I-65 OVERLAY ZONE REGULATIONS

A PART OF THE
CITY OF GREENWOOD
MUNICIPAL CODE

CHAPTER 10. ZONING, PLANNING AND DEVELOPMENT

ARTICLE 6. SUPPLEMENTARY DISTRICT REGULATIONS
SEC. 10-101 Corridor Overlay Zone District

PROVIDED BY:

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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 and shall be designated as Corridor Streets for the purposes of the I-65 Corridor Overlay Zone Ordinance. 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. (Ord. No. 06-24, § 2, 9-18-06)

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:

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

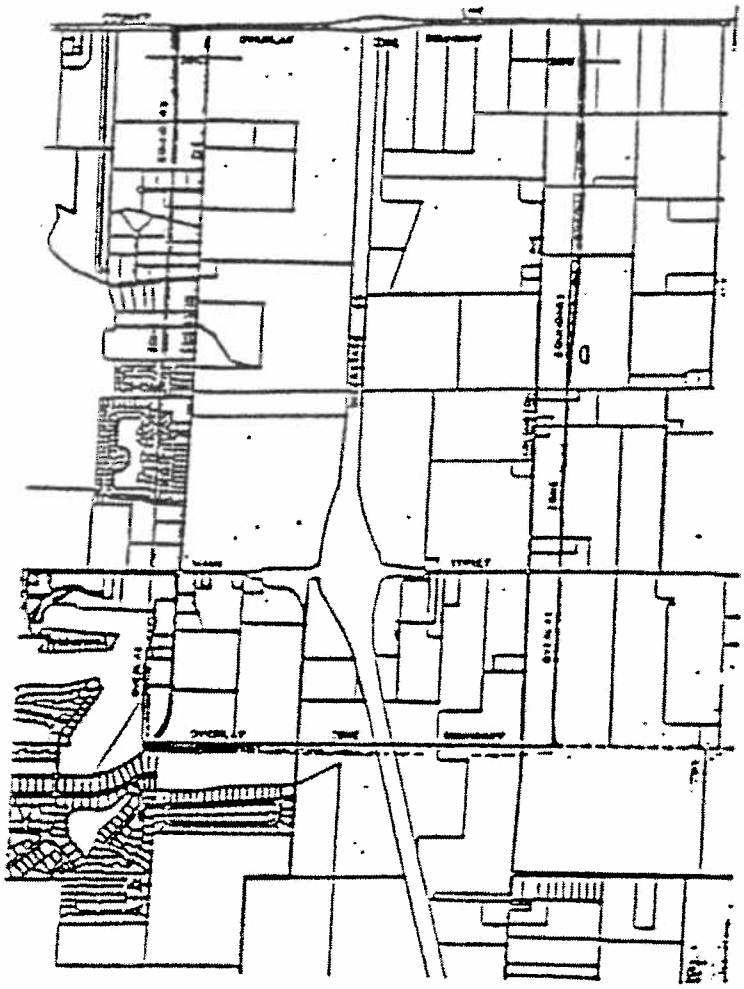
2) **SOUTHERN BOUNDARY**—the boundary line dividing survey Section 34, Twp. 14N, Range 4E and Section 3, Twp. 13N, Range 4E.

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.**



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, thirty (30) feet. For multi-family residential buildings the R-4 zoning district requirements shall apply. For non-residential buildings on a commercial outlot as part of a commercial/retail shopping subdivision and/or development project, 30 feet. (Ord. No. 06-24, § 2, 9-18-06)

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. For non-residential buildings on a commercial outlot as part of a commercial/retail shopping subdivision and/or development project, 20 feet. (Ord. No. 06-24, § 2, 9-18-06)

6.17.17 Minimum Corridor Street Frontage.

All uses, two hundred (200) feet (for the subdivision or development as a whole). (Ord. No. 06-24, § 2, 9-18-06)

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. Lighting shall be directed downward. (Ord. No. 06-24, § 2, 9-18-06)

(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. The rear of buildings and shopping centers shall architecturally resemble the other sides of the building or shall be screened from view from public streets, or some combination thereof. (Ord. No. 06-24, § 2, 9-18-06)

(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.

(j) Materials covering the exterior of building walls, exluding doors, windows, and vents, shall be a minimum coverage of seventy-five (75%) masonry materials. Acceptable materials include, but are not necessarily limited to, brick, stone, pre-cast concrete panels, tile, decorative block, and other masonary materials. Other materials may be approved by the Plan Commission if it determines the materials meet the intent and purpose of the I-65 Corridor Overlay Zone. (Ord. No. 06-24, § 2, 9-18-06)

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. Landscape requirements shall comply with Article 19, Section 10-472, of Zoning Ordinance No. 82-1, as amended, or with this section 10-101, whichever is greater. (Ord. No. 06-24, § 2, 9-18-06)

6.17.23 Areas to be Landscaped.

A. Minimum Landscaped Areas

(a) **GREENBELT.** Greenbelt shall be provided along each property frontage. The minimum width shall be thirty (30) feet for greenbelts along corridor streets and minimum width shall be fifteen (15) feet along interior streets. 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. (Ord. No. 06-24, § 2, 9-18-06)

(b) **PLANTING ADJACENT TO FREE-STANDING BUILDINGS.** A planting area equal to an area measuring ten (10) feet in depth by the width of each wall of the building shall be installed adjacent to the building. Sidewalks may be permitted in these areas, but shall not occupy more than fifty percent (50%) of 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. These adjacent planting areas shall be dispersed along at least three different sides of the building. (Ord. No. 06-24, § 2, 9-18-06)

(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 eight percent (8%) 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.) (Ord. 07-01, §12, 3-19-07)

(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)

C. Exceptions for Gasoline Stations.

Because of the unique character of their traffic patterns, both vehicular and pedestrian, gasoline stations shall be exempted from landscape requirements around the building perimeter and from the minimum eight percent (8%) parking lot landscape area. Gasoline station lots shall meet the overall site minimum landscape area of fifteen percent (15%) and are encouraged to place some landscape areas around the building perimeters. (Ord. No. 06-24, § 2, 9-18-06)

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. Lighting shall be directed downward or toward the building, not toward property perimeter. (Ord. No. 06-24, § 2, 9-18-06)

6.17.28 Outside Storage and Display Prohibited.

1. Materials or Merchandise. Supplies , materials, parts, products or merchandise shall be kept within a building or other approved enclosure. There shall be no outside storage or display of such items.

2. Refuse. No outside, unenclosed storage of refuse (whether or not in containers) shall be permitted on any lot. All refuse and recyclables shall be contained within an area enclosed on all sides by a fence, wall, mound, or similar means of enclosure, even when inside a dumpster, compactor, or other refuse container. The enclosure does not have to have a roof. The sides of the enclosure shall be a minimum of six (6) feet or at least two (2) feet taller than the container, dumpster, or compacter that is being screened from view, whichever height is greater. All sides of the enclosure structure, including doors or gates, shall be opaque.

(Ord. No. 06-24, § 2, 9-18-06)

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.

REPEALED per Greenwood Common Council Ordinance No. 07-01, passed on March 19, 2007. (Ord. 07-01; §8, 3-19-97)

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.