to stand trial for the offence by indicating on the citation his intent to stand trial and returning a copy of the citation to the City Engineering Department. The returned copy of the citation shall serve as notice of the person's intent to stand trial, and additional monetary fines prescribed in Sec. 536 (A) shall be stayed upon receipt of the notice. On receipt of the notice of intention to stand trial, a lawsuit will be commenced by the city attorney in a court of competent jurisdiction in Johnson County, Indiana. The matter shall be scheduled for trial, and a Summons and Order to Appear shall be served upon the Defendant.

If a person who receives a citation fails to pay the assessed fine within 72 hours and fails to give notice of his intention to either file a petition or appeal or an appeal as prescribed in Sec. 10-536 (B), or to stand trial as prescribed in this section, the city attorney may file a civil lawsuit as prescribed by applicable laws and ordinances, and seek penalties as prescribed in this section.

A person adjudged to have committed a civil stormwater drainage and sediment control violation other than water quality requirements is liable for the court costs and fees. No cost shall be assessed against the enforcement agency in any such action. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction, thereof be fined $50.00 and, in addition, shall pay all costs and expenses involved in the case, including but not limited to mediation costs, court costs, coverage of reasonable attorney fees, short-term and long-term mitigation of damages, and restoration and restitution. Each day such violation continues shall constitute a separate offense.

(Ord. No. 02-07, §1, 3-18-02)
(Ord. No. 04-55, §31, 1-17-05)

In proceedings before the court for a civil stormwater drainage and sediment control violation other than water quality requirements, the Indiana Rules of Trial Procedure shall govern. The designated enforcement entity has the burden of proving the civil stormwater drainage and sediment control violation by a preponderance of the evidence.

Seeking a civil penalty as authorized by this section does not preclude the city from seeking alternative relief from the court in the same action, or from seeking injunctive relief or other remedy in a separate action for the enforcement of this Code.

21.06.04 Enforcement of Water Quality Requirements.

In the case of non-compliance with the water quality requirements of the Greenwood Stormwater Drainage and Sediment Control Ordinance, the City Engineering Department has the right to issue abatement orders, to issue stop work orders, to seek injunctions, to retain or call in performance surety and/or to revoke Stormwater Mangement Approvals.

The City Engineering Department may revoke a Stormwater Management Plan Approval where the submittal packet, plans, and/or other supporting documents reflect either:

1. A false statement or misrepresentation as to material fact; or

2. Failure to comply with the requirements of the Ordinance.

   Whenever the City Engineering Department discovers the existence of any of the circumstances listed below, it is empowered to issue an order requiring the suspension of the land alteration. The stop-work order shall be in writing and shall state to what land alteration it is applicable and the reason for its issuance. One (1) copy of the stop-work order shall be posted on the property in a conspicuous place and one (1) copy shall be delivered to the applicant, and if conveniently possible to the person doing the land alteration and to the owner of the property or his agent. The stop work order shall state the conditions under which land alteration may be resumed. A stop-work order shall be issued if:

   a. Land alteration is occurring in violation of a drainage requirement and in such manner that if land alteration is allowed to proceed, there is a probability that it will be substantially difficult to correct the violation; or

   b. Land alteration has been accomplished in violation of a drainage requirement and fifteen (15) calendar days has elapsed since written notice of the violation or noncompliance was either posted on the property in a conspicuous place or given the person doing the land alteration, without the violation or noncompliance being corrected; or

   c. Land alteration for which a Stormwater Management Plan Approval is required is proceeding without a Stormwater Management Plan Approval being in force. In such an instance the stop-work order shall indicate that the effect of the order terminates when the required Stormwater Management Plan Approval is obtained.

Failure to maintain an approved BMP and/or detention/retention facility in good working order in accordance with the approved Stormwater Management Plan Approval is a violation of the Greenwood Stormwater Drainage and Sediment Control Ordinance. Should a developer/owner commit such a violation, the City Engineering Department may:

1. Issue abatement orders;

2. Seek injunctive relief in a separate action for the enforcement of the Stormwater Drainage and Sediment Control Ordinance and the Greenwood Municipal Code;

3. Impose the penalties set forth in *21.06.05*, below:

4. Perform, or cause to be performed, the repairs and maintenance, with the costs taken as a lien against the property; or

5. Any other lawful action deemed necessary to bring the BMP and/or detention/retention facility into compliance with the approved Stormwater Management Plan Approval.

21.06.05 Penalties for Water Quality Stormwater Drainage and Sediment Control Ordinance Violations.

1. Illicit Connection and/or Illegal Dumping:	A fine of not less than $500.00 or more than $5,000.00 per violation, plus cleanup cost.
2. Failure to Maintain an Approved BMP and/or retention/detention facility:	A fine of not less than $200.00 or more than $1,000.00 per BMP or facility per violation.
3. Failure to maintain plan approved easements:	A fine of not less than $100.00 or more than $500.00 per violation.
4. Failure to have annual inspection of BMP and/or retention/detention facility:	$300.00 fine for each BMP and/or retention/detention facility

Sec. 10-539 Implementation of Ordinance

21.07.01. Disclaimer of Liability.

The degree of protection required by this Ordinance is considered reasonable for regulatory purposes and is based on historical records, engineering and scientific methods of study. Larger storms may occur or stormwater runoff depths may be increased by man-made or natural causes. This Ordinance does not imply the land uses permitted will be free from stormwater damage. This ordinance shall not create liability on the part of the City of Greenwood or any officer or employees thereof for any damage that may result from reliance on this Ordinance or on any administrative decision lawfully made thereunder.

21.07.02. Corrective Action.

Nothing herein contained shall prevent the City of Greenwood from taking such other lawful action as may be necessary to prevent or remedy any violation. All costs connected therewith shall accrue to the person or persons responsible.

21.07.03. When Effective.

This Ordinance shall become effective upon its final passage and approval in accordance with Indiana Law.

21.07.04. Exempt Projects.

Any subdivision or construction project which has had a final drainage plan approved by the City Engineer prior to the effective date of this Ordinance shall be considered legally non-conforming. As such, the plan may be implemented as approved. If, however, the project is expanded or otherwise altered, these regulations shall apply.

(Ord. 02-10, §4, 3-18-02)
(Ord. No. 04-55, §32, 1-17-05)

ARTICLE 22 DEFINITIONS

Sec. 10-540. Application and Interpretation

For the purpose of these regulations, certain numbers, abbreviations, terms, words, and phrases used herein shall be used, interpreted, and defined as set forth in this article.

Whenever any words and phrases used herein are not defined herein but are defined in the State laws regulating the creation and function of various planning agencies, any such definition therein shall be deemed to apply to such words and phrases used herein, except when the context otherwise requires.

For the purpose of these regulations, certain words and phrases used herein shall be interpreted as follows:

1. The word "person" includes an individual, firm, association, organization, partnership, trust, company, corporation, or any legal entity.
2. The masculine includes the feminine.
3. The present tense includes the past and future tense; the singular number includes the plural.
4. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
5. The words "used" and "occupied" include the words "intended, arranged, designed to be used or occupied".

All other words not herein defined, shall be defined according to any recent edition of a dictionary of the American language.

AUTOMATED TELLER MACHINE (ATM). A mechanized consumer banking device that performs banking or financial functions, whether outside or in an access-controlled facility. ATMs located within a building shall be considered accessory to the principal use unless the ATM is likely to be an independent traffic generator.

ACCESSORY STRUCTURE. See: Structure, Accessory (Ord. No. 03-41, § 8, 10-20-03)

ACCESSORY USE. A use subordinate in area, extent and purpose to the principal use, that contributes to the comfort, convenience or necessity of the principal use, and that is located on the same lot and in the same zoning district as the principal use.

ADDITION. Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

ADVERTISING SIGN. See "Sign, Advertising".

AGRICULTURE. The tilling of soil, the raising of crops, forestry, horticulture and gardening, keeping and raising of fowls and domestic animals and livestock, including horses and any agricultural industry such as dairies or similar uses.

AIRPORT CONICAL SURFACE AREA. The land area designated as "Airport Conical Surface Area", on the Airspace District Zoning Map, beginning at the periphery of the Horizontal Surface Area and thence extending outwardly a distance of 4,000 feet, said Conical Surface Area not including, however, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface Area.

AIRPORT HORIZONTAL SURFACE AREA. The land area designated as "Airport Horizontal Surface Area", on the Airspace District Zoning Map, the perimeter of which is determined by projecting arcs from the center of the inner line of each Instrument and Non-Instrument Approach Surface Area (the dimension of said arcs for Instrument Approach Surface Areas being 10,000 feet and for Non-Instrument approach connecting adjacent arcs by lines tangent thereto, not including, however, as a part of the Horizontal Surface Area, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface Area.

AIRPORT INSTRUMENT APPROACH SURFACE AREA. The land area designated as "Airport Instrument Approach Surface Area" on the Airspace District Zoning Map, located at each end of each instrument runway for landings and take offs, said Surface Area having a width of 1,000 feet at a horizontal distance of 200 feet beyond each end of the runway and widening thereafter uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet beyond each end of the runway, its centerline being the continuation of the runway centerline.

AIRPORT NON-INSTRUMENT APPROACH SURFACE AREA. The land area designated as "Airport Non-Instrument Approach Surface Area" on the Airspace District Zoning Map, located at each end of each non-instrument runway for non-instrument landings and take offs, said Surface Area having a width of 500 feet at a horizontal distance of 200 feet beyond each end of the runway and widening thereafter uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet beyond each end of the runway, its centerline being the continuation of the runway centerline.

AIRPORT LANDING AREA. The area of the Airport used for the landing, take-off or taxiing of aircraft.

AIRPORT TRANSITIONAL SURFACE AREA. The land area designated as "Airport Transitional Surface Area" on the Airspace District Zoning map, located adjacent to each instrument and non-instrument runway, symmetrically on each side of such runway, said Surface Area extending outward as indicated on the Airspace District Zoning map from a line 250 feet on either side of the centerline of a non-instrument runway, for the length of such runway plus 200 feet at each end thereof, to the inner line of the Horizontal Surface Area, and from a line 500 feet on either side of the centerline of an instrument runway plus 200 feet at each end thereof, to the inner line of the Horizontal Surface Area; further symmetrically located adjacent to each Instrument and Non-Instrument Runway Approach Surface Area, on each side thereof, having variable widths, as indicated on the Airspace District Zoning Map, and extending the entire length of said Approach Surface Areas to their intersection with the outer line of the Conical Surface Area; and further located beyond said points of intersection, beginning at the outer lines of all Instrument Approach Surface Areas and extending a horizontal distance of 5,000 feet therefrom, measured at right angles to the continuation of the runway centerline, as indicated on the Airspace District Zoning Map.

(Ord. 02-10, §4, 3-18-02)
(Ord. No. 04-55, §33, 1-17-05)

AIRSPACE HAZARD. Any structure, tree, object or use of land which obstructs the airspace or is otherwise hazardous to the flight of aircraft in landing or taking off at a public airport or heliport, as determined to constitute and "airspace", "airport" or "heliport" hazard either by the Federal Aviation Administration, the Indiana Department of Transportation, Division of Aeronautics or the Greenwood Board of Aviation Commissioners.

ALTERATION. See "Land Alteration".

ALLEY. A public or private right-of-way intended to provide secondary access to the rear or side of lots or to buildings in urban areas and not intended for the purposes of through vehicular traffic, which may be used for utility purposes.

ANIMAL, DOMESTIC. An animal that is tame or domesticated and not normally found in the wild state and/or is not classified or considered as wildlife, livestock, or exotic animal. Hybrids of animals normally found in the wild state are not included within the meaning of domestic animal. See "Livestock" and "Wildlife".

ANIMAL, EXOTIC. Any member of a species of animal, reptile or bird, warm or cold-blooded, that is not indigenous to the environs of Greenwood and/or is not classified or considered as wildlife, livestock, or domestic animal. See "Livestock" and "Wildlife".

ANNEXATION, INVOLUNTARY. An annexation initiated without written consent from all property owners within the area to be annexed.

ANNEXATION, VOLUNTARY. An annexation by consent in which all property owners within the area to be annexed provide written consent to the annexation.

APARTMENT, PRIMARY. See "Dwelling, Multiple-Family".

APARTMENT, ACCESSORY. A permitted independent, subordinate dwelling unit contained on the same lot as the primary dwelling unit or a business.

AREA OF SIGN. See "Sign Area".

ATTACHED MULTI-FAMILY DWELLING. See "Dwelling, Multiple-family".

ATTACHED SINGLE-FAMILY DWELLING. See "Dwelling, Attached Single-family".

AUTOMOBILE WASHING (Car Wash). See "Car Wash".

AUTOMOBILE. See "Passenger Car" and "Commercial Vehicle".

AUTOMOTIVE REPAIR, MAJOR. General repair, rebuilding or reconditioning of engines, passenger cars, commercial vehicles or trailers, including bodywork, framework, welding and major painting service.

AUTOMOTIVE SERVICE, MAJOR. The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential, incidental body and fender work, minor painting and upholstery service. Above stated is applied to passenger cars.

AUTOMOTIVE SERVICE, MINOR. The service and maintenance of equipment and parts, including oil change and lubrication, muffler shops, tire sales and installation, wheel and brake shops, automobile detailing, or installation of CB radios, cellular phones, car stereos, or car alarms. Above stated is applied to passenger cars, and is typically accomplished without keeping vehicle overnight.

BZA. The Greenwood Board of Zoning Appeals.

BASE FLOOD. A flood having a one (1) percent probability of being equaled or exceeded in any given year (also referred to as the 100-year flood).

BASE FLOOD ELEVATION (BFE). The height of the Base Flood in relation to the National Geodetic Vertical Datum (NGVD) of 1929; commonly referred to as the "100-year flood elevation".

BED AND BREAKFAST. An operator occupied residence that meets the following conditions:

1. Provides sleeping accommodations to the public for a fee.
2. Has not more than 14 guestrooms.
3. Provides breakfast to the guests as part of the fee.
4. Provides sleeping accommodations for not more than 30 consecutive days to a particular guest.

The term "Bed and Breakfast" does not include hotels, motels, boarding houses, or food service establishments.

BEST MANAGEMENT PRACTICES (BMP). Any structural or nonstructural control measure utilized to improve the quality and, as appropriate, reduce the storm water run-off rate. The term includes schedules of activities, prohibitions of practice, treatment requirements, operation and maintenance procedures, use of containment facilities, land use planning, policy techniques, and other practices that comply with the Stormwater and Sediment Control Ordinance.

BIG BOX RETAIL. A large-scale (100,000sqft minimum) self-service retail store selling food, drugs, household merchandise, clothing, and a variety of other retail goods. The store may, in some cases, include limited medical services, such as a dentist or optometrist's office.

BILLBOARD SIGN. See "Sign, Billboard".

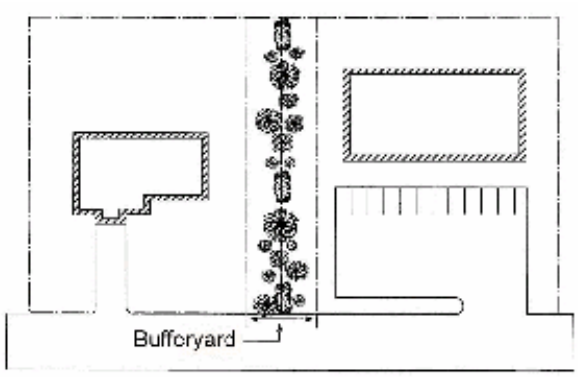
BLIGHTED AREA. An area in which normal development and occupancy are undesirable or impossible because of lack of development; cessation of growth; deterioration of improvements; character of occupancy; age; obsolescence; substandard buildings; or other factors that impair value or prevent a normal use or development of property. See IC 36-7-1-3, as amended.

BLOCK. A tract of land bounded by streets, or a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways, or boundary lines of municipalities.

BOARD. When found in the zoning ordinance, refers to The Board of Zoning Appeals of Greenwood, Indiana, unless explicitly stated otherwise. Also commonly referred to by the abbreviation "BZA".
When found in the drainage or subdivision ordinance refers to the Greenwood Board of Public Works and Safety, unless explicitly stated otherwise. Also commonly referred to by the abbreviation "BPWS".
When found in the Airport ordinance, refers to the Greenwood Board of Aviation, unless explicitly stated otherwise. Also commonly referred to by the abbreviation "BOAC".

BOARDING HOUSE. A single-family dwelling other than a hotel where, for compensation and by arrangement, lodging is provided for three or more persons but not exceeding eight persons. Meals may or may not be provided, but there is one common kitchen facility. No meals are served to outside guests.

BOND. A form of security including a surety bond, in an amount and form satisfactory to the Governing Body. The Governing Body shall approve all bonds whenever a financial guarantee is required by these regulations.



BROWNFIELD. An industrial or a commercial parcel of real estate that is abandoned or inactive, or may not be operated at its appropriate use, and on which expansion or redevelopment is complicated because of the actual or perceived presence of a hazardous substance or petroleum released into the surface or subsurface soil or groundwater that poses a risk to human health and the environment. See IC 13-11.

BUFFER or BUFFERYARD. A designated area of land, together with a specified type and amount of planting thereon, and any structures that may be required to provide some level of sight and/or sound screening or delineation from adjoining properties and rights-of-ways. Refer to Refer to Section 10-472 of the City of Greenwood Municipal Code (Landscape Ordinance) for more information on the types of bufferyards and their requirements.

BUILDING. Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or personal property of any kind. See "Structure".

BUILDING, ACCESSORY. See "Structure, Accessory".

BUILDING COMMISSIONER. For the purposes of this Ordinance, the Building Commissioner shall be synonymous with the term Building Inspector, and shall refer to the person employed and delegated the primary responsibility of issuing improvement location permits and conducting inspections of same.

BUILDING, DETACHED. A building having no structural connection with another building.

BUILDING, HEIGHT OF. The vertical distance from the grade level to the highest point of a building.

BUILDING OPENING. Any opening of a solid wall such as a window or door, through which floodwaters could penetrate.

BUILDING, PRINCIPAL. A building in which is conducted the main or principal use of the lot on which said building is situated. See "Structure, Primary".

BUILDING LINE SETBACK. See "Setback, Building Line".

BUILDING PERMIT. See "Improvement Location Permit".

BUILDING SITE. An area proposed or provided by grading, filling, excavating or other means for erecting pads, slabs, or foundations for buildings.

BUSINESS SERVICES. Any activity conducted for economic gain, which renders service primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or businesses.

***CLOMR (Conditional Letter of Map Revision*).** A letter that indicates that FEMA will revise base flood elevations, flood insurance rate zones, flood boundaries, or floodways as shown on an effective FIRM or FBFM, after the as-built or record drawings confirming the proposed conditions are submitted and approved.

***CLOMR- F (Conditional Letter of Map Revision Based on Fill*).** A letter that indicates that FEMA will revise base flood boundaries as shown on an effective FIRM. This letter does not apply to map revisions involving BFE or floodway delineation changes.

CAPITAL IMPROVEMENTS PROGRAM. A schedule of all proposed public improvement projects in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local governments operating expenses, for the purchase, construction, or replacement of the physical assets for the community are included.

CAR WASH. An activity conducted for the purposes of cleaning passenger cars, pick-up trucks, compact vans, and class I or II commercial vehicles, whether performed automatically, semi-automatically or manually. See "Truck Wash".

CEMETERY. Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

CERTIFICATE OF OCCUPANCY. A certificate stating that the occupancy and use of land or a building or structure referred to therein has been inspected and found to be in compliance with the applicable laws of the State of Indiana and Ordinances of this City.

CHANNEL. A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

CHILD CARE CENTER. In accordance with IC 12-17. 2, as amended, a building where at least 17 children receive child care from a provider while unattended by a parent, legal guardian, or custodian; for regular compensation; and for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The term includes a building where childcare is provided to less than 17 children if the provider has applied for a license under IC 12-17. 2-4 and meets the requirements under IC 12-17. 2-4.

CHILD CARE HOME, CLASS I. A residential structure in which any combination of full-time and part-time children at any time receive childcare from a provider, while unattended by a parent, legal guardian, or custodian, for regular compensation, and for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The maximum number of children may not exceed, at any one time, 12 children plus three children during the school year only who are enrolled in at least grade 1. The addition of three school age children may not occur during a break in the school year that exceeds four weeks. A child for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative; and who is at least seven years of age shall not be counted in determining whether the child care home is within the above limit. See IC 12-17. 2.

CHILD CARE HOME, CLASS II. A residential structure in which children receive childcare from a provider while unattended by a parent, legal guardian, or custodian; for regular compensation; and for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The Class II Child Care Home may serve more than 12 children but not more than any combination of 16 full-time and part-time children. A child for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative; and who is at least seven years of age shall not be counted in determining whether the child care home is within the above limit. See IC 12-17. 2

CHILD CARE HOME, FAMILY. A residential structure in which less than six children receive child care from a provider while unattended by a parent, legal guardian, or custodian; for regular compensation; and for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. A child for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative; and who is at least seven years of age shall not be counted in determining whether the child care home is within the above limit.

CHILD CARE, COMMERCIAL. A non-residential structure where at least one child receives child care from a provider while unattended by a parent, legal guardian, or custodian; for regular compensation; and for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. See IC 12-17.2

CHURCHES. A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a non-profit religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.

CITY. City of Greenwood, Indiana.

CLINIC. An establishment where patients who are not lodged over night are admitted for examination and treatment by a group of physicians, dentists, optometrists, chiropractors veterinarian, or other health care professionals.

CLUB. An organization or association of persons who are united by a common interest and to which membership is required, that meet periodically for a shared activity, social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business. Use of club premises or club facilities is restricted to members and their guests.

COMMUNITY SERVICE ORGANIZATIONS. A non-profit association of Greenwood residents whose purpose is to provide service to other Greenwood residents. Community Service Organizations include, but not limited to the Rotary, Eagles, Elks, Kiwanis, and the Greenwood Little League.

COMMERCIAL ENTERTAINMENT FACILITIES. Any activity conducted for economic gain, which is generally related to the entertainment field, such as Motion Picture Theater, carnivals, nightclubs and similar entertainment activities.

COMMERCIAL RECREATIONAL FACILITIES. Any activity conducted for economic gain which is generally related to the recreational field, such as bowling alleys, roller skating rinks, miniature golf, golf driving ranges, commercial swimming pools, marinas, boat storage and dock facilities, and similar recreational activities such as pinball, electronic games, pool tables, etc.

COMMERCIAL VEHICLE. Every vehicle designed for carrying more than 12 passengers or used for the transportation of goods, including all vehicles within Classes 3 through 8, as categorized by the Motor Vehicle Manufacturers Association of the United States, Inc. See "Passenger Vehicle".

COMMISSION. The Greenwood Advisory Plan Commission.

COMMON COUNCIL. The legislative body adopting this ordinance.

COMMON OPEN SPACE. See "Open Space, Common".

COMPREHENSIVE PLAN (MASTER PLAN). The comprehensive plan for the City of Greenwood, prepared and approved under the 500 series of IC 36-7-4, as amended.

CONCEPT PLAN. Written and graphic documents submitted for subdivision plats, development plans, Planned Unit Developments, annexation, and rezoning petitions that indicate in a conceptual form the proposed land uses and their overall impact on the subject lot and surrounding area, in order to enable the applicant to understand the process, and save time and expense in reaching general agreement with the Administrator.

CONDOMINIUM. The individual ownership of a single unit, together with an interest in the common land and building areas and the underlying land, in conformance with the horizontal property law, IC 32-1-6, as amended

CONFINEMENT FEEDING OPERATION. Any confined feeding of at least 300 cattle, at least 600 swine or sheep, or at least 30,000 fowl; or any animal feeding operation electing to be subject to IC 13-18-10; or any animal feeding operation that is causing a violation of water pollution control laws, any rules of the water pollution control board, or IC 13-18-10. See IC 13-11-2-40, as amended.

CONFORMING USE. See "Use, Conforming".

CONSTRUCTION PLAN. The maps, drawings and textual descriptions accompanying a secondary plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements enumerated in this ordinance as a condition of the approval of the plat.

CONSTRUCTION SITE STORMWATER RUNOFF. Stormwater runoff from a development site following a land alteration.

CONVENIENCE STORE, NEIGHBORHOOD. A retail store with a floor area of less than 2,500 square feet that sells groceries and household items, but does not have restaurant seating or gasoline sales.

CONVENIENCE STORE, LOCAL. A retail store with a floor area of less than 2,500 square feet that sells groceries and household items, and also provides restaurant seating or gasoline sales. Restaurant or gasoline sales are considered to be accessory uses and not a separate business.

CONVENIENCE STORE, REGIONAL. A retail store that sells groceries and household items, and which may also provide other convenience services such as restaurant, Laundromat or gasoline sales for class I or II commercial vehicles. Such uses are considered to be accessory uses and not a separate business. See "Truck Stop. "

CONVEYANCE. Any pipe, swale, ditch, etc. intended to carry stormwater from one point to another.

COPY, SIGN. See "Sign, Copy".

CORRECTIONAL FACILITY. Public or privately operated facilities housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

COUNCIL. The Common Council of the City of Greenwood, Indiana.

COVENANT. A private legal restriction on the use of land contained in the deed to the property and otherwise formally recorded.

CULVERT. A drainpipe that channels water under a bridge, street, or driveway.

DEDICATION. The transfer of private property to public ownership upon written acceptance.

DEED RESTRICTION. See "Covenant".

DENSITY. A unit of measurement; the number of dwelling units per acre of land. Refer to Table F and Table G of the Zoning Ordinance for the range of densities allowed in each zoning district.

1. Gross Density. The number of dwelling units per acre of the total land to be developed, including public right-of-way.
2. Net Density. The number dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses, excluding public rights-of-way and other public sites.

DETENTION AREA. An area that is designed to capture specific quantities of stormwater and to gradually release the stormwater at a sufficiently slow rate to avert flooding.

DETENTION BASIN. See "Wet Bottom Basin".

DEVELOPER. The owner of land or his representative proposing changes to a parcel or parcels of land, including development, lot improvement or subdivision of land. See "Development", "Lot Improvement" and "Subdivision".

DEVELOPMENT. Any man-made change to improved or unimproved real estate including but not limited to:

1. Construction, reconstruction, or placement of a building or any addition to a building valued at more than $1,000;
2. Installing a manufactured home on a site, preparing a site for a manufactured home or installing a travel trailer on a site for more than 180 days;
3. Installing utilities, erection of walls and fences, construction of roads, or similar projects;
4. Construction of flood control structures such as levees, dikes, channel improvements, etc.;
5. Mining, dredging, filling, grading, excavation, or drilling operations;
6. Construction and/or reconstruction of bridges or culverts;
7. Storage of materials; or
8. Any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing, resurfacing roads, or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

DEVELOPMENT AMENITIES. Aesthetic or other characteristics of a development that increase its desirability to a community or its marketability to the public. Amenities may differ from development to development but may include such things as a unified building design, recreational facilities (e. g., a swimming pool or tennis courts), security systems, views, landscaping and tree preservation, or attractive site design.

DEVELOPMENT PLAN. See "Site Development Plan".

DEVELOPMENT STANDARDS. Regulations such as bulk, height, area, or space requirements set forth by the zoning ordinance.

DEVELOPMENTAL STANDARDS VARIANCE. A developmental standards variance is designed to adjust the regulations of the zoning ordinance to the land for which the variance is granted. Generally speaking, a developmental standards variance applies to developmental standards such as bulk, height, area, or space requirement of the zoning ordinance. The primary basis for granting a developmental standards variance is the showing by the applicant that a "practical difficulty" exists if the letter of the law is strictly applied. Refer to Section 9. 08. 06 of this Ordinance for a list of criteria to be considered by the Board. Once granted, a developmental standards variance shall run with the land, unless specifically stated otherwise in the conditions or commitments of the Board's final determination.

DIMENSIONAL VARIANCE. See "Developmental Standards Variance".

DIRECTOR. For the purposes of this ordinance, the term Director shall mean the Director of the Department of Planning and Zoning, or his designated representative.

DISTRIBUTION CENTER. A use where goods are received and/or stored for delivery to the ultimate customer at remote locations.

DISTRICT. Any section or sections of the City of Greenwood for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform for each class or kind of building therein.

DISTURBED AREA. An area of land subjected to erosion due to the removal of vegetative cover and/or earthmoving activities, including filling.

DITCH. An earthen conveyance with side slopes steeper than 5:1 or carrying greater than 10 cubic feet per second.

DRAINAGE BASIN. The area from which water is carried off by a drainage system; a watershed or catch area.

DRAINAGE. The collection, conveyance, or discharge of ground water and/or surface water.

DRAINAGE FACILITIES. All ditches, channels, conduits, retention-detention systems, tiles, swales, sewers, and other natural or artificial means of draining stormwater from land.

DRAINAGEWAY. The area within which surface water or ground water is carried from one part of a lot or parcel to another part of the lot or parcel or to adjacent land.

DRIVE-IN COMMERCIAL USES. Any retail commercial use providing considerable off-street parking and catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters, and similar uses.

DRIVE-UP WINDOW. Any establishment providing service from a building directly to a customer in an automobile or other vehicle. See 6 –20-12 of the Greenwood City Code.

DRIVEWAY. A public or private access which affords ingress or egress to a property.

DRY BOTTOM BASIN. A dry bottom basin is designed so that a specified volume is stored indefinitely (retained), and it does not typically have an outlet to adjoining watercourses other than an emergency spillway. A dry bottom basin typically drains completely after a storm event.

DWELLING. Any building or portion thereof, which is designed for or used for residential purposes.

DWELLING, ATTACHED SINGLE-FAMILY. Single-family dwelling units attached by a common wall or walls, and legally platted so that each unit sets on an individual lot providing for fee simple ownership of each lot. This type of dwelling may or may not have additional common grounds owned by a homeowners association.

DWELLING, SINGLE-FAMILY. A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.

DWELLING, TWO-FAMILY. A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

DWELLING, MULTIPLE-FAMILY. A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.

DWELLING UNIT. A room or group of rooms designed and equipped exclusively for use as living quarters for only one family and its household employees, including provisions for living, sleeping, cooking, and eating. The term shall include mobile homes but shall not include travel trailers or recreational vehicles.

DWELLING, ZERO LOT LINE. A detached single-family dwelling placed upon an individually platted lot so as to have one side yard setback with a minimum of zero feet and a maximum of six feet; and having a minimum setback of 10 feet from the other side lot line.

EASEMENT. A non-possessing interest held by one person in land of another, whereby the first person is accorded partial use of such land for a specific purpose. An easement restricts but does not abridge the rights of the fee owner to the use and enjoyment of his land. Easements may be surface, subsurface, or overhead. Including, but not limited to, access easements, landscape easements, non-access easements, drainage and utility easements, sign easements, maintenance easement, fire access easements.

(Ord. 02-10, §4, 3-18-02)
(Ord. No. 04-55, §33, 1-17-05)

EASEMENT, OFF-SITE PLAT OVER. An easement lying outside the parcel being conveyed but of benefit to the parcel.

ENCLOSED MALL SHOPPING CENTER. A commercial real estate development comprised of department, retail, and/or commercial stores the majority of which stores have entrances facing upon a common enclosed mall. The terms "enclosed mall shopping center" as used herein shall not include freestanding buildings located at or about such enclosed mall shopping centers.

ENGINEER, PROFESSIONAL. Any person who is licensed by the State of Indiana to practice professional engineering.

EPA. United States Environmental Protection Agency.

EROSION. The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice, and gravity.

EROSION AND SEDIMENT CONTROL PLAN. A plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

ESCROW. The arrangement for the handling of instruments or money not to be delivered until specified conditions are met.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION. Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION. Means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

***FBFM (Flood Boundary and Floodway Map*).** A floodplain management map issued by FEMA that depicts, based on detailed engineering analyses, the boundaries of the base or 100-year flood, the 500-year flood, and the floodway.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). The agency of the federal government charged with emergency management.

FHBM. Flood Hazard Boundary Map.

FIRM. A Flood Insurance Rate Map. A map issued by FEMA that is an official community map, on which FEMA has delineated both the special flood hazard areas and the insurance risk premium zones applicable to the community. This map may or may not include floodways.

FAMILY. One or more persons occupying a single dwelling unit, living together as a single housekeeping unit, and sharing common living, sleeping, eating and cooking facilities. Family does not include any group living in a boarding house, hotel, club, fraternity, sorority, or rooming house.

FARM OPERATION. Any of the following activities involved in carrying on a farm business:

(a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
(b) clearing, draining, irrigating or cultivating land;
(c) using farm machinery, equipment, devices, materials and structures;
(d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
(e) conducting any other activity on, in or over agricultural land required to reasonably carry on a agricultural farming operation;
(f) intensively cultivating in plantations, any
  (i) specialty wood crops, or
  (ii) specialty fiber crops
(g) conducting turf production
(h) processing or direct marketing the products of a farm owned or operated by the farmer, as well as products not of that farm to the extent that the processing or marketing of those products in conducted on the farmer's farm.

FENCE. An enclosure or barrier used as a boundary, means of protection, privacy screening or confinement, but not including, hedges, shrubs, trees or other natural growth.

FILLING STATION. See "Gas Station. "

FINANCIAL GUARANTEE. Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Governing Body. The Governing Body shall approve all financial guarantees whenever required by these regulations.

FLOOD. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

FLOOD HAZARD AREA. A flood plain, or portion thereof, which has not be adequately protected from floodwater by means of dikes, levees, reservoirs, or other works approved by the Indiana Natural Resources Commission.

FLOODPLAIN. The channel proper and the areas adjoining any wetland, lake or watercourse, which have been, or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the floodway fringe districts.

FLOOD PROOF. Any structural and/or non-structural adjustments to structures or property that reduce or eliminate flood damage to land, improvements, utilities and structures.

FLOOD PROTECTION GRADE or FPG. Means the elevation of the regulatory flood plus two feet at any given location in the SFHA.

FLOOD, REGULATORY. See "Regulatory Flood".

FLOODWAY. Means the channel of a river or stream and those portions of the flood plain adjoining the channel, which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

FLOODWAY FRINGE. Means the portions of the flood hazard areas lying outside the floodway.

FLOOR AREA, GROSS. The sum, in square feet, of the floor areas of all roofed portions of a building as measured from the interior walls. It includes the total of all space on all floors of a building. It also includes porches, attached garages, or space in a basement or cellar when said basement or cellar space is used for storage or other such incidental uses. The gross floor area is generally applied in residential use for determining minimum ground level floor area.

FLOOR AREA, NET. The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms, etc., in a non-residential building. The net area is used in calculating parking requirements.

FLOOR AREA, USABLE LIVING. The usable living floor area is determined by subtracting from the gross floor area such areas as attached garages, unfinished basements or rooms, closets, stairways, etc. Usable living floor area is generally applied in residential use for determining minimum dwelling size for a given residential zoning district.

FOOTCANDLE. A measure of illumination on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

FOOTPRINT. The horizontal area of a building or structure as seen in plan, measured from outside of all exterior walls and supporting columns.

FOUNDATION SIDING (SKIRTING). A type of wainscoting constructed of fire and weather resistant material, such as aluminum, treated pressed wood or other approved materials, enclosing the entire undercarriage of the manufactured or mobile home.

FRONT YARD. See "Yard, Front".

FRONTAGE. The length along the street right-of-way line of a single lot, tract, or development area between the side lot lines of the property. It is that side of a lot abutting a street and ordinarily regarded as the front of the lot.

GARAGE, ATTACHED. A portion of the principal building, used or designed to be used for the parking and storage of Class I and Class II vehicles associated with the primary use of the lot on which it is situated, including carports.

GARAGE, DETACHED. An accessory building, or part thereof, used or designed to be used for the parking and storage of Class I and Class II vehicles associated with the primary use of the lot on which it is situated, including carports.
GARAGE, REPAIR. See "Automotive Repair, Major", "Automotive Service, Major" and "Automotive Service, Minor".

GAS STATION. A facility used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquefied flammable gas, or flammable gas into the fuel tanks of motor vehicles. See "Convenience Store, Local", "Convenience Store, Regional", "Truck Stop", "Major Auto Repair", "Major Auto Service", and "Minor Auto Service".

GRADE. The slope of land, pavement, pipes, etc. or similar public way, specified in terms of percentage. Example: One foot of rise or fall in 100 feet would be 1%.

GRADING. Any stripping, excavating, filling, and stockpiling of soil or any combination thereof and the land in its excavated or filled condition.

GREENBELT. As used in the I-65 Corridor Overlay Zone:

1. Corridor Greenbelt. That portion of the front yard of a lot that is immediately adjacent and parallel to the street right-of-way of Emerson Avenue, Arlington Avenue, Interstate Highway I-65, Main Street, or County Line Road and having a minimum depth of 30 feet from the street right-of-way line.
2. Interior Streets Greenbelt. That portion of the front yard of a lot that is immediately adjacent and parallel to the right-of-way of other streets (other than those listed above) within the I-65 Corridor Overlay Zone and having a minimum depth of 15 feet from the street right-of-way line.

GROSS LAND AREA. All areas (whether covered by land or water or rights-of-way) contained within the perimeter property boundaries of a proposed project.

GROUP HOME. From IC 12-7-2-98. 5. For purposes of IC 12-17. 4, a residential structure in which care is provided on a 24-hour basis for not more than 10 children; and only children who are judicially determined to be either children in need of services under IC 31-34-1 (or IC 31-6-4-3 or IC 31-6-4-3. 1 before their repeal) 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 (or IC 31-6-4-1(a)(2), (3), or (5) before their repeal).

GUTTER SPREAD. The spread of water on a roadway surface perpendicular from the face of the gutter into the driving lane.

HEALTH SERVICES.

1. Convalescent, Rest, or Nursing Home. A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
2. Dental Clinic or Medical Clinic. A facility for the examination and treatment of ill and afflicted human outpatients by their regular doctor(s), provided that patients are not kept overnight.

3. Emergency/Immediate Care Medical Facility. A facility for the examination and outpatient treatment of "walk-in" human patients, which may be open 24 hours per day.
4. Dental Office or Doctor's Office. Same as dental or medical clinic.
5. Hospital. An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, clinics and administrative offices operated in connection therewith.
6. Public Health Center. A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.
7. Sanatorium. An institution providing health facilities for in-patient medical treatment and recuperation making use of natural therapeutic agents.
8. Mental Health Facility (or Psychiatric Hospital). A facility or institution for diagnosing, treating, caring for, or counseling people requiring mental health services in confinement.
9. Medical or Dental Labs. A facility for scientific laboratory analysis of medical or dental resources. The scientific analysis is generally performed for an outside customer. This category includes medical or veterinary laboratories for the analysis of blood, tissue, or other human medical or animal products. Forensic laboratories for analysis of evidence in support of law enforcement agencies would also be included in this category.
10. Assisted Living Facility. Housing that is designed for and primarily occupied by elderly or handicapped residents, which offers a program of services to deal with the activities of daily living, and may offer meals in a congregate dining area. An assisted living facility does not provide continuing nursing care or institutional care.

HEIGHT OF BUILDING. The vertical distance from the grade to the highest point of the building.

HEIGHT, MAXIMUM. Maximum height is measured from grade level to the highest point of the structure.

HELIPORT APPROACH SURFACE AREA. The land area designated as "Heliport Approach Surface Area" on the Airspace District Zoning Map, located at the edge of the heliport landing and take-off area. Said surface area having a width equal to the width of the heliport landing and take-off area and widening thereafter uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the landing and take-off area.

HELIPORT LANDING AND TAKE-OFF AREA. The area of the heliport used for the landing and take-off of helicopters.

HELIPORT PRIMARY SURFACE AREA. That area coinciding in size and shape with the Heliport Landing Take-Off Area.

HELIPORT TRANSITIONAL SURFACE AREA. The land area designated as Transitional Surface Area on the Airspace District Zoning Map, located adjacent to the heliport primary surface. Said surface extends outward perpendicular to the centerline of the primary and approach surfaces for a horizontal distance of 250 feet.

HISTORIC STRUCTURE. A structure that is individually listed on the National Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts and Objects.

HOME OCCUPATION. A home occupation is an accessory use of a dwelling unit for gainful employment involving the provision or sale of goods and/or services, conducted entirely within the dwelling unit, carried on by one or more persons, all of whom reside within the dwelling unit, and where no persons are employed other than residents of the dwelling. The use must be clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part. In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence other than for a nameplate as permitted elsewhere in this section.

HOTEL. A building in which lodging or boarding 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 in contradistinction to a motel, boarding house, a lodging house, or an apartment, which are herein separately defined.

IDEM. The Indiana Department of Environmental Management.

ILLICIT CONNECTION. Any method or means for conveying an illicit discharge into water bodies or the City of Greenwood stormwater conveyance system.

ILLICIT DISCHARGE. Any discharge to water bodies that do not consist entirely of stormwater discharges, pursuant to the terms of an NPDES permit. The following non-stormwater discharges are allowable discharges and are exempt from requirements of the Stormwater Drainage and Sediment Control Ordinance:

(a) Water line flushing with diffusion device;
(b) Landscape irrigation;
(c) Diverted stream flows;
(d) Rising ground waters;
(e) Uncontaminated ground water infiltration;
(f) Uncontaminated pumped ground water;
(g) Discharges from potable water sources;
(h) Foundation drains;
(i) Air conditioning condensation;
(j) Irrigation water;

(k) Springs;
(l) Water from crawl space pumps;
(m) Footing drains;
(n) Lawn watering;
(o) Individual residential car washing and non-profit carwash fund raising events.
(p) Flows from riparian habitats and wetlands;
(q) Dechlorinated swimming pool discharges;
(r) Street washing/cleaning water;
(s) Discharges from firefighting activities.

IMPACT DRAINAGE AREA. Certain geographic area within the City where the Board of Public Works and Safety has established special regulations to address specific drainage issues of the area.

IMPERVIOUS SURFACE. Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

IMPROVEMENT. Any alteration to the land or other physical constructions associated with subdivision and building site development.

IMPROVEMENT, LOT. Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated, constituting a physical betterment of real property, or any part of such betterment. Certain lot improvement shall require financial guarantee as provided in the applicable regulations.

IMPROVEMENT, PUBLIC. Any drainage ditch, roadway, sidewalk, curb, tree, lawn, off-street parking area, main, or other facility for which the local or state government may ultimately assume the responsibility for maintenance and/or operation, or which may affect an improvement for which local or state government responsibility is established. All such improvements shall require financial guarantee.

IMPROVEMENT, SUBSTANTIAL. Means any construction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

IMPROVEMENT, TEMPORARY. Improvements built and maintained by a subdivider during construction of the subdivision and which may become permanent prior to release of the performance guarantee.

IMPROVEMENT LOCATION PERMIT. A certificate issued by the Building Commissioner permitting a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure within the locality, or cause the same to be done.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM. A septic tank, seepage tile, sewage disposal system, or any other approved sewage treatment device designed for use in a limited area.

INDUSTRIAL, HEAVY. Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary. As further defined or explained in Section 10-76 of the Greenwood Municipal Code.

INDUSTRIAL, LIGHT. Manufacturing or other industrial uses, which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances. As further defined or explained in Section 10-75 of the Greenwood Municipal Code.

INFRASTRUCTURE. The services and facilities necessary in a community, including but not limited to sewers, water systems, streets, utilities and drainage services.

INSTRUMENT RUNWAY. A runway equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.

JUNKYARD (INCLUDING AUTOMOBILE WRECKING). Any place at which personal property is or may be salvaged for reuse, resale, or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or assorted; including, but not limited to used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property except animal matter; and used motor vehicles, machinery or equipment which is used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

KENNEL, COMMERCIAL. Any lot or premises on which are kept for breeding, boarding, or training purposes, or for sale, five or more dogs, cats, or other domestic animals more than six months of age, not owned by the owner or occupant of the property.

KENNEL, PRIVATE. Any lot or premises on which are kept less than five dogs, cats, or other domestic animals more than six months of age, for personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the primary objective.

LOMA (Letter of Map Amendment). The official determination by FEMA that a specific structure or lot is not within a regulatory floodplain due to naturally occurring high ground (i.e. without fill). A LOMA amends the effective FIRM.

LOMR (Letter of Map Revision). A letter form FEMA that revises base flood elevations, flood insurance rate zones, flood boundaries, or floodways as shown on an effective FBFM or FIRM.

LOMR-F (Letter of Map Revision Based on Fill). A letter that provides formal recognition by FEMA that either a parcel of property or a structure has been removed from the base or 100-year floodplain due to elevation based on the placement of fill. This letter does not apply to map revision involving BFE or floodway delineation charges.

LAND ALTERATION. Any action taken relative to land which either:

(a) Removes the natural ground cover;
(b) Changes the contour; or
(c) Increases the runoff rate; or
(d) Changes the elevation; or
(e) Decreases the rate at which water is absorbed; or
(f) Changes the drainage pattern; or
(g) Creates or changes a drainage facility; or
(h) Involves construction, enlargement or location of any building on a permanent foundation; or
(i) Creates an impoundment.

LAND ALTERATION. Any change, addition or modification in construction.

LAND SURVEYOR. Any person who is licensed in the State of Indiana to practice land surveying.

LANDOWNER. The legal or beneficial owner or owners of land. The holder of an option or contract to purchase, a lessee or other person having an enforceable proprietary interest in such land shall be deemed to be a landowner for the purposes of this article.

LANDFILL. The burial of non-hazardous, non-radioactive and non-medical farm, residential, institutional, commercial, or industrial waste, usually after the waste has been compacted.

LIVESTOCK. Generally accepted outdoor farm animals (i. e., cows, goats, horses, pigs, barnyard fowl, etc.), not to include domestic animals.

LOADING SPACE, OFF-STREET. Space logically and conveniently located outside of the right-of-way for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required.

LOT. A single recorded tract or plot, which is the smallest unit of a residential, commercial or industrial subdivision or other parcel of land. A lot serves as a unit for the purpose, whether immediate or future, of transfer of ownership, or lease. The lot shall be of suitable size as required in the current zoning ordinance. See "Lot of Record" and "Parcel".

LOT of RECORD. A single unplatted tract or plot of land, which is considered a buildable lot because of its legal non-conforming status.

LOT AREA. The area of the horizontal plane of a lot bounded by the vertical planes of the front, side and rear lot lines. Easements are considered to be part of the Lot Area. The lot area is exclusive of right-of-way and may not be covered by water.

LOT COVERAGE. The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot. See "Floor Area Ratio" in Sec. 10-172.

LOT FRONTAGE. The front of a lot shall be construed to be the portion nearest the street right-of-way. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to street right-of-way shall be considered frontage, and yards shall be provided under Yards in this section.

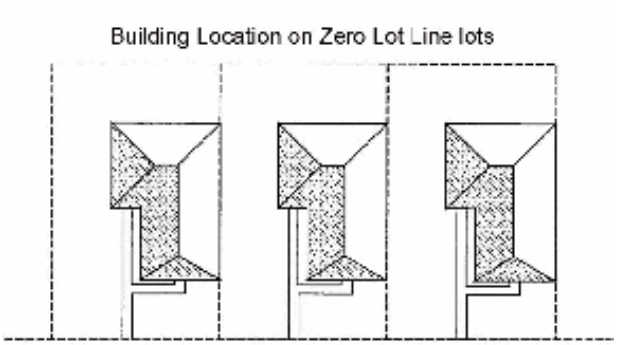
LOT LINE, FRONT. On an interior lot, the line separating the lot from the street right-of-way. On a corner or through lot, the line separating the lot from either street right-of-way.

LOT LINE, OPPOSITE. The side property line on the opposite side of the dwelling from the zero lot line.

LOT LINE, REAR. The lot line opposite the front lot line. On a corner lot, the rear lot line shall be opposite the side of the house considered to be the front, unless otherwise designated on the subdivision plat.

LOT LINE, SIDE. Any lot line other than a front lot line or rear lot line.

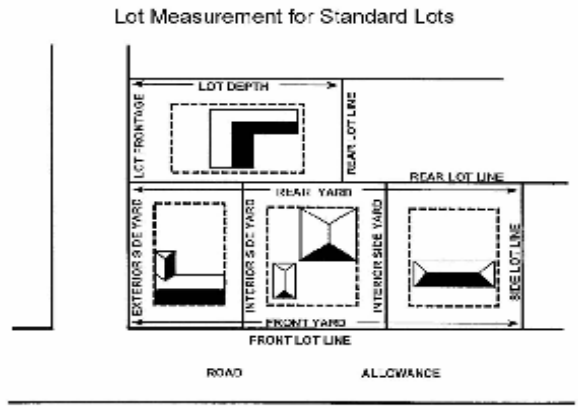
LOT LINE, ZERO. The side property line adjacent to the side yard having a minimum of zero feet and a maximum of six feet.

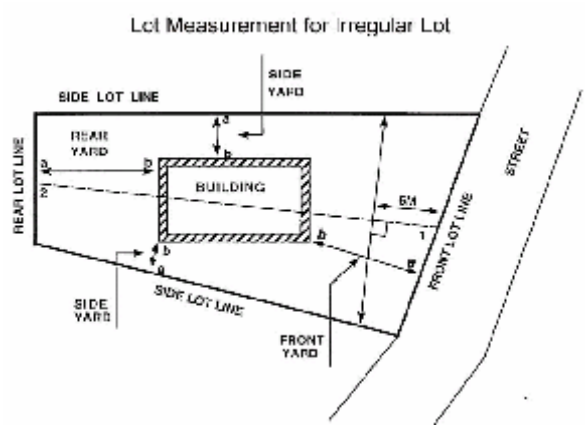


LOT MEASUREMENT.

1. Lot Depth. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

2. Lot Width. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however, that width between side lot lines at their foremost points (where they-intersect with the street line) shall not be less than 80% of the required lot width except in the case of the cul-de-sac, where the 80% requirement shall not apply.





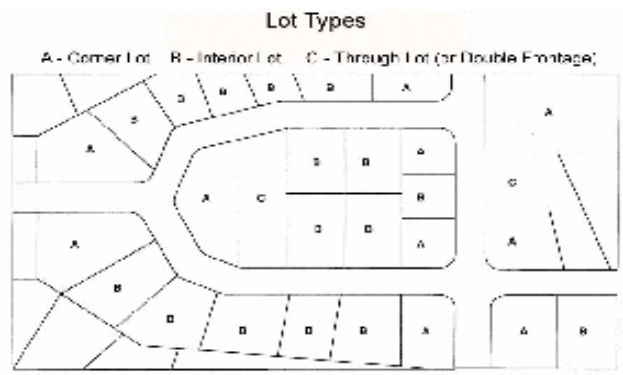
LOT OF RECORD. A lot, which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes, and bounds, the description of which has been so recorded.

LOT, SALES. Premises on which new or used passenger cars, recreational vehicles, boats, commercial vehicles, farm implements, trailers or other vehicles, or manufactured homes are displayed in the open for sale or trade. All vehicles must be in operable condition.

LOT, STORAGE. An unenclosed space or place where passenger cars, recreational vehicles, boats, commercial vehicles, farm implements, trailers, mobile homes or other vehicles are parked or stored for more than 24 consecutive hours. All vehicles must be in operable condition. A storage lot may be fenced or otherwise enclosed. A parking lot is not a storage lot.

LOT TYPES. Terminology used in this ordinance with reference to different types of lots is as follows:

1. Corner Lot. A lot located at the intersection of two or more streets, provided that the angle of intersection is not more than 135 degrees.
2. Interior Lot. A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
3. Through Lot. A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may also be referred to as double frontage lots.



LOT WIDTH. The horizontal distance between side lot lines measured at the required front setback, parallel to the street.

LOWEST FLOOR. Means the lowest of the following.

1. the basement floor;
2. the garage floor, if the garage is the lowest level of the building;
3. the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or
4. the floor level of any enclosure below an elevated building where the walls of the enclosure provide any resistance to the flow of flood waters unless:

The walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one square foot for every two square feet of enclosed floor area subject to flooding. The bottom of all such openings shall be no higher than one foot above the enclosed area's floor. Such enclosed space shall be usable for non-residential purposes and building access.

MS4. Municipal Separate Storm Sewer System as defined by 327 IAC 15-13-5 Section 5 (43).

MAINTENANCE. Cleaning, removing obstructions from, and making minor repairs to a drainage facility so that it will perform the function for which it was designed and constructed.

MANUFACTURED BMP. A structural BMP designed for stormwater quality treatment constructed of a combination of manmade materials at an off-site facility.

MANUFACTURED HOME. A dwelling unit, designed and built in a factory, transportable in one or more sections, which bears a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U. S. C. 5401 et seq.). The term "manufactured home" does not include a "recreational vehicle". The classifications of manufactured homes (TYPES) are defined in Article 7, Table J of the Greenwood Municipal Code.

MEDICAL FACILITIES. See "Health Services".

MOBILE HOME. A transportable structure suitable for year-round occupancy and having water, electrical, and sewage connections similar to those of conventional dwellings. This definition applies only to units constructed on or before 1/1/81. See "Manufactured Home".

MOBILE HOME PARK. Any plot of ground upon which five or more mobile homes, are harbored for dwelling or sleeping purposes, regardless of whether or not a charge is made for such accommodation. In addition, mobile home parks must comply with all applicable state regulations.

MOBILE HOME SPACE. A plot of ground within a mobile home park designated for the accommodation of one mobile home.

MOBILE HOME STAND. That part of an individual mobile home space that has been reserved for the placement of the mobile home, appurtenant structures, or additions.

MODEL HOME. A dwelling unit used temporarily for display purposes which typifies the type of units that will be constructed in the subdivision in which the dwelling unit is located, and may contain a temporary sales office for the subdivision in which the dwelling unit is located.

MODULAR HOME. An off-site (factory) constructed, transportable structure designed for residential occupancy when permanently placed on a foundation.

MONUMENT, SURVEY. Any permanent marker either of stone, concrete, galvanized iron pipe, or iron or steel rods, used to identify the boundary lines of any tract, parcel, lot or street lines.

MOTOR HOME. See "Recreational Vehicle".

MOTEL. A building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door. See "Hotel".

NFIP. The National Flood Insurance Program. The requirements of the NFIP are codified in Title 44 of the Code of Federal Regulations (CFR).

NPDES. National Pollution Discharge Elimination System.

NEW MANUFACTURED HOME PARK OR SUBDIVISION. As used in Section 10-64 of the Zoning Ordinance, the Flood Hazard Ordinance, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the City of Greenwood, Indiana.

NONCONFORMING USE. See "Use, Nonconforming".

NON-INSTRUMENT RUNWAY. A runway other than an instrument runway.

NON-POINT SOURCE POLLUTION. Pollution from any source other than from any discernible, confined, and discrete conveyances, including, but not limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal, dumping, and urban runoff sources.

NON-STORMWATER DISCHARGE. Any discharge to the storm drain system that is not composed entirely of stormwater.

NON-STRUCTURAL BMP. A BMP that is not constructed by physical means of land disturbance such as education, public information handouts, etc.

OCCUPIED SPACE. See "Floor Area, Usable Living".

OFF-SITE (OFF-PREMISES). Outside the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted. See "Easement, Off-Site Plat Over".

OPEN SPACE. Land and water areas retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state. The area may include, along with the natural environmental features, water areas, swimming pools, tennis courts, and other outdoor recreational facilities. As used in the PUD Ordinance, the following definitions apply:

1. Open space, common. A parcel or parcels of land or an area of water, or a combination of land and water within a Planned Unit Development (PUD) site designed and intended for the use or enjoyment of the occupants of the PUD. Common open space may contain such complimentary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the occupants. Street right-of-ways, driveways, and parking lots, which directly serve dwellings or commercial buildings, shall not be counted toward area.
2. Open space, permanent. Parks, playgrounds, waterways (no more than 35% of the required permanent open space can be covered by water defined as the high-water elevation, including detention and retention ponds), landscaped green space, and natural areas, not residential yard space surrounding dwelling units and not including schools, community centers or other similar areas in public ownership.

ORCHARD. A total of 25 or more fruit trees growing on a single lot, or a total of 25 or more fruit trees within any single 10,000 square foot area for an economic gain.

OVERLAND FLOW-WAY. Surface area that conveys a concentrated flow of stormwater runoff.

OWNER. A, person, firm, association, syndicate, partnership, corporation, or any other legal entity recorded as such on official records, and including a duly authorized agent or notary, a purchaser, a devisee, judiciary, and person having a vested or contingent interest in the property in question as long as written proof of such can be produced upon request.

PC. The Greenwood Advisory Plan Commission

PARCEL. Any legally described piece of land that may or may not be subdivided. Also known as a tract. See "Lot" and "Lot of Record".

PARKING AREA (LOT). A group of more than six parking spaces, or an open area not including any part of a street, alley, or residential driveway designed or used for the temporary parking of motor vehicles.

PARKING SPACE. An off-street space available for the parking of one motor vehicle conforming to the typical parking lot standards, found in Section 10-103 of the zoning ordinance.

PASSENGER CAR. Every vehicle, except motorcycles, designed for carrying 12 passengers or less and used for the transportation of persons, including all vehicles within Classes 1 and 2, as categorized by the Motor Vehicle Manufacturers Association of the United States, Inc. See "Commercial Vehicle".

PEAK STORM. The storm of a specified return period that produces the maximum runoff from a site or the maximum elevation in a detention pond. Storm durations of 0.5, 1, 2, 3, 6, 12 and 24 hours shall be used to determine the peak storm.

PERFORMANCE GUARANTEE. An amount of money or other negotiable security paid by the subdivider or his surety to the City of Greenwood, which guarantees that the subdivider will perform all actions required by the Governing Body regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of any approved plat, the subdivider or his surety will pay damages up to the limit of the financial guarantee ~~bond~~, or the surety will itself complete the requirements of the approved plat.

PERIMETER DRAIN. A subsurface pipe network designed and installed around the perimeter of a septic field for the purpose of effectively collecting and draining away excess subsurface waters.

PERIMETER RETAINING WALL. A perimeter non-load bearing structural system completely enclosing the space between the floor joists of a manufactured or mobile home and the ground.

PERSON. Any individual, corporation, association, firm, partnership and the like, singular or plural.

PERSONAL SERVICES. Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, valet service, watch repairing, barber shop, beauty parlors, tanning and nail salons, tattooing and body piercing and other such related activities.

PIPE SYSTEM. Two or more pipes connected together by one or more structures such as a manhole designed to convey stormwater runoff.

PLAN. See "Development Plan".

PLAN COMMISSION. The Greenwood Advisory Plan Commission.

PLAN, DRAINAGE. Written narratives, specifications, drawings, sketches, written standards, operating procedures, or any combination of these, which contain information pursuant to the Stormwater Drainage and Sediment Control Ordinance.

PLANNED UNIT DEVELOPMENT (PUD). A Planned Unit Development is an area under single ownership or control to be developed in conformance with an approved PUD master plan, consisting of a map showing the development area and all improvements to the development area, a text which sets forth the uses and the development standards to be met, and exhibits setting forth any aspects of the PUD master plan not fully described in the map and text. The map, exhibits, and text constitute a PUD master plan. The uses and standards expressed in the PUD master plan constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for the underlying district.

PLAT. The drawing, map, or plan of a subdivision or other tract of land or a replat of such including certifications, descriptions and approvals.

PLAT, PRIMARY. The preliminary drawing or drawings described in the subdivision control regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Commission for approval.

PLAT, SECONDARY. The final and formal presentation of the map, plan or record of a subdivision and any accompanying material, as described in the~~se~~ subdivision control regulations.

POLLUTANT. A substance which causes or contributes to pollution, including, but not limited to, the following: any dredged spoil, solid waste, vehicle fluids, yard wastes, animal wastes, agricultural waste products, sediment, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological wastes, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, commercial and agricultural waste, or any other contaminant or other substance defined as a pollutant under the Clean Water Act.

POLLUTION. The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses.

PREMISES. An area of land with its appurtenances and buildings that, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

PRINCIPAL BUILDING. See "Building, Principal".

PRINCIPAL USE. See "Use, Principal".

PRIVATE DRIVEWAY. A minor private way used by vehicles and pedestrians for common access to a single lot or facility, not including alleys, public or private streets.

PROJECT. For the purpose of the I-65 Corridor Overlay Zone, a project is a coordinated development which contains 15 acres or more, including any outlots or lots within the parcel, that shall be planned and designed to meet the setback, landscaping, greenbelt, signage, and architectural criteria of the Overlay Ordinance. This includes the incorporation of contiguous parcels into existing projects.

PUBLIC USE AIRPORT OR HELIPORT. An airport or heliport, whether private or publicly owned, which the owner or persons having a right of access and control invite, encourage or allow flight operations by the general public without prior authorization, designated as a "Public Use Airport" or "Heliport" on the Airspace District Zoning Map, for which an Airspace District is established by this Ordinance.

PUBLIC UTILITY. Any person, firm or corporation duly authorized to furnish electricity, gas, steam, telephone, telegraph, and water or sewerage systems to the public under public regulation.

PULL OUT UNIT. An expandable portion of a manufactured housing unit.

RECORD DRAWING. Drawing prepared, signed, and sealed by a professional engineer or land surveyor representing the final "as-built" record of the actual in-place elevations, location of structures, and topography.

RECORDING SECRETARY. For the purposes of this ordinance, the Recording Secretary shall be the person employed and delegated the responsibility of recording and writing minutes and transcripts of the proceedings of Planning Commission and/or Board of Zoning Appeals public hearings.

RECREATION CAMPGROUND. An area of land on which two or more recreational vehicles, campers, tents, cabins, or other similar temporary recreational structures are regularly accommodated for short term occupancy with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

RECREATIONAL VEHICLE. Means a vehicle which is:

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projections;
3. designed to be self-propelled or permanently towable by a light duty truck; and
4. designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use.

RECYCLING FACILITY. A building or area where recyclable material only is collected, sorted, and processed, prior to shipment for remanufacture into new materials at a separate facility.

REGULATED DRAIN. A drain, either open channel or enclosed tile/sewer, subject to the provisions of the Indiana Drainage Code, I.C. 36-9-27.

REGULATORY FLOOD. Means the flood having a 1% probability of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Natural Resources Commission. The regulatory flood elevation at any location is as defined in 6. 14. 04 of this ordinance. The "Regulatory Flood" is also known by the term of "Base Flood".

RESERVE STRIP. A strip of land between a partial street and adjacent property, which is reserved or held in public ownership for future street widening.

RESUBDIVISION (REPLAT). A change in a map for an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plat legally recorded prior to the adoption of any regulations controlling subdivisions

RETENTION AREA. An area that is designed to capture and hold specific quantities of stormwater indefinitely.

RETENTION BASIN. See "Dry Bottom Basin". A retention basin is designed so that a specified volume is stored indefinitely (retained), and it does not typically have an outlet to adjoining watercourses other than an emergency spillway.

RIGHT-OF-WAY. Public or private land occupied, or intended to be occupied, by transportation facilities, utilities or other special uses. The owner of the land on which such right-of-way is established shall dedicate rights-of-way intended for any use involving maintenance by a public agency to the public use. The right-of-way width shall be measured as the distance between property lines measured at right angles to the centerline of the street.

ROAD. See "Street".

ROADWAY DRAINAGE. The runoff and drainage located within 20 feet of the edge of pavement of public and/or private roadways adjacent to, abutting, or within the boundaries of the property to be addressed in a proposed Stormwater Management submittal.

RUNOFF. The waters derived from melting snow or rain falling within a tributary drainage basin that exceeds the infiltration capacity of the soils of that basin.

RUNWAY. The surface of the airport used for landing and taking off of aircraft.

SCREEN. To visually shield or obscure one area of land from another. Refer to Section 10-472 of the City of Greenwood Municipal Code (Landscape Ordinance) for more information on screening requirements.

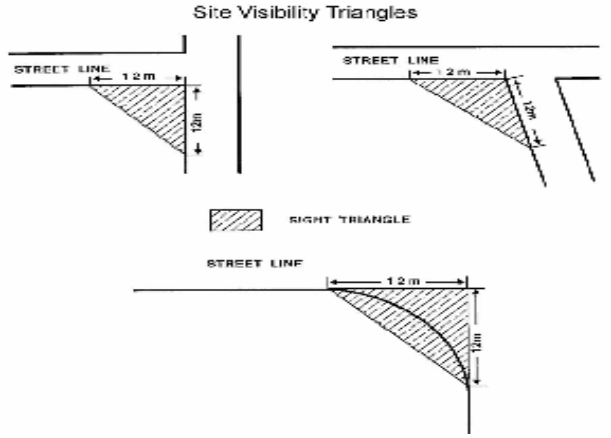
SECONDARY ZONING DISTRICT. The area designated on a secondary zoning district map which has special regulations in addition to the regulations of the land use independent zoning district which also applies to the area on the map. A list of the land use independent zoning districts or primary districts is found in Article 5 of the Greenwood Municipal Code.

SECRETARY. For the purposes of this ordinance, the Secretary of the Planning Commission shall be the Director of Planning and Zoning.

SETBACK. The perpendicular distance between a building and the nearest street right-of-way line or property line regardless of whether it is the front, side or rear of the building.

SETBACK LINE. A line within a lot which is generally parallel with and measured from the lot line (property line), defining the limits of a yard in which no structure may be located above ground, except as allowed otherwise in the Greenwood City Code. Setback lines are more specifically described as front yard, side yard and rear yard setbacks. See "Yard".

SIGHT VISIBILITY TRIANGLE. A triangular space at the intersection of any two right-of-way lines (street and street, street and alley) or street and driveway, which is free of any kind of obstruction to vision between certain heights above the established grade, determined by a diagonal line connecting two points measured at a certain distance from the intersection along each right-of-way line.



SIGN. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

1. Sign, Abandoned. A sign that no longer correctly identifies or advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises on which the structure or device is located.
2. Sign, Advertising. Any cloth, card, paper, metal, glass, wooden, plastic, plaster, stone sign or other sign, device or structure or any character whatsoever including a statuary, place for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building or structure. The term "placed" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing or making visible in any manner whatsoever.
3. Sign, Banner. A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.
4. Sign, Billboard. A billboard shall be defined as a sign used to display information or products which are not located on the same premises as the billboard or communicates a message, regardless of whether or not there is a service fee or rental fee for such a sign. Billboards are permitted along (and facing) interstate highways only; other locations are prohibited.
5. Sign, Busienss. A sign that directs attention to a business, building, product, activity, or service manufactured, sold, or offered upon the premises as the primary uses(s) where such sign is located.
6. Sign, Copy (Permanent or Temporary). The wording or any graphic illustrations on a sign surface either in permanent or removable letterform.
7. Sign, Display. A sign that is located on and is incidental to a display of merchandise.
8. Sign, Electric. Any sign that is operated electrically.
9. Sign, Exempt. Sign(s) exempt from normal permit requirements.
10. Sign, Ground. A sign that is supported by one or more uprights or bases in the ground with sign surface mounted above, the maximum height of which shall not exceed four feet above grade level.

11. Sign, High-rise. A high-rise sign shall be defined as a sign erected at a minimum height of 50 or more feet above grade level and upon premises of the business being advertised. High-rise signs are permitted along interstate highways only; other locations are prohibited.
12. Sign, Identity. Any sign or sign structure not permanently affixed or installed and intended for short-term use.
13. Sign, Marquee. A permanent roof-like shelter extending from part or all of the building face over a right-of-way (sidewalk) public or private, and constructed of some durable material such as metal, glass, plastic or wood.
14. Sign, Multi-faced. If a sign has two display or advertising surfaces, the area of any face shall be no greater than 100% of the maximum area permitted for a single faced sign in the particular district. Should a sign have more than two faces, the area of any single face shall be no greater than 50% of the maximum area permitted for a single faced sign, with a total maximum area no greater than 400 square feet.
15. Sign, Non-conforming. A Sign which was lawful prior to the time this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of Article 15 of the Greenwood Municipal Code (Sign Code) shall be deemed Legal Non-Conforming.
16. Sign, Off-premises. A sign identifying and/or providing directions to a business or organization which is located on premises separate from the location of the sign.
17. Sign, Pole. A sign which is supported by one or more poles or uprights in the ground with sign surface mounted at a minimum height of nine feet above grade level to the bottom of the sign.
18. Sign, Portable. A sign which by its design and construction is readily mobile from one location to another. Such a sign may be mounted on wheels or on a small trailer frame; or may be mounted on a supportive frame, which is designed to set on top of the ground, or to be temporarily staked or tied to the ground.
19. Sign, Roof. A sign erected, constructed and maintained upon the roof of a building.
20. Sign, Wall. One affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits of any building.
21. Sign, Window. A sign installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise in the window.

SIGN AREA.

1. The surface area shall be that area which is enclosed by one rectangle, the sides of which make contact with the extreme points or edges of the sign excluding the supporting structure which does not form part of the sign property or of the display or;
2. The area of a sign composed of characters or words attached directly to a large, uniform building wall surface shall be the smallest combination of rectangles, which enclose the whole group, including any loops or special symbols.

SIGN, MAINTENANCE OF. The act of permitting a sign structure, or part of each to continue; or to repair, or to refurbish a sign, structure, or part of either.

SIGN STRUCTURE. Any structure that supports, has supported or is capable of supporting a sign, including decorative cover, poles, piers and other structural components

SITE DEVELOPMENT PLAN. A detailed plan, prepared in accordance with Section 10-460 of the Greenwood Municipal Code, and submitted to the plan commission for approval, which illustrates the proposed development or alteration of a site. Site development plans are required for all uses except single-family residences, two-family residences, and manufactured homes in an approved park.

SOIL EROSION. The stripping of soil and weathered rock from land creating sediment for transportation by water, wind, or ice, and enabling formation of new sedimentary deposits.

SPECIAL EXCEPTION. A special exception is a use of property, structure, or building within a zoning district, other than a principally permitted use, which is expressly permitted by the ordinance, but which requires special consideration of the site and conditions attached, to insure protection of the health, safety, and welfare of the neighborhood and the general public. Special exceptions are generally considered uses that have the potential to be undesirable or incompatible uses, therefore requiring detailed review of the proposed site, and necessitating special or additional regulations than would otherwise be required in a specific zoning district. Refer to Section 10-130 of the Greenwood Municipal Code for a list of criteria to be considered by the Board. A special exception generally involves demonstrating compliance with developmental standards established by this zoning ordinance and conditions or commitments required by the Board.

SPECIAL FLOOD HAZARD AREA or SFHA. Means 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 of Greenwood prepared by the Federal Emergency Management Agency and dated November 18, 1988. The SFHAs of those parts of unincorporated Johnson 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 Johnson County by the Federal Emergency Management Agency and dated March 2, 1989.

STANDARD SPECIFICATIONS AND DETAILS. The specification and details as approved and adopted by and for the City of Greenwood, Indiana, by the Board of Public Works and Safety.

STORAGE YARD. A parcel of ground used in whole or part for the storage of materials or equipment not including junk occupying more than 250 square feet of area which is clean, quiet and free of any objectionable or hazardous element.

STORM DRAIN. A system of open or enclosed conduits and appurtenant structures intended to convey or manage stormwater runoff, groundwater, and drainage.

STORM DRAIN SYSTEM. Publicly owned facilities operated by the City or easements on private property by which water is collected and/or conveyed, including but not limited to, any roads with drainage systems, streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, ditches, swales, reservoirs and other drainage structures which are within the City and are not part of a publicly owned treatment works as defined at 40 CFR Section 122.2.

STORMWATER. Any surface flow, runoff, and drainage consisting entirely of water from rains storm events.

STORMWATER MANAGEMENT PLAN. An engineered drainage plan that effectively addresses and manages stormwater runoff and discharge.

STORMWATER QUALITY MANAGEMENT PLAN. A comprehensive written document that addresses stormwater runoff quality within a municipal separate storm sewer system.

STORMWATER RUNOFF. The runoff and drainage of precipitation resulting from rainfall or snowmelt or other natural event or process.

STORMWATER RUNOFF FACILITY. The method, structure, area, system, or other equipment or measures that are designed to receive, control, store, or convey stormwater.

STREAM. A river, stream or creek which may or may not be serving as a drain, or any other water body that has definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water.

STREET. A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way. The term "street" also includes the terms highway, parkway, road, thoroughfare, avenue, boulevard, lane, court, place, and other such terms. Streets are classified in the Greenwood Comprehensive Plan based upon function and traffic volumes. Pursuant to the Greenwood Comprehensive Plan may be classified as cul-de-sac, local, collector, secondary, primary, arterial, expressway, or freeway.

1. *Corridor*. The portions of County Line Road, Emerson Avenue, Arlington Avenue (Graham Road), Main Street, and County Line Road that lie within the I-65 Corridor Overlay Zone as described in Section 10-101 of the Greenwood Municipal Code.
2. *Cul-de-sac*. A local street having only one means of ingress and egress and terminating in a turn around.
3. *Dead-end.* A local street open at one end only and without a special provision for a vehicle turnaround.
4. *Frontage*. A local street or road auxiliary parallel to another Thoroughfare for service to abutting property and adjacent areas, and for control of access. (Sometimes also called a "marginal access street")
5. *Local*. A system of streets and roads that primarily provides local access service and access to higher order systems.
6. *Loop.* A local street with both terminal points on the same street of origin.
7. *Partial (Half street)*. A dedicated right-of-way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.
8. *Perimeter*. Any existing street that the parcel of land to be subdivided abuts on only one side.
9. *Private.* A local street that is not dedicated or accepted for public use or maintenance, that provides vehicular and pedestrian access.
10. *Public*. A street owned by or granted to and accepted by the proper governmental authorities.

STRIP SHOPPING CENTER. A commercial real estate development comprised of four or more retail or commercial stores situated side by side and generally facing a street or highway right-of-way. Any commercial real estate development comprised of less than four retail or commercial stores situated side by side shall be considered as being a "free standing building".

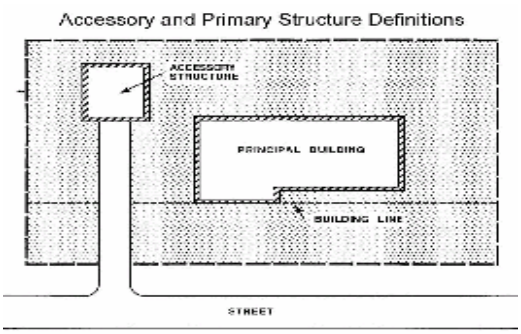
STRUCTURAL BMP. A structure designed and constructed for the purpose of stormwater quality treatment.

STRUCTURE, GENERAL. Anything constructed or erected with a fixed location, or attached to something having a fixed location. Among other things, structures may include, but are not limited to buildings, mobile homes, walls, fences, swimming pools, signs and towers.

STRUCTURE, AIRSPACE. For purposes of Section 10-99 of the Greenwood Municipal Code (Airspace District), an object constructed or installed by man, including but without limitation, buildings, towers, smokestacks and overhead transmission lines.

STRUCTURE, FLOOD HAZARD. For purposes of Section 10-98 of the Greenwood Municipal Code (Flood Hazard District), a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.

STRUCTURE, ACCESSORY. A detached subordinate structure, the use of which is incidental to that of the primary structure and located on the same lot therewith, such as, but not limited to storage sheds, gazebos, swimming pools, detached garages, decks, and satellite dishes. Fences shall be excluded from this definition. (Ord. No. 03-41, § 8, 10-20-03)



STRUCTURE, PRIMARY. A structure which is the main or principal structure on the lot on which said structure is situated. See "Building, Principal".

STRUCTURE, PARKING. Any building, or portion thereof, incidental to the primary use of the property, which is non-residential, and which is designed and used for the storage of the class I or class II vehicles belonging to the customers, employees or visitors of the property, but not for the storage of commercial vehicles.

SUBDIVIDER. Any person having an interest in land that is the subject of an application for subdivision. Also, a person submitting an application for subdivision.

SUBDIVISION. Subdivision shall be defined as any land, vacant or improved, which is divided or proposed to be divided, into two or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, including re-subdivision. Subdivision includes the division or development of either residential or non-residential zoned land, whether by deed, metes and bounds description, or other recorded instruments.

SUBDIVISION PLAT. Refer to definitions for "Primary Plat" and "Secondary Plat".

SUBSTANTIAL DAMAGE. For purposes of Section 10-98 of the Greenwood Municipal Code (Flood Hazard District), damage of any origin sustained by a structure whereby the restoring of the structure to its before damage condition could equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. See "Improvement, Substantial".

SUPPORT SYSTEM (FOUNDATION). A combination of footings, piers, caps, plates, and shims, which, when properly installed, support the manufactured or mobile home; footings being the part of the support system which transmit loads to the soil at or below the surface and the frost line; piers and caps being the part of the support system between the footing and the home, exclusive of plates and shims; plates and shims being the cushion of wood or other approved material, which are used to fill the gap between the top of the pier caps and the frame of the home.

SWALE. A depressed earthen area designed to convey stormwater runoff with side slopes 5:1 or steeper and conveying no more than 10 cfs.

SWIMMING POOL.

1. *Private Swimming Pool.* A swimming pool used exclusively without paying an additional charge for admission, but the residents and guests of a single household, a multi-family development, a community, the members and guests of a club, or the patrons of a motel or hotel; an accessory use.
2. *Public Swimming Pool.* A swimming pool for the benefit of the general public, usually operated with a charge for admission; a principal use.

THOROUGHFARE. See "Street".

THOROUGHFARE PLAN. A plan and/or maps adopted and amended by resolution of the Greenwood Common Council as a portion of the Comprehensive Plan, in compliance with IC-36-7-4-502 et. seq. The thoroughfare plan generally shows locations of functionally classified streets and roads, public facilities, utilities and desirable future infrastructure. The thoroughfare plan is approved, adopted and established by law and includes any amendments by the Governing Body as a continuous updating of the plan, including those resulting from the filing and approval of subdivision plats.

TRAFFIC CONTROL DEVICES. All signs, signals, markings and devices placed or erected by authority of the Governing Body, complying with the State Statute Manual of Uniform Traffic Control Devices.

TRAVEL TRAILER. A vehicular, portable structure designed or used as a recreational dwelling, no more than 35 feet in length built on a chassis, having a body width not exceeding eight feet and designed to move on the highway, not under its own power.

TRUCK STOP. A site at least 2 acres in size providing specialized facilities for retail fueling services for class III or higher commercial vehicles; the site may include related facilities including but not limited to retail sales of groceries and household items, restaurants, showers and overnight parking. See "Convenience Store, Regional".

TRUCK WASH. An activity conducted for the purposes of cleaning class III or higher commercial vehicles, whether performed automatically, semi-automatically or manually. See "Car Wash".

UNDER-DRAIN. A buried slotted or perforated pipe or other conduit (subsurface drain) or a ditch (open drain) for carrying off surplus groundwater or surface water.

USACOE. The United States Army Corps of Engineers.

UNDERSIZED LOT. For purposes of Section 10-101 of the Greenwood Municipal Code (I-65 Corridor Overlay Zone), A lot recorded prior to the effective date of this ordinance that is less than 87,120 square feet (two acres) in overall size.

USABLE LIVING AREA. See "Floor Area, Usable Living".

USE. The purpose for which a lot, building or other structure or tract of land may be designated, arranged, intended, maintained or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure on a tract of land.

USE, ACCESSORY. A use subordinate to the primary use located on the same lot and which does not change or alter the character of the premises. Accessory uses may include, but are not limited to public utility communications, electric, gas, water and sewer lines, and their supports and incidental equipment.

NONCONFORMING. A structure, use, parcel of land, or combination thereof that lawfully was valid when brought into existence, but by subsequent regulation no longer conforms to the standards. See Section 10-50 through 10-59 of the Greenwood Municipal Code.

USE, PRIMARY. The principal use to which the premises are devoted, and the main purpose for which the premises exist.

UTILITIES, MAJOR. Services of a regional nature that normally entail the construction of new buildings or structures such as generating plants and sources, electrical switching facilities, and stations or substations, community wastewater treatment plants, and similar facilities. Included in this definition are also electric, gas, and other utility transmission lines of a regional nature that are not otherwise reviewed and approved by the state. All overhead service, distribution and transmission lines are included in this definition. Major utilities require issuance of an improvement location permit.

UTILITIES, MINOR. Services that are necessary to support development within the immediate vicinity and that involve only minor structures. Included in this definition are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations. Also included are wireless communication antennas attached to an existing building or structure, including but not limited to utility poles, signs, broadcasting or communication facilities, and water towers, and that do not increase the height of such building or structure by more than 10 feet. Minor utilities do not normally require issuance of an improvement location permit.

UTILITIES. Infrastructure services, including those basic utilities, and the structures necessary to deliver those services. Those services may be provided by a public or private agency. Examples include water, sanitary sewer, electricity, natural gas, and telephone.

VARIANCE. There are two types of variances: a variance from developmental standards and a use variance. An application for a variance seeks permission to do something that is not in conformance with the zoning ordinance. A variance is an overriding of the legislative judgment, justified by the satisfaction of criteria listed in Section 10-130 of the Greenwood Municipal Code.

VEHICLES. For the purposes of Section 10-173 et. seq. (Sign Code) of the Greenwood Municipal Code, automobiles, trucks trailers, railroad cars, construction equipment and other such mobile equipment whose major purpose is other than display or advertising.

WAIVER. A modification of the strict terms of the relevant regulations of the Zoning, Subdivision Control, or the Stormwater Drainage and Sediment Control Ordinances, Waivers of the Zoning and Subdivision Control Ordinance shall be directed to the plan commission, while waivers of the Stormwater Drainage and Sediment Control Ordinance shall be directed to the Board of Public Works and Safety.

WATER, BODY. A river, lake, stream, creek or other watercourse or wetland.

WATER QUALITY VOLUME (WQ_v). The storage needed to capture and treat the volume of rainfall for 90% of the storm events which produce runoff in the watershed annually.

WATERSHED. A region draining into a water body.

WET BOTTOM BASIN. A structure or facility, natural or artificial, which stores stormwater on a temporary basis and releases it at a controlled rate. A wet bottom basin is typically a body of water with a fixed minimum and maximum water elevation between run-off events.

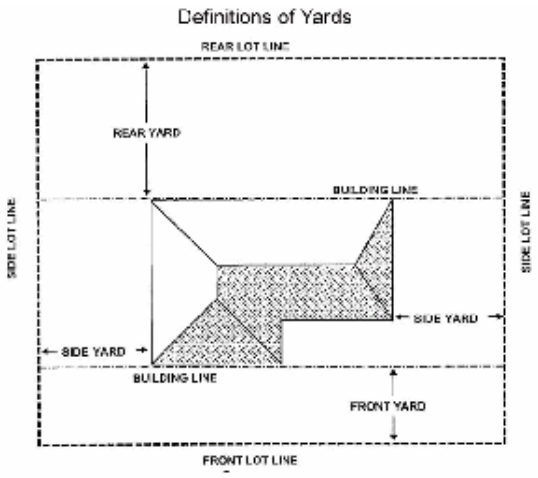
WETLANDS. Land characterized by the presence of water at a frequency and duration sufficient to support wetland vegetation or aquatic life.

WILDLIFE. Animals existing in their natural habitats.

WRITTEN COMMITMENT. A condition of approval imposed upon the applicant by the plan commission or the board of zoning appeals, in accordance with Sec. 10-468 (Written Commitments) of the Greenwood Municipal Code, and recorded in the office of the Johnson County Recorder.

YARD. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein

1. Yard, Front. A yard across the full width of the lot extending from the front lot line of the primary building to the front of the lot. Any yard having frontage on a public or private street shall be considered a front yard, except for the rear yard for a lot with reverse frontage. In the case of a corner lot, both yards having street frontage shall be considered a front yard. (Ord. 03-41, § 8, 10-20-03)
2. Yard, Rear. A yard extending the full width of the lot between a primary building and the rear lot line or lines.
3. Yard, Side. A yard between the primary building and side lot line, and extending from the front yard line of said building to the rear line of said building.



ZONING. A police power measure, enacted by the governing body of local governments, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within districts. The zoning ordinance consists of two parts: a text and a map.

Sec. 10-541. R-4 District Definitions

BUILDING AREA (BA). As used in the R-4 District, the total ground area, within the lot or project, covered by enclosed residential building space plus garages, carports, and other accessory buildings. This definition is for use with R-4 regulations only.

CAR AREA (CA). As used in the R-4 District, the open space area (uncovered and covered) used for car traffic, maneuvering and parking. Included are all parking areas, driveways, interior access roads and right-of-way of all streets with the project, plus the area of half of any abutting alley or street right-of-way.

COVERED OPEN SPACE (COS). As used in the R-4 District, all exterior space within the project which is open on its sides, but not open above to the sky. It includes roofed porches, roofed carports, and covered exterior balconies and exterior spaces covered by portions of buildings.

DWELLING, ATTACHED MULTI-FAMILY. As used in the R-4 District, a structure for multi-family use having common or party wall or walls.

FLOOR AREA (FA). As used in the R-4 District, the sum of the horizontal areas of the one or several floors and basements of all buildings or portions thereof within the project and devoted to permitted uses. Not including, however, floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space; or floor area used for recreational purposes that is available to all occupants within the project.

FLOOR AREA RATIO (FAR). As used in the R-4 District, The total floor area of all stories of all buildings within the project divided by the land area.

LAND AREA (also referenced as "LA" in the R-4 District). The total area within the project boundaries, plus the area of half of any abutting alley or street right-of-way plus half the area of any abutting open space, such as a river, lake, public park, playground, or golf course with reasonable expectance of perpetuity; provided, however, that no portion of such open space located more than 80 feet from project boundaries shall be included in computing such open space.

LIVABILITY SPACE (LS). As used in the R-4 District, the Open Space minus the Car Area within the Open Space.

LIVABILITY SPACE RATIO (LSR). As used in the R-4 District, the livability space divided by the Floor Area.

MAJOR LIVABILITY SPACE (MLS). As used in the R-4 District, the total area provided for outdoor recreation, relaxation, amusement, pleasure and for similar use within the project, which area may or may not be improved; however, all livability space countable for purposes of the Major Livability Space Ratio shall be at least 20 feet away from any residential wall containing one or more windows on the ground floor and shall have a minimum dimension averaging 80 feet except that an area of lesser dimension is countable if:

1. The total required Major Livability Space is less than 6,000 square feet; or
2. The shape or topography of the site prevents compliance with the minimum dimension.

MAJOR LIVABILITY SPACE RATIO (MLSR). As used in the R-4 District, the total Major Livability Space of countable size divided by the total Floor Area.

OPEN SPACE (OS). As used in the R-4 District, the total horizontal area of all Uncovered Open Space plus one-half of the total horizontal area of all Covered Open Space.

OPEN SPACE RATIO. As used in the R-4 District, the Open Space divided by the Floor Area.

PARKING SPACE. As used in the R-4 District, a portion of the Car Area at least nine feet in width and 18 feet in length, which shall be used only for the off-street parking of a vehicle.

PROJECT. As used in the R-4 District, the lot or parcel of contiguous land to be developed for a use or uses permitted in the R-4 Dwelling District, which at the time of development is under one ownership or control, and subsequently may be subdivided, developed, and/or conveyed into smaller lots or parcels. For permitted multi-family dwelling, such smaller lots or parcels within the Project may front upon private interior access roads provided said project meets the minimum street frontage requirements.

TOTAL CAR RATIO (TCR). As used in the R-4 District, the total number of Parking Spaces divided by the number of living units.

UNCOVERED OPEN SPACE (UOS). As used in the R-4 District, the Land Area minus the Building Area plus the Usable Roof Area.

USABLE ROOF AREA (URA). As used in the R-4 District, the total roof area, within the project, or residential buildings, garages, and accessory buildings which has been improved for outdoor uses of occupants. Roof Areas used for car storage are included.

THE FOLLOWING TABLES ARE THE TABLES REFERENCED IN SECTION 10-533 THROUGH SECTION 10-539 OF THIS CHAPTER:

TABLE 1 (TR-55 Table 3-1)
Runoff Coefficient's for Use in the Rational Method Calculations for Pipe, Channel and Detention Design

TABLE 2 (TR-55 Table 3-1)
Roughness coefficient's (Manning's n) for sheet flow to be used in Time-of-Concentration calculations

TABLE 3 (TR-55 Table 2-2a)
Runoff Curve Numbers For Developed and Developing Urban Areas

TABLE 4 (TR-55 Table 2-2b & 2-2c)
Runoff Curve Numbers For Non-urban and Undeveloped Areas

TABLE 5
IDF Equation Values

TABLE 6
IDF Table

TABLE 7
IDD Table

TABLE 8
Median Time Distributions of Heavy Storm Rainfall at a Point

TABLE 9
Roughness coefficient's (Manning's n) for Street and Pavement Gutters

TABLE 10
Manning's n Values for Pipes

TABLE 11
Roughness coefficient's (Manning's n) for Open Channel Surfaces

TABLE 12
Desirable Maximum Velocities for Open Channel Linings

TABLE 13
Huff Curve Ordinates

MISCELLANEOUS TABLE 14
Unit Hydrograph Ordinates

(Ord. No. 04-55, §1-32, 1-17-05)

TABLE 1 (TR-55 Table 3-1)

Runoff Coefficient's for Use in the Rational Method Calculations for Pipe, Channel and Detention Design

TYPE OF SURFACE		RUNOFF COEFFICIENT
Non-Urban Areas		
Bare Earth		0.55
Steep Grassed Areas (slope 2:1)		0.60
Turf Meadows		0.25
Forested Areas		0.20
Cultivated Fields		0.30
Urban Areas		
All Watertight Roof Surfaces		0.90
Pavement (concrete, asphalt)		0.85
Gravel		0.85
Impervious Soils (heavy)		0.55
Impervious Soils (with turf)		0.45
Slightly Pervious Soil		0.25
Slightly Pervious Soil (with turf)		0.20
Moderately Pervious Soil		0.15
Moderately Pervious Soil (with turf)		0.10
Business, Commercial & Industrial		0.85
Apartments & Townhouses		0.70
Schools & Churches		0.55
Single Family Lots	< 10,000 sft.	0.45
Lots	< 12,000 sft.	0.45
Lots	< 17,000 sft.	0.40
Lots	> ½ Acre	0.35
Park, Cemetery or Unimproved Area		0.30

Source: 210-VI-TR-55, Second Edition, June 1986

(Ord. No. 04-55, §1-32, 1-17-05)

Table 2 (TR-55 Table 3-1)

Roughness coefficient's (Manning's n) for sheet flow to be used in Time-of-Concentration calculations

Surface Description	n
Smooth Surfaces (concrete, asphalt, gravel, bare soil)	0.011
Fallow (no residue)	0.05
Cultivated Soils:	
Residue cover <= 20%	0.06
Residue cover > 20%	0.17
Grass:	
Short Grass Prairie	0.15
Dense Grass	0.24
Bermuda Grass	0.41
Range (natural)	0.13
Woods:	
Light Underbrush	0.40
Dense Underbrush	0.80

Source: 210-VI-TR-55, Second Edition, June 1986

(Ord. No. 04-55, §1-32, 1-17-05)

Table 3 (TR-55 Table 2-2a) Runoff Curve Numbers

For Developed and Developing Urban Areas

Urban Areas – Average runoff condition and Ia = 0.2S

Fully Developed Urban Areas (Vegetation Established)

Cover Type	Hydrologic Condition		Average Percent Impervious (1)	Hydrologic Soil Group			
				A	B	C	D
Open space (lawns, parks, golf courses, cemeteries, etc.) (2)	Poor condition	grass cover < 50%		68	79	86	89
	Fair condition	grass cover 50-75%		49	69	79	84
	Good condition	grass cover > 75%		39	61	74	80
Impervious areas	Parking lots, roofs, driveways, etc. (excluding right-of-way) (3)			98	98	98	98
	Streets and roads	Paved: curbs and storm sewers (excluding right-of-way)		98	98	98	98
		Paved: open ditches (Including right-of-way)		83	89	92	93
		Gravel (Including right-of-way)		76	85	89	91
		Dirt (Including right-of-way)		72	82	87	89
Urban districts	Commercial and business		85	89	92	94	95
	Industrial		72	81	88	91	93
Residential districts by average lot size	1/8 acre or less (town houses)		65	77	85	90	92
	1/4 acre		38	61	75	83	87
	1/3 acre		30	57	72	81	86
	1/2 acre		25	54	70	80	85
	1 acre		20	51	68	79	84
	2 acres		12	46	65	77	82

Developing Urban Areas

Cover Type	Hydrologic Condition	Average Percent Impervious	Hydrologic Soil Group			
			A	B	C	D
Newly graded areas	Pervious areas only, no vegetation (4)		77	86	91	94
Idle lands		See Table 4 – Runoff Curve Numbers for non-urban and undeveloped areas.				

(1) The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic conditions.

(2) CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.

(3) All parking lots and driveways must be considered to have a paved hard surfaced. Crushed stone parking lots and driveways are considered impervious surfaces with a CN of 98.

(4) Composite CN's to use for the design of temporary measures during grading and construction should be computed based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

(Ord. No. 04-55, §1-32, 1-17-05)

Table 4 (TR-55 Table 2-2b & 2-2c) Runoff Curve Numbers

For Non-urban and Undeveloped Areas

Rural Areas – Antecedent moisture condition II and Ia = 0.2S

Land Use or Cover	Treatment or Practice (1)	Hydrologic Condition (2)	Hydrologic Soil Group			
			A	B	C	D
Fallow	Straight row		77	86	91	94
Row crops	Straight row	Poor	72	81	88	91
		Good	67	78	85	89
	Contoured	Poor	70	79	84	88
		Good	65	75	82	86
	Contoured and terraced	Poor	66	74	80	82
		Good	62	71	78	81
Small grain	Straight row	Poor	65	76	84	88
		Good	63	75	83	87
	Contoured	Poor	63	74	82	85
		Good	61	73	81	84
	Contoured and terraced	Poor	61	72	79	82
		Good	59	70	78	81
Close-seeded legumes or rotation meadow	Straight row	Poor	66	77	85	89
		Good	58	72	81	85
	Contoured	Poor	64	75	83	85
		Good	55	69	78	83
	Contoured and terraced	Poor	63	73	80	83
		Good	51	67	76	80
Pasture, grassland, or range (3)		Poor	68	79	86	89
		Fair	49	69	79	84
		Good	39	61	74	80
	Contoured	Poor	47	67	81	88
		Fair	25	59	75	83
		Good	6	35	70	79
Meadow – continuous grass, protected from grazing and generally mowed for hay		Good	30	58	71	78
Brush –brush-weeds-grass mixture with brush the major element (4)		Poor	48	67	77	83
		Fair	35	56	70	77
		Good	30 (5)	48	65	73
Woods – grass combination (orchard or tree farm) (6)		Poor	57	73	82	86
		Fair	43	65	76	82
		Good	32	58	72	79
Woods (7)		Poor	45	66	77	83
		Fair	36	60	73	79
		Good	30 (5)	55	70	77
Farmsteads			59	74	82	86
Rural roads – including right-of-way	Dirt		72	82	87	89
	Hard surface		74	84	90	92

(1) Crop residue cover applies only if residue is on at least 5% of the surface throughout the year.

(2) Hydraulic condition is based on combination factors that affect infiltration and runoff, including (a) density and canopy of vegetative areas, (b) amount of year-round cover, (c) amount of grass or closed-seeded legumes, (d) percent of residue cover on the land surface (good $\geq$ 20%), and (e) degree of surface roughness.

(3) **Poor:** <50% ground cover or heavily grazed with no mulch. **Fair:** 50 to 75% ground cover and not heavily grazed. **Good:** >75% ground cover and lightly or only occasionally grazed.

(4) **Poor:** <50% ground cover. **Fair:** 50 to 75% ground cover. **Good:** >75% ground cover.

(5) Actual curve number is less than 30; use CN=30 for runoff computations.

(6) CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.

(7) **Poor:** Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning. **Fair:** Woods are grazed but not burned, and some forest litter covers the soil. **Good:** Woods are protected from grazing, and litter and brush adequately cover the soil.

(Ord. No. 04-55, §1-32, 1-17-05)

Table 5 IDF Equation Values

Return Period	a	b	N	R^2
2	32.852	7	0.7780	0.99966
5	46.060	8	0.7859	0.99958
10	56.974	9	0.7953	0.99952
25	72.739	10	0.8115	0.99942
50	84.475	11	0.8147	0.99940
100	92.718	11	0.8145	0.99942

TABLE 6: IDF Table

		Return Period – Rainfall Intensity (in/hr)					
Hours	**Minutes**	**2**	**5**	**10**	**25**	**50**	**100**
0.08	5	4.75	6.14	6.99	8.08	8.83	9.69
0.17	10	3.63	4.75	5.48	6.40	7.07	7.77
0.25	15	2.97	3.92	4.55	5.34	5.94	6.53
0.5	30	1.98	2.64	3.09	3.65	4.10	4.50
1	60	1.25	1.67	1.96	2.31	2.62	2.88
2	120	0.76	1.02	1.20	1.40	1.59	1.75
3	180	0.56	0.75	0.88	1.03	1.17	1.29
6	360	0.33	0.44	0.52	0.60	0.68	0.75
12	720	0.20	0.26	0.30	0.35	0.39	0.43
24	1440	0.11	0.15	0.17	0.20	0.22	0.25

TABLE 7: IDD Table

		Return Period – Rainfall Depth (in)					
Hours	**Minutes**	**2**	**5**	**10**	**25**	**50**	**100**
0.08	5	0.40	0.51	0.58	0.67	0.74	0.81
0.17	10	0.61	0.79	0.91	1.07	1.18	1.30
0.25	15	0.74	0.98	1.14	1.34	1.49	1.63
0.5	30	0.99	1.32	1.55	1.83	2.05	2.25
1	60	1.25	1.67	1.96	2.31	2.62	2.88
2	120	1.52	2.04	2.40	2.80	3.18	3.50
3	180	1.68	2.25	2.64	3.09	3.51	3.87
6	360	1.98	2.64	3.12	3.60	4.08	4.50
12	720	2.40	3.12	3.60	4.20	4.68	5.16
24	1440	2.64	3.60	4.08	4.80	5.28	6.00

(Ord. No. 04-55, §1-32, 1-17-05)

Table 8: Median Time Distributions of Heavy Storm Rainfall at a Point

	Cumulative Storm Rainfall (percent) for Given Storm Type			
Cumulative Storm Time (Percent)	**First Quartile**	**Second Quartile**	**Third Quartile**	**Fourth Quartile**
5	16	3	3	2
10	33	8	6	5
15	43	12	9	8
20	52	16	12	10
25	60	22	15	13
30	66	29	19	16
35	71	39	23	19
40	75	51	27	22
45	79	62	32	25
50	82	70	38	28
55	84	76	45	32
60	86	81	57	35
65	88	85	70	39
70	90	88	79	45
75	92	91	85	51
80	94	93	89	59
85	96	95	92	72
90	97	97	95	84
95	98	98	97	92

(SOURCE: Rainfall Frequency Atlas of the Midwest by Huff and Angel)

Table 9: Roughness coefficient's (Manning's n) for Street and Pavement Gutters

Type of Gutter or Pavement	**n**
Concrete	0.012
Asphalt Pavement:	
Smooth Texture	0.013
Rough Texture	0.016
Concrete Gutter – Asphalt Pavement:	
Smooth	0.013
Rough	0.015
Concrete Pavement:	
Float Finish	0.014
Broom Finish	0.016
For Gutters with small slope, where sediment may accumulate, increase the "n" values above by:	0.002

Source: USDOT, FHWA, HDS-3 (1961)

(Ord. No. 04-55, §1-32, 1-17-05)

Table 10: Manning's n Values for Pipes

Pipe Material	n
Concrete Pipe	0.012
Concrete Boxes	0.012
Corrugated Metal Pipe or Pipe Arch:	
2 2/3" x ½" Helical Corrugation	0.022
2 2/3" x ½" Annular Corrugation	0.022
15" to 36"	0.025
42" to 96"	0.024
3" x 1" Corrugation	0.027
5" x 1" Corrugation	0.025
Structural Plate Pipe or Pipe Arch:	
6" x 2" Corrugation	0.033
9" x 2 ½" Corrugation	0.035
Spiral Ribbed Corrugated Metal Pipe (7½" x ¾" x ¾")	0.013
Smooth High Density Polyethylene (HDPE)	0.012
Smooth Lined Interior Polyvinyl Chloride (PVC)	0.012
Smooth Interior Corrugated HDPE	*0.012*
Ductile Iron Pipe	0.012

Table 11: Roughness coefficient's (Manning's n) for Open Channel Surfaces

Open Channel Surface Material		n
Concrete		0.012
Gravel Bottom with sides	- Concrete	0.020
	- Mortared Stone	0.023
	- Rip-Rap	0.033
Natural Stream Channels:		
Clean, Straight Stream		0.030
Clean, Winding Stream		0.040
Winding with weeds and pools		0.050
With Heavy Brush and Timbers		0.100
Flood Plains:		
Pasture		0.035
Field Crops		0.040
Light Brush and Weeds		0.050
Dense Brush		0.070
Dense Trees		0.100

(Ord. No. 04-55, §1-32, 1-17-05)

(Ord. No. 04-55, §1-32, 1-17-05)

Table 12: Desirable Maximum Velocities for Open Channel Linings

Typical Maximum Velocities for Open Channel Linings

Open Channel Lining Material	Desirable Maximum Velocity (ft/s)
Concrete, Trowel Finish	15
Concrete, Broom or Float Finish	15
Rip-Rap	10
Gabions	10
New Earth (Uniform, Sodded, Clay)	3-5
Existing Earth (Fairly Uniform, with Some Weeds)	3-5
Dense Weeds	3-5
Swale with Grass	3-5

Table 13 Huff Curve Ordinates

% Storm Time	% Precipitation
0	0
5 *	2.7
10	6.5
15 *	11.0
20	18.1
25 *	26.0
30	35.9
35 *	44.7
40	52.9
45 *	61.0
50	67.9
55 *	72.5
60	76.5
65 *	80.2
70	83.8
75 *	87.2
80	90.7
85 *	93.3
90	95.9
95 *	97.9
100	100.0

* Estimated Values

SOURCE: Purdue, et al, "Statistical Characteristics of Short Time Increment Rainfall"

(Ord. No. 04-55, §1-32, 1-17-05)

Miscellaneous Table 14: Unit Hydrograph Ordinates

Time Ratios (t/T_p)	Discharge Ratios (q/q_p)	Mass Curve Ratios (Q_a/Q)
0.0	0.000	0.000
0.1	0.030	0.001
0.2	0.100	0.006
0.3	0.190	0.017
0.4	0.310	0.035
0.5	0.470	0.065
0.6	0.660	0.107
0.7	0.820	0.163
0.8	0.930	0.228
0.9	0.990	0.300
1.0	1.000	0.375
1.1	0.990	0.450
1.2	0.930	0.522
1.3	0.860	0.589
1.4	0.780	0.650
1.5	0.680	0.705
1.6	0.560	0.751
1.7	0.460	0.790
1.8	0.390	0.822
1.9	0.330	0.849
2.0	0.280	0.871
2.2	0.207	0.908
2.4	0.147	0.934
2.6	0.107	0.953
2.8	0.077	0.967
3.0	0.055	0.977
3.2	0.040	0.984
3.4	0.029	0.989
3.6	0.021	0.993
3.8	0.015	0.995
4.0	0.011	0.997
4.5	0.005	0.999
5.0	0.000	1.000

SOURCE: SCS National Engineering Handbook, Chapter 4 (NEH-4)

(Ord. No. 04-55, §1-32, 1-17-05)

THE FOLLOWING WORKSHEETS ARE THE WORKSHEETS REFERENCED IN SECTION 10-533 THROUGH SECTION 10-539 OF THIS CHAPTER:

WORKSHEET 1
Time of Concentration or Travel Time Worksheet

WORKSHEET 2
Composite Curve Number Computation Worksheet

MISCELLANEOUS WORKSHEET 3
(INDOT Figure 36-12F): Storm Drain Computation Sheet

MISCELLANEOUS WORKSHEET 4
(INDOT Figure 36-10K): Inlet Spacing and Gutter Spread Computation Sheet

MISCELLANEOUS WORKSHEET 5
(INDOT Figure 36-13D): Hydraulic Grade line Computation Sheet

(Ord. No. 04-55, §1-32, 1-17-05)

Worksheet 1: Time of Concentration or Travel Time Worksheet

Worksheet 1 – TR-55 Time of Concentration (T_c) or Travel Time (T_t)

Project: _____ Designed By: _____

Date: _____

Location: _____ Checked By: _____

Date: _____

Check one: Present ☐ Developed ☐

Check one: T_c ☐ T_t ☐ through subarea: _____

NOTES: Space for as many as two segments per flow type can be used for each worksheet. Include a map, schematic, or description of flow segments.

Sheet Flow (Applicable to T_c only)	Segment ID				
1. Surface description (Table 3-1)					
2. Manning's roughness coeff., n (Table 3-1)……					
3. Flow length, L (total L ≤ 300 ft)…….ft					
4. Two-year 24-hour rainfall,…….in					
5. Land slope, s……....ft/ft					
6. $T_t = \frac{0.007\,(nL)^{0.8}}{P_2^{0.5} s^{0.4}}$ Compute T_t……hr		+		=	

Shallow Concentrated Flow	Segment ID				
7. Surface description (paved or unpaved)…….					
8. Flow length, L……ft					
9. Watercourse slope, s…….……ft/ft					
10. Average velocity, V……ft/s					
11. $T_t = \frac{L}{3600\,V}$ Compute T_t…….hr		+		=	

Channel Flow	Segment ID				
12. Cross sectional flow area, a……..…….ft^2					
13. Wetted perimeter, P_w.....ft					
14. Hydraulic radius, $r = \frac{a}{P_w}$ Compute r…….ft					
15. Channel Slope, ……ft/ft					
16. Manning's Roughness Coeff., n					
17. $V = \frac{1.49\, r^{2/3} s^{1/2}}{n}$ Compute V……ft/s					
18. Flow Length, L……ft					
19. $T_t = \frac{L}{3600\,V}$ Compute T_t…….hr		+		=	

20. Watershed or subarea T_c or T_t (add T_t in steps 6, 11 and 19)…….hr ☐

(Source: 210-VI-TR-55, Second Edition, June 1986)

(Ord. No. 04-55, §1-32, 1-17-05)

Worksheet 2: Composite Curve Number Computation Worksheet

Project_____ By_____ Date_____

Location_____ Checked_____ Date_____

Circle one: Present Developed _____

1. Runoff curve number (CN)

Soil Name and hydrologic group	Cover description (cover type, treatment, and hydrologic condition; percent impervious; unconnected/connected impervious area ratio)	CN 1/			Area ☐ acres ☐ mi^2 ☐ %	Product of CN x area
				Totals =		

1/ Use only one CN source per line.

CN (weighted) = $\frac{\text{total product}}{\text{total area}}$ = _____ = _____; Use CN = ☐

(SOURCE: 210-VI-TR-55, Second Edition, June 1986)

Miscellaneous Worksheet 3 (INDOT Figure 36-12F): Storm Drain Computation Sheet

Storm Drain Computation Sheet

Date_____ Project_____ Route_____
Computed By:_____ Checked By:_____ Sheet_____ of_____

Structure		Length (ft)	Drainage Area (acres)		Runoff Coefficient C	A X C		Flow Time (min)						Velocity fps						
From	To		Increment	Total		Increment	Total	To Upper End	In Section	Rainfall Intensity (in/hr)	Total Runoff Q	Diameter Of Pipe (in)	Full Capacity (cfs)	Flowing Full	Design Flow	Upstream Invert Elevation	Downstream Invert Elevation	Manhole Invert	Depth of Cover	Slope of Pipe (ft/ft)

(Ord. No. 04-55, §33, 1-17-05)

Miscellaneous Worksheet 4 (INDOT Figure 36-10K): Inlet Spacing and Gutter Spread Computation Sheet

Inlet Computation Sheet

Date_____ Project_____ Route_____
Computed By:_____ Checked By:_____ Sheet_____ of_____

Location		Gutter Discharge (Design Frequency)				Gutter Discharge (Allowable Spread _____)									Inlet Discharge			Remark
Inlet No.	Stat.	Drain Area "A" (acre)	Runoff Coefficient "C"	Time of Concentration "T_c" (min.)	Rainfall Intensity "i" (in/hr)	Flow "Q" (cfs)	Grade "S_o" (ft/ft)	Cross Slope "S_x" (ft/ft)	Prev. Runby (cfs)	Total Gutter Flow (cfs)	Depth "d" (ft)	Gutter Width "W" (ft)	Spread "T" (ft)	W/T	Inlet Type	Intercept "Q_i" (cfs)	Runby "Q_r" (cfs)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

(Ord. No. 04-55, §33, 1-17-05)

Miscellaneous Worksheet 5 (INDOT Figure 36-13D): Hydraulic Grade line Computation Sheet

Hydraulic Grade Line Computation Sheet

Date_____ Project_____ Route_____

Computed By:_____ Checked By:_____ Sheet_____ of_____

Station	TW	D_o	Q_o	L_o	V_o	$V_o^2/2g$	H_o	Sf_o	H_f	K_o	C_D	C_d	C_Q	C_P	C_B	K	$K(V_o^2/2g)$	EGL_o 2+7	EGL 10+18+19	HGL EGL-7	TOC ELEV
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)

(Ord. No. 04-55, §33, 1-17-05)

Pages 1089.141 through 1089.146 are reserved for the following Figures in connection with Section 10-533 through Section 10-539 of this Chapter

FIGURE 1
Average Velocities for Estimating Travel Time for Shallow Concentrated Flow

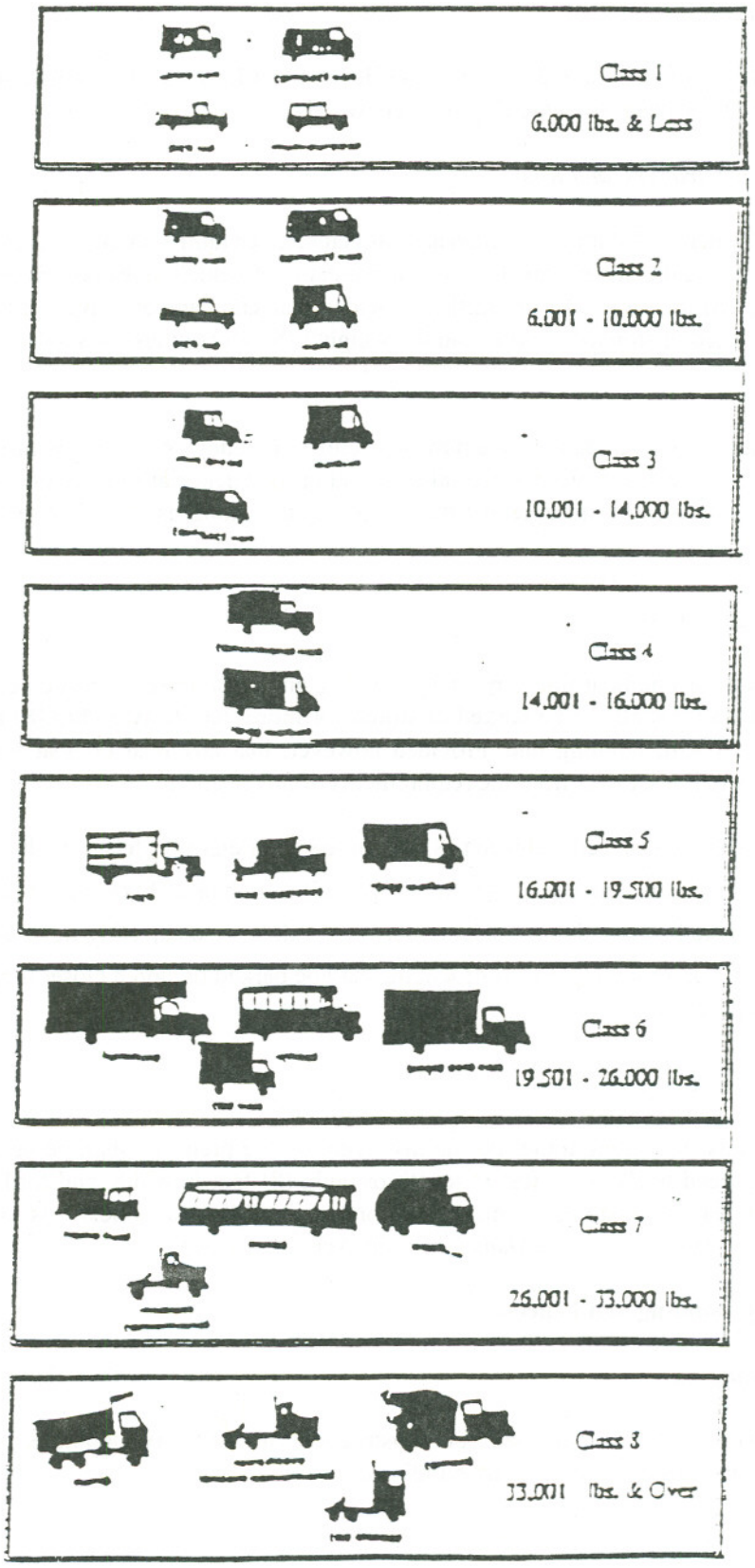
FIGURE 2
Indianapolis IDF Curve

FIGURE 3
Second Quartile Huff Rainfall Distribution

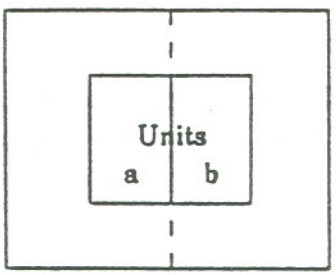
FIGURE 4
Soil And Water Features – Johnson County

FIGURE 5
Nomograph for Solution of Manning Equation

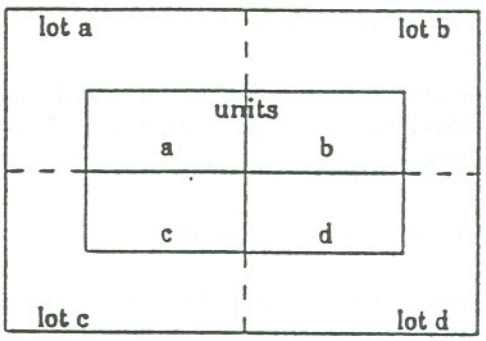
FIGURE 6
Dimensionless Unit Hydrograph and Mass Curve


Class 1
6,000 lbs. & Less
Class 2
6,001 - 10,000 lbs.
Class 3
10,001 - 14,000 lbs.
Class 4
14,001 - 16,000 lbs.
Class 5
16,001 - 19,500 lbs.
Class 6
19,501 - 26,000 lbs.
Class 7
26,001 - 33,000 lbs.
Class 3
33,001 lbs. & Over

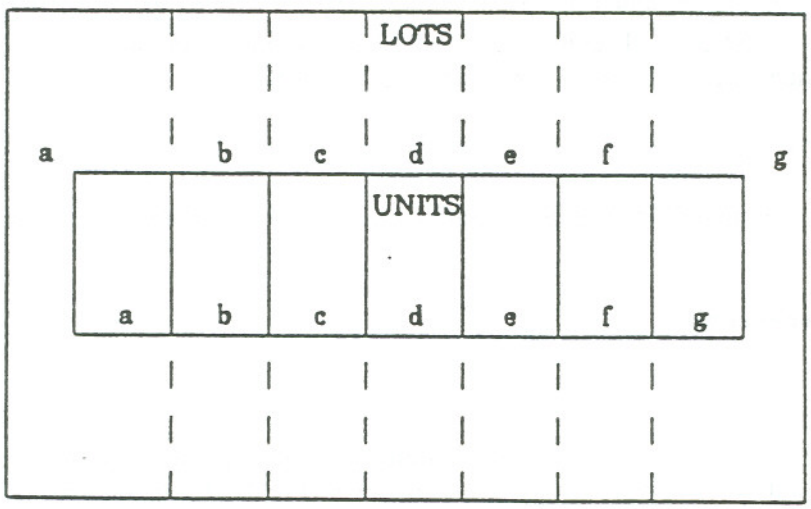
6.12.05 Sample Illustration



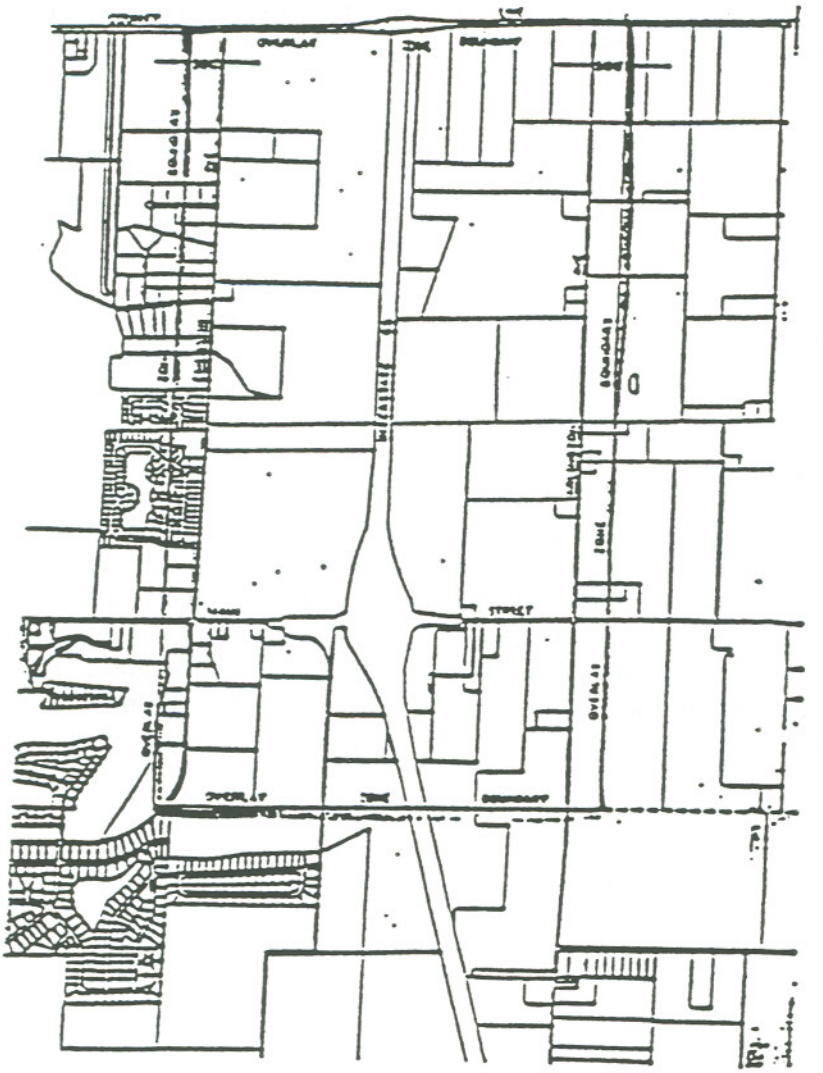
Double Units



Quadrangle Units



Multiple Units



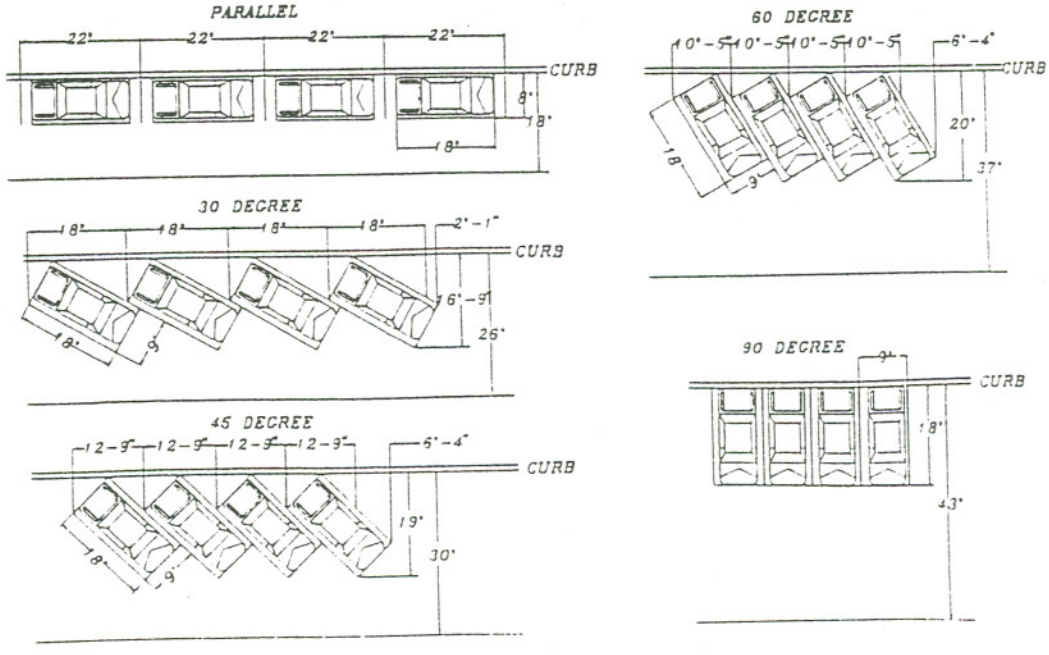
USES	*REQUIRED PARKING SPACES – Cont'd*
School	1 per 3 staff members plus 1 per 6 auditorium seats
Restaurant, deli, tavern, or nightclub	1 per 3 seats or 1 per 45 sq. ft. in public seating area (the occupancy load factor), whichever is greater, plus 1 per employee of largest shift
Shopping Center	1 per 150 sq. ft. of sales area
Stadium or coliseum	3 per 4 employees plus 1 per 4 seats
Telephone exchange or public utility substation	1 per employee
Theater (indoor)	1 per 4 seats
Theater (outdoor)	1 per 2 employees
Tourist home	1 per employee plus 1 per sleeping accommodation
Trade or business school	1 per 3 students and staff
Truck freight terminal	1 per 2 employees plus 4 for customers plus truck capacity
Veterinary hospital for small animals or kennel	1 per 2 employees

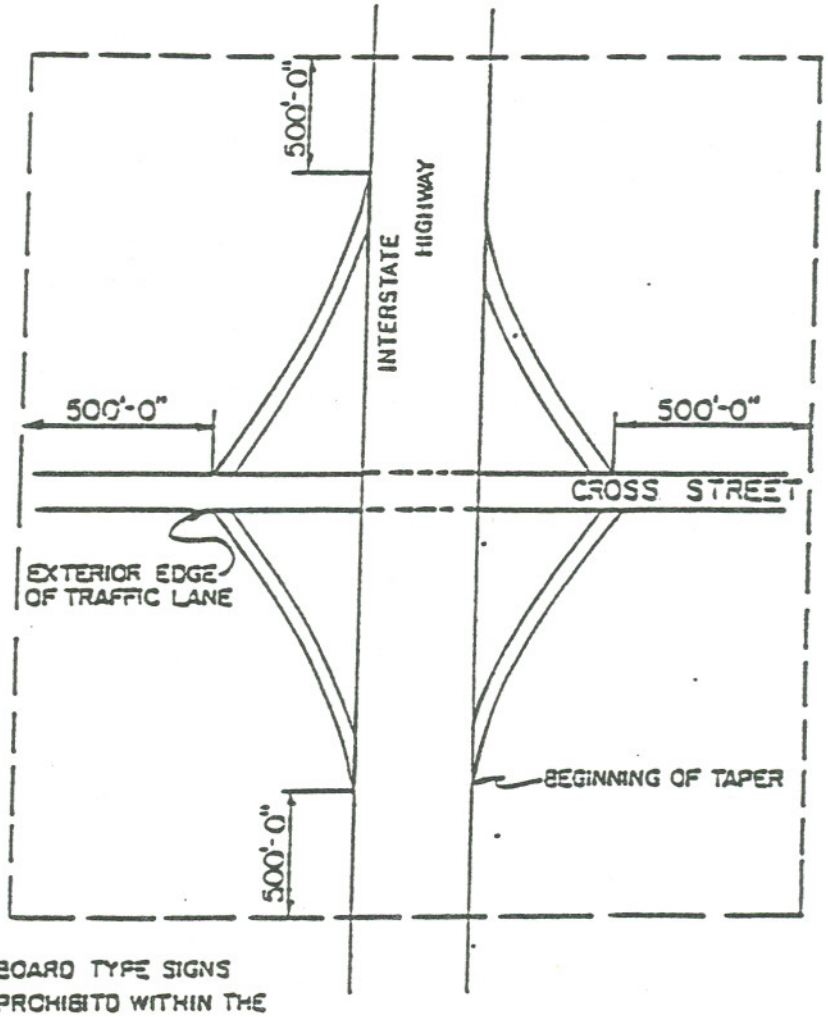
If there is no use category listed above, then the Plan Commission or its designee shall determine the most appropriate category based upon reasonable information with the goal of adequate parking.

*Parking for industrial establishments shall provide adequate area to park all employees and customers at all times as well as adequate space for loading, unloading, and storing vehicles used incidental to or as a part of the operation of the establishment. (Ord. No. 97-44, §1, 11-17-97)

6.20.04 Size and Arrangement:

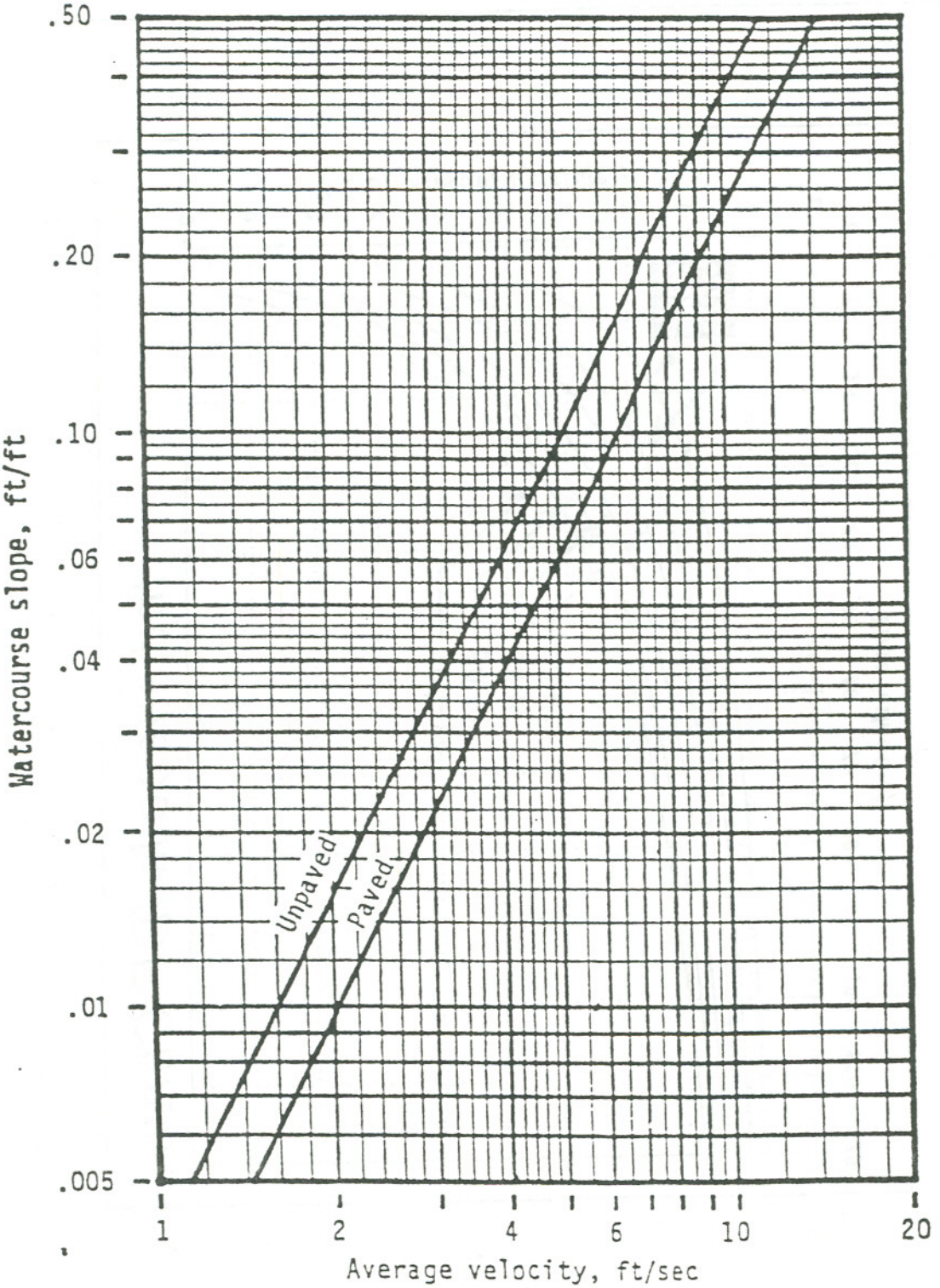
Parking spaces required by this section shall meet or exceed the following size and arrangement standards:





BILLBOARD TYPE SIGNS ARE PROHIBITD WITHIN THE AREA CONTAINED BY THE DASHED RECTANGLE

FIGURE 1
Average Velocities for Estimating Travel Time for Shallow Concentrated Flow



Source: 210-VI-TR-55, Second Edition, June 1986

(Ord. No. 04-55, §33, 1-17-05)

FIGURE 2
Indianapolis IDF Curve

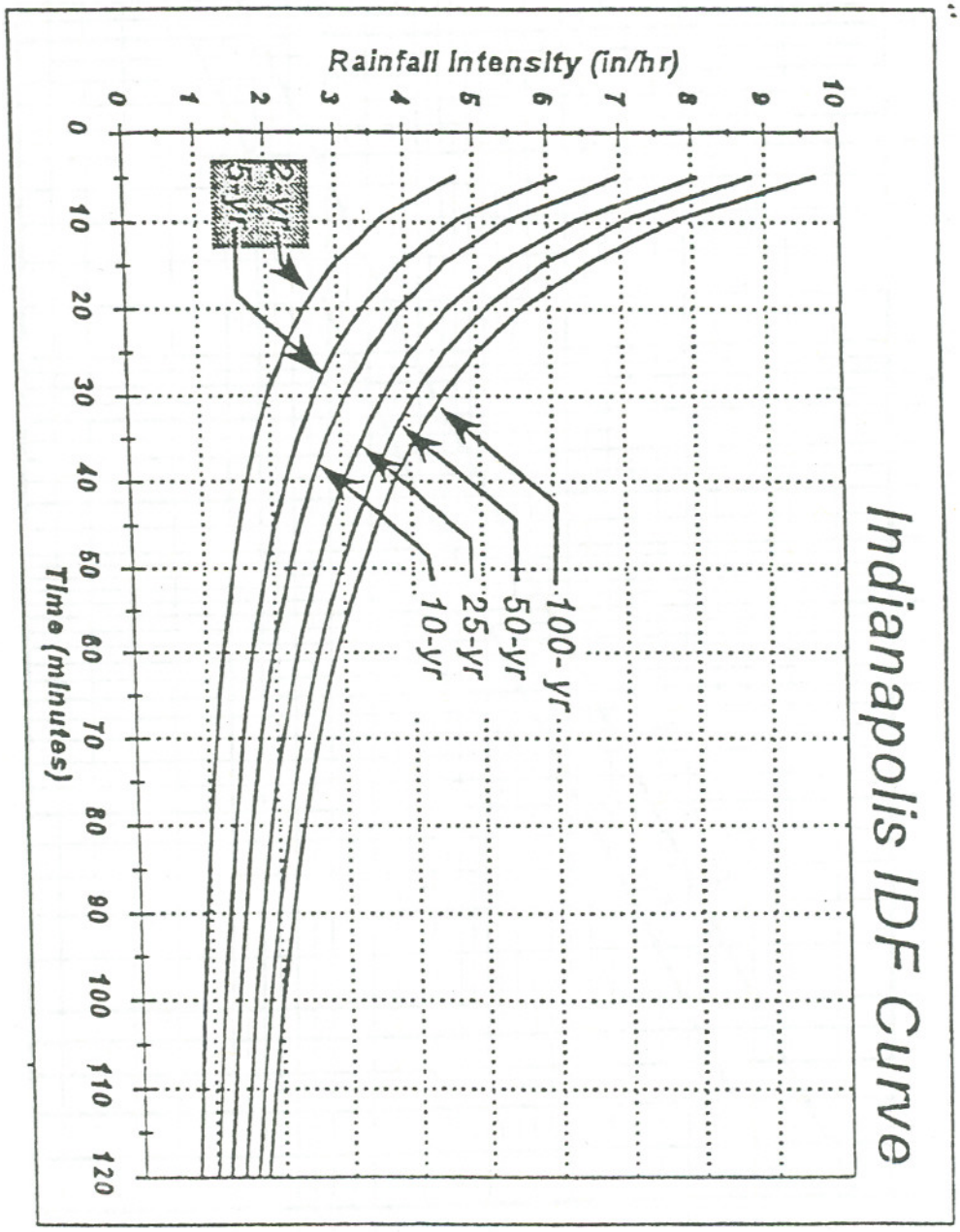
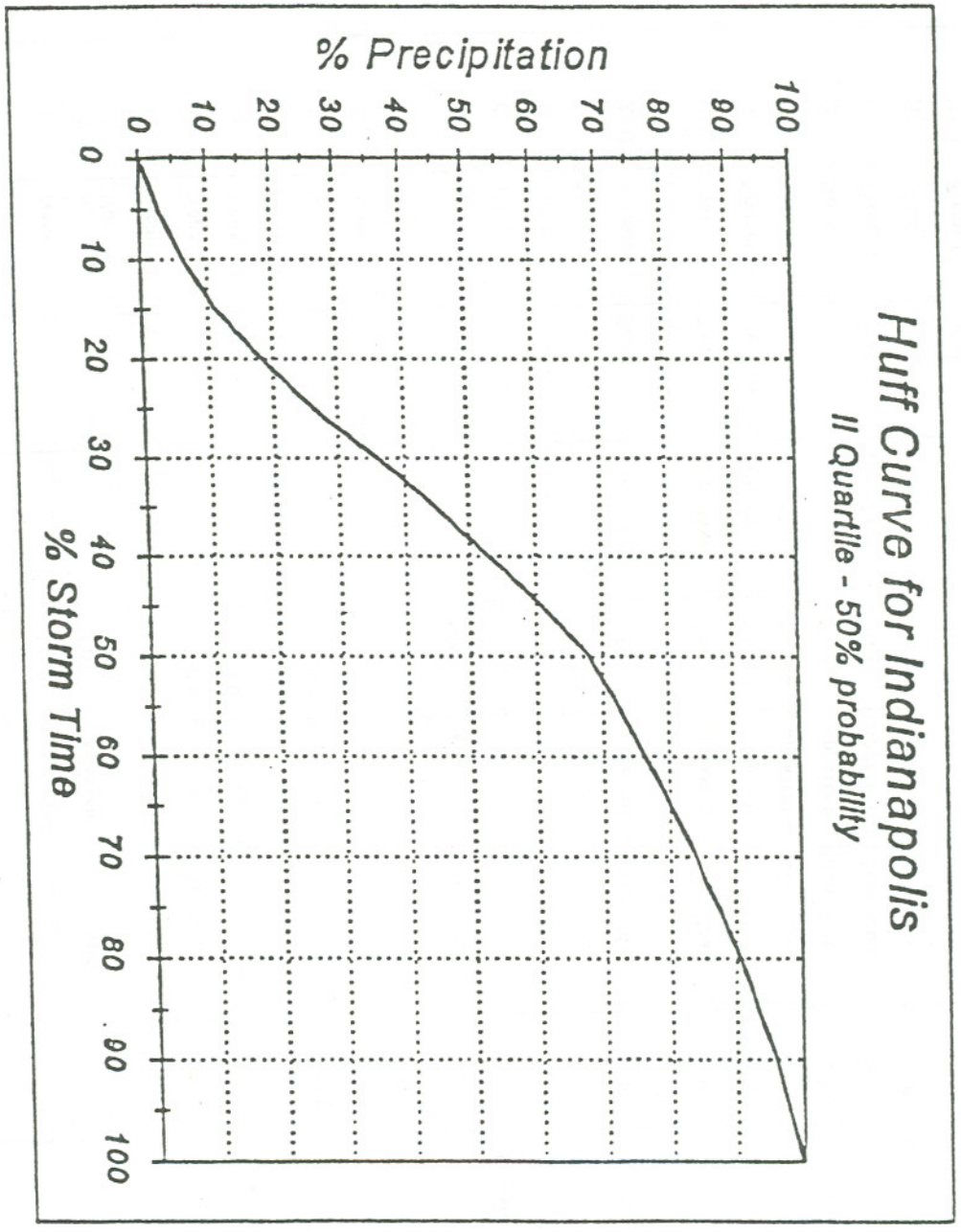


FIGURE 3
Second Quartile Huff Rainfall Distribution



Source: Purdue, et al, "Statistical Characteristics of Short Time Increment Rainfall"

FIGURE 4

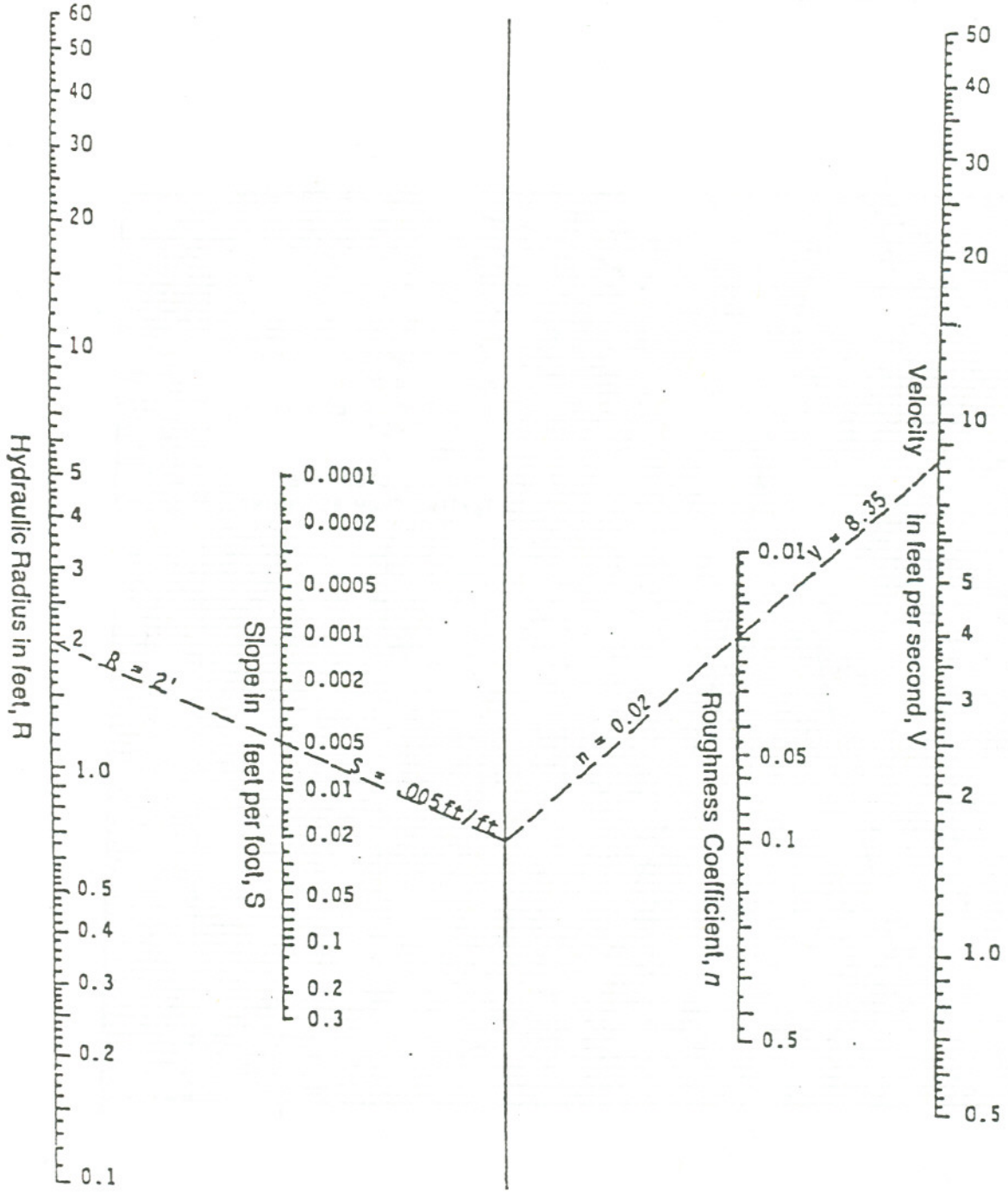
Soil And Water Features – Johnson County

shes indicate that the feature is not a concern. See text for desc[illegible]s of hydrologic groups. The symbol < means less than; > means [illegible]er than]

Soil series and map symbols	Hydrologic group	Flooding			High water table			Bedrock		Potential frost action
		Frequency	Duration	Months	Depth	Kind	Months	Depth	Hardness	
					Ft			*In*		
Brookston: Br	B/D	Frequent	Brief	Dec.–May	0–1.0	Apparent	Dec.–May	>60		High.
Crosby:										
CrA	C	None			1.0–3.0	Apparent	Jan.–Apr.	>60		High.
CsB2[1]:										
Crosby part	C	None			1.0–3.0	Apparent	Jan.–Apr.	>60		High.
Miami part	B	None			>6.0			>60		Moderate.
Eel: Ee	C	Frequent	Brief	Oct.–June	3.0–6.0	Apparent	Jan.–Apr.	>60		High.
Fincastle: FnA	C	None			1.0–3.0	Apparent	Jan.–Apr.	>60		High.
Fox: FoA, FoB2, FxC2[1]	B	None			>6.0			>60		Moderate.
Genesee: Ge	B	Frequent	Brief	Oct.–June	>6.0			>60		Moderate.
Hennepin: HeF	B	None			>6.0			>60		Moderate.
Hickory: HkD2, HkF	C	None			>6.0			>60		Moderate.
Miami: MnB2, MnC2, MnD2, MnE, MtB3, MtC3, MtD3.	B	None			>6.0			>60		Moderate.
Muren: MuA	B	None			3.0–6.0	Apparent	Mar.–Apr.	<60		High.
Muskingum: MxG	C	None			>6.0			20–40	Rippable	Moderate.
Nineveh: NnA	B	None			>6.0			>60		Moderate.
Ockley: OcA, OcB2	B	None			>6.0			>60		Moderate.
Palms: Pa	A/D	Frequent	Long	Nov.–May	0–1.0	Apparent	Nov.–May	>60		High
Parke: PkB2, PkC2	B	None			>6.0			>60		High.
Rensselaer: Re	B/D	Frequent	Brief	Dec.–May	0–1.0	Apparent	Dec.–May	>60		High.
Ross: Rs	B	Common	Brief	Jan.–Apr.	4.0–6.0	Apparent	Feb.–Apr.	>60		Moderate.
Shoals: Sh	C	Frequent	Brief	Jan.–May	1.0–3.0	Apparent	Jan.–Apr.	>60		High.
Sleeth: Sk	C	None			1.0–3.0	Apparent	Jan.–Apr.	>60		High.
Sloan: Sn	B/D	Frequent	Brief	Oct.–June	0–0.5	Apparent	Nov.–June	>60		High.
Wellston: WdC2	B	None			>3.0	Apparent	Mar.–May	>60	Hard	Moderate.
Westland: We	B/D	Frequent	Brief	Dec.–May	0–1.0	Apparent	Dec.–May	>60		High.
Whitaker: Wh	C	None			1.0–3.0	Apparent	Jan–Apr.	>60		High.

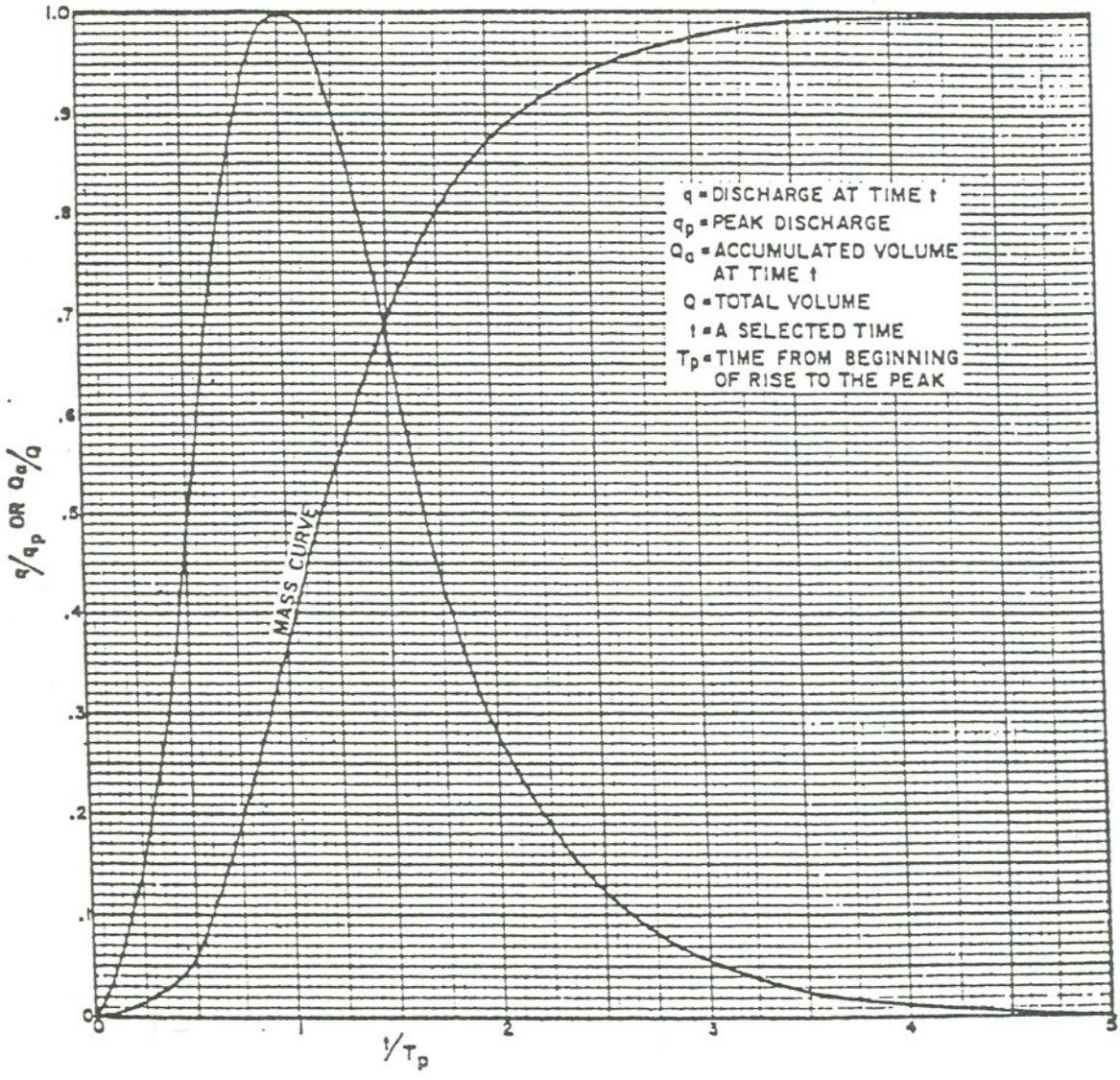
[1]This mapping unit is made up of two or more dominant soils. See description of the mapping unit for the composition and behavior characteristics of the mapping unit.

FIGURE 5
Nomograph for Solution of Manning Equation



Source: North Carolina Erosion & Sediment Control Planning & Design Manual, 09/01/88

FIGURE 6
Dimensionless Unit Hydrograph and Mass Curve



Source: SCS National Engineering Handbook, Chapter 4 (NEH-4)