

Article

5

Development Standards

*City of Shelbyville
Unified Development
Ordinance*

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**Shelby
ville.**

 **Ground Rules**
website www.groundrulesinc.com

How to Use this Article

5.01 How to Use this Article

Article 05: Development Standards contains development standards that are arranged by category. There are two (2) ways to determine which development standards apply to a specific zoning district. They are:

- A. **Blue Boxes:** Refer to the two-page layouts in *Article 2: Zoning Districts* for a specific zoning district. In the “Additional Development Standards that Apply” box for that specific zoning district are listed four-digit codes that determine which development standards apply. Only the development standards referenced by the four-digit codes listed in the “Additional Development Standards that Apply” section apply to that zoning district.

[Example: On page 2-9, the four-digit code “AS-02” can be found under the “Additional Development Standards that Apply” section in the Single-family Residential (R1) zoning district. Therefore, the Development Standards in the section labeled “AS-02” (on page 5-5) would apply to the Single-family Residential (R1) zoning district.]

- B. **District Icons:** Refer to the icons used at the top of each development standard section in this Article. Each development standard section begins with a four-digit code and introductory sentence followed by one (1) or more icons with zoning district abbreviations (e.g. R1 for the Single-family Residential zoning district). These zoning district icons note that the development standard written in that section applies to that zoning district.

[Example: On page 5-9, the **R1** icon can be found under *Section 5.07: AR-01 Residential and Business Neighborhood Architectural Standards*. Therefore the language in the AR-01 section would apply to the R1 zoning district.]

Accessory Use and Structure Standards (AS)

5.02 AS-01: General Accessory Use Standards

This Accessory Use and Structure Standards (AS) section applies to the following zoning districts:



- A. **Order of Establishment:** No accessory use shall be permitted to be located, placed, or established on any lot prior to the establishment of a primary use unless otherwise permitted by this Ordinance. All accessory uses shall be permitted only in association with, and on the same lot as, the primary use.
- B. **Permitted Accessory Uses:** Accessory uses shall be permitted in each zoning district as either permitted uses or special exceptions consistent with the Permitted Accessory Uses table. All Accessory uses shall be subject to the standards provided by this Article. The Zoning Administrator shall determine whether or not accessory uses not specifically listed are permitted based on the consistency of each use with the intent of the zoning district in which it is proposed to be located.

Permitted Accessory Uses

Use	Zoning District														
	Park and Open Space - PK	Agriculture - AG	Agricultural/Rural Residential - AR	Single-family Residential - R1	Two-family Residential - R2	Multiple-family Residential - RM	Manufactured Home Park - MP	Institutional - IS	Business Neighborhood - BN	Business Central - BC	Business General - BG	Business Highway - BH	Light Industry - IL	General Industry - IG	High Impact - HI
Recreational Raising of non-farm Animals		P	P										S	S	
Retail Sales of Products Grown On-site		P	P										P	P	
Dwelling, Accessory			S	S											
Farm Worker Seasonal Housing		S	S										S	S	
Day-care Home		P	P	P	P	P	P		P	P	S				
Home Occupation		P	P	P	P	P	P		P	P	S				
Home Enterprise Kennel		S													
Private Air Strip		S	S										S	S	
Outdoor Storage of Sales Items									S	S	P	P			
Outdoor Storage of Products & Materials													S	P	P
Outdoor Storage of Equipment											S		P	P	P
Outdoor Storage of Inoperable Vehicles														P	

(P = Permitted, S = Special Exception)

- C. **Accessory Dwelling Standards:** Single-family dwellings constructed and used as accessories to the primary dwelling on the property (otherwise commonly know as "mother-in-law quarters" and "granny flats") shall be designed and constructed as either part of the primary structure or as part of a detached garage located on the same lot as, and providing service to, the primary structure. In no case may any accessory dwelling exceed 600 square feet in living area.
- D. **Day Care Home Standards:** Child day care homes shall meet the definition established by *IC 12-7-2-28.6* and shall be consistent with all applicable regulations of the State of Indiana.
- E. **Home Occupation Standards:** Home occupations shall comply with the *Home Occupation Standards*.

- F. Outdoor Storage Standards: In no case may outdoor storage occur in any easement, right-of-way, parking space (unless the minimum required parking spaces are maintained), interior drive, sidewalk or pedestrian way, or required landscaping area.
1. *Exemptions*: Outdoor storage associated with the following primary uses shall be exempt from these outdoor storage standards:
 - a. Nurseries (this shall not be interpreted as including seasonal and other sales of products grown off-site);
 - b. Automobile, boat, recreational vehicle, and farm implement dealers; and
 - c. Agriculture.
 2. *Storage Area Design*: All outdoor storage shall occur in areas designed and designated specifically for outdoor storage.
 3. *Screening*: All outdoor storage areas shall be subject to the screening requirements provided by the *Buffering and Screening Standards*.
 4. *Types of Storage*: The following types of outdoor storage shall meet the specific standards provided for each:
 - a. *Outdoor Storage of Items for Sale*: The outdoor storage of items for sale shall be limited to finished products that are for sale at the business where the outdoor storage is occurring. Outdoor sales items subject to the provisions of this section include, but are not limited to, seasonal sales items, mulch and landscaping materials, and newspapers. The outdoor display of items for sale that are brought outdoors daily and then stored indoors when the business is closed shall be exempt from any requirements.
 - b. *Outdoor Storage of Manufactured Products and Materials*: The outdoor storage of manufactured products and production materials shall be limited to materials that are either used in the production process or produced on the property where the outdoor storage is occurring.
 - c. *Outdoor Storage of Equipment*: The outdoor storage of equipment shall be limited to properties on which contractors warehouses/storage yards are the permitted primary uses. Outdoor storage of equipment shall be prohibited in all front yards.
 - d. *Outdoor Storage of Inoperable Vehicles*: Outdoor storage of inoperable vehicles shall be limited to properties on which an auto repair/body shop is the legally established primary use. Any such outdoor storage shall conform to the requirements of the *Parking Standards*.

Accessory Use and Structure Standards (AS)

5.03 AS-02: General Accessory Structure Standards

This Accessory Use and Structure Standards (AS) section applies to the following zoning districts:



- A. **Order of Establishment:** No accessory structure shall be permitted to be located, placed, or established on any lot prior to the establishment of a primary structure unless otherwise permitted by this Ordinance. All accessory structures shall be permitted only in association with, and on the same lot as, the primary structure.
- B. **Exemptions:** Accessory structures are not deemed to include parking lots and multiple story parking structures, bird baths and bird houses, swing sets, mailboxes, lamp posts, flag poles, doghouses, tree houses, saunas and hot tubs, and detached decks/patios less than 200 square feet in size, gazebos, yard ornaments, athletic courts, and other incidentals except as otherwise stated by this Ordinance.
- C. **Location:** Accessory structures shall comply with the following location requirements:
 - 1. *Setbacks from other Structures:* A minimum separation of five (5) feet shall be provided between an accessory structure and any primary structure or other accessory structure.
 - 2. *Rights-of-way:* No accessory structure shall encroach on any right-of-way without written consent of the holder of the right-of-way. Encroachment into any right-of-way held by the City of Shelbyville shall require the consent of the Board of Public Works and Safety.
 - 3. *Septic Fields:* No accessory structures shall be placed in any operable septic fields or areas set aside for a replacement septic field.
 - 4. *Yard Location:* With the exception of gazebos and decks, all accessory structures shall only be located to the rear or side of the primary structure.
- D. **Vehicle/Trailer Use:** In no instance shall a vehicle or trailer (e.g. semi trailer) be used as an accessory structure in any district (such as for storage, shelter for pets, etc.).
- E. **Shipping Container:** In no instance shall a shipping container be used as an accessory structure in any district (such as for storage, shelter for pets, etc.).
- F. **Permitted Accessory Structures:** The type of accessory structures, side and rear yard setbacks for accessory structures, and maximum number of accessory structures per dwelling unit or business use in each zoning district shall be consistent with the Permitted Accessory Structures table.
 - 1. *Applicable Standards:* All accessory structures shall be subject to the standards provided by this Article and all other applicable standards established by this Ordinance.
 - 2. *Permitted Structures:* The Zoning Administrator shall determine whether or not accessory structures not specifically listed in this section are permitted based on the consistency of each structure with the intent of the zoning district in which it is proposed to be located.
- G. **Amateur Ratio Antennas:** Amateur radio antenna shall be permitted as an incidental accessory structure in all zoning districts, and shall meet the following requirements:
 - 1. *Location:* No amateur radio antenna shall be located in any provided front yard. No amateur radio antenna shall be located within any required rear or side yard setback.
 - 2. *Height:* No amateur radio tower shall exceed sixty (60) feet in height from ground level or six (6) feet in height above the highest point of the roof of the primary structure, whichever is greater.
 - 3. *Interference:* No amateur radio antenna or operation shall create electrical or communications interference, including visual or audible interference with radio or television reception.
 - 4. *Signs:* Signs and other forms of advertisement shall not be placed on amateur radio towers.
- H. **Swimming Pools:** All swimming pools shall conform to the requirements of the Indiana Pool Code and all applicable provisions of the Shelbyville Building Code.
- I. **Dumpsters and Trash Containers:**
 - 1. *Exemption:* Residential trash containers, less than ninety-six (96) gallons in capacity, shall be exempt from the Dumpster and Trash Containers regulations.
 - 2. *Front Yards:* All dumpsters and trash containers shall be prohibited from all provided front yards.
 - 3. *Setbacks:* Dumpsters and trash containers are subject to the accessory structure setback requirements of *Article 2: Zoning Districts*.
 - 4. *Screening:* Dumpster and trash containers are subject to the screening requirements provided in *Section 5.37: Landscape Screening Standards*.

Accessory Use and Structure Standards (AS)

Permitted Accessory Structures

Structure (P - Permitted)	Zoning District														
	Park and Open Space - PK	Agriculture - AG	Agricultural/Rural Residential - AR	Single-family Residential - R1	Two-family Residential - R2	Multiple-family Residential - RM	Manufactured Home Park - MP	Institutional - IS	Business Neighborhood - BN	Business Central - BC	Business General - BG	Business Highway - BH	Light Industry - IL	General Industry - IG	High Impact - HI
Recreational Greenhouses		P	P	P	P	P	P								
Detached Garages and Carports		P	P	P	P	P	P		P	P					
Mini-barns and Sheds	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Exterior Swimming Pools	P	P	P	P	P	P	P								
Dumpsters and Trash Containers	P				P	P	P	P	P	P	P	P	P	P	P
Other Accessory Structures Related to the Primary Use	P	P	P					P	P	P	P	P	P	P	P
Maximum Number of These Accessory Structures Permitted	NA	NA	NA	4*	4*	4	4**		4	4	5	5	5	5	
NA - Not Applicable															
* May not have more than 2 of the same type of accessory structure.															
** Plus 1 storage-based accessory structure for each dwelling site.															

5.04 AS-03: Parks and Recreation Accessory Use and Structure Standards

This Accessory Use and Structure Standards (AS) section applies to the following zoning districts:

PK

Where park and recreation facilities are permitted customary accessory uses and structures such as restrooms, groceries, refreshment stands, restaurants, laundries, dumpsters and other waste containers, theaters, bandshells, performance spaces, and sporting goods sales are also permitted, subject to the following standards:

A. Types:

1. *Storage-based*: Storage-based accessory structures shall be permitted. Storage-based accessory structures shall include barns, carports, detached garages, greenhouses, mini-barns, pool houses, sheds, and other structures used primarily for storage purposes.
2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include decks, gazebos, hot tubs, ground-mounted satellite dishes, sport courts, swimming pools, and other structures used primarily for recreational purposes.

B. Relationship:

1. *Use*: An accessory structure shall relate to the primary use of the lot or the zoning district's permitted uses.
2. *Timing*: An accessory structure may be installed or built on a lot prior to the construction of a primary structure or without the existence of the primary structure.

C. Maximum Area: The maximum cumulative area occupied by accessory uses and structures, including any associated parking, shall not exceed ten percent (10%) of the park and recreation site.

D. Subordinate Character: The accessory uses and structures shall be subordinate to the recreational character of the development.

E. Service Intent: The accessory uses and structures shall be located, designed, and intended to serve only the needs of the park or recreation facility.

F. Visible Evidence: The accessory uses and structures shall present no visible evidence of their business nature to areas outside the park or recreation facility.

G. Parking: Parking for accessory uses and structures shall be consistent with the requirements of the *Parking Standards*.

Accessory Use and Structure Standards (AS)

5.05 AS-04: Multiple-family Residential Accessory Use and Structure Standards

This Accessory Use and Structure Standards (AS) section applies to the following zoning districts:

RM

Where multiple-family dwellings are permitted customary accessory uses and accessory structures such as management offices, sales offices, storage facilities, child day-care centers, self-service laundries, fitness centers, community centers, recreation centers, dumpsters and other waste containers, and swimming pools shall also be permitted, subject to the following standards:

A. Types:

1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures may include a management office, sales office, maintenance facility, indoor fitness room, indoor or outdoor sport courts, indoor or outdoor swimming pool, indoor or outdoor play equipment, enclosed vending, laundry, and other structures customarily incidental to the development. All support-based accessory structures shall be subordinate to the residential component of the development; be located, designed, and intended to serve only the needs of the development and its residents; and shall present no visible evidence of its non-residential nature to areas outside the development.
2. *Storage-based*: Except for garages and carports, storage-based accessory structures specific to each dwelling unit shall not be permitted.

B. Relationship:

1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the primary use.
2. *Timing*:
 - a. *Support-based*: A support-based accessory structure may be installed or built on a lot prior to the construction of a primary structure.
 - b. *Storage-based*: A storage-based accessory structure shall not be installed or built on a lot prior to the construction of a primary structure.

C. Maximum Area: The maximum cumulative area occupied by accessory uses and structures, including any parking associated with the accessory use, shall not exceed ten percent (10%) of the development site.

D. Subordinate Character: The accessory uses and structures shall be subordinate to the residential character of the development.

E. Service Intent: The accessory uses and structures shall be located, designed and intended to serve only the needs of the development.

F. Visible Evidence: The accessory uses and structures shall present no visible evidence of their business nature to areas outside the development.

G. Parking: Parking for accessory uses and structures shall be consistent with the requirements of the *Parking Standards*.

5.06 AS-05: Manufactured Home Park Accessory Use and Structure Standards

This Accessory Use and Structure Standards (AS) section applies to the following zoning districts:

MP

Where manufactured home parks are permitted customary accessory uses and accessory structures such as management offices, sales offices, storage facilities, child day-care centers, self-service laundries, fitness centers, community centers, recreation centers, dumpsters and other waste containers, and swimming pools shall also be permitted, subject to the following standards:

A. Types:

1. *Support-based*: Support-based accessory structures shall be permitted in areas on the lot that are not dwelling sites.
 - a. Support-based accessory structures shall include a management office, sales office, maintenance facility, indoor fitness room, indoor or outdoor sport courts, indoor or outdoor swimming pool, indoor or outdoor play equipment, enclosed vending, laundry, emergency storm shelter, and other structures customarily incidental to the development. Any support-based accessory structure shall be for the benefit of all residents living on the development's dwelling sites.
 - b. Support-based accessory structures shall be subordinate to the residential component of the development.

- c. Support-based accessory structures shall be located, designed, and intended to serve only the needs of the development and its residents.
 - d. Support-based accessory structures shall present no visible evidence of its non-residential nature to areas outside the development.
 2. *Storage-based*: Storage-based accessory structures in the form of detached garages, carports, and sheds shall be permitted on dwelling sites.
 3. *Recreation-based*: Recreation-based accessory structures in the form of decks and ground-mounted satellite dishes shall be permitted on dwelling sites. Pools and other recreation-based accessory structures shall not be permitted on dwelling sites.
- B. Relationship:
 1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the primary use.
 2. *Timing*:
 - a. Support-based: A support-based accessory structure may be installed or built on the lot (i.e. not on dwelling sites) prior to the construction of a primary structure.
 - b. Storage-based and Recreation-based: Storage-based and recreation-based accessory structures shall not be installed or constructed on a dwelling site prior to the construction or installation of a primary structure.
- C. Quantity and Size:
 1. *Maximum Quantity per Development*: No more than four (4) support-based accessory structures shall be permitted for any development. There is no limit on recreation-based accessory structures.
 2. *Maximum Quantity per Dwelling Site*: Each dwelling site shall be permitted one (1) shed in addition to a carport or garage. No additional storage-based accessory structures shall be permitted on a dwelling site.
 3. *Maximum Size*: The total area of storage-based accessory structures on a dwelling site shall not exceed twenty-five percent (25%) of the dwelling site area or 600 square feet, whichever is less.
- D. Subordinate Character: The accessory uses and structures shall be subordinate to the residential character of the development.
- E. Service Intent: The accessory uses and structures shall be located, designed and intended to serve only the needs of the development.
- F. Visible Evidence: The accessory uses and structures shall present no visible evidence of their business nature to areas outside the development.
- G. Parking: Parking for accessory uses and structures shall be consistent with the requirements of the *Parking Standards*.
- H. Materials: The exterior finish and facade of all accessory structures greater than 200 square feet shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.
- I. Location: Support-based accessory structures shall be located on land that is not a dwelling site and shall meet setbacks when measured from the overall property lines. Support-based accessory structures shall also be setback from any dwelling site lines and edges of pavement by at least ten (10) feet. Storage-based and recreation-based accessory structures shall only be allowed in side yards and rear yards with the following exception:
 1. *Decks*: An attached deck shall be permitted in front yards of a dwelling site if they are less than 100 square feet in size.
 2. *Basketball Goals*: A basketball goal along a driveway or mounted on the garage shall be permitted in front yards of dwelling sites. However, a basketball goal shall meet the front yard setback requirement if it is to be permanently mounted or affixed thus making it not portable in nature. Under no circumstances shall a basketball goal be installed along or in a public or private street, or along a sidewalk.

Architectural Standards (AR)

5.07 AR-01: Residential and Business Neighborhood Architectural Standards

These Architectural Standards (AR) apply to the following districts:

R1 R2 RM

The following standards apply:

- A. **Facade:** The front facade of all single-family and two-family dwellings shall face the public or private street to which the home gains primary access, except as described below:
 1. *Corner Lots:* The front facade may face either street if located on a corner lot.
 2. *Large Setbacks:* A single-family dwelling setback a minimum of 200 feet from the public right-of-way may orient the front facade up to ninety degrees (90°) from parallel to that public right-of-way.
- B. **Roof:**
 1. *Minimum Pitch:* Five vertical units to twelve horizontal units (5:12 pitch) for the main roof planes.
 2. *Minimum Eave/Overhang:* All dwellings shall have eaves or overhangs a minimum of twelve (12) inches from the facade's siding material on at least eighty percent (80%) of the roofline. The eave/overhang shall be determined after the installation of masonry.
- C. **Equipment:** All ground mounted mechanical equipment, air conditioner units, propane tanks, and the like shall not be located forward of the front facade. This standard applies to each facade that faces a public right-of-way, unless screened by a fence, landscaping, or complementary building feature.
- D. **Garage and Carport:**
 1. *Garage Capacity:* A minimum of a one-car garage is required for all single-family and two-family dwellings except for new single-family or two-family dwellings in areas where a majority of structures were constructed prior to 1990, and/or a majority of lots were platted prior to 1990, in which case a one-car garage is only recommended.
 2. *Garage-forward Design:* Front-loading garages shall not be located forward of the facade by more than eight (8) feet on multiple-family units or single-family units with less than 1,200 square feet of living space.
 3. *Carport:* Carports shall be attached and integrally designed with the primary structure. The carport's materials shall be complementary to the materials of the primary structure.
 4. *Metal Carports:* Metal, stand alone carports shall not be placed forward of a primary structure.

Architectural Standards (AR)

5.08 AR-02: Institutional and Business Architectural Standards

These Architectural Standards (AR) apply to the following districts:



The following standards apply:

A. Facade:

1. *Facade Elements:* A primary structure's facades shall include a repeating pattern with no less than three (3) of the elements listed below. At least one (1) of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet either horizontally or vertically.
 - a. Color change,
 - b. Texture change,
 - c. Material module change, and
 - d. Expression of architectural or structural bay through a change in plane no less than twelve (12) inches in width, such as an offset, reveal, or projecting rib.

The Zoning Administrator may approve facades that meet only two (2) of the above listed elements if the proposed architecture clearly meets the intent of the regulation for quality architectural character.

2. *Front Facade:* The front facade shall generally face the public or private street to which the business gains primary access or which has the greatest exposure to an adjacent street including a highway or an interstate. On corner lots and through lots, the front facade may face either street. If the primary structure is greater than 300 feet from the front property line and greater than fifty (50) feet from all other property lines, its front facade may face any direction.
3. *Other Facades:* Any other facade (i.e. not the front facade) that faces an interstate, highway, or arterial street shall be finished to a standard similar to the architectural quality of the front facade, including building materials, architectural details, windows, or faux windows. Facades thirty (30) feet or greater in length or facade faces 420 square feet or greater in area without visual relief shall not be permitted.
4. *Long Facades:* Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending at least twenty percent (20%) of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.
5. *Ground Floor Facades:* Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, and/or other such features, along no less than sixty percent (60%) of their horizontal length.

B. Roof: Roof features should add interest to the area and compliment the character of adjoining neighborhoods.

1. *Applicability:* This subsection shall apply to all buildings, primary and accessory, within the above Zoning Districts. Irregardless the specific use of a structure, the square footage of the building as determined by “Retail (Type 1) Low Intensity”, “Retail (Type 2) Medium Intensity”, and “Retail (Type 3) High Intensity”, established in Article 11: Definitions, shall determine the required number of “Design Features” described below. This subsection shall not be interpreted that uses other than “Retail” are not required to incorporate “Design Features.” These terms are solely used to reference the corresponding square footage descriptions.
2. *Mechanical Equipment:* Mechanical equipment located on the roof shall be completely screened by a parapet or other building feature.
3. *Design Features:* Roofs on all buildings that meet the “Retail Floor Area” limitation of “Retail (Type 1) Low Intensity” shall have no less than one (1) of the following features; roofs on all buildings that meet the “Retail Floor Area” limitation of “Retail (Type 2) Medium Intensity” shall have no less than two (2) of the following features; roofs on all buildings that meet the “Retail Floor Area” limitation of “Retail (Type 3) High Intensity” shall have no less than three (3) of the following features:
 - a. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view. The average height of such parapets shall not exceed fifteen percent (15%) of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatment.
 - b. Sloping roofs that do not exceed the average height of the supporting walls with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run.

Architectural Standards (AR)

- c. Three (3) or more roof slopes.
 - d. A sloped roof system containing at least two (2) or more dormers featuring windows and overhanging eaves that must extend at least three (3) feet past all supporting walls.
 - e. Two (2) or more visible roof slopes in addition to dormers, turrets, or cornice work such as corbels, spaced consistently along all façade planes in a manner that is appropriate with the surrounding area
 - f. Installation of an on-site solar energy system covering an area anywhere on the roof of the building equal to or greater than thirty-five percent (35%) of the total roof area of all primary buildings. This solar energy system shall satisfy all requirements of *Section 5.65-5.70* of this Ordinance.
 - g. Varying roof heights, consisting of at least two percent (2%) variation in height of the overall length of the street-facing facade, with at least three different roof heights.
4. *Material Type*: Sloped roofs shall either be of architectural standing seam metal, tile, slate, or dimensional shingles.
- C. **Building Materials**: Exterior building materials and colors shall generally be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods.
1. *Material Types*: The exterior materials shall be a combination of brick; wood; stone; tinted and textured concrete masonry units; architectural precast concrete, architectural metal; and other products that replicate the appearance and durability of these materials. The use of smooth faced concrete block, un-textured smooth faced tilt-up concrete panels, and standing seam steel panels shall be prohibited. The Zoning Administrator shall approve or deny the use of all composite and alternative materials. These standards shall apply to both primary and accessory structures, including the vertical up-rights and structural components of unenclosed canopies and shelters.
 2. *Color*: Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors and black, but neon tubing or LED lights shall not be an acceptable feature. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited on all building exteriors.
- D. **Entryways**: An entryway should provide design elements, orientation, and aesthetically pleasing character to buildings.
1. *Principal Building*: Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following:
 - a. Canopies or porticos,
 - b. Overhangs,
 - c. Recesses or projections,
 - d. Arcades,
 - e. Raised corniced parapets over the door,
 - f. Peaked roof forms,
 - g. Arches,
 - h. Display windows,
 - i. Tile work or moldings which are integrated into the building structure and design, and
 - j. Planters or wing walls that incorporate landscaped areas and/or places for sitting.
 2. *Individual Stores*: Where additional stores will be located in the principal building, each such store shall have at least one (1) exterior customer entrance which shall conform to the requirements listed above in *Section 5.08(D)(1): Principal Building*.
- E. **Storefronts**: When primary structures contain additional, separately owned stores which occupy less than 25,000 square feet of gross floor area with separate exterior customer entrances:
1. *Street Level*: The street level facade of such stores shall be transparent between the height of three (3) feet and eight (8) feet above the sidewalk grade for no less than sixty percent (60%) of the horizontal length of the building facade of such additional stores.
 2. *Windows*: Windows shall be recessed and should include visually prominent sills, shutters or other such forms of framing.

Commercial Standards (CM)

5.09 CM-01: Commercial Standards

These Commercial Standards (CM) apply to the following districts:

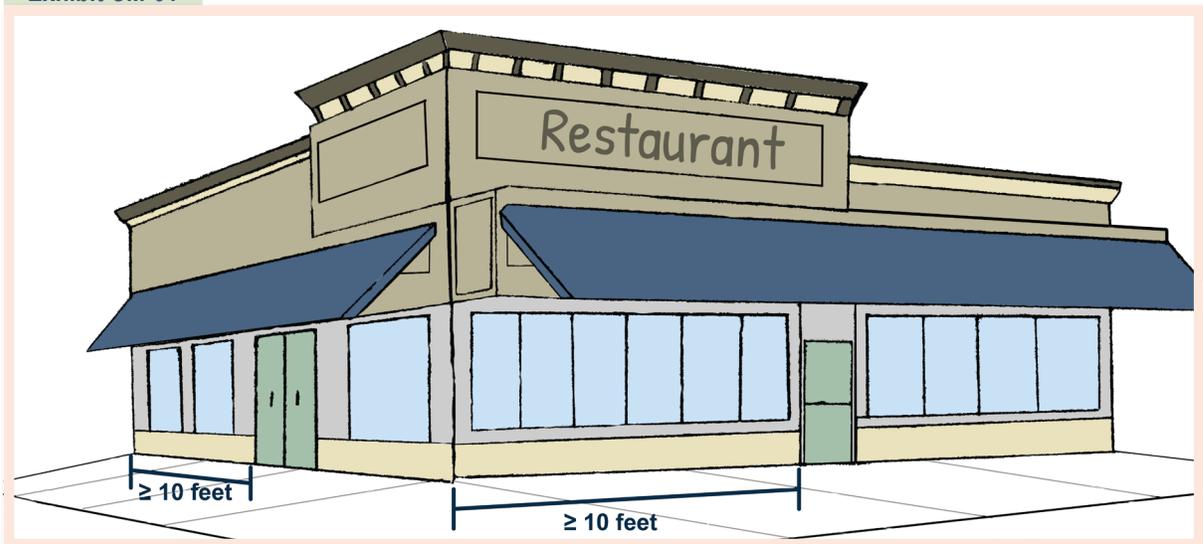


- A. **Applicability:** This section shall apply to all buildings, primary and accessory, within the above Zoning Districts. Despite the specific use of a structure, square footage of the building as determined by “Retail (Type 1) Low Intensity”, “Retail (Type 2) Medium Intensity”, and “Retail (Type 3) High Intensity”, established in Article 11: Definitions, shall determine the applicable Commercial Standards as described below. These terms are solely used to reference the corresponding square footage limitations. These standards and guidelines apply to all Retail (Type 1) Low Intensity and Retail (Type 2) Medium Intensity.
- B. **Cross Reference:**
1. *Architectural Standards:* See Section 5.08: Institutional and Business Architectural Standards.
 2. *Landscape Screening Standards:* See Section 5.37: Landscape Screening Standards.
 3. *Loading Standards:* See Section 5.39: Loading Standards.
 4. *Outdoor Display Area Standards:* See Section 5.43: Outdoor Display Area Standards.
 5. *Sidewalk and Pedestrian Path Standards:* See Section 6.14
 6. *Engineering Design Standards:* Sidewalks along public and private streets shall be provided in accordance with the City of Shelbyville Construction Standards
- C. **Sidewalks:** Pedestrian walkways and sidewalks shall be provided on each lot in order to promote pedestrian access and reduce vehicle traffic impacts. Sidewalks shall meet the following requirements.
1. *Applicability:* A sidewalk is required to be installed when a new primary structure is constructed or when a primary structure is enlarged by twenty percent (20%) or greater. Sidewalks are also required to be installed in front of any lot created after the effective date of the Unified Development Ordinance once it has sat vacant for twenty-four (24) months (if a single lot was created), or twenty-four (24) months from the date the first certificate of occupancy was issued (if a multiple-lot subdivision) and where infrastructure exists.
 2. *Location:* Public sidewalks shall be provided along the frontage of each lot in order to promote pedestrian access and reduce vehicle traffic impacts. All required pedestrian walkways shall be constructed consistent with the sidewalk standards provided in Section 6.14: Sidewalk and Pedestrian Path Standards and the Shelbyville Construction Standards. When the Shelbyville Bicycle and Pedestrian Master Plan, or any other section or element of the Comprehensive Plan, indicates the need for dedicated bicycle and pedestrian infrastructure adjacent to or in close proximity to a proposed development, those enhanced improvements may be required as deemed necessary by the Zoning Administrator or City Engineer. These types of improvements can include, but are not limited to; asphalt trails, wider sidewalks, on-street bike lanes, protected bike lanes, or additional pedestrian safety signage.
 3. *Customer Entrances and Internal Sidewalk System:* All sides of a principal building that directly face an abutting public street shall feature at least one (1) customer entrance. Where a primary structure directly faces more than one (1) abutting public streets, this requirement shall apply only to one (1) of the frontages.
 - a. Continuous sidewalks shall be provided from the public sidewalks to the main customer entrance of the structure on each lot and along the facade of the building that includes a customer entrance, or that abuts a parking area.
 - b. Sidewalks connecting the store entries with the public sidewalks shall be concrete or similar durable material, and a minimum of six (6) feet in width.
 - c. Sidewalks shall be bordered by a planting area that is a minimum two (2) feet in width when practical. Otherwise on-site sidewalks shall have a curb or other design feature that distinguishes and separates them from vehicular areas. The planting areas shall be planted with flowers, shrubs, and/or trees for a minimum of fifty percent (50%) of their length. The remainder shall be planted with grass or shall be mulched.
 - d. All internal sidewalks shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the sidewalks.
 - e. Places where pedestrians have to cross aisles, access roads, or driveways shall be a paving material different from that of the vehicle surface to clearly distinguish them as a pedestrian route.
 - f. Sidewalks, no less than six (6) feet in width, shall be required along at least eighty percent (80%) of the primary structure if its facade is street-facing or parking lot-facing. These sidewalks shall be concrete,

Commercial Standards (CM)

- shall be a minimum of six (6) feet in width, and shall be separated from the building by a landscape area. Such sidewalks shall be located at least six (6) feet from the facade of the primary structure to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
- g. A full six (6) feet of sidewalk width shall continuously remain unencumbered by merchandise, machines, and other items that could block the use of the sidewalk.
 - h. Weather protection features six (6) feet in depth, such as awnings or arcades shall be provided over all sidewalks beyond ten (10) feet of the edge of the frame of the entrance, on both sides, of all customer entrances. See Exhibit CM-01 below for guidance.
4. *Fee-In-Lieu*: In some scenarios, all or part of the public sidewalk required in this standard is not practical or safe to install at the time of development. When the City Engineer determines that it is in the public interest to not have all or some of the public sidewalk installed at the time that the rest of the site is developed, the petitioner shall pay a fee-in-lieu and then be exempt from installing those portions of the public sidewalk.
- a. **Decision Criteria:** Decision Criteria: The City Engineer shall make this determination, in writing, based on the following decision criteria:
 - i. There are no sidewalks within 1,320 feet of the exterior boundaries of the project, and it is unlikely that there will be development within 1,320 feet that would facilitate the installation of sidewalks at any point in the future.
 - ii. A stormwater drainage ditch or similar public utility facility prevents the installation of the sidewalk, and neither the sidewalk nor the facility can be reasonably relocated to accommodate both the sidewalk and the facility.
 - iii. The topography would require the construction of a retaining wall more than six-feet in height to accommodate the sidewalk.
 - iv. There is a planned roadway or infrastructure improvement scheduled to be implemented within the next five-years which would require the removal or relocation of the required sidewalk.
 - v. Other unusual circumstances that are unique to this specific site make the sidewalk installation requirement unreasonable or inappropriate.
 - b. **Determination of Fee Amount:** This fee shall be based on the square footage of the sidewalks which are being exempted from installation, and the petitioner’s engineer or contractor’s estimate of the cost of the improvements and their installation, and the petitioner’s engineer or contractor’s estimate of the cost of the improvements and their installation. The City Engineer shall make the final determination of the fee to be paid based on the foregoing criteria.
 - c. **Deposit of Funds:** All fees paid-in-lieu of sidewalk construction shall be deposited into the “Sidewalk Fund” established by Ordinance No. 25-3047.”

Exhibit CM-01



- D. Outdoor Storage, Trash Collection, and Loading Areas: Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed, or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas behind the building or on those sides of primary structures that do not have customer entrances, or between primary structures where more than one (1) primary structure is located on a site and such buildings are not more than forty (40) feet apart or on those sides of primary structures that do not have customer entrances.
1. No areas for outdoor storage, truck parking, trash collection or compaction, loading docks, utility meters, HVAC equipment, or other such uses shall be visible from abutting streets.
 - a. All enclosures shall be made of materials consistent with the exterior of the primary structure, and shall completely enclose the area.
 2. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors and design of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors on the primary structure. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the primary structure.

Commercial Standards (CM)

5.10 CM-02: Commercial Standards

These Commercial Standards (CM) apply to the following districts:



- A. **Applicability:** This section shall apply to all buildings, primary and accessory, within the above Zoning Districts. Despite the specific use of a structure, square footage of the building as determined by “Retail (Type 1) Low Intensity”, “Retail (Type 2) Medium Intensity”, and “Retail (Type 3) High Intensity”, established in Article 11: Definitions, shall determine the applicable Commercial Standards as described below. These terms are solely used to reference the corresponding square footage limitations. These standards and guidelines apply to all Retail (Type 3) High Intensity establishments.
- B. **Cross-Reference:**
1. *Architectural Standards:* See Section 5.08: Institutional and Business Architectural Standards.
 2. *Landscape Screening Standards:* See Section 5.37: Landscape Screening Standards.
 3. *Loading Standards:* See Section 5.239: Loading Standards.
 4. *Outdoor Display Area Standards:* See Section 5.43: Outdoor Display Area Standards.
 5. *Section 6.14: Sidewalk and Pedestrian Path Standards:* See Section 6.14
 6. *Engineering Design Standards:* sidewalks along public and private streets shall be provided in accordance with the City of Shelbyville Construction Standards.
- C. **Sidewalks:** Pedestrian walkways and sidewalks shall be provided on each lot in order to promote pedestrian access and reduce vehicle traffic impacts. Sidewalks shall meet the following requirements.
1. *Applicability:* A sidewalk is required to be installed when a new primary structure is constructed or when a primary structure is enlarged by twenty percent (20%) or greater. Sidewalks are also required to be installed in front of any lot created after the effective date of the Unified Development Ordinance once it has sat vacant for twenty-four (24) months (if a single lot was created), or twenty-four (24) months from the date the first certificate of occupancy was issued (if a multiple-lot subdivision) and where infrastructure exists.
 2. *Location:* Public sidewalks shall be provided along the frontage of each lot in order to promote pedestrian access and reduce vehicle traffic impacts. All required pedestrian walkways shall be constructed consistent with the sidewalk standards provided in Section 6.14: Sidewalk and Pedestrian Path Standards and the Shelbyville Construction Standards. When the Shelbyville Bicycle and Pedestrian Master Plan, or any other section or element of the Comprehensive Plan, indicates the need for dedicated bicycle and pedestrian infrastructure adjacent to or in close proximity to a proposed development, those enhanced improvements may be required as deemed necessary by the Zoning Administrator or City Engineer. These types of improvements can include, but are not limited to; asphalt trails, wider sidewalks, on-street bike lanes, protected bike lanes, or additional pedestrian safety signage.
 3. *Customer Entrances and Internal Sidewalk System:* All sides of a principal building that directly face an abutting public street shall feature at least one (1) customer entrance. Where a primary structure directly faces more than two (2) abutting public streets, this requirement shall apply only to the two (2) sides of the primary structure including the side of the primary structure facing the primary street and another side of the building facing the second street.
 - a. Continuous sidewalks shall be provided from the public sidewalks to the main customer entrance of the structure on each lot and along the facade of the building that includes a customer entrance, or that abuts a parking area.
 - b. Sidewalks connecting the store entries with the public sidewalks shall be concrete or similar durable material, and a minimum of ten (10) feet in width.
 - c. Sidewalks shall be bordered by a planting area that is a minimum two (2) feet in width when practical. Otherwise on-site sidewalks shall have a curb or other design feature that distinguishes and separates them from vehicular areas. The planting areas shall be planted with flowers, shrubs, and/or trees for a minimum of fifty percent (50%) of their length. The remainder shall be planted with grass or shall be mulched.
 - d. All internal sidewalks shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the sidewalks.
 - e. Places where pedestrians have to cross aisles, access roads, or driveways shall be a paving material different from that of the vehicle surface to clearly distinguish them as a pedestrian route.

Commercial Standards (CM)

- f. Sidewalks, no less than ten (10) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance and along any facade abutting public parking areas. Such sidewalks shall be located at least six (6) feet from the facade of the primary structure to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
 - g. A full ten (10) feet of sidewalk width shall continuously remain unencumbered by merchandise, machines, and other items that could block the use of the sidewalk.
 - h. Weather protection features ten (10) feet in depth, such as awnings or arcades, shall be provided over all sidewalks beyond thirty (30) feet of the edge of the frame of the entrance, on both sides, of all customer entrances. See Exhibit CM-02 below for guidance.
4. *Fee-In-Lieu*: In some scenarios, all or part of the public sidewalk required in this standard is not practical or safe to install at the time of development. When the City Engineer determines that it is in the public interest to not have all or some of the public sidewalk installed at the time that the rest of the site is developed, the petitioner shall pay a fee-in-lieu and then be exempt from installing those portions of the public sidewalk.
- a. Decision Criteria: Decision Criteria: The City Engineer shall make this determination, in writing, based on the following decision criteria:
 - i. There are no sidewalks within 1,320 feet of the exterior boundaries of the project, and it is unlikely that there will be development within 1,320 feet that would facilitate the installation of sidewalks at any point in the future.
 - ii. A stormwater drainage ditch or similar public utility facility prevents the installation of the sidewalk, and neither the sidewalk nor the facility can be reasonably relocated to accommodate both the sidewalk and the facility.
 - iii. The topography would require the construction of a retaining wall more than six-feet in height to accommodate the sidewalk.
 - iv. There is a planned roadway or infrastructure improvement scheduled to be implemented within the next five-years which would require the removal or relocation of the required sidewalk.
 - v. Other unusual circumstances that are unique to this specific site make the sidewalk installation requirement unreasonable or inappropriate.
 - b. Determination of Fee Amount: This fee shall be based on the square footage of the sidewalks which are being exempted from installation, and the petitioner’s engineer or contractor’s estimate of the cost of the improvements and their installation, and the petitioner’s engineer or contractor’s estimate of the cost of the improvements and their installation. The City Engineer shall make the final determination of the fee to be paid based on the foregoing criteria.
 - c. Deposit of Funds: All fees paid-in-lieu of sidewalk construction shall be deposited into the “Sidewalk Fund” established by Ordinance No. 25-3047.

Exhibit CM-02



D. Parking:

1. *Allocation of Parking:* No more than fifty percent (50%) of the parking spaces shall be placed between the front facade of the primary structure and any single adjacent street.
 - a. *Parking Lot Restrictions:* Parking areas restricted to patrons of the business located on each specific lot shall be prohibited. Nothing in this section shall be interpreted as restricting the designation of employee, delivery, pick-up, or handicap parking areas, or prohibiting of loitering.

E. Outdoor Storage, Trash Collection, and Loading Areas: Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed, or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas behind the building or on those sides of primary structures that do not have customer entrances, or between primary structures where more than one (1) primary structure is located on a site and such buildings are not more than forty (40) feet apart or on those sides of primary structures that do not have customer entrances.

1. No areas for outdoor storage, trash collection or compaction, loading or other such uses shall be located within twenty (20) feet of any public street, public sidewalk or internal pedestrian way.
2. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction and other service functions shall be incorporated into the overall design of the primary structure and the landscaping.
 - a. These shall be made of materials consistent with the exterior of the primary structure, and shall completely enclose the area so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets
3. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors and design of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors on the primary structure. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the primary structure.

Density and Intensity Standards (DI)

5.11 DI-01: Density and Intensity Standards

This Density and Intensity Standards (DI) section applies to the following districts:



The following standards apply:

- A. Applicability: If a density or intensity standard does not appear on the two-page layout for a zoning district, then no density or intensity standard applies to that particular zoning district.
 1. *Maximum Lot Coverage*: The maximum lot coverage shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.
 2. *Maximum Primary Structures*: The maximum number of primary structures on one (1) lot or multiple lots used in combination shall be as indicated on the applicable two-page layout in *Article 2: Zoning Districts*.

Entrance and Drive Standards (ED)

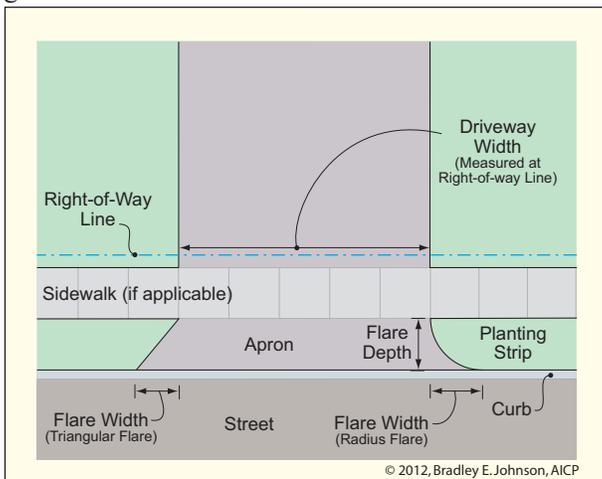
5.12 ED-01: General Driveway Standards

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



The following standards apply:

- A. **Project Applicability:** Any new or expanded access to a public right-of-way intended for vehicular or farm equipment use shall be considered a driveway and shall meet the Driveway Standards of the Unified Development Ordinance.
 1. *Residential Limits:* Access to four (4) or more single-family lots or access to four (4) or more dwelling sites within a manufactured home park shall be established as a public or private street and meet the applicable standards within the City of Shelbyville's Construction Standards.
 2. *Non-residential Limits:* Access to four (4) or more non-residential lots and that conveys over 2,000 vehicles on average per day shall be established as a public or private street and meet the applicable standards within the City of Shelbyville's Construction Standards.
- B. **Cross Reference:** Some regulations related to Driveway Standards are not included in this section. Please refer to the following documents for additional information and regulations:
 1. *Street Classification:* The classification of streets shall be based on the Thoroughfare Plan located in the *City of Shelbyville Comprehensive Plan*.
 2. *Design Standards:* A driveway shall meet or exceed the City of Shelbyville's Construction Standards.
- C. **Permits:** A Right-Of-Way Permit may be required in accordance with the policies of the City of Shelbyville Office of the Engineer for all driveway cuts onto public streets. The Engineering Department reviews and issues the Right-Of-Way Permit in the City of Shelbyville and shall be issued prior to the receipt of an Improvement Location Permit.
 1. *State and Federal Highways:* An Indiana Department of Transportation permit shall be required as a prerequisite to the Driveway Permit for all driveway cuts onto State or Federal highways.
 2. *County Roads:* Streets located outside the corporate limits of Shelbyville shall first get approval for driveway cuts from the Shelby County Commissioners Office.
- D. **Measurement Rules:**
 1. *Between Driveway and Street Intersection:* The distance between a driveway and a street intersection shall be determined by measuring from the edge of pavement of the driveway to the nearest right-of-way line of the street that is parallel or mostly parallel to the driveway. This measurement shall be taken at the right-of-way line of the street to which the driveway gains access.
 2. *Between Driveways:* The distance between driveways shall be determined by measuring from the edge of pavement of one (1) driveway to the nearest edge of pavement of the other driveway at the right-of-way line of the street to which the driveways gain access.
 3. *Driveway Width:* The width of a driveway shall be determined by measuring from one (1) edge of the driveway surface to the other edge of the driveway surface at the right-of-way line of the street to which the driveway gains access.



Entrance and Drive Standards (ED)

E. Positioning:

1. *Alignment*: The centerline of two (2) driveways accessing an arterial or collector street from opposite sides of the street shall align with each another, or shall meet the applicable driveway separation requirements.
2. *Clear Vision of Driveways*: All driveways shall be located to reasonably prevent collisions with intersecting traffic.
 - a. Driveways gaining access to streets with a posted speed limit of thirty miles per hour (30 MPH) or less shall be located such that they are visible by a driver for at least sixty (60) feet after cresting a hill, rounding a curve, or passing any other physical barriers that prevent clear vision.
 - b. Driveways gaining access to streets with a posted speed limit of thirty-five miles per hour (35 MPH) to forty-five miles per hour (45 MPH) shall be located such that they are visible by a driver for at least 120 feet after cresting a hill, rounding a curve, or passing any other physical barriers that prevent clear vision.
 - c. Driveways gaining access to streets with a posted speed limit of fifty miles per hour (50 MPH) or higher shall be located such that they are visible by a driver for at least 200 feet after cresting a hill, rounding a curve, or passing any other physical barriers that prevent clear vision.
3. *Additional Separation*: Either the Zoning Administrator or the Engineer may deny a proposed driveway location or require additional separation due to other safety concerns, including, but not limited to, width of the public street, condition of the public street, lack of shoulder, natural or man-made hazards, adverse shadowing from natural or man-made features, and adverse drainage on or around the public street.

- F. Discretion: The Zoning Administrator, or Engineer may determine if public improvements such as acceleration lanes, deceleration lanes, passing blisters, wider shoulders or approaches, frontage streets, or other improvements are necessary. See *Section 5.53: Public Improvement Standards*.

Entrance and Drive Standards (ED)

5.13 ED-02: Agricultural Driveway Standards

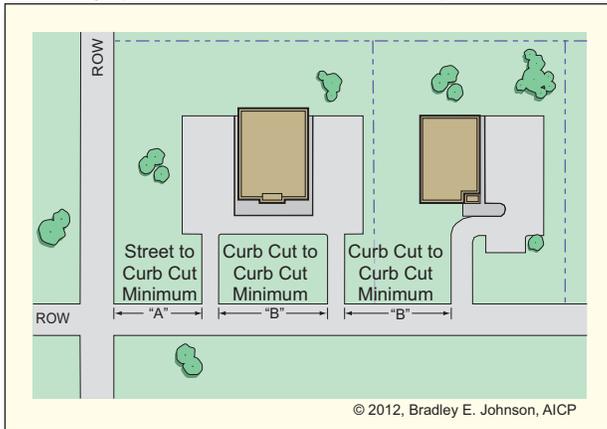
This Entrance and Drive Standards (ED) section applies to the following zoning districts:



The following standards apply:

A. Separation:

1. *From Street Intersection*: A driveway shall not be permitted to be installed within 100 feet of any intersecting street (see “A” below in illustration).
2. *From Another Driveway*: A driveway shall not be permitted to be installed within sixty (60) feet of another driveway (see “B” below in illustration).



- B. Width: A driveway shall not exceed thirty (30) feet in width.
- C. Materials: Asphalt, concrete, pavers, pervious pavement, other durable paving materials approved by the Zoning Administrator, or gravel shall be acceptable driveway surface materials.
- D. Setback: All driveways shall be setback at least ten (10) feet from side property lines.

Entrance and Drive Standards (ED)

5.14 ED-03: Residential Driveway Standards

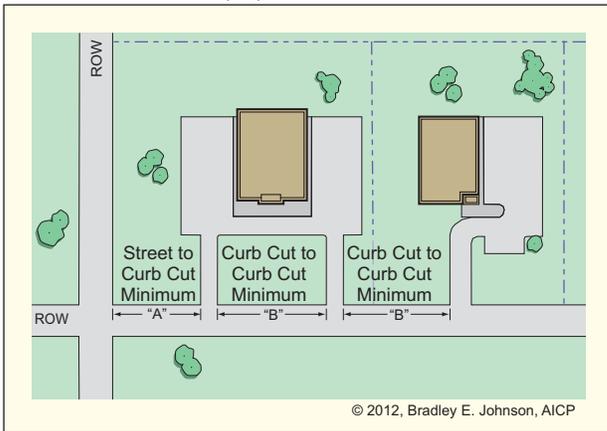
This Entrance and Drive Standards (ED) section applies to the following zoning districts:



The following standards apply:

A. Separation:

1. *From a Street Intersection:* A driveway shall not be permitted to be installed:
 - a. Within 150 feet of any intersecting street if access is along an arterial or collector street (see “A” below in illustration).
 - b. Within 100 feet of any intersecting street if access is along a local street (see “A” below in illustration).
 - c. If the lot is not large enough to achieve the required separation, then the driveway shall be installed at the location farthest from the intersection.
2. *Between Driveways:* Unless a shared driveway is established, two (2) or more driveways shall not be permitted to be installed:
 - a. Within 100 feet of each another if access is along an arterial or collector street (see “B” below in illustration).
 - b. Within sixteen (16) feet of one another if access is along a local street (see “B” below in illustration).



B. Width:

1. *Minimum Width:* At least nine (9) feet wide.
2. *Maximum Width:*
 - a. Lots with frontage of forty (40) feet or less shall have a maximum driveway width of twenty-four (24) feet, measured only at the right-of-way line and not including any "flare" designed into the driveway.
 - b. Lots with frontage greater than forty (40) feet shall have a maximum driveway width of twenty-eight (28) feet, measured only at the right-of-way line and not including any "flare" designed into the driveway.

C. Materials: Driveways shall consist of asphalt, concrete, pavers, pervious pavement, or other durable paving material approved by the Zoning Administrator.

D. Setback: Driveways shall be setback at least three (3) feet from side property lines unless a shared driveway is established.

E. Shared Driveway:

1. *Easement Required:* Shared driveways shall be permitted, but they shall be placed in a shared driveway easement per the easement standards or other legal mechanism but the lot shall have the required frontage per the Lot Standards.
2. *Width:* Shared driveways shall not exceed twenty-eight (28) feet in width, measured only at the right-of-way line and not including any "flare" designed into the driveway.

F. Maximum Driveways:

1. *Narrow Lots:* Lots with frontage of two hundred feet or less shall have a maximum of one (1) driveway.
2. *Wide Lots:* Lots with frontage greater than two hundred feet may have up to two (2) driveways (e.g. looped driveway). However, the driveways shall maintain the minimum separation requirements listed above in *Section 5.14(A)(2): Between Driveways.*

Entrance and Drive Standards (ED)

5.15 ED-04: Non-residential Driveway Standards

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



The following standards apply:

A. **Separation:** The following tables shall regulate separation from a street and from another driveway or entrance.

Table ED-A: Driveway Separation Distances from Another Street (see "A" below in illustration)

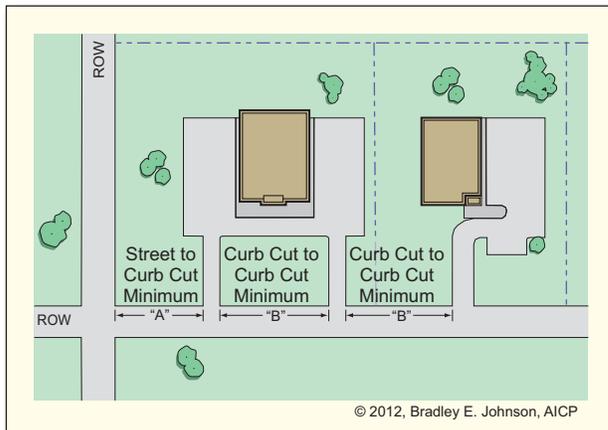
Type of Facility	Arterial	Collector	Local
Right-in Only	300 feet**	100/200* feet	75/150* feet
Right-out Only	300 feet**	200 feet	150 feet
2-way Traffic	300 feet	250 feet	150 feet
2-way Traffic Entrance with Bidirectional Turn Lane on Street	300 feet	250 feet	150 feet

* First number is separation distance if drive upstream from an intersection/driveway and second number is separation distance if drive downstream from an intersection/driveway.
** Entrances on Arterial can be reduced by 100 feet when the speed limit is 20 to 30 MPH.

Table ED-B: Driveway Separation Distances from Another Driveway/Entrance (see "B" below in illustration)

Type of Facility	Arterial	Collector	Local
Right-in Only	200/300* feet**	150/100* feet	75 feet
Right-out Only	250 feet**	150 feet	100 feet
2-way Traffic	300 feet	200 feet	100 feet
2-way Traffic Entrance with Bidirectional Turn Lane on Street	250 feet	150 feet	100 feet

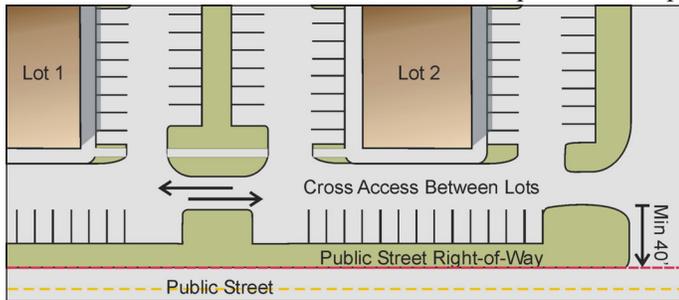
* First number is separation distance if drive upstream from an intersection/driveway and second number is separation distance if drive downstream from an intersection/driveway.
** Entrances on Arterial can be reduced by 100 feet when the speed limit is 20 to 30 MPH.



1. **Aligned Entrances and Driveways:** Separation from another entrance or drive aligned directly across the opposite side of the street shall not be required as long as the centerline of the two (2) opposing entrances or driveways are not offset by more than fifteen (15) feet. This provision also applies when a street is directly across from a new entrance or driveway.
- B. **Width:** An access road shall be at least twenty (20) feet wide, but not exceed twelve (12) feet per lane and thirty-six (36) feet in overall width. The access road shall also have thirteen feet, six inches (13' 6") of unobstructed vertical clearance.
- C. **Materials:** An access road shall consist of asphalt, concrete, pavers, pervious pavement, or other durable paving material approved by the Zoning Administrator.
- D. **Setback:** An access road shall be setback at least ten (10) feet from side property lines.
- E. **Curbs:** When curbs are established along the subject property, the curb shall be extended to the property line from the edge of pavement for all access roads, following the edge of the access road.

Entrance and Drive Standards (ED)

- F. **Design Requirements:** All access roads, entrances, and interior drives shall conform to the following design requirements:
1. **Curbs:** All entrances for non-industrial uses shall be completely curbed. Curbing shall not be required for non-industrial uses only if, in the opinion of the City Engineer, the drainage system for the property shall be best served if curbs were not present.
 2. **Internal Linkages:** All commercial uses shall provide interior drives and sidewalks that allow access between existing and proposed commercial uses on adjacent properties.
 - a. **Cross-access Required:** The access road shall be designed as single two-way access road or a pair of one-way access roads which provide access each direction between adjacent parking lots and interior access road. Sidewalks, measuring a minimum of four (4) feet in width, shall also be provided to allow pedestrian access between adjoining properties.
 - b. **Applicable Standards:** The cross-access access road shall be designed consistent with the requirements of this Article.
 - c. **Separation:** Interior drives providing cross-access between adjacent parcels that serve to create a frontage road parallel to a public street from which access to the properties is provided shall be separated from the right-of-way of any such street by a minimum of forty (40) feet unless otherwise specified by the City Engineer (based on the stacking requirements of vehicles exiting the property onto the public road). Any such access road shall be differentiated and separated from parking lots by curbing and landscape areas.



Environmental Standards (EN)

5.16 EN-01: Environmental Standards

These Environmental Standards (EN) apply to the following zoning districts:



- A. **Land Suitability:** No land should be used or structure erected where the land is unsuitable for such use or structure due to slopes; adverse soil or rock formations; erosion susceptibility; or any other feature determined by the Zoning Administrator, City Engineer, or Plan Commission to be harmful to the health, safety, prosperity, and/or general welfare of the community.
- B. **Preservation of Natural Features:** Existing natural features that would add value to the development of the City, such as mature trees, streams, lakes, wetlands, stream-side forests (riparian areas), floodplains, and similar irreplaceable assets should be preserved through harmonious and careful design. Land to be developed should be designed and improved as far as practical in conformity to existing topography in order to minimize storm water runoff and to conserve the natural cover and soil.
 1. *Wetlands:* Wetland areas should be managed consistent with all applicable standards of the U.S. Army Corps of Engineers and the Indiana Department of Environmental Management.
 2. *Stream-side Forests (Riparian Areas):* Stream-side forests should be managed consistent with standards adopted by the National Resource Conservation Service as expressed in the *Conservation Practice Standards for Riparian Forest Buffers (Code 391)* and all subsequent amendments and revisions.
 3. *Floodplains:* Floodplains shall be managed consistent with the *Floodplain Standards*.
- C. **Conservation of Historic Features:** Existing historic features that would add value to the development of the City, specifically historic landmarks (such as those listed as "outstanding", "notable", or "contributing" in the Indiana Department of Natural Resources *Indiana Historic Sites and Structures Inventory - Shelby County Interim Report* or listed on the *National Register of Historic Places* or *Indiana Register of Historic Sites and Structures*) and similar irreplaceable assets should be preserved through harmonious and careful design.
- D. **Ground Cover:** Any part or portion of a non-farm parcel that is not used for structures, loading or parking spaces, sidewalks, or accessory uses shall be landscaped or left in a natural state that complies with the applicable weed and nuisance ordinances of the City of Shelbyville. If landscaped, it shall be planted with an all season ground cover and with trees and shrubs in accordance with the requirements of this Ordinance and in keeping with natural surroundings.
- E. **Cut/Fill Grade:** No cut or fill grade should exceed a slope of three-to-one (3:1). This provision shall apply to all cuts and fills exceeding 100 square feet in exposed surface area, including cuts or fills on land naturally exceeding a three-to-one (3:1) rise-to-run in slope. Cut and fill grade exceeding three-to-one (3:1) rise-to-run in slope may be permitted using retaining walls and/or terraces subject to the approval of the City Engineer. Cut and fill practices which remove natural topography and/or alter natural drainage should be minimized.
- F. **Treatment of Fill:** Material used for fill where permitted by this Ordinance and/or by the Indiana Department of Environmental Management, Indiana Department of Natural Resources, or other governmental agency should be promptly covered and seeded.
- G. **Erosion Prevention:** All erosion prevention measures shall meet the Indiana Department of Natural Resources, Indiana Department of Environmental Management, and Shelbyville MS4 Operator Standards for erosion control. Generally all erosion control measures should make use of best management practices that ensure the long-term operation and maintenance of the control features.
- H. **Surface Water:** It shall be the responsibility of the owner of any lot or parcel of land developed for any use to provide for adequate surface water drainage.
 1. Existing natural surface drainage should be used where practical.
 2. Whenever the evidence available indicates that the natural surface drainage is inadequate, the owner shall provide the parcel with an adequate surface water drainage system that shall be integrated into the drainage patterns of surrounding properties.
 3. Swales that provide drainage for a property or properties other than that upon which they are located are required to be placed in an easement meeting the specifications of the Shelbyville Storm Water Technical Standards and the City Engineer to prohibit future filling or constructing.
 4. On-site detention meeting the standards set forth in the Shelbyville Storm Water Technical Standards shall be required unless a written statement by the City Engineer indicates that it is not necessary to prevent harm to adjoining properties.

Environmental Standards (EN)

5. All drainage plans are subject to review and approval by the City Engineer and the City of Shelbyville MS4 Operator.
- I. Drainage Swales: Drainage swales within dedicated drainage easements are not to be altered except for maintenance as originally constructed and approved by the City Engineer and/or MS4 Operator.
- J. Regulated Drains: No permanent structures, other than fences, may be erected within seventy-five (75) feet of the center line of any regulated tile ditch, or within seventy-five (75) feet of the existing top of bank of any regulated open ditch or tile unless approved by the Shelby County Drainage Board.
- K. Alterations to Bodies of Water: No alteration of the shoreline or bed of a river, wetland, or public lake shall be made until written approval is obtained from the Indiana Department of Environmental Management and/or Indiana Department of Natural Resources and any necessary approvals are obtained from the U.S. Army Corp. of Engineers. Alterations include, among other things, filling of a pond, river, or wetland.
- L. Retention Ponds and Pond Edges: The use of "rip-rap" or any other engineered hard edges is prohibited except around inlets and outlets, and shall not exceed ten percent (10%) of the lineal feet of the total edge of any retention facility or pond. Ponds shall be properly and adequately aerated to prevent stagnation and septic conditions.
- M. Environmental Quality: All development shall be in compliance with Title 13 of the Indiana Code, as amended, as it relates to air pollution control, water pollution control, solid waste management, and other issues of environmental quality.
- N. Hazardous Waste: All development shall be in compliance with Title 7 of the Indiana Code, as amended, as it relates to hazardous waste, low level nuclear waste, underground storage tanks, waste tires, and other materials.
- O. Waste/Debris: All properties at all times shall be maintained and used only in a clean, neat and well-groomed condition and be free from all natural and man-made debris, junk, rubbish, trash, weeds, and similar items.
1. *Waste Stored Outdoors*: No waste materials such as, but not limited to, garbage, rubbish, household appliances, inoperable vehicles, furniture designed for interior use, gasoline, oil, flammables, soils, tars, chemicals, greases, dead plant material, noxious weeds, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature that contaminates, pollutes, or harms water bodies or ground water, provides a habitat for disease carrying animals and insects, or represents a public safety hazard shall be deposited, located, stored, or discharged on any lot.
 2. *Waste Stored in Structures*: Waste shall not be allowed to accumulate within structures in a manner that is inconsistent with applicable regulations for the storage of such materials.
- P. Fuel Storage: All highly flammable or explosive liquids, solids, or gasses shall meet all requirements of the State Fire Marshal.

Fence, Hedge, and Wall Standards (FW)

5.17 FW-01: General Fence, Hedge, and Wall Standards

These Fence, Hedge, and Wall Standards (FW) apply to the following districts:

PK AG AR R1 R2 RM MP IS BN BC BG BH IL TG HI

- A. **General Requirements:** Fences, hedges, and walls shall be permitted in all zoning districts without a permit subject to conformance with the following requirements:
 1. *Structural Face:* All fences and walls shall present the non-structural face outward.
 2. *Setbacks:* All fences, hedges, and walls may be permitted up to any property line as long as the property owner is able to maintain both sides of the fence. No fence, hedge, or wall may be placed in any right-of-way or required sight visibility triangle that is more than two feet six inches (2'6") tall.
 3. *Buffer Yards:* No fence or wall may be placed in any required buffer yard that does not specifically provide for the inclusion of fences.
 4. *Maintenance:* All fences, hedges, and walls shall generally be kept in good repair.
 5. *Gates:* All gates located within three (3) feet of a sidewalk or driveway shall only swing inward. At no time can any gate that opens outward encumber a sidewalk or other public way.
- B. **Height Exceptions:** Fences specifically required by this Ordinance for screening, enclosing swimming pools, or other purposes may exceed the maximum heights established by this Article in a manner consistent with the specific alternate requirements of this Ordinance.
- C. **Height Measurement:** The height of a fence shall be determined by measuring from grade level to the highest point of the fence, including any posts or finials.

5.18 FW-02: Residential Fence, Hedge, and Wall Standards

These Fence, Hedge, and Wall Standards (FW) apply to the following districts:

R1 R2 RM MP

- A. **Height Requirements:**
 1. *Height:* Fences, hedges, and walls shall not exceed eight (8) feet in height in any side or rear yard or three (3) feet in height in any front yard. For the purposes of this requirement, the front yard shall be defined as all areas located between any adjacent streets and the walls of the primary structure that face them.
 2. *Corner Lots:* On corner lots, fences, hedges, and walls may be placed in rear yards and areas designated as front yards located along the side of the primary structure (i.e. the home) as long as it is outside the sight visibility triangle; and shall not exceed eight (8) feet in height.
- B. **Material Requirements:**
 1. *Permitted Materials:* Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl, zinc, or powder coated chain link, and galvanized chain link shall be permitted materials for fences and walls. Fences may incorporate chicken wire or mesh wire only if the wire is within a wooden framed panel.
 2. *Prohibited Materials:* Fences and walls shall not incorporate chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, barbed wire, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials.

5.19 FW-03: Parks and Recreation and Business Fence, Hedge, and Wall Standards

These Fence, Hedge, and Wall Standards (FW) apply to the following districts:

PK BN BC BG BH

- A. **Height Requirements:** Fences, hedges, and walls shall not exceed eight (8) feet in height in any side or rear yard and shall not extend past the front facade of the primary structure.
- B. **Prohibited Fences:** All electrified, razor wire, barbed wire, and stockade fences are prohibited on all lots not used for agricultural purposes.

Fence, Hedge, and Wall Standards (FW)

5.20 FW-04: Institutional and Industrial Fence, Hedge, and Wall Standards

These Fence, Hedge, and Wall Standards (FW) apply to the following districts:



- A. Height Requirements: Fences, hedges, and walls shall not exceed eight (8) feet in height in any side or rear yard and shall not extend past the front facade of the primary structure.
- B. Prohibited Fences: All electrified, razor wire, and stockade fences are prohibited on all lots not used for agricultural purposes.
 1. *Penal and Correctional Facilities*: Penal and correctional facilities shall be exempt from this standard.
 2. *Barbed Wire*: All commercial and industrial uses shall be permitted to use barbed wire topped fencing for security purposes.

Floodplain Standards (FP)

5.21 FP-01: Floodplain Standards

These Floodplain Standards (FP) apply to the following districts:

- PK
- AG
- AR
- R1
- R2
- RM
- MP
- IS
- BN
- BC
- BG
- BH
- IL
- TG
- HI

A. Cross Reference: See the *City of Shelbyville Flood Hazard Area Ordinance*.

Floor Area Standards (FA)

5.22 FA-01: General Floor Area

The Floor Area Standards (FA) section applies to the following zoning districts:



The following standards apply:

- A. Applicability: If a floor area standard does not appear on the two-page layout for a zoning district, then the standard does not apply to that particular zoning district.
- B. Minimum Main Floor Area: The minimum main floor area shall be per each two-page layout in *Article 2: Zoning Districts*.
- C. Minimum Dwelling Unit Size: The minimum dwelling unit size shall be per each two-page layout in *Article 2: Zoning Districts*.

Height Standards (HT)

5.23 HT-01: Height Standards

This Height Standards (HT) section apply to the following zoning districts:



- A. **Height Requirements:** In all instances, the height of a structure shall be measured from grade level at the lowest point of the base of the structure to the highest point on the structure.
1. *Maximum Primary Structure Height:* The maximum primary structure height shall be per each two-page layout in *Article 2: Zoning Districts*.
 2. *Maximum Accessory Structure Height:* The maximum accessory structure height shall be per each two-page layout in *Article 2: Zoning Districts*.
- B. **Cross Reference:**
1. *Signs:* See *Sign Standards* for specific limitations for signs.
 2. *Telecommunication Tower:* See *Section 5.71: Telecommunication Facility Standards* for specific limitations for telecommunication towers.
 3. *Amateur Radio Towers:* See *Section 5.03: General Accessory Structure Standards* for specific limitations for amateur radio towers.
- C. **Exceptions:** No structure may be erected or changed so as to make its height greater than specified in the applicable zoning district, except as noted below. For the purposes of this section, the height of church steeples, chimneys, and other structures that are attached or otherwise a part of another structure shall be measured from grade level.
1. *General Exceptions:* The following structures may exceed the permitted height regulations by two-fold (2X):
 - a. Church steeples;
 - b. Spires, belfries, and cupolas; and
 - c. Utility transmission towers and poles.
 2. *Necessary Appurtenances:* The following structures may exceed the permitted height standards for the district in which they are located by up to ten (10) feet:
 - a. Necessary mechanical appurtenances and water tanks,
 - b. Chimneys,
 - c. Fire Towers,
 - d. Stair Towers,
 - e. Elevator bulkheads.
 3. *Agricultural Structures:* All structures used in agricultural products storage and processing may exceed the permitted height standards for the district in which they are located and be erected to any height which is necessary for their operation. This exemption shall not be interpreted as applying to commercial agricultural structures, such as commercial grain terminals and similar uses.
 4. *Water Towers:* Water Towers may exceed the permitted height standards for the district in which they are located and be a erected to a maximum height of 200 feet.
- D. **Airport Height Requirements:** Nothing in this Ordinance, including the exceptions listed above shall be interpreted as waiving any height regulations related to airport functions. All applicable Federal Aviation Administration (FAA) and AR-OL zoning district (see *Article 3: Overlay Districts*) height restrictions shall apply to all structures consistent with the Layout Plan for the Shelbyville Airport. Any proposal for a structure exceeding 200 feet in height shall be submitted to the FAA for review.

Home Occupation Standards (HB)

5.24 HB-01: Home Occupation Standards

These Home Occupation Standards (HB) apply to the following zoning districts:



A home occupation shall be permitted as accessory to any dwelling unit consistent with the *Accessory Use and Structure Standards* in *Article 5: Development Standards*. A variance shall be required for any proposed home occupations that do not comply with the following requirements.

- A. **Business Activities:** The face-to-face wholesale/retail sale of stocked inventories is not permitted, except for incidental sales that do not exceed twenty-five percent (25%) of the total home occupation sales. Manufacturing activities are not permitted. Mail-order/telephone/internet sales, as well as distribution of sold merchandise is permitted.
- B. **Equipment:** The equipment used for the home occupation shall not alter the exterior appearance of the home.
- C. **Effects of Operation:** There shall be no equipment or process used in the home occupation that creates noise, vibration, glare, smoke, fumes, odors, or electrical interference that is detectable off the premises, as determined by the Zoning Administrator. There shall be no electrical or mechanical equipment utilized in the home occupation that will create any visual or audible interference with radio or television reception.
- D. **Owner/Operator:** At least one (1) person age eighteen (18) or older, residing within the dwelling shall be the primary operator of the home occupation.
- E. **Employees:** The home occupation may not involve the on-site employment of any person other than those residing at the location of the home occupation.
- F. **Outdoor Storage/Display:** The property shall not contain any exterior storage of products, equipment, or materials that are related to the home occupation.
- G. **Business Area:** The business or service provided shall be located within the dwelling and/or an accessory building, and shall not exceed more than twenty-five percent (25%) of the total combined floor area of the primary structure and accessory structure or a total of 500 square feet of the combined floor area of the structures involved, whichever is less.
- H. **Structural Alterations:** The home occupation shall not require any structural or aesthetic alterations to the structure that change its residential character.
 - 1. **Appearance:** The dwelling shall not be altered in its appearance, and the home occupation shall not be conducted in such a manner as to differentiate the dwelling from the residential character of the area by the use of colors, materials, construction, or lighting.
 - 2. **Entrances:** The home occupation shall not require any additional entrances to the structure.
 - 3. **Utility Services:** The home occupation shall not require increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical systems beyond what is standard for a residence.
 - 4. **Interior:** There shall be no alterations to the interior of the dwelling to accommodate the home occupation that would render the structure undesirable for residential use.
- I. **Customers/Parking:** No additional parking spaces shall be installed to accommodate the home occupation, other than those spaces required for the dwelling itself.
- J. **Deliveries:** The home occupation shall not require the regular use of commercial vehicles for pickup and deliveries other than the U.S. Postal Service or other small package carriers.
- K. **Signs:** Home occupation signs are regulated in Sign Standards, *Sections 5.58 through Section 5.68*.

Industrial Standards (IN)

5.25 IN-01: Industrial Standards

This Industrial Standards (IN) section applies to the following zoning districts:



- A. **Applicability:** All uses placed into operation after the effective date of this Ordinance shall comply with the following general standards in the interests of protecting public health, safety, and general welfare and lessening potential damage to property. No use in existence on the effective date of this Ordinance shall be altered or modified in a manner that conflicts with these standards.
- B. **Exemptions:** The industrial standards provided by this Article shall be subject to the following exemptions:
1. *Farming Operations:* Any applicable "Right to Farm" laws may supersede these standards as they pertain to farming and agricultural uses.
 2. *General Exemptions:* The following uses, activities, and circumstances shall be exempt from the standards established by this Article:
 - a. Site preparation or the construction, maintenance, repair, alteration, or improvement of structures, equipment, or other improvements on or within the lot lines of the subject property;
 - b. The operation of motor vehicles for the transportation of personnel, material, or products; and
 - c. Public safety sirens and related apparatus used solely for public purposes and/or necessary for the protection of life, limb, or property.
- C. **General Standards:**
1. *Smoke and Particulate Matter:* No use on a property should release fly ash, dust, smoke, or any other type of particulate matter which violates the air quality standards established by the Indiana Department of Environmental Management or Clean Air Act.
 2. *Electrical Disturbance:* No use on a property should cause electrical disturbance adversely affecting the operation of radios, televisions, or any other equipment on any other lot in the vicinity. All applicable regulations of the Federal Aviation Administration shall apply to all operations which may adversely affect the navigation or control of aircraft.
 3. *Fire and Explosive Hazards:* The storage, utilization, and/or manufacture of all flammable and/or explosive materials shall conform to the applicable requirements of the Indiana Department of Fire and Building Services and the prescribed standards of the National Fire Protection Association. Fire fighting equipment and prevention measures shall be subject to the approval of the Shelbyville Fire Department and shall be readily available and apparent when any activity involving the handling and storage of flammable or explosive materials is conducted.
 4. *Noise:* No use on a property should create an objectionable production or operational noise (including loud speakers and/or paging systems), or combination of noises, detectable at the boundary line of any residential or commercial zoning district.
 5. *Odor:* No use on a property should emit any odor, or combination of odors, that is detectable at the boundary line of any residential or commercial zoning district.
 6. *Vibration:* No use on a property should cause any objectionable vibrations or concussions that are detectable without the aid of instruments at the property lines of the lot on which the use is located.
 7. *Glare:* No use on a property should produce any glare that is detectable at the property lines of the lot on which the use is located. All outdoor lighting shall be exempt from these Industrial Standards, but shall comply with *Section 5.38: Lighting Standards*.
 8. *Noxious or Toxic Materials:* No noxious or toxic materials shall accumulate, discharge, or be stored outside of the building. The storage of such materials shall comply with all applicable regulations of the Shelby County Board of Health, the Indiana State Board of Health, and the Indiana Department of Environmental Management.
 9. *Waste Materials:* No use on a property shall accumulate within the lot or discharge beyond the lot lines any waste matter in violation of the applicable standards and regulations of the Shelby County Board of Health, the Indiana State Board of Health, and the Indiana Department of Environmental Management.
 10. *Water Pollutants:* No use on a property shall discharge any material, whether liquid or solid, into public waters without the required approvals of the Shelby County Board of Health, Indiana State Board of Health, Indiana Department of Environmental Management, Indiana Department of Natural Resources, the Indiana Stream Pollution Control Board, and/or the City of Shelbyville MS4 Operator.

Keeping of Animals Standards

5.26 KA-01: Single-family Residential Keeping of Household and Outdoor Pets Standards

This Keeping of Animals Standards section applies to the following zoning districts:

AR R1 R2

The following standards apply:

A. Cross References:

1. *Keeping of Animal Ordinance*: See City Ordinance 90.01 Keeping Animals, Fowl, or Bees.
2. *Keeping of Dangerous Animals Ordinance*: See City Ordinance 90.06 Keeping Dangerous Reptiles and Animals.
3. *Keeping of Vicious or Ferocious Animals*: See City Ordinance 90.12 Vicious or Ferocious Animals.

B. Indoor Pets: Maximum of three (3) dogs, plus three (3) of any other mammalian or reptilian indoor pet species, plus any number of fish.

C. Outdoor Pets: Outdoor pets are permitted as follows:

1. *Minimum Lot Area*: One-fifth (1/5) acre.
2. *Maximum Number of Outdoor Pets*: One (1) outdoor pet per one-fifth (1/5) acre with an absolute maximum of three (3).

D. Farm Animals: All farm animals shall be prohibited except chickens and rabbits, which are permitted as follows:

1. *Chickens*:
 - a. *Minimum Lot Area*: One-fifth (1/5) acre.
 - b. *Maximum Number of Farm Animals*: Three (3) chickens per lot.
 - c. *Permitted and Prohibited Types*: Hens shall be permitted and roosters shall be prohibited.
 - d. *Location*: A chicken coup shall be permitted, but only in the rear yard and within the setbacks applicable to a primary structure in the subject zoning district.
2. *Rabbits*:
 - a. *Minimum Lot Area*: One-fifth (1/5) acre.
 - b. *Maximum Number of Farm Animals*: Four (4) rabbits per lot.
 - c. *Location*: A rabbit hutch shall be permitted, but only in the rear yard and within the setbacks applicable to a primary structure in the subject zoning district. It shall be at least fifty (50) feet from residences on any adjoining lot.

5.27 KA-02: Multiple-family Residential Keeping of Household and Outdoor Pets Standards

This Keeping of Animals Standards section applies to the following zoning districts:

RM MP

The following standards apply:

A. Cross References:

1. *City Ordinance 90.01 Keeping Animals, Fowl, or Bees*.
2. *City Ordinance 90.06 Keeping Dangerous Reptiles and Animals*.

B. Exotic Animals: Exotic animals shall not be permitted.

C. Indoor Pets: Maximum of three (3) dogs, plus three (3) of any other mammalian or reptilian indoor pet species, plus any number of fish.

D. Outdoor Pets: Outdoor pets are not permitted.

Keeping of Animals Standards

5.28 KA-03: Agricultural Keeping of Farm Animals Standards

This Keeping of Animals Standards section applies to the following zoning districts:



The following standards apply:

- A. **Indoor Pets:** Maximum of three (3) dogs, ten (10) of any other mammalian or reptilian indoor pet specie, and any number of fish.
- B. **Outdoor Pets:** Outdoor pets are permitted as follows:
 - 1. *Minimum Lot Area:* One-fifth (1/5) acre.
 - 2. *Maximum Number of Outdoor Pets:* One (1) outdoor pet per one-fifth (1/5) acre with an absolute maximum of three (3).
- C. **Farm Animals:** Farm Animals are permitted as follows:
 - 1. *Minimum Lot Area:* Five (5) acres for all farm animals, except chickens, which require one-fifth (1/5) acre.
 - 2. *Minimum Pasture Area:* Two (2) acres or all farm animals, except chickens, which require one-fifth (1/5) acre.
 - 3. *Maximum Animal Units:* One (1) animal unit per two (2) acres of fenced pasture, except chickens, which shall not exceed five (5) per lot when the lot area is less than five (5) acres, otherwise maximum animal units shall be according to the below chart.
 - 4. *Determination of Animal Units:* See table below.

Animal Type	Animals Per Animal Unit
Cattle, Buffalo, and similar	1
Horse, Mule, Donkey, Camel, and similar	1
Horse (34 inches or less at withers)	3
Swine, Ostrich, Emu, and similar	5
Goat, Sheep, Llama, Alpaca, and similar	5
Chicken, Turkey, Pheasant, and similar	20

- 5. *Other Animal Types:* The Zoning Administrator shall determine "animals per animal unit" for all other species.

Kennel Standards (KL)

5.29 KL-01: Commercial Kennel Standards

This Kennel Standards (KL) section applies to the following zoning district:

AG

The following standards apply:

A. Prerequisites:

1. Minimum Lot Area: All commercial kennels shall be located on a lot with a minimum of two (2) acres.
2. Minimum Fenced Yard: As a minimum, all commercial kennels that provide services for dogs shall have a one-quarter (1/4) acre fenced area. In addition, when a kennel can accommodate more than twenty (20) dogs they shall also maintain a minimum one-eightieth (1/80) acre (i.e. 544 1/2 square feet) of outdoor fenced area for each additional dog on the premises.

B. Minimum Main Floor Area: The commercial kennel shall be a minimum of 1,000 square feet, and shall have an additional minimum of fifty (50) square feet per one (1) domestic pet over the first twenty (20).

C. Commercial Kennel Building: The building required in *Section 5.29(B): Minimum Main Floor Area* shall be mechanically air conditioned and ventilated to eliminate the need to open windows or doors during warm or hot days. Only the building used to board or predominantly keep animals shall be subject to this requirement.

D. Hours of Operation: The commercial kennel may be staffed twenty-four (24) hours per day. The use of outdoor areas shall be limited to eight (8) hours between which shall be allocated between the hours of 8:00 AM and 9:00 PM daily.

E. Setback Standards: All buildings and outdoor containment areas used by the commercial kennel shall be a minimum of 100 feet from all property lines.

F. Noise Containment: Animal noises shall not be audible at or beyond the property line.

G. Fence Enclosures: All outdoor facilities for domestic pets shall be fully fenced-in with wood, vinyl, zinc or powder coated chain link fence, or similar quality product. Invisible fences shall not constitute a sufficient barrier to keep domestic pets contained or to prevent intrusion by other animals.

H. Waste Management: The animal waste shall be managed either by composting, septic system, sanitary sewer or other method approved by the Shelby County Health Department. The commercial kennel shall submit a waste management plan to the Shelby County Health Department for consideration and determination of waste management options.

Kennel Standards (KL)

5.30 KL-02: Home Enterprise Kennel Standards

This Kennel Standards (KL) section applies to the following zoning district:



The following standards apply:

A. Prerequisites:

1. *Minimum Lot Area*: All kennels shall be located on a lot with a minimum of one (1) acre.
2. *Minimum Fenced Yard*: All kennels shall maintain a minimum one-eightieth (1/80) acre (544 1/2 square feet) of outdoor fenced area for each boarding unit for dogs on premises (i.e. the kennel's dog capacity).

B. Maximum Kennel Size: The kennel facility shall not contain more than six (6) domestic pets that are not the owner of the property. However, no more than ten (10) domestic pets shall be kept on the property.

C. Kennel Building Standards:

1. *Kennel Location*: The kennel shall be fully contained in a dedicated space within the primary structure, or in no more than one (1) accessory structure.
2. *Minimum Floor Area*: The kennel shall have a minimum floor area of fifty (50) square feet per one (1) domestic pet, with a prerequisite minimum of 200 square feet.
3. *Kennel Facility*: The kennel facility shall be mechanically air conditioned and ventilated to eliminate the need to open windows or doors during warm or hot days. Only the building used to board or predominantly keep animals shall be subject to this requirement.
4. *Noise Containment*: Animal noises shall not be audible at or beyond the property line.

D. Hours of Operation: The maximum hours of operation (i.e. hours for domestic pet owners to pick-up their animal) for the kennel shall be from 6:00 AM to 9:00 PM daily. The use of outdoor areas shall be limited to two (2) hours between 8:00 AM and 9:00 PM daily.

E. Setback Standards: All outdoor areas used by the kennel shall be a minimum of fifty (50) feet from all property lines.

F. Fence Enclosures: All outdoor facilities for domestic pets shall be fully fenced-in with wood, vinyl, zinc or powder coated chain link fence, or similar quality product. Invisible fences shall not constitute a sufficient barrier to keep domestic pets contained or to prevent intrusion by other animals.

Landscaping Standards (LA)

5.31 LA-01: General Landscaping Standards

These Landscaping Standards (LA) apply to the following districts:



The following standards apply:

- A. **Purpose:** The landscape regulations within the Unified Development Ordinance are intended to guide the development and redevelopment of the City of Shelbyville for the following purposes:
 1. *Quality of Life:* To improve the overall quality of life for all of Shelbyville's citizens by increasing the amount of living landscaping in the community.
 2. *Public Health:* To improve the public's mental and physical health by ensuring living landscapes are present throughout the urban area.
 3. *Future Vision:* To use landscaping to help implement the City of Shelbyville's Comprehensive Plan and all of its elements.
 4. *Community Character:* To use landscaping to help create a sense of place for the City, including within corridors, subdivisions, gateways and neighborhoods.
 5. *Environmental Impact:* To off-set the impacts of development and redevelopment by requiring installation of living plants to improve air quality, decrease stormwater runoff, reduce erosion and provide shade.
 6. *Preservation:* To identify and incentivize preservation of important landscapes and trees.
 7. *Aesthetics:* To preserve and enhance the scenic and natural beauty of the city's landscape.
 8. *Compatibility:* To use landscaping to increase compatibility between different land uses.
 9. *Vision Clearance Standards:* All landscape materials shall be located to avoid interference with visibility per *Section 5.77: Vision Clearance Standards.*
- B. **Cross Reference:**
 1. *Vision Clearance Standards:* All landscape materials shall be located to avoid interference with visibility per *Section 5.77: Vision Clearance Standards.*
- C. **Project Applicability:** Landscape materials consistent with the requirements of the Unified Development Ordinance shall be required when an Improvement Location Permit is obtained for a new primary structure or the expansion of an existing primary structure by fifty percent (50%) or greater.
- D. **Positioning:**
 1. *Easements:* Landscape material shall not be planted in rights-of-way or easements without permission from the City for rights-of-way or easement holder for easements. A tree canopy may project over a right-of-way or easement.
 2. *Movement:* Landscape materials shall be located to avoid interference with vehicular and pedestrian movement. Specifically, plant materials shall not project into sidewalks, pedestrian paths, and the like below a height of six (6) feet. Plant materials shall not project over street curbs or pavement within rights-of-way or access easements below a height of thirteen (13) feet six (6) inches.
 3. *Streetscape:* The unpaved portion of an adjacent right-of-way shall be fine-graded, planted and maintained with vegetative ground cover.
 4. *Setbacks from Well and Septic:* Landscaping should not interfere with or negatively impact the operations of existing or proposed septic systems and/or wells.
- E. **D. Living Plants:** The use of artificial plant material to satisfy the requirements of this ordinance is prohibited, with the exception of artificial turf grass in high-traffic areas when deemed appropriate by the Zoning Administrator.
- F. **E. Public Art:** The City of Shelbyville acknowledges the importance of public art in a community and encourages the use of sculptures and other public art as a component of the site landscaping plan.
- G. **Landscape Design:** Plantings may be clustered or staggered for variety and a natural appearance, or may be spaced in equal increments for a more formal appearance. In most circumstances, plant grouping is encouraged to provide a more naturalistic landscape appearance. The landscape design should make use of plant clusters to block undesirable views, glaring lights, etc.
- H. **Maintenance:** Plants are intended to grow, spread and mature over time. Required minimum landscape material shall be kept alive and in good health. Plants and other landscape material shall be maintained to match the approved landscape plan and shall use landscape industry best practices for trimming, mulching, fertilizing and watering and treatment against disease and pests.
 1. *Replacement Due to Natural Causes:* If a tree or shrub that has been used to meet landscape requirements dies,

Landscaping Standards (LA)

- becomes diseased or is severely damaged by a severe weather event, it shall be replaced in accordance with the approved landscape plan.
2. *Replacement Due to Other Removal*: If a healthy tree or shrub that has been used to meet landscape requirements is removed, it shall be replaced as follows:
 - a. *Deciduous Tree/Shrub*: Replant the site with three (3) deciduous trees/shrubs for each one (1) deciduous tree/shrub that is removed, in accordance with a new landscape plan that has been approved by the zoning administrator. New deciduous trees/shrubs shall meet minimum ordinance size standards.
 - i. Deciduous trees must be replaced with deciduous trees, and may not be substituted with other plant types. Deciduous shrubs must be replaced with deciduous shrubs, and may not be substituted with other plant types.
 - b. *Evergreen Tree/Shrub*: Replant the site with three (3) evergreen trees/shrubs for each one (1) evergreen tree/shrub that is removed, in accordance with a new landscape plan that has been approved by the zoning administrator. New evergreen trees/shrubs shall meet minimum ordinance size standards.
 - i. Evergreen trees must be replaced with evergreen trees, and may not be substituted with other plant types. Evergreen shrubs must be replaced with evergreen shrubs, and may not be substituted with other plant types.
 3. *Pruning*: Plants used to fulfill requirements of this ordinance may not be removed, excessively pruned, or otherwise treated so as to reduce overall height or level of opacity. Excessive pruning, including “limbing-up”, “topping”, and other inhibiting measures, may only be practiced to insure the public safety or to preserve the relative health of the material involved. Pruning that results in removal of more than one-third (1/3) of the height of the plant at the time of pruning shall be considered complete removal; the pruned plant shall be removed and replaced, meeting the requirements of UDO 5.31(H)2 , Replacement Due to Other Removal. Pruning practices must follow the most recent version of ISA ANSI a300 Pruning Standards.
 4. *Maintenance Surety*: The City may, if deemed necessary, require the petitioner to post maintenance surety for the ongoing maintenance of required landscaping.
 - I. *Inspection*: A site is subject to inspection by the Zoning Administrator or their designee at the time of installation and at any time in the future, in order to confirm the accuracy of the installation, the health of plant materials, and the maintenance of the approved landscape plan.
 - J. *Plant Quality*: Plant material and ground covers shall be hardy and free of harmful insects & diseases. All plants shall comply with the most recent version of The American Standard for Nursery Stock (ANSI Z60.1) published by the American Horticulture Industry Association.
 - K. *Ground Cover Required*: Landscaped areas shall have appropriate ground cover which stabilizes soil, reduces solar heat gain, and permits infiltration. All areas not landscaped with hedges or trees shall be provided with grass or other vegetative ground cover.
 1. *Stone Prohibited*: Gravel, limestone, river rock or similar stone materials may only be used for mulching around plants or for landscaping accents, not as general ground cover.
 2. *Erosion Control*: When necessary to meet erosion control requirements, materials other than living ground cover may be used.
 - L. *Landscape Preservation Credits*: The preservation of healthy, mature, native landscape is crucial to the quality of life and the health of the environment in Shelbyville. As such, that preservation is regulated and incentivized in this section. Preservation credits shall be granted toward meeting the landscaping requirements at the following rates:
 1. *Preservation Required*
 - a. *Trees*
 - i. *In Setbacks* -- All existing healthy, mature, non-invasive trees above six (6) inch cal. and located within required setbacks shall be preserved.
 - [a] *Waiver* - The property owner may request that the required preservation of a deciduous tree be waived and the Zoning Administrator may grant said waiver if they find that the preservation of said tree will substantially interfere with future site development.
 - [b] *Eligibility for Credits* - Plants that are required to be preserved in setbacks shall not qualify for “Credits for Preservation” as outlined in UDO 5.31(L)4.
 - ii. *Required Bufferyard*– When a “Bufferyard Type 3” is required, pursuant to UDO 5.36(H), all existing healthy, mature, non-invasive trees shall be preserved.

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2. *In Easements -- Preservation of healthy, mature non-invasive trees within easements is encouraged whenever possible, but is not required.*
3. *Other Landscape Plants -- Preservation of other healthy, mature non-invasive landscape plants is encouraged, but not required.*
4. *Credit for Preservation – A tree being preserved for credit may only satisfy landscaping requirements within the same general area. Trees being used for credits must generally be in the proximity of the UDO landscape requirement they are satisfying, and must be a non-invasive species. I.E. trees satisfying buffer yard requirements must be near property lines.*
 - a. Credits for Deciduous Trees: Preservation of healthy, mature, non-invasive deciduous trees shall constitute an in-kind credit toward meeting the landscape requirements in the Unified Development Ordinance. Due to potential for removal or interference with the current or future purpose of an easement, credits for preservation of healthy, mature non-invasive deciduous trees within easements must be approved by the Zoning Administrator. A Credit shall be granted per tree that contributes to or fulfills any landscaping standard.
 - i. For each preserved deciduous tree with caliper measurement of over four (4) inches but less than eight (8) inches, a credit for three (3) required deciduous trees shall be granted.
 - ii. For each preserved deciduous tree with caliper measurement of over eight (8) inches but less than twelve (12) inches, a credit for four (4) required deciduous trees shall be granted.
 - iii. For each preserved deciduous tree with caliper measurement of over twelve (12) inches a credit for five (5) required deciduous trees shall be granted.
 - iv. In no case shall a preserved deciduous tree be replaced by a preserved evergreen tree, shrub or other landscape material, nor shall any of those materials receive the equivalent credits for a required deciduous tree.
 - b. Credits for Evergreen Trees: Preservation of healthy, mature, non-invasive evergreen trees shall constitute an in-kind credit toward meeting the landscape requirements in the Unified Development Ordinance. Due to potential for removal or interference with the current or future purpose of an easement, credits for preservation of healthy, mature non-invasive evergreen trees within easements must be approved by the Zoning Administrator. A Credit shall be granted per tree that contributes to or fulfills any landscaping standard, excluding Bufferyard Standards (UDO 5.36(H)) when a “Bufferyard Type 3” is required.
 - i. For each preserved evergreen tree over six (6) feet tall but less than ten (10) feet tall, a credit for three (3) required evergreen trees shall be granted.
 - ii. For each preserved evergreen tree over ten (10) feet tall, a credit for four (4) required evergreen trees shall be granted.
 - c. Shrubs – Credits for preservation of healthy, mature non-invasive shrubs may be approved by the Zoning Administrator, if they determine that the existing shrub contributes to the intent of the landscape ordinance.
 - d. Native Grasses or other Unique Landscape Area -- Credits for planting and/or preservation of healthy, mature non-invasive grasses, native wildflowers, etc. may be approved by the Zoning Administrator, if they determine that the native grass or landscape area contributes to and achieves the intent of the landscape ordinance.

M. Minimum Plant Sizes:

1. *Canopy Trees:* All required canopy or deciduous trees shall be at least two (2) inch caliper at the time of planting, measured at six (6) inches above the rootball. Each tree that is four (4) inch caliper or above at the time of planting shall receive double tree credit toward the required number of deciduous trees.
2. *Evergreen Trees:* All required evergreen trees shall be at least five (5) feet in height at the time of planting, measured from the top of the rootball. Each tree that is ten (10) feet in height or above at the time of planting shall receive double tree credit toward the required number of evergreen trees.
3. *Ornamental Trees:* All required ornamental trees shall be at least one and one-quarter (1 1/4) inch caliper at the time of planting, measured at six (6) inches above the rootball. Each tree that is two (2) inch caliper or above at the time of planting shall receive double tree credit toward the required number of ornamental trees.
4. *Shrubs:* All required shrubs shall be at least two (2) feet in height at the time of planting, measured from ground level.

- N. Diversity of Plants: A mixture of plant species is encouraged to help protect against infestation or disease leading to mass die-off of plant material.

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- O. Use of Native Grasses and Wildflowers:
1. *Intent:* The use of native grasses, wildflowers and other native plants in managed landscape design can be economical, low-maintenance, effective in soil and water conservation, and may preclude the excessive use of pesticides, herbicides, and fertilizers. The city recognizes the desirability of permitting and encouraging managed natural vegetation within the city limits of Shelbyville while maintaining public health and safety.
 2. *Credit:* Any portion of a site planted and maintained as native grasses or wildflowers shall be excluded from the calculation of required "Yard Plantings" (UDO 5.32(A)2, and 5.33(F)). Each area must be a minimum of one-half (½) acre in contiguous area size to qualify, but there shall be no maximum area limit.
 3. *Managed:* The term "managed" as used in this ordinance shall mean means a planned and designed yard or landscape with the intent to control, direct, and maintain the growth of natural vegetation.
 - a. Managed natural landscapes shall not include turf-grass lawns left unattended for the purpose of returning to a natural state. In establishing a natural landscape, turf grass shall be eliminated and the native vegetation shall be planted through transplanting or seeding.
 - b. Plants in managed natural landscapes may be grown to any heights as long as the location and manner of growth do not constitute a hazard to the public health and safety, blocking traffic visibility (see Section 5.77: Vision Clearance Standards), or interfering with the use of easements.
 - c. A maintenance plan shall be part of all approved landscape plans, which stipulates that the native plant landscape area shall be cut at least once annually between April 15 and July 15, to a height no greater than ten (10) inches. As an alternative, the area may be burned, if appropriate permits are obtained through the Shelbyville Fire Department, and any other regulatory entity.
 4. *Noxious Weeds Excluded:* Noxious weeds do not qualify as native grasses or wildflowers for the purpose of this ordinance.
- P. Delay of Plant Installation: Installation of required landscaping may be delayed due to seasonal delays, upon written request to the Zoning Administrator. Between November 30th and May 1st, a temporary certificate of occupancy, which shall expire on May 1st, may be issued. No permanent Certificate of Occupancy shall be issued until all required landscaping is installed. Failure to install required landscaping before obtaining a permanent certificate of occupancy will result in fines for occupying a structure without a certificate of occupancy, as established by the Shelbyville Building Commission.
- Q. P. Plant Lists: When the following terms are used in relation to landscaping standards, they shall refer to the corresponding lists of plant species incorporated in the Appendix B section of this Ordinance:
1. *Native wildflowers and grasses-*
 2. *Shrubs (asterisk evergreen shrubs)*
 3. *Submersible plantings*
 4. *Ornamental trees*
 5. *Evergreen trees*
 6. *Canopy Trees*
 7. *Street Trees*
 8. *Invasive species*
 9. *Noxious weeds*

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5.32 LA-02: Non-Residential Landscaping Standards

These Landscaping Standards (LA) apply to the following districts:



The following standards apply:

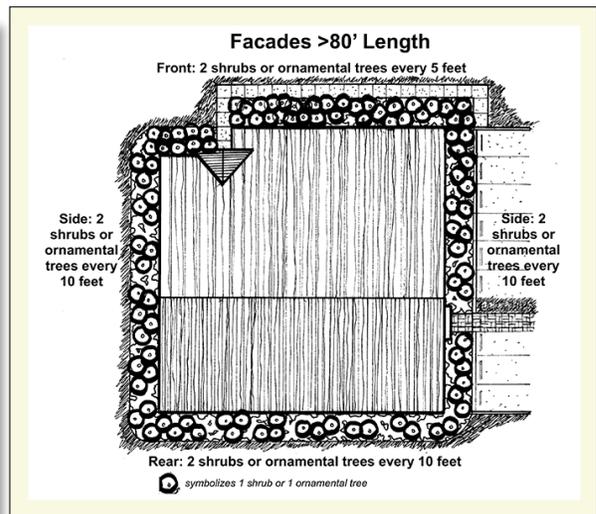
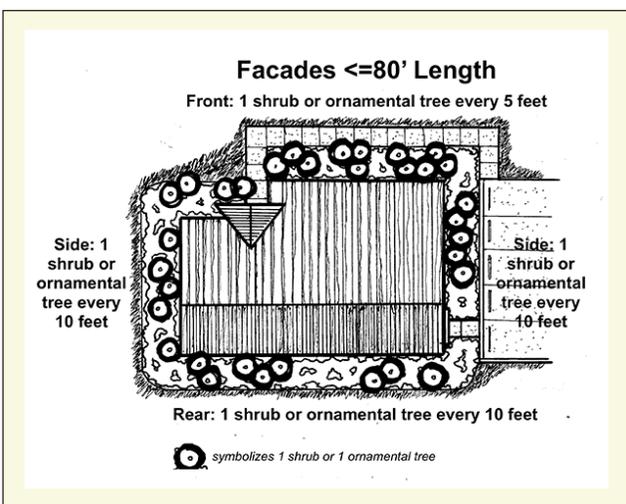
- A. **Quantity:** The quantities listed below are required in addition to landscape materials that may be required by parking lot planting and bufferyard planting specified in other parts of this Landscaping Standards section. All calculations shall be made in accordance with UDO 1.08-L, "Rounding".
 - 1. **Foundation Plantings:**
 - a. **Minimum Number:** The minimum number of required foundation plants is determined by Table LA-A, shown below. In addition, Table LA-B, below, shows the minimum percentage of each plant type that is required to satisfy the foundation planting requirements.
 - b. **Industrial Substitutions:** For developments within the IL - Light Industrial, IG - General Industrial, or HI - High Impact zoning districts, two (2) required foundation plantings may be substituted for one (1) yard planting, that is in addition to the number of yard plantings required by this ordinance. The areas within twenty (20) feet of the main entrance of the facility shall not be permitted to substitute these foundation plantings with yard plantings.

Table LA-A: Minimum Foundation Plantings Required

Size of Facade	Front Facades	Side & Rear Facades
Facade is eighty (80) feet or less in overall length	One (1) shrub or ornamental tree per every five (5) feet of overall length	One (1) shrub or ornamental tree per every ten (10) feet of overall length
Facade is more than eighty (80) feet in overall length	Two (2) shrubs or ornamental trees per every five (5) feet of overall length	Two (2) shrubs or ornamental tree per every ten (10) feet of overall length

Table LA-B: Minimum Percentage of Each Plant Species in Foundation Planting Areas

	Shrubs	Ornamental Trees
Buildings less than twenty-five (25) feet in height	30%	30%
Buildings twenty-five (25) feet in height, or greater	30%	50%



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2. **Yard Plantings:**
 - a. **Minimum Number:** The minimum number of required yard plantings is determined by Table LA-C, shown below.
 - b. **Industrial Substitutions:** If utilizing “Industrial Substitutions” (UDO 5.32(A)1(b)), these plantings will be in addition to the plantings required in Table LA-C below.
 - c. **Use of Native Grasses and Wildflowers:** Native grasses and wildflowers may be used to substitute required yard plantings, as outlined in UDO 5.31-M.

Table LA-C: Minimum Yard Plantings Required

Lot Size	Plants Required
Lots one (1) acre or less in area	Two (2) canopy trees
Lots more than one (1) acre in area	Two (2) canopy trees+ One (1) canopy tree per acre

- B. **Placement:**
 1. **Foundation Plantings:** Foundation plantings shall be planted along all four (4) sides of the foundation (excluding drive-throughs, loading docks, and the front door) and be located as follows.
 - a. **Shrubs:** Within six (6) feet of the foundation.
 - b. **Ornamental Trees:** Within ten (10) feet of the foundation.
 2. **Yard Plantings:** Yard plantings shall be planted in the front and/or side yards, but shall not be within two (2) feet of any property line.

5.33 LA-03: Multiple-Family Residential Landscaping Standards

These Landscaping Standards (LA) apply to the following districts:



The following standards apply:

- A. **Quantity Requirements:** The quantities listed below in Table LA-D, are required in addition to landscape materials that may be required by parking lot planting and bufferyard planting specified in other parts of this Landscaping Standards section. The following minimum number and type of plant materials shall be required.
- B. **Applicability:** This provision does not apply to accessory structures under two-hundred (200) square feet in area.
- C. **Types of Trees:** The trees used for “Yard Plantings” shall be a combination of evergreen and deciduous trees, with a minimum of thirty percent (30%) evergreen trees and a minimum of thirty (30%) deciduous trees.
- D. **Use of Native Grasses and Wildflowers:** Native grasses and wildflowers may be used to substitute required yard plantings, as outlined in UDO 5.31-M.
- E. **Minimum Foundation Plantings Required:** See table LA-D.
- F. **Minimum Yard Plantings Required:** See table LA-D.

Table LA-D: Minimum Plantings Required

Zoning District	Foundation Plantings	Yard Plantings
RM District	Four (4) shrubs per dwelling unit	Two (2) trees per acre + One (1) additional tree for each primary structure
MP District	None	Two (2) trees per acre + One (1) additional tree for every five (5) dwelling sites

- G. **Placement of Landscaping:**
 1. **Trees:** Required trees shall be planted anywhere on the lot, but shall not be located within ten (10) feet of a primary structure, accessory structure, sidewalk, curb, paved surface, or driveway; nor within four (4) feet of a property line.
 2. **Foundation Plantings:** Required shrubs shall be planted within six (6) feet of the foundation.
 3. **Use of Native Grasses and Wildflowers:** Native grasses and wildflowers may be used to substitute required yard plantings, as outlined in UDO 5.31-M.

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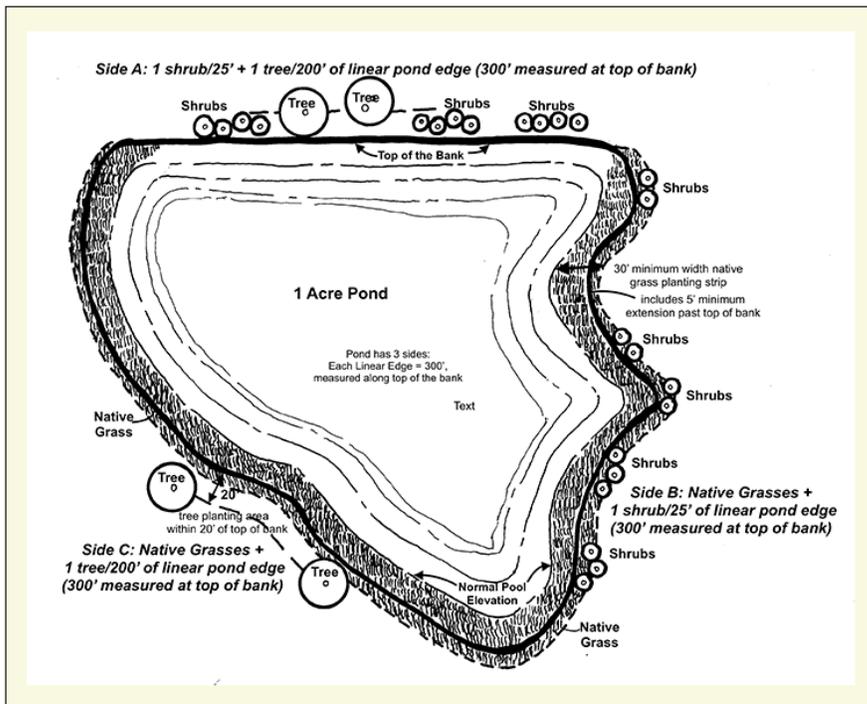
5.34 LA-04: Landscaping Around Ponds

These Landscaping Standards (LA) apply to all zoning districts:



The following standards apply:

- A. **Intent:** The purpose of these standards are to discourage Canadian Geese habitats around drainage ponds, and address public health and safety concerns. In addition, improved landscaping around ponds promotes the general welfare of the community, and preserves and enhances the environmental integrity of the community by improving the water quality of stormwater runoff.
- B. **Applicability:** When the collective acreage of all ponds in the development are half an acre (1/2) or more in size, the following requirements shall apply:
- C. **Pond Design:** To minimize goose breeding and resting areas, new ponds, lakes or retention basins shall not include islands or peninsulas.
- D. **Vegetative Buffer Strip:** There shall be a vegetative buffer around the entire perimeter of the pond. A planted buffer, whose width is described in UDO 5.34(E), shall consist of two (2) or more of the following:
 1. **Native Grasses:** Strip planted with native warm season grasses which remain approximately four (4) feet in height throughout the year.
 2. **Shrubs:** One (1) shrub per twenty-five (25) feet of linear pond-edge, measured at the top of the bank for the pond.
 3. **Trees:** One (1) tree per two-hundred (200) feet of linear pond-edge, measured at the top of the bank for the pond.
- E. **Placement:**
 1. **Native Grasses:** Required planting strip shall be a minimum of thirty (30) feet in width, located from the edge of the normal pool elevation, up the entire bank of the pond, and extending past the top of the pond bank by a minimum of five (5) feet. Native grass planting strips can include submerged plantings, if appropriate plant species are being used that naturally grow in these wet conditions.
 2. **Shrubs:** Shrubs shall be located near or at the top of the bank of the pond and shall not be located in an area that is commonly submerged. Shrubs shall not be used on dams or levees or in areas where height is a concern.
 3. **Trees:** Trees shall be located within twenty (20) feet of the top of the bank of the pond, but should not be located on the bank as the roots may compromise the structural integrity of the pond bank. Trees shall not be used on dams or levees or in areas where height is a concern.



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5.35 LA-05: Parking Lot Landscaping Standards

These Landscaping Standards (LA) apply to the following districts:



The following standards apply:

- A. **Requirements:** Landscape materials consistent with the requirements of the Unified Development Ordinance shall be required when an Improvement Location Permit is obtained for a new parking lot or cumulative the expansion of an existing parking lot by twenty-five percent (25%) or greater.
- B. **Parking Lot Perimeter Requirements:** All parking lots shall be separated from all planned public rights-of-way (consistent with the Shelbyville Official Thoroughfare Plan) by a landscaping area that is a minimum of ten (10) feet in width. Lots include parking spaces, interior drives, and loading areas. The landscape area shall be planted with either one (1), or a combination of the following options:
 - 1. *Option 1 - Trees & Shrubs:* A minimum of one (1) tree shall be provided for every four-hundred (400) square feet of landscaped area. The trees must be a combination of ornamental and deciduous trees, with a minimum of thirty percent (30%) of trees being ornamental and a minimum of thirty percent (30%) of trees being deciduous. In addition, one (1) shrub shall be provided for every fifty (50) square feet of landscaped area.
 - 2. *Option 2 - Landscape Berm:* A landscape berm that is a minimum of three (3) feet in height above the adjacent parking lot shall be established along the entire length of the landscaped area. A minimum of one (1) shrub shall be provided for every four (4) linear feet of berm, in a staggered placement. All required shrubs shall be planted on the berm, but shall be prohibited from being planted at the top of the ridge. No permanent or temporary signs or other non-landscaping objects shall be placed upon the berm.
- C. **Parking Lot Interior Requirements:** To help reduce excessive heat build-up and emissions from large areas of hard surfacing, landscape islands must be provided within parking lots.
 - 1. *Landscaped Areas Required:* Landscape islands with a combined surface area equal to five percent (5%) of the area of the parking lot (including all parking spaces and interior drives beyond the right-of-way, but excluding all loading docks and truck maneuvering areas) shall be provided in all parking lots with more than fifty (50) parking spaces. Minimum Required Interior Landscaping areas shall be based on a combined surface area of the parking lot, including all parking spaces and interior drives starting at the right-of-way, but excluding all loading docks and truck maneuvering areas. The minimum percentage of landscaped area required for interior landscaping shall be based on the total number of parking spaces as outlined in the table below.
 - a. Equation to determine Required Landscaping: (Combined Parking Area) * (Percentage of Landscaped Area) = Required Parking Lot Interior Area
 - b. Combined Parking Area: Based on a combined surface area of the parking lot, including all parking spaces and interior drives starting at the right-of-way, but excluding all loading docks and truck maneuvering areas
 - c. Percentage of Landscaped Area: Based on number of parking spaces
 - d. Minimum Required Interior Landscaping: See table below.

Table LA-E: Minimum Required Interior Landscaping

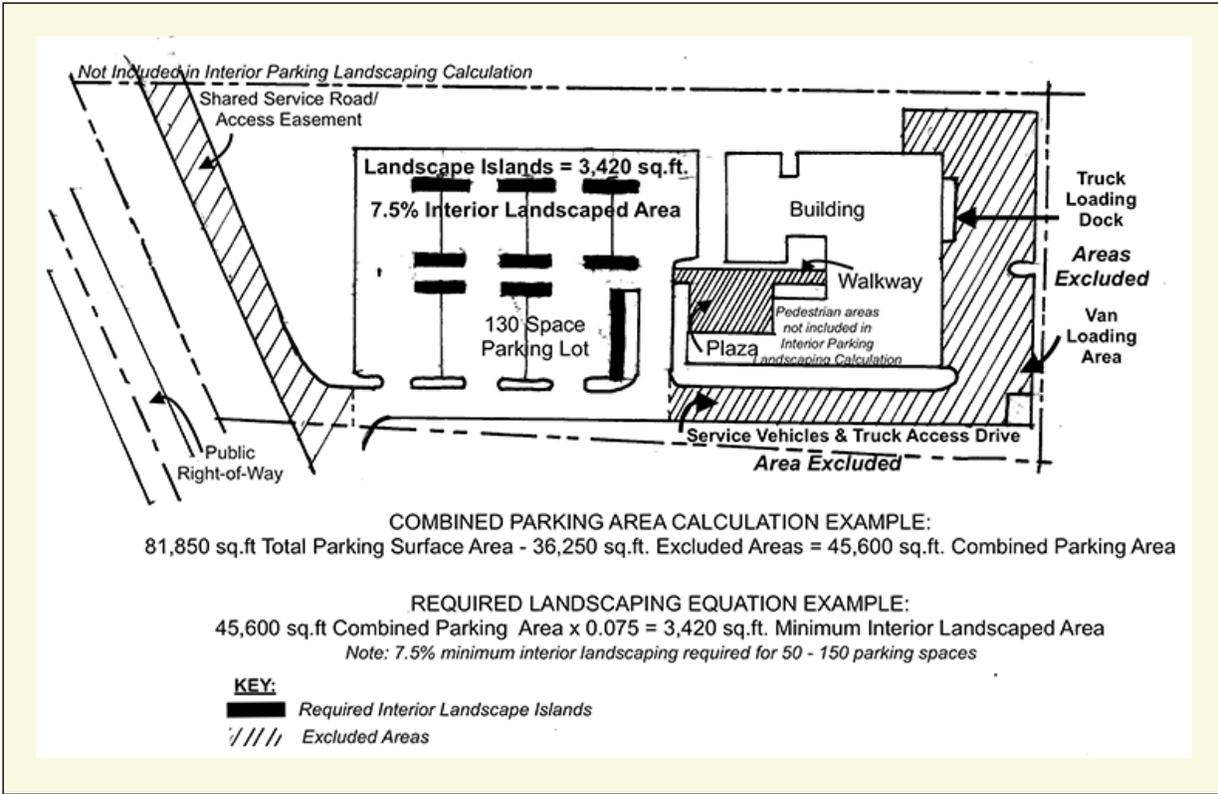
Number of Parking Spaces in Lot*	Percentage of Landscaped Area
1-10	0%
11-50	5%
51-150	7.5%
151+	10%

*sum of standard parking spaces and required ADA parking spaces

- 2. *Landscaped Area Standards:* The required landscape areas shall meet the following requirements:
 - a. All required landscaped areas shall consist of curbed islands or peninsulas that are surrounded on at least two (2) sides by pavement. Landscaping on the perimeter of the parking lot shall not be counted toward this requirement
 - b. All landscape islands shall be a minimum of 180 square feet in area.

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- c. The required landscaping areas shall generally be grouped together and coordinated for the following purposes:
 - i. Establishing an entry aisle to the property,
 - ii. Separating interior drives from parking aisles, and
 - iii. Indicating the ends of aisles of parking spaces.
- d. A minimum of one (1) tree shall be provided for every two-hundred (200) square feet of landscaped area. The required trees must be a combination of ornamental and deciduous trees, with a minimum of thirty percent (30%) of trees being ornamental and a minimum of thirty percent (30%) of trees being deciduous. In addition, one (1) shrub shall be provided for every fifty (50) square feet of landscaped area.



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5.36 LA-06: Bufferyard Landscaping Standards

These Landscaping Standards (LA) apply to the following districts:



The following standards apply:

- A. **Applicability:** Landscape materials consistent with the requirements of the Unified Development Ordinance shall be required when:
 1. *Rezoned:* a lot is rezoned,
 - a. *Rezoned to a More Intense District:* The subject lot is being rezoned to an equivalently intense zoning district or higher intensity zoning district than one (1) or more of the adjacent lots, or
 2. *New Primary Structure:* The subject lot at the time of filing for an Improvement Location Permit for a new primary structure is in an equivalently intense zoning district or higher intensity zoning district than one (1) or more of the adjacent lots.
 3. *Expanded Primary Structure:* The subject lot at the time of filing for an Improvement Location Permit to expand a primary structure by twenty percent (20%) or greater is in an equivalently intense zoning district or higher intensity zoning district than one (1) or more of the adjacent lots.
- B. **Clarity of Applicability:**
 1. *Previously Developed Adjacent Lot:* When the subject lot is being developed and is adjacent to a previously developed lot which has a more intense use or is in a more intense zoning district, no buffer yard is required to be installed; either on the less intensely zoned lot (subject lot) or the more intensely zoned lot.
 2. *Determining Intensity of a Zoning District:* The following chart (Table LA-F) shall be used to determine the hierarchy of intensity when compared to other districts:
 3. *Planned Development Districts:* The zoning administrator shall determine the most comparable zoning district for Planned Developments for the applicability of this standard.

Table LA-F: Zoning District Intensity Determination

The (zoning district listed below) is less intense than...	...the list of zoning districts in this column
PK (Parks and Open Space)	AG, AR, R1, R2, RM, MP, IS, BN, BC, BG, BH, IL, IG, and HI
AG (Agriculture)	AR, R1, R2, RM, MP, IS, BN, BC, BG, BH, IL, IG, and HI
AR (Agriculture / Rural Residential)	R1, R2, RM, MP, IS, BN, BC, BG, BH, IL, IG, and HI
R1 (Single-family Residential)	R2, RM, MP, IS, BN, BC, BG, BH, IL, IG, and HI
R2 (Two-family Residential)	RM, MP, IS, BN, BC, BG, BH, IL, IG, and HI
RM (Multiple-family Residential)	MP, IS, BN, BC, BG, BH, IL, IG, and HI
MP (Manufactured Home Park)	BC, BG, BH, IL, IG, and HI
IS (Institutional)	MP, BC, BG, BH, IL, IG, and HI
BN (Business Neighborhood)	MP, IS, BC, BG, BH, IL, IG, and HI
BC (Business Central)	BG, BH, IL, IG, and HI
BG (Business General)	BH, IL, IG, and HI
BH (Business Highway)	IL, IG, and HI
IL (Light Industrial)	IG, and HI
IG (General Industrial)	HI
HI (High Impact)	none

- C. **Location:** Buffer yard standards shall be located along the front property line, side property line, and rear property line when contiguous to a conflicting zoning district as indicated on *Table LA-G: Buffer Yards Required*. Buffer yards are not in addition to required setbacks.
- D. **Arrangement:** Plant material shall be installed within the buffer yard such that views between two (2) conflicting land uses are disrupted. A natural pattern or irregular row of trees is preferred in the buffer yard.
- E. **Substitution:**
 1. *Unique Site Conditions:* The Zoning Administrator may lessen the requirements of the buffer yard standards by twenty percent (20%) due to unique site conditions or features that prevent appropriate and healthy installation of the trees. These site conditions or features may include existing vegetation that exceeds the buffer yard

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requirements in size and quantity or topography that shields the adjacent property in a more thorough way than the buffer yard requirements.

2. *Pre-existing Trees*: The Zoning Administrator shall give credit for pre-existing trees that contribute to the intent of the buffer yard standards. Full compliance with the buffer yard standards may be granted when pre-existing trees meet all aspects of the regulations. See *Section 5.31(L): Tree Preservation Credits*.
- F. **Buffer Yard “Type 1”**: One (1) deciduous tree and one (1) ornamental or evergreen tree shall be planted for every fifty (50) feet of contiguous boundary with the adjacent lot. Each tree shall be planted within twenty (20) feet of the property line, but no closer than five (5) feet to the property line.
- G. **Buffer Yard “Type 2”**: One (1) deciduous tree and two (2) ornamental or evergreen trees shall be planted for every fifty (50) feet of contiguous boundary with the adjacent lot. Each canopy tree shall be planted within twenty (20) feet of the property line, but no closer than five (5) feet to the property line.
- H. **Buffer Yard “Type 3”**:
1. *Canopy Deciduous Tree*: One (1) deciduous tree shall be planted for every twenty-five (25) feet of contiguous boundary with the adjacent lot. Each tree shall be planted within twenty (20) feet of the property line, but not closer than five (5) feet of the property line.
 2. *Evergreen Tree*: Four (4) ornamental or evergreen trees shall be planted for every fifty (50) feet of contiguous boundary with the adjacent lot. Each tree shall be planted within fifteen (15) feet of the property line, but not within five (5) feet of the property line.
 3. *Substitution*: A six (6) foot tall opaque fence may be installed along seventy-five percent (75%) of the contiguous lot in substitution for fifty percent (50%) of the required deciduous trees and fifty percent (50%) of the required ornamental or evergreen trees. Any fence used as a substitution shall be located at least fifteen (15) feet from the property line and the required landscaping shall be planted between the fence and the property line. Any undulating mound shall not have slopes in excess of three horizontal units to one vertical unit (3:1 slope).

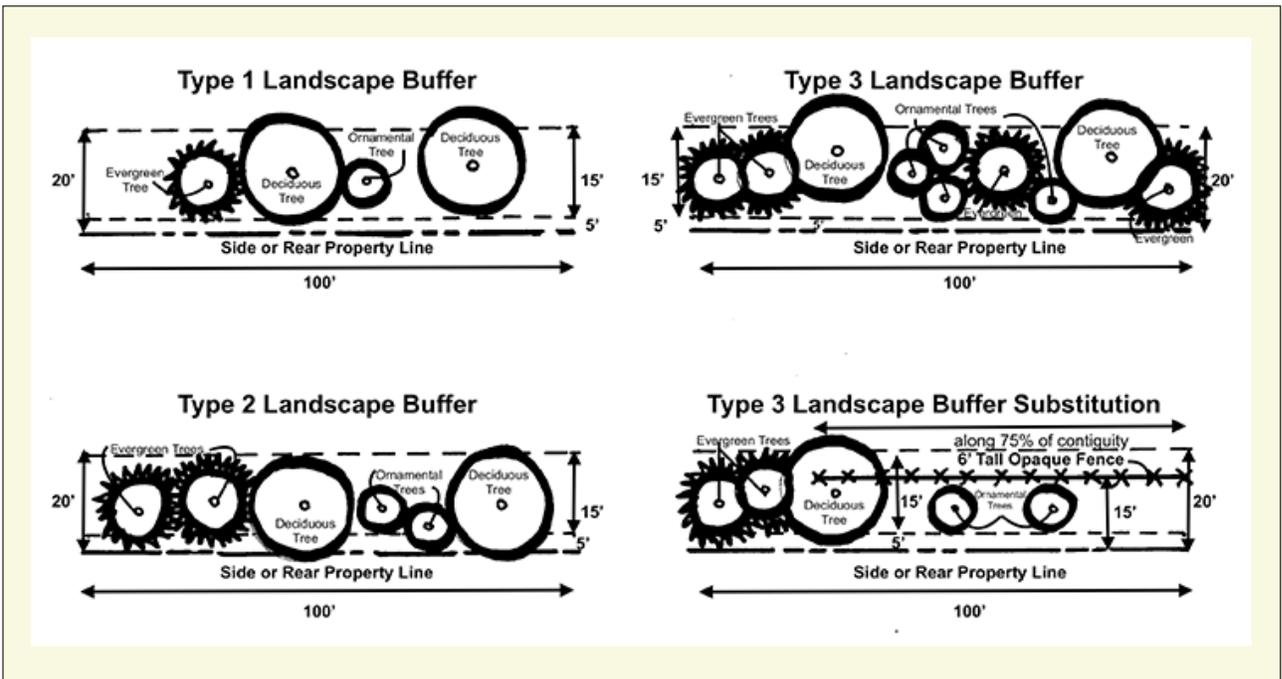


Table LA-G: Buffer Yards Required

Adjacent District	Zoning District of Subject Property															Arterial Street
	PR	AG	AR	R1	R2	RM	MP	IS	BN	BC	BG	BH	IL	IG	HI	
PR	-	1	1	1	1	1	1	1	2	2	2	2	3	3	3	3
AG	1	-	1	1	2	2	2	1	2	2	2	2	2	2	2	2
AR	1	1	-	2	2	3	3	1	3	3	3	3	3	3	3	2
R1	1	1	2	-	1	3	3	1	3	3	3	3	3	3	3	3
R2	1	2	2	1	-	2	3	1	2	2	3	3	3	3	3	3
RM	1	2	3	3	2	-	2	1	1	1	2	3	3	3	3	3
MP	1	2	3	3	3	2	-	1	1	1	2	3	3	3	3	3
IS	1	1	1	1	1	1	1	-	1	2	2	2	2	2	3	2
BN	2	2	3	3	3	1	1	1	-	2	1	2	2	3	3	2
BC	2	2	3	3	3	1	1	2	2	-	1	2	2	3	3	2
BG	2	2	3	3	3	2	2	2	1	1	-	1	1	-	3	2
BH	2	2	3	3	3	3	3	2	2	2	1	-	-	-	3	2
IL	3	2	3	3	3	3	3	2	2	2	1	-	-	-	3	3
IG	3	2	3	3	3	3	3	2	3	3	-	-	-	-	2	3
HI	3	2	3	3	3	3	3	3	3	3	3	3	2	1	1	3

Landscaping Standards (LA)

5.37 LA-07: Landscape Screening Standards

These Landscaping Standards (LA) apply to the following districts:



The following standards apply:

- A. **Ground Level Requirements:** All outdoor storage areas, dumpsters and waste container enclosures, and mechanical equipment areas located on the ground shall be screened consistent with the following requirements, regardless of whether the adjacent property is under the jurisdiction of this Ordinance:
 - 1. **Outdoor Storage of Inoperable Vehicles:** The outdoor storage of inoperable vehicles shall conform to the screening requirements of the *Parking Standards*.
 - 2. **Dumpsters and Waste Containers:** All ground level locations for dumpsters and waste containers shall meet the following standards:
 - a. **Fencing:** A six (6) foot tall, 100% opaque fence of wood, brick, or stone, or other appropriate building materials, as determined by the Zoning Administrator consistent with the exterior of the primary structure, shall completely enclose the area. Opaque, six (6) foot tall decorative gates shall be provided to access the facility. The gates shall generally remain closed, except when immediate access to the area is required.
 - 3. **Mechanical Equipment:** Ground level mechanical equipment in the front yard is discouraged. Locations for mechanical equipment and air conditioning compressors, that are visible from a residentially zoned area, residentially used area, or a public street, shall meet the following standards:
 - a. **Wall:** If mechanical equipment is located in a side or front yard, a one-hundred percent (100%) opaque wall consistent with the exterior of the primary structure shall be erected around the front and sides of the equipment, which is at least one (1) foot taller than the equipment. The wall shall leave access to the equipment from the rear.
 - b. **Landscape Screening:** A mix of evergreen planting shrubs, evergreen trees, and/or ornamental trees shall be provided around the area, in a planting area extending a minimum of six (6) feet in all directions from the screening wall. Landscape plantings shall leave access to the equipment from the rear. A minimum of one (1) tree shall be provided for every four-hundred (400) square feet of landscaped area. The trees must be a combination of ornamental and deciduous trees, with a minimum of thirty percent (30%) of trees being ornamental and a minimum of thirty percent (30%) of trees being deciduous. In addition, one (1) shrub shall be provided for every one-hundred (100) square feet of landscaped area.

Table LA-H: Required Mechanical Screening

Wall Height	Width of Landscaping Bed	Required Plantings
Less than or equal to five (5) feet	Six (6) feet	One (1) shrub for every twenty-five (25) square feet
Greater than five (5) feet	Ten (10) feet	One (1) tree for every two-hundred (200) square feet

Lighting Standards (LT)

5.38 LT-01: Lighting Standards

These Lighting Standards (LT) apply to the following districts:



The following standards apply:

A. Cross Reference:

1. *Sign Standards:* Lighting shall comply with the requirements in the *City of Shelbyville Sign Code*.

B. General Requirements: All exterior lighting shall conform with the following general requirements:

1. *Mounting Height Measurement:* For the purposes of this section, the mounting height of all light fixtures shall be defined as the vertical distance between the grade level of the surface being illuminated and the bottom of the lighting fixture (i.e. luminaire).
2. *Use of Timers/Dimmers:* Wherever practicable, exterior lighting shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.
3. *Electrical Service:* The electrical service to all outdoor lighting fixtures shall be underground, unless the fixtures are mounted directly on utility poles or structures.
4. *Holiday Lighting:* Holiday lighting shall be exempt from the provisions of this section, provided that such lighting does not, in the opinion of the Zoning Administrator, create dangerous or harmful glare on adjacent streets and properties. Any such lighting shall only be placed forty-five (45) days before, and shall be removed within thirty (30) days after the holiday for which it is displayed.
5. *Glare:* Light fixtures shall be shielded to prevent glare on streets, alleys, and adjacent properties. Any structural part of the light fixture providing this shielding shall be permanently affixed.
6. *Light Trespass:* The maximum allowable light at any property line shall be two (2) lux or two-tenths (.2) foot-candles, with the following exceptions:
 - a. *Commercial Zoning Districts:* When the subject property is located within a commercial zoning district and the adjacent property is also located within a commercial zoning district or an industrial zoning district, then the allowable light at the property line shall be thirty (30) lux or three (3) footcandles, but only along the sides of the property that are adjacent to the specified zoning districts. However, no light shall cross an adjacent commercial or industrial property and reach a property line with a non-commercial or non-industrial district with greater than five (5) lux.
 - b. *Industrial Zoning Districts:* When the subject property is located within an industrial zoning district and the adjacent property is also located within an industrial zoning district, then the allowable light at the property line shall be thirty (30) lux or three (3) footcandles, but only along the sides of the property that are adjacent to the specified zoning district.
 - c. *Adjacent Right-of-Way:* When the subject property is located adjacent to a right-of-way, then the allowable light at the property line along the right-of-way shall be thirty (30) lux or three (3) footcandles, but only along the right-of-way line.
 - d. *Photometric Study:* When site lighting is being added or altered in a way that could increase light trespass on adjacent properties, a photometric study must be performed to ensure compliance with these standards. This study shall compare illumination levels for pre-development and proposed post-development conditions. This study shall also take into consideration the lighting that comes from adjacent street lights, site lighting from adjoining properties, and any other significant sources of light in the surrounding area.
7. *Prohibited Lighting:*
 - a. Permanent use of spot lights, strobe lights, floodlights, and searchlights shall be prohibited.

C. Site Lighting Requirements: Site lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision, safety, and comfort in parking areas and throughout the site while avoiding glare and direct illumination of adjacent properties or streets.

1. *Maximum Mounting Height:* The maximum mounting height for all free standing light fixtures shall be consistent with the Site Lighting Height Requirements table, shown below.

Parking Lot Lighting Height Requirements										
Zoning District	PK	RM	IS	BN	BC	BG	BH	IL	IG	HI
Maximum Mounting Height	20 ft.	20 ft.	20 ft.	5 ft.	20 ft.	30 ft.	30 ft.	35 ft.	35 ft.	35 ft.

Lighting Standards (LT)

2. *Lighting Fixtures*: All lighting fixtures providing illumination for parking lots shall be ninety degree (90°) cut-off fixtures directed downward at the parking lot surface.
- D. Gasoline Station/Convenience Store Requirements: Lighting levels on gasoline/convenience store aprons and under canopies shall be adequate to facilitate the activities taking place on the property and shall not be used for the purpose of illuminating signs.
1. *Pump-area Lighting*: Lighting fixtures on canopies shall conform to either of the following requirements:
 - a. Option 1: all light fixtures mounted on the canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy, or
 - b. Option 2: the lighting of the canopy shall use indirect lighting through which light is beamed upward and then reflected down from the underside of the canopy by light fixtures that are shielded so that illumination is focused exclusively on the underside of the canopy.
 2. *Canopy Lighting*: Lights shall not be mounted on the top or sides of any gas station canopy and the sides of the canopy shall not be illuminated. In no instances shall this be interpreted as prohibiting the placement of signs on the canopy that are illuminated consistent with the standards for sign illumination.
- E. Lighting of Exterior Display/Sales Areas: Lighting levels on exterior display/sales areas shall be adequate to facilitate the activities taking place in such locations. Such lighting shall conform with the following requirements:
1. *Lighting Fixtures*: All lighting fixtures used to illuminate exterior display/sales areas shall be ninety degree (90°) cut-off fixtures (luminaires) focused directly downward onto the display/sales area. Such light fixtures shall be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent streets or properties.
 2. *Fixture Height*: In no case shall fixtures be mounted at a height greater than twenty-five (25) feet above grade level.
 3. *Fixture Location*: All lighting fixtures and mounting poles shall be located within the areas being illuminated.
- F. Lighting of Outdoor Athletic/Performance Facilities: Lighting for all outdoor athletic and performance facilities shall provide adequate light for the event or facility while minimizing light pollution and the illumination of adjacent streets and properties.
1. *Play/Performance Area Lighting*: Lighting fixtures for the playing fields and/or performance areas shall be specifically mounted and aimed so that their beams fall directly within the play/performance area and its immediate surroundings and does not spill onto adjacent streets or properties.
 2. *Dual Lighting System*: Each facility shall be designed and constructed with a dual lighting system that permits the main lighting for the event (spotlighting, floodlighting, etc.) to be turned off, with an alternate low level lighting system used for clean-up, night maintenance, and other activities. All lighting shall be turned off at all other times.
- G. Security Lighting: Security lighting shall be ninety degree (90°) cut-off fixtures directed downward at the parking lot surface, loading docks, or doorways, and shall otherwise conform with the following requirements:
1. *Non-residential Lighting Fixtures*: All security lighting in non-residential areas shall be shielded and specifically aimed so that illumination is directed only to the intended area. The light source for any security lighting shall include shields that prevent their light source or lens from being visible from adjacent properties and/or streets. The use of general floodlighting fixtures shall be prohibited. Security lighting fixtures may be mounted on poles located no farther than ten (10) feet from the perimeter of the area intended to be illuminated.
 2. *Illuminated Areas*: Any security lighting shall only illuminate vertical surfaces (walls, doors, etc.) up to a height of eight (8) feet from either grade level or the bottom of any illuminated door or entryway, whichever is greater.
 3. *Perimeter Lighting*: Security lighting intended to illuminate a perimeter, such as a fence line, shall include motion sensors and be designed to be off unless triggered by an intruder located within five (5) feet of the perimeter.
- H. Lighting of Building Facades: Building facades may be illuminated, subject to the following requirements:
1. *Lighting Fixtures*: Lighting fixtures shall be located, aimed, and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed toward adjacent streets, roads, or parking lots.

Loading Standards (LD)

5.39 LD-01: Loading Standards

These Loading Standards (LD) apply to the following zoning districts:



- A. **Loading Berths:** The following loading standards only apply when a project elects to install loading berths.
- B. **Commercial Districts:** The following standards only apply to commercial districts, not industrial districts.
 - 1. **Location:** All required loading berths shall be located on the same lot as the use to be served. No loading space may be located in any front yard or any required buffer yard. Shared truck courts between adjacent properties shall be permitted.
 - a. **Orientation:** All exterior loading berths shall be oriented to face the side or rear yards of the lot on which they are located. Loading docks that are completely enclosed within the structure may be accessed through drive-in doors located on any building facade.
 - b. **Screening:** Loading docks shall be located so that they are inconspicuous from public streets. If such a location is not possible, a loading dock clearly visible from a public street shall be screened by solid structure walls and/or landscape buffers.
 - c. **Surface Materials:** Loading docks shall be paved with asphalt or concrete.
 - d. **Drainage:** Loading docks shall be constructed to allow proper drainage away from the structure.
 - 2. **Access:** Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner that will not interfere with traffic movements. There shall be no maneuvering within any street right-of-way. In no case shall a loading berth be located in such a manner as to require loading/unloading vehicles to back into a public right-of-way or overhang adjacent property.
 - 3. **Space Allowed:** Space provided for use as any off-street loading berth shall not be used to satisfy any required off-street parking spaces.
 - 4. **Delivery/Loading Operations:** Delivery and loading operations should not disturb adjoining neighborhoods or other uses.
 - a. **Operation Times:** No delivery, loading, trash removal or compaction or other such operations shall be permitted between the hours of 10:00 PM and 7:00 AM unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of 45dbA as measured at the lot line of any adjoining property.
- C. **Industrial Districts:** The following standards only apply to industrial districts, not commercial.
 - 1. **Location:** No loading berth may be located in any required buffer yard. Shared truck courts between adjacent properties shall be permitted.
 - a. **Surface Materials:** Loading berths shall be paved with asphalt or concrete.
 - b. **Drainage:** Loading berths shall be constructed to allow proper drainage away from the structure.
 - 2. **Access:** Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner that will not interfere with traffic movements. There shall be no maneuvering within any street right-of-way. In no case shall a loading berth be located in such a manner as to require loading/unloading vehicles to back into a public right-of-way or overhang adjacent property.
 - 3. **Space Allowed:** Space provided for use as any off-street loading berth shall not be used to satisfy any required off-street parking spaces.

Lot Standards (LO)

5.40 LO-01: General Lot Standards

This Lot Standards (LO) section applies to the following zoning districts:



The following standards apply:

- A. Repealed: These standards have been repealed from Article 5 and relocated to Article 6, Section 6.09.

Manufactured Home Park Standards (MH)

5.41 MH-01: Manufactured Home Park Standards

These Manufactured Home Park Standards (MH) apply to the following zoning districts:



The following standards apply:

- A. Transportation Equipment: All hitches, wheels, and other attachments to the home used to aid in transportation shall be removed or concealed beneath the skirting.
- B. Sidewalks/Pedestrian Paths:
 1. *Common*: Concrete sidewalks or paved pedestrian pathways of at least four (4) feet in width shall be provided from the front door of each primary structure to the common sidewalks adjoining the interior drives:
 - a. Adjacent to all interior drives, and
 - b. Accessing all recreational and accessory use areas.
- C. Entrances and Interior Roads: Interior manufactured home park streets shall be private streets.
 1. All private interior drives shall be:
 - a. Designed with curbs and gutters and shall be paved with either asphalt or concrete.
 - b. Constructed according to the construction standards for public streets.
 - c. Consistent with the *Entrance/Drive Standards* and any specific requirements of the City Engineer.
- D. Open Space: All manufactured home parks developed under the provisions of the MP zoning district that exceed five (5) acres in gross site area shall provide common open space in an amount equal to ten percent (10%) of the gross area of the development. The common open space shall be consistent with the following standards:
 1. *Interpretation*: In no instance shall any provision of this open space requirement be interpreted as requiring the dedication of property to the City of Shelbyville.
 2. *Location Within the Development*: Open space shall be concentrated at a minimum number of sites within each development to provide the maximum amount of usable space. This may include linear open spaces that contain pathways and/or provide linkages.
 3. *Natural Features*: Natural features present on the property, such as woodlots and wetlands should be incorporated into the open space provided.
 4. *Restrictions*: The following areas and/or features within the development may not be considered as meeting these open space requirements:
 - a. Setbacks, buffer yards or other open areas required by this Ordinance;
 - b. Street medians, rights-of-way, and required setbacks on individual home sites;
 - c. Off-street parking areas; and
 - d. In no case may an access easement be substituted for a required common open space.
 5. *Design Standards*: Common open spaces within each development shall be linked with each other, with City parks, and with existing and future open spaces in adjacent developments through the sidewalk system.
 - a. All common open spaces shall have frontage on a street that includes sidewalks.
 - b. All required open spaces shall be common areas owned and maintained by the leasing company. In no case may an access easement be substituted for a required common open space.
 6. *Maintenance Standards*: All common open spaces shall be maintained free of weeds and other noxious vegetation.

Outdoor Dining Standards (OD)

5.42 OD-01: Outdoor Dining Standards

This Outdoor Dining Standards (OD) section applies to the following districts:



The following standards apply:

- A. **Prerequisite:** Any establishment that wishes to have outdoor dining partially or fully within the right-of-way shall first get approval from the Shelbyville Board of Public Works and Safety. This approval is necessary because right-of-way is the exclusive jurisdiction of the Shelbyville Board of Public Works and Safety. Therefore, the Zoning Administrator, Plan Commission, or Board of Zoning Appeals cannot process an Improvement Location Permit or other petition for this use within a right-of-way without prior approval from the Shelbyville Board of Public Works and Safety.
- B. **Permits:** An Improvement Location Permit shall be required prior to establishing an outdoor dining area. A new permit shall not be required each year unless changes are proposed in the outdoor dining area.
- C. **Operations:** Generally, outdoor dining is permitted from March 31 through December 1, and from 6:00 AM until 11:00 PM Sunday through Thursday and 6:00 AM until 12:00 midnight Friday through Saturday.
- D. **Design:**
 1. *Circulation and Accessibility:*
 - a. All outdoor dining areas shall maintain a minimum five (5) foot wide pedestrian circulation area along a public sidewalk. A minimum four (4) foot wide pedestrian circulation area will be permitted, as long as the four (4) foot segment does not extend more than thirty (30) feet in length. The pedestrian circulation area shall be free of all obstacles including but not limited to tree wells, fire hydrants, street light poles, and newspaper boxes. This pedestrian circulation area shall be maintained at all times.
 - b. Outdoor dining areas shall not interfere with handicap accessibility, curbs, ramps, or driveways.
 - c. Portions of outdoor dining areas fronting a right-of-way shall have a pedestrian barrier enclosing the outdoor dining area except for ingress/egress into the establishment. The pedestrian barrier shall meet all of the following criteria:
 - i. Pedestrian barriers shall be sturdy, stable, and have sufficient weight so they cannot be blown over by wind.
 - ii. Pedestrian barriers shall not be permanently attached or bolted to the sidewalk, unless granted special permission from the Board of Public Works and Safety.
 - iii. Pedestrian barriers shall be at least thirty (30) inches in height to prevent tripping hazards.
 - iv. Pedestrian barriers shall be removed and stored during the off season, but not stored on the exterior of the building.
 - d. Outdoor dining areas that do not front a right-of-way may have a pedestrian barrier around at least seventy-five percent (75%) of the outdoor dining area. The pedestrian barrier shall meet all of the following criteria:
 - i. Pedestrian barriers shall be constructed of wood, composite wood, stone, masonry, wrought iron, decorative metal, or a combination of these materials.
 - ii. Pedestrian barriers shall be permanently attached to the ground.
 - iii. Pedestrian barriers shall be at least thirty (30) inches in height to prevent tripping hazards.
 - e. No element of the outdoor dining area shall interfere with access to any structure.
 2. *General:*
 - a. A sufficient number of trash containers shall be provided outdoors and be readily accessible to outdoor diners. However, full service establishments with outdoor dining areas shall not be required to provide outdoor trash containers.
 - b. There shall be no storage of food trays; carts; receptacles for dirty dishes or trays; carts for utensils; or cooking appliances in any portion of the outdoor dining area.
 - c. There shall be no service stations in any portion of the outdoor dining area on a public right-of-way.

3. *Furniture:*

- a. To maintain a high quality environment, quality materials shall be used for outdoor dining areas. Outdoor dining furniture and outdoor trash containers shall be iron, steel, aluminum, wood, or resin. Finishes on the furniture and trash containers shall be kept relatively free of fading, chips, and rust.
- b. Umbrellas are permitted, but shall be flame retardant, color-fast fabric with an anti-flyback feature.
- c. Outdoor dining furniture, trash containers, and umbrellas shall be stored during the off-season, but not stored on the exterior of the building.

Outdoor Display Area Standards (DA)

5.43 DA-01: Outdoor Display Area Standards

This Outdoor Display Area Standards (DA) section applies to the following districts:



The following standards apply:

- A. **Project Applicability:** Outdoor areas used on a regular basis (i.e. any outdoor display that is not permitted as a temporary use) for outdoor displays shall meet the Outdoor Display Area Standards section.
- B. **Permits:** An Improvement Location Permit shall be required when a new outdoor display area is proposed. Once a permit is issued for an outdoor display area, a new permit is not required each time the merchandise changes. However, a new permit shall be required if the outdoor display area changes.
- C. **Cross Reference:**
 1. **Parking Standards:** Outdoor display areas shall not utilize any portion of the required number of parking spaces set forth in *Section 5.47* through *Section 5.52*.
 2. **Vision Clearance Standards:** All outdoor displays shall be located to avoid interference with visibility per *Section 5.77: Vision Clearance Standards*.
- D. **Location:**
 1. **Accessibility:** An outdoor display area shall not block any sidewalk, accessibility ramp, or driveway.
 2. **Setbacks:**
 - a. **Front Yard:** An outdoor display area shall meet the primary structure front yard setback standard identified in the applicable zoning district in *Article 2: Zoning Districts*.
 - b. **Side and Rear Yards:** An outdoor display area shall meet the accessory structure side yard and rear yard setbacks standard as identified in the applicable zoning district in *Article 2: Zoning Districts*.
 3. **Proximity to Primary Structure:** An outdoor display area shall meet at least one (1) of the following proximity standards:
 - a. Every portion of an outdoor display area shall be twenty-five (25) feet or less from the front facade of the primary structure.
 - b. Every portion of an outdoor display area shall be sixty (60) feet or less from a side facade of the primary structure.
 - c. An outdoor display area shall meet the screen requirements in *Section 5.43(F): Screening*.
- E. **Size:**
 1. **Maximum Area:** The cumulative area of all outdoor display areas shall not exceed fifteen percent (15%) of the footprint of the primary structure or tenant space to which the outdoor display area is associated.
 2. **Maximum Height:**
 - a. When products are displayed within an enclosed temporary structure, the enclosed temporary structure shall not exceed fifteen (15) feet in height.
 - b. Products displayed outside shall not exceed twelve (12) feet in height when located under a canopy or in a sales yard, otherwise all other outdoor display areas shall not exceed six (6) feet.
- F. **Screening:** When an outdoor display area is more than twenty-five (25) feet from the front facade of the primary structure, more than sixty (60) feet from a side facade of the primary structure, or greater than 2,500 square feet in area, at least one (1) of the following screening mechanisms shall be installed.
 1. **Ornate Fence:** An ornate fence that is four (4) feet to eight (8) feet in height integrated into the design of the primary structure.
 2. **Landscaping:** A five (5) feet wide landscape buffer that consists of one (1) tree and one (1) shrub for every ten (10) feet of perimeter around the outdoor display area. The trees and shrubs shall be permanently planted and may be arranged creatively for aesthetic purposes, but shall reasonably screen the outdoor display area.

Outdoor Storage Standards (OS)

5.44 OS-01: General Outdoor Storage Standards

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



The intent of Outdoor Storage Standards is to protect the health, safety, and welfare and ensure neighborliness and aesthetic quality for the residents within the City's zoning jurisdiction. The following standards apply:

- A. **Prohibited Outdoor Storage:** The outdoor storage of equipment, product, supplies, materials, machinery, building materials, waste or scrap, pallets, and similar materials shall not be permitted.
- B. **Stored Vehicles:** Stored vehicles shall not encroach into a right-of-way or block or impede an access easement, sidewalk, or driving aisle.
- C. **Parked Recreational Vehicles:**
 1. **Quantity:** No more than one (1) recreational vehicle shall be parked outdoors on a lot at any one (1) time.
 2. **Parking:**
 - a. A recreational vehicle shall be parked on a paved surface in a rear yard of a lot or on a valid parking spot (e.g. driveway) in the front yard or side yard.
 - b. A recreational vehicle shall not be parked on any street or other public way for more than twenty-four (24) hours in any thirty (30) day period of time.
 3. **Use:** At no time shall a parked recreational vehicle be occupied for living, sleeping, or home business purposes, except when parked on a lot with a valid building permit for construction or remodeling, with a maximum of ninety (90) days.

5.45 OS-02: Merchandising Outdoor Storage Standards

This Outdoor Storage Standards (OS) section applies to the following zoning district:



The following standards apply:

- A. **Vehicle Dealership:** The outdoor display, storage, and parking of vehicles for sale shall be permitted, provided that all vehicles are parked on asphalt or concrete, on a physical display (e.g. apparatus used to display a vehicle) approved by the Zoning Administrator, or enclosed within a building. All parked vehicles, vehicle parking surfaces, or physical displays shall meet the setbacks required for parking lots (see *Setback Standards*). Vehicles shall not be parked in the right-of-way, on gravel, on grass, or any other unimproved surface.
- B. **Equipment Rental:** The outdoor display and storage of equipment for rent shall be permitted, provided that all equipment is parked on asphalt or concrete, on a physical display (e.g. apparatus used to display a piece of equipment) approved by the Zoning Administrator, or enclosed within a building. All equipment, parking surfaces, or physical displays shall meet the setbacks required for parking lots (see *Setback Standards*). Equipment shall not be parked in the right-of-way, on gravel, on grass, or any other unimproved surface.

5.46 OS-03: Industrial Outdoor Storage Standards

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



The following standards apply:

- A. **Industrial Outdoor Storage:** Outdoor storage of vehicles, equipment, product, supplies, materials, waste or scrap, pallets, and the like shall be permitted if all of the following conditions are met:
 1. **Location:** Outdoor storage areas shall be located in a side yard or rear yard and shall be setback thirty (30) feet from the property line, or the setback required for an accessory structure, whichever results in a greater setback.
 2. **Screening:** Outdoor storage areas shall be screened on all sides with a solid fence or wall that is six (6) feet tall, or eight (8) feet tall if what is stored is greater than six (6) feet in height.

Parking Standards (PK)

5.47 PK-01: General Parking Standards

These Parking Standards (PK) apply to the following districts:



The following standards apply:

- A. Project Applicability: The parking standards shall apply to any of the following:
 1. *New Primary Structure*: Construction of a new primary structure.
 2. *Major Change to Primary Structure Size*: Increasing or decreasing the footprint of a primary structure by twenty-five percent (25%) or more of its size.
 3. *Second Change to Primary Structure Size*: Increasing or decreasing the footprint of a primary structure which has already been expanded or decreased one (1) time per *Section 5.47(A)(2)*.
 4. *Major Change in Parking Lot Size*: Increasing or decreasing an existing parking lot by twenty-five percent (25%) or more of its existing size or number of parking spaces.
 5. *Second Change to Parking Lot Size*: Increasing or decreasing a parking lot which has already been expanded or decreased one (1) time per *Section 5.47(A)(4)*.
- B. Cross Reference:
 1. *Setback Standards*: Parking lots shall comply with the setbacks in the *Setback Standards (SB)*.
 2. *Engineering Design Standards*: Parking lots shall comply with the City of Shelbyville Construction Standards.
- C. Permits: An Improvement Location Permit shall be required for all projects described in *Section 5.47(A)*.
- D. Design:
 1. *Size of Spaces*: Each off-street parking space shall comply with the City of Shelbyville Construction Standards.
 2. *Right-of-way*: Off-street parking spaces shall not be fully or partially in a right-of-way or access easement.
 3. *Access*: All required parking aisles shall be designed to provide direct access to roadways for vehicles. In no case may areas that do not have direct access be considered as meeting the requirements of this Ordinance.
- E. Prohibited: Parking of motor vehicles shall not be permitted on yards, lawns, or similar pervious-surfaced areas on a lot.
- F. Temporary Special Event Parking: When a special event (e.g. carnival, day camp) is permitted on grounds that do not have adequate parking lots or other improved parking surface, then a parking management proposal from the event coordinator or the property owner shall be submitted to the Zoning Administrator. The parking management proposal shall include: expected attendance, expected duration of the event, expected peaks in attendance if applicable, description of the intended activities, impact of rain or inclement weather, and a site drawing. The site drawing shall include: access management from the public street, areas to be used for the special event activities, areas to be used for special event parking, areas prone to ponding or flooding, means for cars to get to parking spaces without dead-ends, and any other information requested by the Zoning Administrator. The minimum number of parking spaces shall be two (2) spaces per five (5) persons expected to attend at the peak time of the event. The Zoning Administrator has full discretion to request more or allow less parking if evidence constitutes such a decision. If expected parking cannot be properly and safely accommodated on-site, then the permit for the special event may be revoked.

Parking Standards (PK)

- G. Park Use Requirements: Off-street parking spaces for park and recreation uses located in any zoning district shall be provided consistent with the requirements for nonresidential uses located in *Table PK-A: Minimum Number Of Parking Spaces Per Use*.
- H. Inoperable Vehicle Storage Requirements: The storage of all motor vehicles shall be consistent with the following requirements:
1. *Disallowed Storage*: The storage of vehicles or trailers of any type without current license plates and registration or in an inoperable condition shall be prohibited other than in completely enclosed buildings or associated with permitted auto salvage yards or auto-repair facilities.
 2. *Allowed Storage*: Vehicles associated with permitted auto salvage yards and/or auto-repair facilities shall be stored consistent with the following requirements:
 - a. All such vehicles, including antique vehicles, shall be stored inside a structure, within a rear yard storage area, side storage area, or in a driveway. In no case shall such vehicles be stored in any right-of-way, front yard, in front of structures, side yard, or required setback area or bufferyard.
 - b. All outdoor storage areas for such vehicles shall be completely enclosed by a minimum six (6) feet tall, 100% opaque fence constructed of wood, stone, vinyl, or masonry. Gates allowing access to the storage areas are permitted and shall be closed when not in use. The Gates shall consist of, 100% opaque wooden doors of a height matching that of the enclosure. In no instance shall any vehicles or materials stored within the enclosure exceed the height of the fence.

5.48 PK-02: Agricultural Parking Standards

These Parking Standards (PK) apply to the following districts:



The following standards apply:

A. Quantity:

1. *General Agriculture and Residential*: A minimum of two (2) off-street parking spaces shall be required per dwelling unit.
2. *Non-residential*: See *Table PK-A: Minimum Number Of Parking Spaces Per Use*

B. Location:

1. *Same Lot*: The required parking spaces shall be located on the same lot as the dwelling unit.
2. *Garages*: The required parking spaces may not include spaces within garages.

C. Materials: All off-street parking shall utilize a paved surface of concrete, asphalt, brick pavers, porous concrete, or the like. Dirt, sand, or grass shall not be permitted as parking surfaces.

5.49 PK-03: Low-density Residential Parking Standards

These Parking Standards (PK) apply to the following districts:



The following standards apply:

A. Quantity: A minimum of two (2) off-street parking spaces shall be required per dwelling unit.

B. Location:

1. *Same Lot*: The required parking spaces shall be located on the same lot as the dwelling unit.
2. *Garages*: The required parking spaces shall not include spaces within garages.

C. Materials: All off-street parking shall utilize a paved surface of concrete, asphalt, brick pavers, porous concrete, or the like. Gravel, dirt, sand, or grass shall not be permitted as parking surfaces.

Parking Standards (PK)

5.50 PK-04: High-density Residential Parking Standards

These Parking Standards (PK) apply to the following districts:

RM

The following standards apply:

A. Quantity:

1. *Tenants*: A minimum of two (2) parking spaces shall be required per dwelling unit.
2. *Visitors*: One (1) parking space per every ten (10) dwelling units shall be required for visitors.
3. *Bicycle Parking*: Developments shall provide on-site dedicated bicycle parking spaces at a ratio of one-tenth (0.1) bicycle parking spaces per each bedroom, with a minimum of four (4) spaces being required for all developments. These required bicycle parking spaces shall be designed in accordance with Section 5.52-B-6.

B. Location:

1. *Tenants*: Tenant parking spaces shall be located on the same site as the dwelling unit. Tenant parking spaces may include spaces within garages and/or carports.
2. *Visitors*: Visitor parking spaces shall be located in a common parking area or as on street parking along internal private streets, but shall be proportionately assigned to areas within 200 feet of each multiple-family structure.

C. Materials: All off-street parking shall utilize a paved surface of concrete, asphalt, brick pavers, porous concrete, or the like. Gravel, dirt, sand, or grass shall not be permitted as parking surfaces. All parking areas shall be clearly painted to show each parking space.

D. Drainage: Parking areas shall be constructed to allow proper drainage, which shall be subject to the review and approval of the City Engineer.

E. Wheelstops or Increased Sidewalk Width: When parking spaces abut a sidewalk, one (1) of the following shall be required to prevent the encroachment of motor vehicles onto the sidewalk.

1. *Wheelstops*: Wheelstops shall be installed any parking space abutting a sidewalk.
2. *Increased Sidewalk Width*: The width of a sidewalk abutting parking spaces shall be increased by a minimum of eighteen (18) inches.

F. Lighting: Lighting for parking areas shall conform with the applicable requirements of the *Lighting Standards*.

G. Landscaping: Landscaping for parking areas shall conform with the applicable requirements of the *Landscaping Standards*.

5.51 PK-05: Manufactured Home Park Residential Parking Standards

These Parking Standards (PK) apply to the following districts:

MP

The following standards apply:

A. Quantity:

1. *Dwelling Site*: A minimum of two (2) parking spaces shall be required per dwelling site.
2. *Visitors*: One (1) parking space per every five (5) dwelling sites shall be required for visitors.

B. Location:

1. *Dwelling Site*: The required dwelling site parking spaces shall be located on the dwelling site. The required dwelling site parking spaces may include spaces within garages and/or carports.
2. *Visitors*: Visitor parking spaces shall be located in a common parking area or as on-street parking along internal private streets, but shall be proportionately dispersed throughout the development.

C. Drainage: Parking areas shall be constructed to allow proper drainage, which shall be subject to the review and approval of the City Engineer.

D. Wheelstops or Increased Sidewalk Width: When parking spaces abut a sidewalk, one (1) of the following shall be required to prevent the encroachment of motor vehicles onto the sidewalk.

1. *Wheelstops*: Wheelstops shall be installed any parking space abutting a sidewalk.
2. *Increased Sidewalk Width*: The width of a sidewalk abutting parking spaces shall be increased by a minimum of eighteen (18) inches.

E. Lighting: Lighting for parking areas shall conform with the applicable requirements of the *Lighting Standards*.

F. Landscaping: Landscaping for parking areas shall conform with the applicable requirements of the *Landscaping Standards*.

Parking Standards (PK)

5.52 PK-06: Non-residential Parking Standards

These Parking Standards (PK) apply to the following districts:



The following standards apply:

A. Quantity:

1. *Minimum Number*:
 - a. Off-street parking shall be required for all uses as shown in *Table PK-A: Minimum Number Of Parking Spaces Per Use*. The required numbers do not guarantee the quantity needed per use, only minimums are expressed.
 - b. A development that combines two (2) or more uses or group of adjacent developments may provide a shared parking area if the shared lot provides a minimum of seventy-five percent (75%) of the required spaces for each use and the Zoning Administrator approves the shared parking area.
 - c. If a use is not clearly noted in *Table PK-A: Minimum Number Of Parking Spaces Per Use*, the Zoning Administrator shall determine the minimum number of parking spaces required by utilizing the most similar use's parking requirement. Required parking spaces for unique uses that are not comparable with any uses shall be determined by the Plan Commission.
 - d. **Reduced Parking Requirements in Established Areas:** In areas where a majority of structures were constructed prior to 1990, and/or a majority of lots were platted prior to 1990, the minimum number of required off-street parking spaces may be reduced or waived entirely, as deemed appropriate by the Zoning Administrator. This determination shall be based on the existing development pattern, availability of on-street parking, access to alternative transportation options, and overall neighborhood context. When a reduction or waiver of off-street parking requirements is granted under this provision, the standards outlined in Section 5.52-B-5, "Reduced Parking Lot Area Standards," shall not apply. When a reduction or waiver of off-street parking requirements is granted, 2 bicycle parking spaces shall be provided, in addition to the requirements of Section 5.52-A-3. Based on site conditions and the context of the neighborhood, additional bicycle parking spaces may be deemed necessary by the Zoning Administrator.
2. *Maximum Number*: Developments that wish to have more than 130% of the minimum required number of spaces shall be required to increase the required perimeter parking lot landscaping (see *Section 5.35 Parking Lot Landscaping Standards*) by fifty percent (50%), and increase the number or size of the required parking lot landscape islands or peninsulas by fifty percent (50%). Developments that wish to have more than 160% of the minimum required number of spaces shall be required to double the required perimeter parking lot landscaping, double the size of the required parking lot landscape islands and peninsulas, and double the required plantings in those parking lot landscape islands or peninsulas.
3. *Bicycle Parking*: Developments shall provide bicycle parking in accordance with Table PK-B, based on their subject zoning classification. Bicycle parking shall be secure, visible, and conveniently located near building entrances. Bicycle parking shall be designed in accordance with Section 5.52-B-6. Long-term bicycle parking shall be encouraged for employees and residents, while short-term parking shall be provided for visitors and customers.

Table PK-B: Minimum Number of Bicycle Parking Spaces Per Use

Use Category	Required Number of Bicycle Parking Spaces
Dwelling, Single Family or Two Family	No Requirement
Dwelling, Multiple Family	0.1 spaces for each bedroom, minimum of 4 spaces
Senior Housing	0.1 Spaces for each unit, minimum of 4 spaces
Restaurants, Grocery Stores	1 space for each 2,000 sq ft, minimum of 4 spaces
General Retail	2 spaces for each 5,000 sq. ft, minimum of 4 spaces
Office	1 space for each 10,000 sq ft, minimum of 4 spaces
Hotel	1 space per 30 guest rooms, minimum of 4 spaces
Assembly (church, theaters, stadiums, parks, etc.)	Spaces for 2% of maximum capacity, minimum of 4 spaces

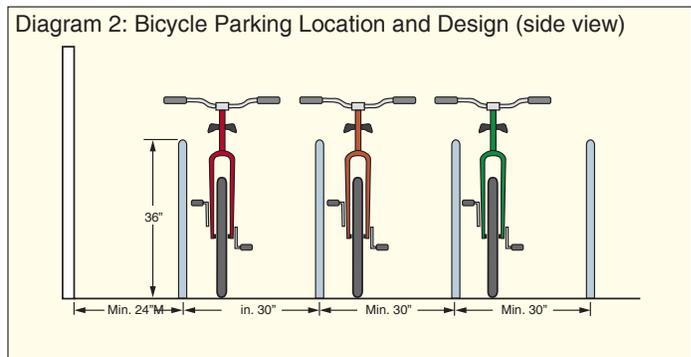
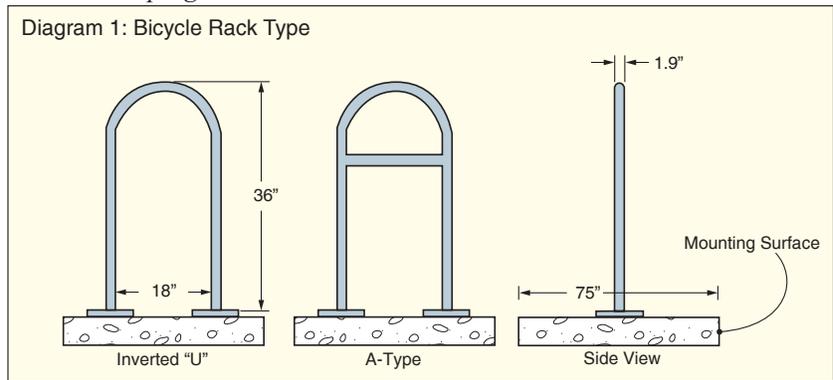
Parking Standards (PK)

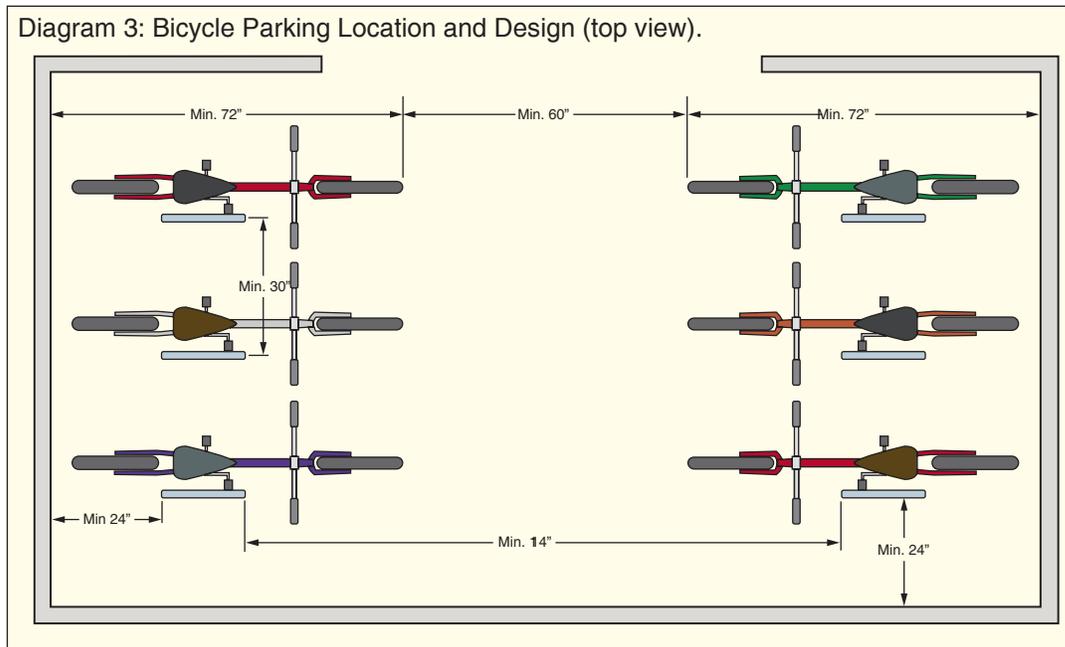
Use Category	Required Number of Bicycle Parking Spaces
Auto sales, rental, and delivery, automotive serving, repair and cleaning	1 space for each 20,000 sq ft, minimum of 2 spaces
Commercial Parking Lots	1 per 10 auto spaces, minimum of 6 spaces
Commercial Parking Garage	1 per 10 auto spaces, minimum of 6 spaces In addition to public bicycle parking, commercial parking garages shall also include water fountain(s), bicycle maintenance equipment such as a bike maintenance stand with bike tools, a tire pump, and other equipment. The location and design shall be reviewed and approved by the City Engineer.
Schools, Colleges, and Universities	1 space for each 40 students of planned capacity, minimum of 4 spaces, maximum requirement of 100 spaces
Healthcare/Hospital	1 space for each 20,000 sq ft, minimum of 4 spaces, maximum requirement of 100 spaces
Day Care or Day Nursery	1 space for each 20 students of planned capacity, minimum of 4 spaces

4. **Stacking Lanes:** The following uses shall provide minimum stacking lane space as indicated below to accommodate drop-off and pick-up.
- ATM: 3 per ATM lane.
 - Banks: 4 per drive-up window lane.
 - Day care center: 4.
 - Dry cleaner: 2.
 - Fast food restaurant: 6 unobstructed spaces to the menu board and 4 spaces from the menu board to the payment window.
 - Gas station: 2 space per pump.
 - Pharmacy: 3 spaces per drive-up window.
 - Place of Worship: 6.
 - Retail Drive-through: 3 spaces per drive-up window.
 - School: 15 spaces for Elementary, 10 spaces for Middle School, or 5 spaces for High School.

B. Design: Parking lots and parking areas shall be designed and built according to the *Shelbyville Construction Standards*.

- Lighting:** Lighting for parking areas shall conform with the applicable requirements of the *Lighting Standards*.
- Landscaping:** Landscaping for parking areas shall conform with the applicable requirements of the *Landscaping Standards*.





3. *Connectivity:*
 - a. Connectivity to adjacent parking lots shall be required in at least one (1) location. This may be accomplished through an aisle connector, frontage street, access street, or stub to an adjacent lot zoned for commercial, institutional, or industrial use. The Zoning Administrator may waive this requirement when:
 - i. pre-existing development will not feasibly allow such a connection,
 - ii. topography will not feasibly allow such a connection,
 - iii. the resulting connection would create a pedestrian or vehicular hazard, or
 - iv. the neighboring use would be a conflict with the proposed use on the subject lot.
 - b. Cross-access Easements:
 - i. Where parking lots connect or are laid out to be connected, a cross-access easement shall be established.
 - ii. Cross-access easements shall be wide enough for two-way traffic as per the City of Shelbyville Standards.
4. *Cart Corrals:* Cart corrals shall be required for all retail businesses with more than 20,000 square feet of retail space that provide shopping carts or the like to customers. Cart corrals shall be maintained in good condition and shall not have commercial signs affixed to them.
 - a. Design: Cart corrals shall be made of permanent materials on all three (3) sides creating an enclosure, and shall be anchored to the parking lot surface.
 - b. Cumulative Containment: All cart corrals in combination shall be able to accommodate at least fifty percent (50%) of the fleet of shopping carts available.
 - c. Parking Spaces: Cart Corrals shall not utilize any portion of the minimum required number of parking spaces identified in *Table PK-A: Minimum Number Of Parking Spaces Per Use*.
5. *Reduced Parking Lot Area Standards:* A parking lot may be built with fewer spaces than the required minimum number of vehicular spaces identified in *Table PK-A: Minimum Number Of Parking Spaces Per Use* if the following standards are met.
 - a. Adequate and appropriate space shall be land-banked such that the full number of parking spaces required in *Table PK-A: Minimum Number Of Parking Spaces Per Use* can be built on-site at a later date, should the need arise.
 - b. The property owner shall record a site plan that clearly denotes the land-banked area, and that identifies the area as a “no-build area.” The no-build area shall only allow landscaping material and shall restrict any septic system, structure, foundation, change in topography, or any other permanent or temporary structure or alteration that would make it cost prohibitive or difficult to develop parking on that area in the future.

- c. A design for a parking lot that accommodates all the required parking spaces and that abides by the on-site drainage standards shall be submitted for review. The reduced parking lot shall be a portion of the full parking lot. The full and partial parking lot designs shall be concurrently subject to the same review process necessary to meet the applicable requirements of the Unified Development Ordinance. If both designs are approved, the smaller parking lot design may be constructed and the full parking lot design shall be recorded.
- d. Under no circumstances may the smaller parking lot design establish less than forty percent (40%) of the required parking spaces in *Table PK-A: Minimum Number Of Parking Spaces Per Use*.
- e. If the smaller parking lot is periodically full, the additional parking shall be required to be constructed. Evidence of employees or guests parking on the grass or on-street shall constitute a violation.
6. *Bicycle Parking Facilities*: The location and design of bicycle parking spaces shall be provided as follows:
 - a. The bike rack shall be an inverted U-type or an A-type structure unless otherwise approved by the Zoning Administrator. Racks to accommodate smaller bicycles may be considered for schools. (Diagram 1: Bicycle Rack Type)
 - b. Racks requiring a user supplied locking device shall be designed to accommodate both a chain and U-type locking device and shall have the capability to support the bicycle at two locations.
 - c. All bicycle parking racks shall be coated with a black Thermoplastic powder coating, unless otherwise approved by the Zoning Administrator.
 - d. All racks shall be securely anchored to the ground to prevent the racks from unauthorized removal.
 - e. The bicycle parking areas shall have adequate separation from motor vehicle parking areas to minimize safety risk to riders; as well as to protect parked bicycles and motor vehicles from damage. The separation can come from curbs, grade differences, landscaping, poles, physical barriers or other similar features.
 - f. The bicycle parking areas shall be installed on a concrete surface that allows the bike rack to be securely fastened to the ground unless otherwise approved by the Zoning Administrator.
 - g. Bicycle parking spaces shall be a minimum of two feet by six feet (2' X 6') feet per bicycle. (Diagram 2: Bicycle Parking Location and Design - side view and Diagram 3: Bicycle Parking Location and Design - top view)
 - h. Bicycle racks shall be installed a minimum of twenty-four inches (24") from all walls or obstructions. (Diagram 2: Bicycle Parking Location and Design - side view and Diagram 3: Bicycle Parking Location and Design - top view)
 - i. Bicycle racks mounted in a row should be placed on thirty-inch (30") centers. (Diagram 2: Bicycle Parking Location and Design - side view and Diagram 3: Bicycle Parking Location and Design - top view).
 - j. Bicycle racks shall allow a minimum of five feet (5') of clearance behind a parked bicycle to allow for room to maneuver. (Diagram 3: Bicycle Parking Location and Design - top view)
 - k. The bicycle rack shall be placed within fifty (50) feet of the entrance designated as the main entrance of the building for which the racks are required. Buildings with multiple main entrances or separate tenant entrances may disperse bicycle racks for rider convenience and functionality at multiple entrances. The bicycle parking areas should be located in a clearly safe and convenient location as to not discourage their use, and located to minimize conflicts between cyclists, vehicles and pedestrians.
 - l. Bicycle parking areas shall be easily accessible from all trails, sidewalks and other alternative transportation facilities. Access to bicycle racks from these facilities shall be direct and clearly designated.
 - m. Bicycle parking can be shared by two (2) venues in the case that all of the venues' entrances are within fifty (50) feet of another.
 - n. Bicycle racks shall be placed so as to not impede the flow of pedestrian traffic, leaving a minimum pedestrian clear path of five (5) feet but still possess the ability to be visually monitored.
 - o. Bicycle parking areas shall be placed in a location that is visible from the building entrance and with proper lighting to ensure security.

Parking Standards (PK)

Table PK-A: Minimum Number Of Parking Spaces Per Use

Parking Types	
The following number of parking spaces are required...	...for every...
Employees and Business Vehicles	
-1 space	employee working on the largest shift (for multiple-shift operations ample parking spaces during shift changes shall be provided)
-1 space	business vehicle stored on-site
Assembly Uses	
-1 space	4 seats in a restaurant, auditorium, gymnasium, funeral home, grandstand, church (or other place of worship), or movie theater
-1 space	300 square feet of area in enclosed structures at a fairground
Auto-Related Uses	
-1 space	500 sq. ft. in all auto/boat/RV or farm implement sales facility show rooms
-1 space	vehicle on display at an auto/boat/RV dealership (to be used for each display vehicle)
-1 space	200 sq. ft. in any car wash, repair, or modification center
Retail and Personal Service Uses	
-1 space	400 sq. ft. of gross retail area in all hardware, home improvement, furniture, and large appliance stores
-1 space	300 sq. ft. of gross retail area in all convenience stores, banks, grocery stores, department stores, and other retail facilities (excluding any warehouse or storage space)
-1 space	250 sq. ft. in a personal service business, beauty or barber shop, or dry cleaners
Office Uses	
-1 space	200 sq. ft. of gross floor area in all medical or dental offices or clinics
-1 space	250 sq. ft. in any administrative or professional business office, library, museum, or art gallery
Recreation Uses	
-1 space	200 sq. ft. of gross floor area in any fitness center, dance academy, health spa, private lodge or club, or entertainment center
-20 spaces	nine holes at any golf course
-1 space	100 square feet of recreational area at a swimming pool, skating rink, or public lake
-1.5 spaces	possible participant field or court at a sports or recreation facility (note additional requirements for any public assembly space associated with this use)
-4 space	lane at a bowling alley
-1 space	1/4 acre of area included at a public nature area
-1 space	1 camp site or cabin at a camp ground
Educational Uses	
-2 space	classroom in an elementary or middle schools
-1 space	4 students in a high school without an auditorium or gym
-1 space	20 students in a high school with an auditorium or gym (note: plus the required parking spaces for the largest assembly space in the school)
-1 space	4 students in a community college, business, vocational, trade, or other commuter-based school
-1 space	2 on-campus residents of a resident-student based college or university
-1 space	2 persons in a boarding, fraternity, sorority, or student cooperative house
Miscellaneous Uses	
-1 space	3 patient/resident beds at a hospital, nursing home, or assisted living facility
-1 space	275 sq. ft. of gross floor area in a flex-office or commercial strip center
-1 space	20 storage units at a self-storage facility
-1 space	5 hangars or tie-down spaces at an airport or heliport
-1 space	10 inmates for which a penal or correctional institution is designed
-1 space	6 persons of permitted capacity in any day care facility
-1 space	sleeping unit in a hotel, motel, or bed and breakfast
-1 space	dwelling unit located on upper floors

Parking Standards (PK)

- C. Access/Location Standards: All parking spaces shall be accessed and located consistent with the following standards:
 - 1. *Parking for the Disabled*: Parking spaces reserved for disabled persons shall be provided in all parking areas consistent with the requirements of the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities, Article 4.1.2(5)(a)* and all applicable revisions.
 - a. The number of reserved spaces shall be based on the total number of spaces provided and shall be consistent with the Disabled Parking Spaces table.
 - b. All required parking spaces for the disabled shall be those that are the closest to the main entrance of the primary structure.

Disabled Parking Spaces

Total Number of Spaces Provided	Minimum Number of Reserved Spaces Required
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% of the Total Number of Spaces
1001 and over	20, plus 1 for each 100 Spaces over 1000

- D. Off-site and Shared Parking Requirements: Parking spaces may either be located on the lot with the use for which they are required, or on another lot that is within 500 feet of the lot occupied by the use for which they are required.
 - 1. *Approval Requirements*: All off-site and shared parking space arrangements are subject to the approval of the Zoning Administrator. Approvals shall be based on the determination that the use of off-site and/or shared parking will include appropriate pedestrian connections, will not result in potentiality hazardous traffic conditions, and will provide an adequate number of parking spaces and future parking area expansion options for the uses involved.
 - 2. *Off-site Parking*: Two (2) or more uses may provide off-site parking collectively on one (1) lot, however the total number of spaces shall not be less than the sum of the spaces required for each use (example: a group of business, industries, and/or apartments located on upper-floors over businesses may provide a common parking area).
 - 3. *Shared Parking*: Two (2) or more uses for which the normal hours of operation do not overlap may share parking either on or off-site (example: a church may share its parking lot with a business, or with apartments located on upper-floors of adjacent businesses).
 - 4. *Required Documentation*: A permanent documentation of any off-site and/or shared parking agreement shall be signed by all involved property owners. The permanent written agreement shall include, but is not limited to the following items: maintenance, snow removal, dissolving the agreement and establishing alternate parking, ownership, and liability. The agreement shall be reviewed and approved by the Zoning Administrator and the City Attorney. The agreement shall be recorded in the office of the Shelby County Recorder. A copy of the agreement shall be kept in the office of the Shelbyville Plan Commission.
- E. Public Parking: These parking requirements may be waived by the Board of Public Works and Safety if it can be demonstrated that adequate parking is provided in a city-owned public parking lot or structure on a lot that is within 1,320 feet (1/4 mile) of the lot on which the use is located.

Public Improvement Standards (PI)

5.53 PI-01: Public Improvement Standards

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



The following standards apply:

- A. Adequate Public Facilities: Developments are permitted only if the public streets are adequate to serve the proposed development.
 - 1. *Public Streets*:
 - a. Developments that generate more than 500 passenger vehicle/small truck trips, 100 large trucks/farm equipment trips (e.g. box trucks), or fifty (50) semi tractor trailer trips to and from the site on average per day shall be required to finance a traffic and street impact study commissioned by the City of Shelbyville to determine the proposed development's impact to the public streets. The Plan Commission shall make a determination based on that study as to whether the public street(s) are designed to effectively and safely convey the existing and added traffic generated by the development, or whether the street will be prematurely degraded by the added traffic generated by the development. This requirement for a traffic and street impact study can be waived if deemed unnecessary by the City Engineer.
 - b. If the public street(s) is (are) determined to not be able to handle the added traffic, the Plan Commission may deny the development or allow it with mitigating conditions. Mitigating conditions, if necessary, shall be determined by the Plan Commission and Technical Advisory Committee based on engineering practices.
- B. Guarantees: When mitigating conditions are required, the developer or authorized representative may be required to provide a surety that guarantees such improvements will be completed.

Recreational Vehicle Park Standards (RV)

5.54 RV-01: Recreational Vehicle Park Standards

These Recreational Vehicle Park Standards (RV) apply to the following zoning district:

PK

- A. **Entrances:** Recreational vehicle parks shall have direct access to a public street and shall include sufficient entrances and exits, in the opinion of the City Engineer, to facilitate the safe movement of recreational vehicles in and out of the recreational vehicle park.
- B. **Design Requirements:** All recreational vehicle parks shall designate a specific location for each recreational vehicle through signs and the provision of electricity, fresh water, and sanitary sewer connections; and shall meet the following design requirements:
 1. *Density:* The density of the park area shall not exceed more than twenty (20) recreational vehicles per acre.
 2. *Minimum Lot Area:* The minimum lot area of a recreational vehicle park shall be five (5) acres.
 3. *Separation:* Recreational vehicles shall be separated from each other and from any building by a minimum of twenty (20) feet.
 4. *Setbacks:* All recreational vehicles shall be setback a minimum of fifty (50) feet from the right-of-way of all adjacent public streets.
 5. *Vehicular Access and Parking Pads:* All vehicle access routes shall be paved, and parking pads within the park shall either be gravel or paved.
 6. *Trash Disposal:* Dumpsters shall be provided and shall meet the applicable standards in *Section 5.37: Landscape Screening Standards*.
 7. *Sanitary Waste Disposal Stations:* One (1) recreational vehicle sanitary disposal station shall be provided for each 100 recreational vehicle sites that are not equipped with individual sewer connections.
 8. *Bathroom Facilities:* One (1) toilet shall be provided, plus one (1) additional toilet per each additional twenty-five (25) sites. No toilets are required if all sites serve only self contained recreational vehicles.
- C. **Seasonal Use Restrictions:** Recreational vehicle parks shall permit only the seasonal habitation of recreational vehicles.

Setback Standards (SB)

5.55 SB-01: Setback Standards

This Setback Standards (SB) section applies to the following zoning districts:



The following standards apply:

- A. Applicability: If a setback standard does not appear on the two-page layout for a zoning district, then the standard does not apply to that particular zoning district.
- B. Minimum Dwelling Site Front Yard Setback:
 1. *Generally*: The minimum dwelling site front yard setback shall be as per the two-page layout for the Manufactured Home Park District in *Article 2: Zoning Districts*.
 2. *Established Setback*: Where a manufactured home park has been substantially built-out utilizing a dwelling site front setback standard less than that required by *Article 2: Zoning Districts*, an infill lot may utilize the established setback as defined in *Article 11: Definitions*, thus allowing consistent setbacks.
- C. Minimum Dwelling Site Side Yard Setback:
 1. *Generally*: The minimum dwelling site side yard setback shall be as per the two-page layout for the Manufactured Home Park District in *Article 2: Zoning Districts*.
 2. *Established Setback*: Where a manufactured home park has been substantially built-out utilizing a dwelling site side setback standard less than that required by *Article 2: Zoning Districts*, an infill lot may utilize the established setback as defined in *Article 11: Definitions*, thus allowing consistent setbacks.
- D. Minimum Dwelling Site Rear Yard Setback:
 1. *Generally*: The minimum dwelling site rear yard setback shall be as per the two-page layout for the Manufactured Home Park District in *Article 2: Zoning Districts*.
 2. *Established Setback*: Where a manufactured home park has been substantially built-out utilizing a dwelling site rear setback standard less than that required by *Article 2: Zoning Districts*, an infill lot may utilize the established setback as defined in *Article 11: Definitions*, thus allowing consistent setbacks.
- E. Minimum Front Yard Setback:
 1. *Generally*: The minimum front setback shall be as per each two-page layout in *Article 2: Zoning Districts*.
 2. *Established Setback*: Where a residential subdivision has been platted and substantially built-out utilizing a front setback standard less than that required by *Article 2: Zoning Districts*, an infill lot may utilize the established setback as defined in *Article 11: Definitions*. This provision does not apply to institutional, commercial, industrial zoned property.
 3. *Measurement*: All front yard setbacks shall be measured from the right-of-way line.
- F. Minimum Side Yard Setback:
 1. *Generally*: The minimum side setback shall be as per each two-page layout in *Article 2: Zoning Districts*.
 2. *Established Setback*: Where a residential subdivision has been platted and substantially built-out utilizing a side setback standard less than that required by *Article 2: Zoning Districts*, an infill lot may utilize the established setback as defined in *Article 11: Definitions*, thus allowing consistent setbacks. This provision does not apply to institutional, commercial, industrial zoned property.
 3. *When Six (6) Feet or Less*: When a primary structure is proposed to be six (6) feet or less from a side property line, the exterior building materials on the side elevation of the primary structure shall be comprised of at least ninety-five percent (95%) non-combustible material (e.g. brick, fiber-cement, stone, or masonry).
- G. Minimum Rear Yard Setback:
 1. *Generally*: The minimum rear setback shall be as per each two-page layout in *Article 2: Zoning Districts*.
 2. *Established Setback*: Where a residential subdivision has been platted and substantially built-out utilizing a rear setback standard less than that required by *Article 2: Zoning Districts*, an infill lot may utilize the established setback as defined in *Article 11: Definitions*. This provision does not apply to institutional, commercial, industrial zoned property.

Setback Standards (SB)

H. Features:

1. *Natural Stream or River*: The following structures shall be set back from the water's edge of natural streams and rivers by the following distances:
 - a. Paved Parking Lots: 100 feet.
 - b. Non-residential Primary Structures: Seventy-five (75) feet.
 - c. Residential Single-family and Residential Multiple-family Primary Structures: Seventy-five (75) feet.
2. *Wetlands*: All structures shall be set back from the delineated boundary of a wetland a minimum of fifteen (15) feet.
3. *Floodplain*: All structures shall be set back from the delineated boundary of a floodplain a minimum of twenty-five (25) feet.

I. Exceptions: The following types of structures or building features are exempt or partially exempt from the setback standard as stated:

1. *Architectural Features*: Architectural features (e.g. cornice, eave, sill, awning, canopy or similar feature) may extend into a required front, side, and/or rear setback by no more than three (3) feet. However, under no circumstance shall they be closer than three (3) feet to the property line.
2. *Chimneys*: Chimneys may extend into a required setback by no more than two (2) feet. However, under no circumstance shall they be closer than three (3) feet to the property line.
3. *Fences and Walls*: Fences and walls are exempt from the setbacks in this section, but shall abide by the fence and wall standards in *Article 5: Development Standards*.
4. *Parking Lots*: In commercial, institutional, and industrial zoning districts, parking lots may encroach into the front, side, and rear yard setbacks for a primary structure by the following amounts:
 - a. Front Yards: Parking lots may project into a front yard by twenty-five percent (25%) of the minimum front yard setback.
 - b. Side Yards: Parking lots may project into a side yard by fifty percent (50%) of the minimum side yard setback.
 - c. Rear Yards: Parking lots may project into a rear yard by fifty percent (50%) of the minimum rear yard setback.
5. *Utility Poles, Lines, and Junction Boxes*: Utility poles, lines, and junction boxes are exempt from the setbacks in this section.
6. *Stairs*: Stairs or an open platform or landing used to gain access to the first floor of the primary structure may extend into a required front, side, and/or rear setback not more than five (5) feet, however, they shall never be closer than five (5) feet to a property line.
7. *Retaining Walls*: Retaining walls may extend into the required setback and be on the property line if no greater in height than four (4) feet. Retaining walls may extend into the required setback but shall be not closer to the property line than its height, except as described in the previous sentence.
8. *HVAC Equipment*: Ground mounted heating, ventilation and air conditioning equipment may extend into a required rear setback by up to three (3) feet. However, under no circumstance shall they be closer than four (4) feet to the property line.
9. *Satellite Dishes*: A facade-mounted satellite dish may extend into a required side or rear setback by up to two (2) feet. However, under no circumstance shall it be closer than four (4) feet to the property line.
10. *Open Wall Structures*: Any open wall structure (e.g. park and recreation shelters) may be located within twenty-five (25) feet of a floodplain.

Sexually Oriented Business Standards (SX)

5.56 SX-01: Sexually Oriented Business Standards

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

BG

The following standards apply:

A. Applicability

1. Accessory Retail Business: Any business with at least five percent (5%) but less than thirty percent (30%) of either:
 - its annual gross revenue derived from sexually oriented merchandise; or
 - its stock in trade (e.g. quantity of sexually oriented merchandise); or
 - its gross floor area devoted to the sale, rental, or display of sexually oriented merchandise shall abide by the regulations in *Section 5.56(B): Sexually Oriented Accessory Retail Business Standards*.
2. Retail Business: Any business with at least thirty percent (30%) of either:
 - its annual gross revenue derived from sexually oriented merchandise; or
 - its stock in trade (e.g. quantity of sexually oriented merchandise); or
 - its gross floor area devoted to the sale, rental, or display of sexually oriented merchandise shall abide by the regulations in *Section 5.56(C): Sexually Oriented Retail Business Standards*.
3. Entertainment Business: Any sexually oriented entertainment business shall be regulated by *Section 5.56(D): Sexually Oriented Entertainment Business Standards*.

B. Sexually Oriented Accessory Retail Business Standards: Access to any person under the age of eighteen (18) shall be restricted to the entire business or to a separate room containing all of the sexually oriented merchandise.

1. Restricting Access to the Entire Business: If restricting access to the entire business, then the business:
 - a. Age Restriction: Shall not be open to any person under the age of eighteen (18).
 - b. Warning Sign: Shall install and maintain a sign that communicates that persons under eighteen (18) are not permitted inside by law. Said sign shall be one-half (½) square foot in area and located on each entrance door or within two (2) feet of each entrance door.
 - c. Display: Shall not display sexually oriented merchandise or material in storefront windows. Any existing windows shall either:
 - i. be covered from the inside with an opaque and aesthetically neutral material, or
 - ii. be replaced with textured glass or similar to completely obscure vision into the business (e.g. bathroom glass), or
 - iii. be maintained with non-explicit displays.

Any sexually oriented merchandise or material, on display within the store, shall also be screened so they are not visible to persons looking at window displays.
2. Restricting Access to a Separate Room: If restricting access to a separate room or section, then the room or section:
 - a. Age Restriction: Shall not be open to any person under the age of eighteen (18).
 - b. Warning Sign: Shall install and maintain a sign at least one-quarter (¼) square foot in area on each door leading into the room within one (1) foot of the door knob or handle that communicates that persons under eighteen (18) are not permitted inside by law.
 - c. Physical Separation: Shall be physically and visually separated from the remainder of the business by an opaque wall made from durable material, reaching at least eight (8) feet high or to the ceiling, which ever is less. All doors leading into the room from public spaces shall be self-closing and latching doors.
 - d. Location: Shall be located so that the entrance to it is as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children.
 - e. Access Management: The business shall have access managed by electronic device, key, or other means to provide assurance that persons under age eighteen (18) or the general public will not easily or accidentally enter such a room.
 - f. Display: Shall not display sexually oriented merchandise or material in any storefront windows or area outside the separate room.

Sexually Oriented Business Standards (SX)

C. Sexually Oriented Retail Business Standards:

1. **Location:** The business shall not be located within 1,000 feet of an institutional zoning district (IS), parks and recreation district (PR), a place of worship, school (P-12), park, plaza, playground, day-care, child care institution, library, nature center, community center, public swimming pool, museum, or another sexually oriented entertainment business; or be located within 500 feet of a low density residential zoning district (R1 and R2). The distance shall be measured in a straight line from the property line of the sexually oriented retail business to the property line of the above listed land uses or zoning districts.
2. **Age Restriction:** The business shall not be open to any person under the age of eighteen (18).
3. **Warning Sign:** The business shall install and maintain a sign one-half ($\frac{1}{2}$) square foot in area on each entrance door or within two (2) feet of each entrance door that communicates that persons under eighteen (18) are not permitted inside by law.
4. **Access Management:** The business shall have access managed by electronic device, key, or other means to provide assurance that persons under age eighteen (18) or the general public will not easily or accidentally enter the business.
5. **Display:** The business shall not display sexually oriented merchandise or material in storefront windows. Any existing windows shall be covered from the inside with opaque material, or the glass shall be textured to obscure vision into the business (e.g. bathroom glass), or be maintained with non-explicit displays. If non-explicit displays are utilized, then sexually oriented merchandise or material on display within the store shall also be screened so they are not visible to persons looking at window displays.
6. **Services:** The business shall not offer on-site entertainment.

D. Sexually Oriented Entertainment Business Standards:

1. **Location:** The business shall not locate within 1,320 feet of the institutional zoning district (IS), parks and recreation district (PR), a place of worship, school (P-12), park, plaza, playground, day-care, child care institution, library, nature center, community center, public swimming pool, museum, sexually oriented retail business, or another sexually oriented entertainment business; or be located within 500 feet of a low density residential zoning district (R1 and R2). The distance shall be measured in a straight line from the property line of the sexually oriented entertainment business to the property line of the above listed land uses or zoning districts.
2. **Age Restriction:** The business shall not be open to any person under the age of eighteen (18).
3. **Access Management:** The business shall have patron access managed by personnel who check each patron's State issued identification prior to admittance, or other equally secure means to provide assurance that persons under age eighteen (18) will not enter such business.
4. **Warning Sign:** Shall install and maintain a sign at least one-half ($\frac{1}{2}$) square foot in area on each entrance door or within two (2) feet of each entrance door that communicates that persons under eighteen (18) are not permitted inside by law.
5. **Display:** Any exterior windows shall be covered from the inside with an opaque and aesthetically neutral material, or the glass shall be replaced with textured glass or similar to completely obscure vision into the business (e.g. bathroom glass).
6. **Services:** The business shall offer sexually oriented entertainment only in rooms or spaces with a minimum floor area of 1,000 square feet. Such rooms or spaces shall not be subdivided by temporary or permanent walls, dividers, or the like.

Sidewalk Standards (SD)

5.57 SD-01: Sidewalk Standards

These Sidewalk Standards (SD) apply to the following zoning districts:



The following standards apply:

- A. **Applicability:** A sidewalk is required to be installed when a new primary structure is constructed or when a primary structure is enlarged by twenty percent (20%) or greater. Sidewalks are also required to be installed in front of any lot created after the effective date of the Unified Development Ordinance once it has sat vacant for twenty-four (24) months (if a single lot was created), or twenty-four (24) months from the date the first certificate of occupancy was issued (if a multiple-lot subdivision) and where infrastructure exists.
- B. **Location:** Public sidewalks shall be provided along the frontage of each lot in order to promote pedestrian access and reduce vehicle traffic impacts.
- C. **Exception:** In rare situations, it is not possible and not in the public interest to require that a public sidewalk be installed on a specific parcel. If the Zoning Administrator finds that all of the following criteria exists on the subject property, they may administratively waive the requirement of this section of the ordinance:
 - 1. If the subject property constructed the sidewalk in accordance with this section of the ordinance, it would not connect to public sidewalks on any adjoining properties.
 - 2. No public sidewalks exist on the same side of the public street(s) within 1,320 feet.
 - 3. If located within a platted subdivision, at least 90% of the lots within the subdivision do not have public sidewalks.
 - 4. All streets that the subject property has frontage on must have a functional classification of “Local”.
 - 5. Utility infrastructure; underground, aboveground, or in the form of a drainage swale, is present and makes it impossible to construct a sidewalk near the frontage of the lot. The presence of utilities along the frontage of a lot does not solely make it impossible to construct a public sidewalk along the frontage, other contributing factors must also be present.
- D. **Written Commitment:** If the requirement for a public sidewalk is waived, in accordance with Section 5.57-C of this Ordinance, the property owner must record a written commitment against the property agreeing to install the public sidewalk if any adjoining property owner installs a public sidewalk which the subject property could connect to. This written commitment must be recorded, cross-referencing the most current deed, with the Shelby County Recorder’s Office, prior to the issuance of a Certificate of Occupancy.

Sign Standards (SI)

5.58 SI-01: General Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:



The following standards apply:

- A. **Purpose:** The purpose of this ordinance is to create the legal framework for a comprehensive and balanced system of sign regulations that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and their environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community-wide appearance. With these purposes in mind, it is the intent of this ordinance to authorize the use of signs that are:
 - 1. Compatible with their surroundings;
 - 2. Appropriate to the activity that displays them;
 - 3. Expressive of the identity of individual activities and the community as a whole;
 - 4. Legible in the circumstances in which they are seen; and
 - 5. To promote the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with the surrounding buildings and landscape, in order to meet the community's express desire for quality development; as well as
 - 6. To preserve and protect the public health, safety, and welfare of the citizens of the City of Shelbyville.
- B. **Freedom of Expression:** As permissible by law, the following applies to noncommercial messages:
 - 1. Notwithstanding any other provision of this article, commercial copy may be substituted with non-commercial copy on any sign that is permissible under this article.
- C. **Traffic Hazard Signs:** A sign shall not constitute a traffic hazards as described below:
 - 1. **Public Right-of-Way:** No sign shall encroach into a public right-of-way, except for the following:
 - a. Projecting Signs that are allowed in the BC District (see *Section 5.65*).
 - b. Governmental and Public Signs.
 - c. Outdoor sandwich board signs that are allowed in the BC District (see *Section 5.65*).
 - d. Residential subdivision identification signs.
 - e. Non-Commercial Off-Premise Signs, as defined and regulated in *Section 5.58(S)*
 - 2. **Intersection:** No sign or other advertising structure, as regulated by this section, shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the intensity, position, shape, or color, it may interfere with, obstruct the view, or be confused with any traffic sign, signal or device.
 - 3. **Obstructs Circulation:** No sign or sign structure shall be permitted which attempts or appears to attempt to direct the movement of traffic or which interferes with or obstructs the view of, or can be confused with, imitates, or resembles any official traffic sign, signal, or device.
 - 4. **Misleading:** No sign, as regulated by this section, shall be erected which makes use of the words "Stop," "Look," "Danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
 - 5. **Vision Clearance:** All signs shall meet the standards in *Section 5.77: Vision Clearance*.
- D. **Sign copy:**
 - 1. The sign copy face can be changed to a new copy as long as the frame and original size of the sign remains the same, in this case a sign permit is not needed. For legal nonconforming signs please see *Section 8.04*.
- E. **Abandoned Signs:** Signs that are either (1) associated with a commercial property which has become vacant or (2) associated with a business, project, or service which is no longer operating; otherwise known as an "abandoned sign." When a sign is "abandoned," then the sign shall lose any legal-nonconforming status and all associated development standards variances will become null-and-void if not utilized within 180 days. If removal of the sign is required due to the loss of legal-nonconforming status, the structural support of the sign, such as the pole and framework upon which the sign is placed, shall also be removed. In addition, a "Sign Blank" should be placed in any abandoned sign to replace the sign copy associated with the former business, project, service, or use within twenty-one (21) days of the sign becoming abandoned.
- F. **Signs in Easements:** Any sign that is placed in an easement that is not included in the public right-of-way shall be approved by the easement holder in addition to obtaining local approval.

Sign Standards (SI)

- G. Signs Required By Law: Signs required by law to be a specific size, composition, or location may be permitted by the Zoning Administrator. If permit is required for this type of sign elsewhere in this section, the owner shall first receive permit before placement.
- H. Sign Maintenance:
1. Signs and supporting hardware, including temporary signs, shall be structurally safe, clean, free of visible defects, and functioning properly at all times.
 2. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.
- I. Sign Materials: Painted signs shall be permitted in addition to signs made of brick, metal, or wood. All painted signs shall conform to all other requirements of the sign code for wall signs, including, but not limited to size location, illumination, lettering, style, and color. This does not include art work or murals that are not used for commercial purposes.
1. *Temporary Sign*: A sign or advertising display constructed of cloth, canvas, fabric, plastic, or other comparable materials that are designed or intended to be displayed for a short period of time as determined by the Zoning Administrator. Temporary signs are portable signs that are not permanently attached to the ground or other permanent structures, or a sign designed to be transported. Temporary signs include, but are not limited to: sandwich boards, wall and ground banners, yard cards, advertisement flags, signs on balloons and umbrellas, and reader boards (on wheels).
 2. *Permanent sign*: A sign attached to a building, structure, or the ground, and which is made of durable materials, intended for long term use. Permanent sign faces shall be made up of plastic, vinyl, metal, or other durable materials determined to be comparable by the Zoning Administrator.
- J. Limitations: No sign or sign structure shall be placed on private or public property without the express written consent of the owner or the owner's representative.
- K. Prohibited Signs: Except as otherwise specifically provided in the city code, the following signs types are strictly prohibited in all zoning districts:
1. Signs which contain obscene statements, works, or pictures.
 2. Signs which may obstruct visibility for the purpose of public safety in any direction at all intersections of streets, alleys, sidewalks, and/or driveways.
 3. Signs which advertise activities that are illegal under federal, state, city or county laws.
 4. Signs painted upon retaining walls, rocks, natural features or vegetation, unless otherwise permitted in this ordinance.
 5. Off-premise commercial signs as defined by this ordinance. This does not apply to billboards as defined herein.
 6. Signs that are not permanently attached to the ground, building, or structures are prohibited, except for when temporary signs are allowed.
 7. Signs located in the right-of-way that have not received formal approval by the City of Shelbyville Board of Public Works and Safety as described in Section 5.58 (S) of this ordinance.
 8. Signs which rotate, swing, inflate, or move as a result of wind (natural or man-made), i.e. banners, posters, pennants, ribbons, streamers, spinners, or similar devices, unless they are specifically permitted by other sections of this ordinance.
 9. Signs mounted on the roof of any structure. If a roof is considered a part of an architectural style such as a mansard style roof, signs will be reviewed on an individual basis by the Plan Commission Staff for determination of compliance with the intent of this section.
 10. Wall signs that exceed the height of the wall or facade on which they are mounted.
 11. Signs that are blocking or are placed in front of any door, window, fire escape, or opening required for ventilation in any structure.
 12. Any sign, including temporary signs, that are posted-on or attached-to any public utility pole, fence post, fence, light pole, tree, or any other publicly owned structures such as a street or stop sign.
 13. Stationary motor vehicles, trailers, and similar vehicles whose sole purpose is for advertising.

Sign Standards (SI)

- L. Exempt Signs: The following signs are permitted in any zoning district. The general provision noted in the above section shall still apply to all signs. The requirement of a sign permit shall not apply to certain signs specifically referenced in this section.
1. Flag, emblems, or insignia of any nation, state, political subdivision, school, or other non-commercial entity shall be permitted, provided the setback requirements for signs in the applicable district are met.
 2. House numbers and name plates.
 3. Interior signs.
 4. Memorial signs or tablets.
 5. Murals and works of art.
 6. Official signs authorized by a government or governmental subdivision which give traffic, directional, or warning information, and signs of public service companies' indication of danger and aids to service or safety that are erected by, or on the order of, a public officer in the performance of their public duty.
 7. Public notices.
 8. Public information signs.
- M. Measurement of Signs:
1. *Sign Area*:
 - a. "Areas" refers to the total area of the sign which would customarily be used for presenting information or attracting attention, including any border.
 - i. The area of regular geometric shapes, such as cabinet signs, shall be calculated using standard formulas (see figure).
 - ii. Where channel letters or awning signs are used, the area shall be measured as the area of the smallest polygon which will completely enclose all figures, letters, designs and tubing which are part of such sign.
 - iii. Each side of an awning or canopy shall be considered a separate face, except that the continuous signs on all sides of an awning shall be considered a single sign.
 - iv. The area of a spherical, cylindrical, and other three-dimensional sign shall be measured by calculating the area of an elevation drawing of the sign.
 - v. Double-faced (back-to-back) signs shall be regarded as a single structure if the distance between each sign face does not exceed two (2) feet at any one (1) point. Only one (1) face of a double-faced sign shall be measured when determining maximum allowable area except for off-site billboards.
 - vi. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.
 2. *Sign Height*:
 - a. The height of a sign shall be measured as the vertical distance from the uppermost point used in measuring the sign to the average grade immediately below and adjoining the sign.
 - b. The average grade shall be construed to be the lower of either (1) existing grade prior to construction; or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavation solely for the purpose of location of the sign.
 - i. Earth mounding, inconsistent with the ground level of the land surrounding the sign structure, which increases the elevation of the sign, shall be included in the measurement of the sign height.
 - c. In cases where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of the street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.
 - d. The linear measurement of the sign shall not exceed eighty percent (80%) of the linear frontage of the facade of the structure or tenant space.

Sign Standards (SI)

- e. Any combination of wall signs may be utilized, as long as the total surface area of all the signs on the facade does not exceed the percentage allowed. Facades in multiple tenant buildings per tenant space is measured by the heights of the building floors and the width of the space that is occupied by the tenant.
- 3. *Ground Signs*
 - a. The sign area of a ground sign includes the entire sign structure, such as base and decorative features. Planter boxes are not considered sign structure.
 - b. The base of sign shall be a minimum of one (1) foot in height and two (2) feet in width or fifty percent (50%) of the length of the cabinet sign, whichever is greater.
 - c. When noted, ground sign face shall only measure text and graphics of sign with the method noted above; the ground sign base feature will include the entire sign structure.
- N. Landscape Standards: When landscaping is required around signs defined in this ordinance, the following standards shall apply:
 - 1. A landscape area located around the base of the ground sign shall equal .75 square feet for each square foot of ground sign area.
 - 2. The landscape area shall contain living landscape material consisting of shrubs, perennial ground cover plants, or a combination of both, placed throughout the required landscape area, having a spacing of not greater than three (3) feet on center.
 - 3. Where appropriate, the planting of required deciduous or evergreen trees, installed in a manner that frames or accents the ground sign structure is encourage.
- O. Illuminations of Signs:
 - 1. All lighting of signs from illumination shall not be of an intensity or brightness that will create a negative impact on adjoining properties in direct line of sight to the sign.
 - 2. Signs shall not have blinking, flashing, or fluttering lights.
 - 3. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
 - 4. Reflective type bulbs and incandescent lamps that exceed fifteen (15) watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property.
 - 5. The following are explanations and standards on different types of sign illumination. The limits on the types allowed for each sign will be expressed in the section under each type of sign.
 - a. Non-illuminated– Signs that are not illuminated by any types of artificial light source.
 - b. Externally illuminated – illumination of a sign that is affected by an artificial source of light not contained within the sign itself.
 - i. Light source should be effectively shielded so it eliminates negative impacts on surrounding rights-of-way and properties.
 - ii. Light source should be directed and shielded to limit direct illumination of any object other than the sign.
 - c. Internally illuminated – an artificial light source that is concealed or contained with the sign and becomes visible in darkness through a translucent surface, (commonly known as *Cabinet Signs*.)
 - d. Limited Internal Illumination– an internal light sign or an EMC cannot be installed along property lines that adjoin a zoning district of R1 or R2. Light direction should not be seen from these zoning districts.
 - e. Electronic Message Center (EMC) - a sign that utilizes a computer-generated message or some other electronic means of changing the sign copy. These signs include displays using incandescent lamps, LEDs, LCDs or a Riper Matrix. *Section 5.58(P) will list EMC Standards.*
- P. Electronic Message Centers (EMCs):
 - 1. *Zoning Districts*: Electronic Message Centers, EMC, shall only be permitted via special exception by the Shelbyville Board of Zoning Appeals in the following zoning districts: IS, BC, BG, and BH.
 - 2. *Decision Criteria*: See Section 9.07 Special Exception Use, for Decision Criteria
 - 3. *Development Standards*: If a special exception is granted, the following development standards will apply:
 - a. *Quantity*: Only one (1) EMC shall be permitted per property regardless of number of tenants and buildings. The EMC can be either a wall sign, window sign, or detached sign as allowed per zoning district.
 - b. *Size*: The EMC size is included in the overall size allotment of each type of sign, stated later in each

zoning district, but the EMC shall not exceed size as follows:

- c. *Single Tenant Signs:* EMC signs shall not exceed thirty-two (32) square feet in size.
- d. *Multiple Tenant Signs:* EMCs signs shall not exceed sixty-four (64) square feet in size, (OR 50% of the total sign area permitted on this site in article, whichever is the smallest size permitted).

4. *Message Copy:*

- a. All electronic message copy shall be a static image.
- b. The message copy shall not change more than once every twelve (12) seconds.
- c. Frame effects (transitional elements) Allowed: Fade in, fade out, dissolve, entire frame change. Message copy shall not scroll.
- d. As mentioned in 98.04, All electronic message copy cannot advertise for goods, products, services, or facilities that are not at the location where the sign is installed.

5. *Illumination:*

- a. EMC Illumination Measurement Criteria: The luminance of an EMC shall be measured with a luminance meter set to measure foot-candles accurate to at least two decimals. Luminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full color capable EMC, or a solid message for a single-color EMC. All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total square footage of the EMC as set forth in the accompanying Sign Area Versus Measurement Distance table.
 - b. EMC Illumination Limits: The difference between the off and solid-message measurements using the EMC Measurement Criteria shall not exceed 0.3 foot-candles.
 - c. Dimming Capabilities: All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements.
 - d. Inspections and Testing: All EMCs will be tested for illumination standards after installation of the sign by a third party inspection agency, and a report will be provided to the Zoning Administrator. Inspection should be done at least one (1) hour after sunset. The Plan Commission shall reserve the right to inspect illumination standards thereafter to ensure compliance.
6. *Default:* The "default" setting for all EMC's will be a black screen in the event of a malfunction.
7. *Contact Information:* The owner of an EMC shall provide current contact information to the Zoning Administrator so that contact can be made as needed in the event of a malfunctioning sign.

Q. Pole and Pylon Signs:

- 1. *Zoning Districts:* Pole and Pylon Signs shall only be permitted via special exception by the Shelbyville Board of Zoning Appeals in the BH - Business Highway zoning district.
- 2. *Decision Criteria:* See Section 9.07 Special Exception Use, for Decision Criteria
- 3. *Development Standards:* If a special-exception is granted, the following development standards will apply:
 - a. *Quantity:* Only one (1) Pole or Pylon sign shall be permitted per property, regardless the number of tenants and buildings. This sign is included in the overall number of ground signs permitted on the property as stated later in this ordinance for each zoning district.
 - b. *Height:*
 - Signs Located Outside of the Interstate Corridor: Pole and Pylon Signs shall not exceed thirty-five (35) feet in height.
 - Signs Located within the Interstate Corridor: Pole and Pylon Signs shall not exceed one-hundred (100) feet in height.
 - c. *Area:*
 - Signs Located Outside of the Interstate Corridor: Pole and Pylon Signs shall not exceed one-hundred (100) square feet in area.
 - Signs Located within the Interstate Corridor: Pole and Pylon Signs shall not exceed two-hundred (200) square feet in area.

R. Signs During an Election Season:

- 1. *Cross-reference:* Indiana Code 36-1-3-11

Sign Standards (SI)

- S. Signs located in the Right-of-Way: After receiving approval from the Board of Public Works and Safety, non-commercial off-premise signs may be located within the City of Shelbyville's right-of-way. Signs located in the right-of-way must comply with the following Development Standards:
1. *Application*: An application to petition the Board of Public Works and Safety is available in the Plan Commission office, and should be submitted back to the Plan Commission once completed.
 2. *Non-commercial Message*: Signs located in the right-of-way should be non-commercial in nature.
 3. *Quantity*: Up to four (4) signs located in the right-of-way of the same message at the same time shall be permitted.
 4. *Size*: Each face shall not exceed thirty-two (32) square feet in area and may have a message on both sides.
 5. *Height*: Each sign shall not exceed eight (8) feet in height.
 6. *Location*: No sign should be located within a sight-visibility triangle as defined by this ordinance.
 7. *Duration*: No signs located in the right-of-way shall be placed more than two (2) weeks prior to the event.
 8. *Removal*: All signs located in the right-of-way shall be removed within three (3) days after the event's completion. Failure to remove the signs will be a violation of this ordinance.
 9. *Maintenance*: Signs located in the right-of-way shall be maintained in good condition throughout their placement. If a sign blows away, gets bent over, or is moved to an unapproved location (e.g. a mowing crew), the organization that placed it shall be responsible for retrieving, straightening, or relocating the unit. Failure to do so shall be a violation of this ordinance.
 10. *Cause for Denial*: Because signs located in the right-of-way are a discretionary permit, past violations may result in denial of future applications for placement.
- T. "Place-Holder" Signs:
1. After a Permanent Sign Permit has been reviewed and issued, a temporary sign of equal or lesser size may be placed in the general area of the approved permanent sign while the permanent sign is being fabricated and delivered. This specific temporary sign will not require a permit, but must be removed and replaced with the approved permanent sign within 60 days.

Permitted Signs

Sign Type	Sign Permit Required	PK - Park and Open Space	AG - Agriculture	AR - Agriculture/Rural Residential	R1 - Single-family Residential	R2 - Two-family Residential	RM - Multi-family Residential	MP - Manufactured Home Park	IS - Institutional	BN - Business Neighborhood	BC - Business Central	BG - Business General	BH - Business Highway	IL - Light Industrial	IG - General Industrial	HI - High Impact
Incidental Wall Sign	No	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Incidental Freestanding Sign	No	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Window Sign	No								P	P	P	P	P	P	P	P
Under Canopy Sign	No								P	P	P	P	P	P	P	P
Ancillary Sign	No								P	P	P	P	P			
Monument/Detached/ Ground Sign	Yes	P	P			P	P	P		P	P	P	P	P	P	P
Wall Sign	Yes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Awning	Yes								L	L	L	L	L			
Projection	Yes								L	L	L	L	L			
Billboards	Yes												SE	SE	SE	
Small Temporary Sign	No	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Large Temporary Sign	Yes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electronic Message Centers(EMCs)	Yes										SE	SE	SE			
Pole and Pylon Signs	Yes												SE			
NOTE: P = Permitted L = In lieu of a wall sign SE = Special Exception Approval Required by The Shelbyville Board of Zoning Appeals																

Sign Standards (SI)

5.59 SI-06: Agriculture, Single-family Residential, and Two-family Residential Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:

AG AR R1 R2

The following standards apply:

A. Cross Reference:

1. *Measurement:* See Section 5.58(M): *Measurement of Signs* for directions on how to calculate size and height of signs.
2. *Landscaping:* See Section 5.58(N): *Landscaping Standards* for landscape requirements of signs.
3. *Illumination:* See Section 5.58(O): *Illumination Standards* for illumination requirements of signs.

Permanent Signs for Agriculture Commercial Uses

Sign Regulations	
Permit	Required
Type	Permanent, Ground sign, on premise
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Quantity	1 per property
Maximum Sign Area	32 square feet
Maximum Height	8 feet
Location	10 feet from existing or proposed right-of-way and property lines
Landscaping	Not required
Illumination	Non-illuminated or externally illuminated

Temporary Signs for Agriculture Commercial Uses

Sign Regulations	
Permit	Not required
Type	Temporary
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Quantity	No Limit
Maximum Sign Area	5 square feet
Maximum Height	6 feet
Location	5 feet from existing or proposed right-of-way and property lines
Landscaping	Not required
Illumination	Shall not be illuminated

Incidental Wall Sign Standards

Sign Regulations	
NOTE: For illustrative purposes only, examples may include Home Occupation Signs or Historic Place Markers	
Permit	Required
Type	Permanent, Wall sign, On Premise, Incidental
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) if a Home Occupation is actively operating on the property, and; • One (1) additional wall sign will be permitted for each structure or space that maintains a "Historically Significant" or comparable status by a national, state, or local historic preservation authority
Maximum Sign Area	2 square feet
Location	On building facade, located within five (5) feet of specific areas of the site including pedestrian entrances and exits, or other similar areas as determined by the Zoning Administrator
Illumination	Shall not be illuminated

Home Occupations, Detached Sign Standards

Sign Regulations	
NOTE: Detached signs shall only be permitted if the structure is not visible from public right-of-way.	
Permit	Required
Type	Permanent, Ground sign, on premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	One (1) if a Home Occupation is actively operating on the property, and;
Maximum Sign Area	4 square feet
Maximum Height	4 feet
Location	10 feet from existing or proposed right-of-way and property lines
Landscaping	Not required
Illumination	Shall not be illuminated

Residential Subdivision/Development/Apartments

Sign Regulations	
Permit	Required
Type	Permanent, Ground sign, on premise
Materials	<ul style="list-style-type: none"> • Sign Copy: See <i>Section 5.58(l): Sign Materials</i> • Sign Base: Brick, block, or similar material associated with the development as determined by the Plan Commission Staff.
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per entrance, and; • Two (2) per housing entity
Maximum Sign Area	<ul style="list-style-type: none"> • Sign Copy: 32 square feet • Sign Base: 64 square feet
Maximum Height	8 feet
Location	<ul style="list-style-type: none"> • Near subdivision entrances; shall not be placed in any clear sight triangle • If the sign is placed in an island in a public road right-of-way, the sign will need permission from the City of Shelbyville's Board of Public Works and Safety
Landscaping	Required
Illumination	Non-illuminated or externally illuminated

Small Permanent Signs for Agricultural and Institutional Uses

Sign Regulations	
NOTE: For uses permitted only in the AG and AR Districts and churches and other institutional uses excluding residential.	
Permit	Required
Type	Permanent, free standing, on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	5 per property
Maximum Sign Area	6 square feet
Maximum Height	3 feet
Location	<ul style="list-style-type: none"> • shall be near drives and parking lot • not located in right-of-way • shall be 20 feet from other directional signs
Landscaping	Not required
Illumination	Non-illuminated or externally illuminated

Sign Standards (SI)

Small Temporary Sign

Sign Regulations	
NOTE: For illustrative purposes only, examples may include Real Estate Signs, Contractor Signs, or Off-Premise Non-Commercial Temporary-Signs	
Permit	Not required
Type	Temporary, Free Standing, On-Premise, Off-Premise Non-Commercial
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per property, and; • One (1) additional small temporary sign will be permitted during the sale or letting of a residential property, and shall be removed within ten (10) days after the completion of the sale or letting, and; • One (1) additional small temporary sign will be permitted for each active permit issued for the property by either the Shelbyville Building Commission or the Shelbyville City Engineer's Office, and these signs should be removed within seven (7) days of the permits being finalized.
Maximum Sign Area	6 square feet
Maximum Height	6 feet
Location	On property, not in right-of-way
Landscaping	Not required
Illumination	Shall not be illuminated
Time Limit	<ul style="list-style-type: none"> • 14 days with 1 week between placement; maximum of 6 times a year, and; • The additional small temporary sign shall be removed upon completion of the project, sale, or letting of the residential property within ten (10) days, and; • The additional small temporary sign shall be removed within seven (7) days of the permit being finalized with the City.

Large Temporary Sign

Sign Regulations	
NOTE: For illustrative purposes only, examples may include Real Estate Signs or Off-Premise Non-Commercial Temporary-Signs	
Permit	Not required
Type	Temporary, free standing, on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per property, and; • One (1) additional large temporary sign will be permitted during the sale or letting of a non-residential property, and shall be removed within ten (10) days after the completion of the sale or letting, and;
Maximum Sign Area	32 square feet
Maximum Height	4 feet
Location	On property, not in right-of-way
Landscaping	None Required
Illumination	Shall not be illuminated
Time Limit	<ul style="list-style-type: none"> • 14 days with 1 week between placement; maximum of 6 times a year, and; • The additional large temporary sign shall be removed upon completion of the project, sale, or letting of the non-residential property within ten (10) days, and;

Incidental Signs for Model Home

Sign Regulations

NOTES: Subdivisions that have model homes may erect the model home signs with a valid temporary location improvement permit..
If sales office and model home are the same building, only 1 free standing sign is permitted.

Sales Offices Free Standing

Permit	Required
Type	Temporary, free standing, on-premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	1
Maximum Sign Area	20 square feet
Maximum Height	8 feet
Location	At the location of the sales office lot, minimum 5 feet from right-of-way line
Landscaping	Required
Illumination	Non-illuminated or externally illuminated
Time Limit	Duration of the temporary office

Sales Offices Wall Sign

Permit	Required
Type	Temporary or Permanent, wall sign, on-premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	1 per building
Maximum Sign Area	20 square feet
Location	On building facade
Illumination	Non-illuminated or externally illuminated
Time Limit	Duration of the temporary office

Free Standing Model Home Sign

Permit	Required
Type	Temporary, free standing, on-premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	1 per model home
Maximum Sign Area	20 square feet
Maximum Height	4 feet
Location	Model home lot, minimum of 5 feet from the right-of-way line
Landscaping	Not required
Illumination	Non-illuminated or externally illuminated
Time Limit	Duration of the temporary office

Sign Standards (SI)

5.60 SI-07: Multiple-family Residential Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:



The following standards apply:

A. Cross Reference:

1. *Measurement:* See Section 5.58(M): *Measurement of Signs* for directions on how to calculate size and height of signs.
2. *Landscaping:* See Section 5.58(N): *Landscaping Standards* for landscaping requirements of signs.
3. *Illumination:* See Section 5.58(O): *Illumination Standards* for illumination requirements of signs.

Incidental Wall Sign

Sign Regulations	
NOTE: For illustrative purposes only, examples may include Wall-Directional Signs, Home Occupation Signs, or Historic Place Markers	
Permit	Required
Type	Permanent, Wall sign, On Premise, Incidental
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) if a Home Occupation is actively operating on the property, and; • One (1) additional wall sign will be permitted for each structure or space that maintains a "Historically Significant" or comparable status by a national, state, or local historic preservation authority
Maximum Sign Area	2 square feet
Location	On building facade, located within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Illumination	Shall not be illuminated

Residential Subdivision/Development/Apartments

Sign Regulations	
Permit	Required
Type	Permanent, Ground sign, on premise
Materials	<ul style="list-style-type: none"> • Sign Copy: See Section 5.58(I): <i>Sign Materials</i> • Sign Base: Brick, block, or similar material associated with the development as determined by the Plan Commission Staff.
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per entrance, and; • Two (2) per housing entity
Maximum Sign Area	<ul style="list-style-type: none"> • Sign Copy: 32 square feet • Sign Base: 64 square feet
Maximum Height	8 feet
Location	<ul style="list-style-type: none"> • Near subdivision entrances; shall not be placed in any clear sight triangle • If the sign is placed in an island in a public road right-of-way, the sign will need permission from the City of Shelbyville's Board of Public Works and Safety
Landscaping	Required
Illumination	Non-illuminated or externally illuminated

Sign Standards (SI)

Single Apartment Building

Sign Regulations	
NOTE: For illustrative purposes only, examples may include a sign identifying the building number or name.	
Permit	Required
Type	Permanent, Wall sign, on premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	1 per building
Maximum Sign Area	12 square feet
Location	On building facade
Illumination	Non-illuminated or externally illuminated

Incidental Freestanding Sign

Sign Regulations	
NOTE: For illustrative purposes only, examples may include a sign identifying directions or clubhouse rules.	
Permit	Not required
Type	Permanent, free standing, on-premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	3 per property
Maximum Sign Area	6 square feet
Maximum Height	3 feet
Location	Located within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Landscaping	Not required
Illumination	Non-illuminated or externally illuminated

Small Temporary Sign

Sign Regulations	
NOTE: For illustrative purposes only, examples may include Real Estate Signs, Contractor Signs, or Off-Premise Non-Commercial Temporary-Signs	
Permit	Not required
Type	Temporary, free standing, on-premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per property, and; • One (1) additional small temporary sign will be permitted during the sale or letting of a property, and shall be removed within ten (10) days after the completion of the sale or letting, and; • One (1) additional small temporary sign will be permitted for each active permit issued for the property by either the Shelbyville Building Commission or the Shelbyville City Engineer's Office, and these signs should be removed within seven (7) days of the permits being finalized.
Maximum Sign Area	6 square feet
Maximum Height	6 feet
Location	On property, not in right-of-way
Landscaping	Not required
Illumination	Shall not be illuminated
Time Limit	<ul style="list-style-type: none"> • 14 days with 1 week between placement; maximum of 6 times a year, and; • The additional small temporary sign shall be removed upon completion of the project, sale, or letting of the property within ten (10) days, and; • The additional small temporary sign shall be removed within seven (7) days of the permit being finalized with the City.

Sign Standards (SI)

5.61 SI-08: Central Business Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:



The following standards apply:

A. Cross Reference:

1. *Measurement:* See Section 5.58(M): *Measurement of Signs* for directions on how to calculate size and height of signs.
2. *Landscaping:* See Section 5.58(N): *Landscape Standards* for landscape requirements of signs.
3. *Illumination:* See Section 5.58(O): *Illumination Standards* for illumination requirements of signs.

Window Sign

Sign Regulation	
Permit	Not required
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Sign Area	20% of the window area
Location	Shall be applied directly to the window
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Under Canopy Sign

Sign Regulation	
Permit	Not required
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Location	Under canopy, it cannot be projected past canopies ledge. Only allowed on a ground floor canopy
Illumination	Non-illuminated or externally illuminated

Incidental Freestanding Signs

Sign Regulations	
NOTE: For illustrative purposes only, examples may include a sign identifying menu items, direction, or a list of tenants.	
Permit	Not required
Type	Permanent, free standing, on-premise
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Quantity	5 (five) per property
Maximum Sign Area	6 square feet
Maximum Height	3 feet
Location	Shall be located on or within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Illumination	Non-illuminated, externally illuminated, or internally illuminated

Incidental Wall Sign

Sign Regulation	
Permit	Not required
Type	Permanent, Wall Sign, On-Premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Sign Area	12 square feet
Location	Shall be located on or within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Wall Sign

Sign Regulations	
Permit	Required
Type	Permanent, wall sign, on-premise, facade, Awning, and Projecting
Materials	<ul style="list-style-type: none"> • Shall complement the architectural style and features of the building. • See <i>Section 5.58(I): Sign Materials</i>.
Maximum Quantity	Limited by percent of front and or side facade as shown in Maximum Sign Area below
Maximum Sign Area	<ul style="list-style-type: none"> • Wall signs shall not exceed 15% of the area of the front facade, 10% of the area of the side facades, and 10% of the area of the rear facade. Each side shall be calculated separately. • The linear measurement of the sign shall not exceed 80% of the linear frontage of the facade of the structure or tenant space. • Any combination wall signs may be utilized, so long as the total surface area of the signs on the facade does not exceed the percentage noted above. This means there is no limit on number of wall signs. • Facades in the Business Central district are measured by the height of the first floor and width of the space that is occupied by the tenant. Multiple tenants on the same floor must share the allotment size of the facade.
Location	Signs shall be placed so that it does not cover any significant feature
Illumination	<ul style="list-style-type: none"> • Non-illuminated or external illuminated. • The only internally lit signs that are permitted are channel type signs. • Raceway color must match the color of the facade which the sign is placed.
Additional Standards for Projection Sign	
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	1 per street frontage
Maximum Sign Area	Included in overall allotment of size as stated in Maximum Sign Area above
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Maximum Projection	6 feet from the building facade
Additional Standards for Awning Sign	
Maximum Sign Area	Included in overall allotment of size as stated in Maximum Sign Area above
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Maximum Projection	6 feet from the building facade

Small Temporary Sign

Sign Regulations	
Permit	Not required
Type	Temporary, A-Frame, on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	One (1) per property
Maximum Sign Area	12 square feet
Maximum Height	4 feet
Location	<ul style="list-style-type: none"> • If there is not adequate free space on the owners property, the sign may be placed on the public sidewalk as long as 48 inches of clear space is maintained for pedestrian traffic. • Adequate free space includes parking lot and landscape area.
Illumination	Shall not be illuminated
Time Limit	Daily, sign shall be removed at the end of each business day.

Large Temporary Sign

Sign Regulations	
Permit	Required
Type	Temporary, Banner, free standing or on facade, on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per property; and, • One (1) additional large temporary sign will be permitted during the sale or letting of a non-residential property, and shall be removed within ten (10) days after the completion of the sale or letting. • One (1) additional small temporary sign will be permitted for each active permit issued for the property by either the Shelbyville Building Commission or the Shelbyville City Engineer's Office, and these signs should be removed within seven (7) days of the permits being finalized.
Maximum Sign Area	32 square feet
Maximum Height	8 feet
Location	<ul style="list-style-type: none"> • If there is not adequate free space on the owners property, the sign may be placed on the public sidewalk as long as 48 inches of clear space is maintained for pedestrian traffic. • Adequate free space includes parking lot and landscape area.
Illumination	Shall not be illuminated
Time Limit	<ul style="list-style-type: none"> • 14 days with 1 week between placement; maximum of 6 times a year, and; • The additional small temporary sign shall be removed upon completion of the project, sale, or letting of the property within ten (10) days, and; • The additional small temporary sign shall be removed within seven (7) days of the permit being finalized with the City.

Sign Standards (SI)

5.62 SI-09: Commercial Business, Institutional, and Parks & Recreational Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:



The following standards apply:

A. Cross Reference:

1. *Measurement:* See *Section 5.58(M): Measurement of Signs* for directions on how to calculate size and height of signs.
2. *Landscaping:* See *Section 5.58(N): Landscape Standards* for landscape requirements of signs.
3. *Illumination:* See *Section 5.58(O): Illumination Standards* for illumination requirements of signs.

Window Sign

Sign Regulation	
Permit	Not required
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Sign Area	20% of the window area
Location	Shall be applied directly to the window
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Under Canopy Sign

Sign Regulation	
Permit	Not required
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Location	Under canopy, it cannot be projected past canopies ledge. Only allowed on a ground floor canopy
Illumination	Non-illuminated, externally illuminated, or internally illuminated

Ancillary Sign

Sign Regulations	
NOTE: For illustrative purposes only, examples may include a sign identifying menu items or a list of tenants.	
Permit	Not required
Type	Permanent, Free-Standing, On-Premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	One (1) per acre of subject lot size
Maximum Sign Area	64 square feet
Maximum Height	6 feet
Location	<ul style="list-style-type: none"> • Minimum setback of 30 feet from the right-of-way along arterial roads • Minimum setback of 15 feet from the right-of-way along collector and local roads
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limiter internally illuminated

Wall Sign

Sign Regulations	
Permit	Required
Type	Permanent, wall sign, on-premise, facade, Awning, and Projecting
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	Limited by percent of front and or side facade as shown in Maximum Sign Area below
Maximum Sign Area	<ul style="list-style-type: none"> • Front Facade: 15% percent of the front facade occupied by tenant. At least 12 square feet should be granted to each tenant space. • Side Facade: 10% percent of the side facade occupied by the tenant. Tenants that do not have an outside side facade shall not be granted side facade signs. • Wall signs shall not be permitted on rear facades. • Any combination wall signs may be utilized, so long as the total surface area of the signs on the facade does not exceed the percentage noted above. This means there is no limit on number of wall signs. • Tenants with no road frontage are allowed signs on the front facade of the building as long as the signs does not exceed size allotment noted above.
Location	Signs shall be placed so that it does not cover any significant feature
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated
Additional Standards for Projection Sign	
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	1 per street frontage
Maximum Sign Area	Included in overall allotment of size as stated in Maximum Sign Area above
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Maximum Projection	6 feet from the building facade
Additional Standards for Awning Sign	
Maximum Sign Area	Included in overall allotment of size as stated in Maximum Sign Area above
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Maximum Projection	6 feet from the building facade

Monument Sign

Sign Regulations	
Single Tenant Monument Sign	
Permit	Required
Type	Permanent, Monument, on-premise
Materials	<ul style="list-style-type: none"> • Sign Base: The same materials as the primary structure to which the sign is associated. • See <i>Section 5.58(I): Sign Materials</i>.
Maximum Quantity	<ul style="list-style-type: none"> • Lots with 1 road frontage: 1 monument sign • Lots with more than 1 road frontage: 1 monument sign per road frontage (1 per street frontage with a minimum of 150 feet between each monument sign).
Maximum Sign Area	64 square feet
Maximum Height	8 feet

Sign Regulations	
Location	10 feet from existing or proposed right-of-way and property lines
Landscaping	Required
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated
Integrated Center Monument Sign	
NOTE: Integrated Center Monument Signs are only permitted for facilities that have two (2) or more individual, unrelated, and separately operating tenants.	
Permit	Required
Type	Permanent, Monument, on-premise
Materials	<ul style="list-style-type: none"> • Sign Base: The same materials as the primary structure to which the sign is associated. • See <i>Section 5.58(I): Sign Materials</i>.
Maximum Quantity	• All permitted signs listed above may be substituted with an "Integrated Center Monument Sign" (See: <i>Single Tenant Monument Sign: Maximum Quantity</i>)
Maximum Sign Area	125 square feet
Maximum Height	10 feet

Sign Regulations	
Location	10 feet from existing or proposed right-of-way and property lines
Landscaping	Required
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated
Tall Monument Sign	
NOTE: Tall Monument Signs are only permitted for facilities that have a combined building area of 50,000 square feet or larger (Retail Type 3 Facilities).	
Permit	Required
Type	Permanent, Monument, on-premise
Materials	<ul style="list-style-type: none"> • Sign Base: Similar materials as the primary structure to which the sign is associated. • See <i>Section 5.58(I): Sign Materials</i>.
Maximum Quantity	• One (1) of the above-mentioned monument signs may be substituted with a "Tall Monument Sign"
Maximum Sign Area	350 square feet
Maximum Height	30 feet
Location	10 feet from existing or proposed right-of-way and property lines
Landscaping	Required
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Sign Standards (SI)

Incidental Freestanding Signs

Sign Regulations	
NOTE: For illustrative purposes only, examples may include a sign identifying direction, entrances and exits, or loading areas.	
Permit	Not required
Type	Permanent, Ground Signs/Free standing, On-Premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	Three (3) per acre of subject lot size (Any non-whole number, shall be rounded to the next highest whole number.)
Maximum Sign Area	6 square feet
Maximum Height	3 feet
Location	Shall be located on or within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Incidental Wall Sign

Sign Regulation	
Permit	Not required
Type	Permanent, Wall Sign, On-Premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Sign Area	3 square feet
Location	Shall be located on or within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Small Temporary Sign

Sign Regulations	
Permit	Not required
Type	Temporary, Sandwich boards (A frame signs), on-premise
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per property • One (1) additional small temporary sign will be permitted for each active permit issued for the property by either the Shelbyville Building Commission or the Shelbyville City Engineer's Office, and these signs should be removed within seven (7) days of the permits being finalized.
Maximum Sign Area	12 square feet
Maximum Height	4 feet

Sign Regulations	
Location	On property and adjacent to tenant space.
Illumination	Shall not be illuminated
Time Limit	<ul style="list-style-type: none">• 14 days with 1 week between placement; maximum of 6 times a year, and;• The additional small temporary sign shall be removed within seven (7) days of the permit being finalized with the City.

Large Temporary Sign

Sign Regulations	
Permit	Required
Type	Temporary, Banner, free standing or on facade, on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per property; and, • One (1) additional large temporary sign will be permitted during the sale or letting of a non-residential property, and shall be removed within ten (10) days after the completion of the sale or letting.
Maximum Sign Area	Buildings with a square footage of: <ul style="list-style-type: none"> • Less than 10,000 are permitted a sign up to 64 square feet • Between 10,000 and 50,000 are permitted a sign up to 126 square feet • Over 50,000 are permitted a sign up to 252 square feet
Maximum Height	<ul style="list-style-type: none"> • 8 feet for free standing signs • No limit for banner signs
Location	<ul style="list-style-type: none"> • On property • Signs shall be placed so that it does not cover any significant feature
Illumination	Shall not be illuminated
Time Limit	<ul style="list-style-type: none"> • 14 days with 1 week between placement; maximum of 6 times a year, and; • The additional small temporary sign shall be removed upon completion of the project, sale, or letting of the property within ten (10) days, and;

Signs at Gasoline Service Stations

Sign Regulations	
NOTE: These standards shall apply to gasoline service stations and those convenience markets selling gasoline.	
Service Area Canopy Sign	
Permit	Required
Type	Permanent, wall sign, on-canopy
Materials	See <i>Section 5.58(I): Sign Materials</i>
Maximum Quantity	Limited by percent of canopy face as shown in Maximum Sign Area below
Maximum Sign Area	<ul style="list-style-type: none"> • 25% of the canopy face (This calculation shall not include the open area beneath the face of the service area canopy) • Maximum of two (2) faces per canopy may have signage
Location	On the canopy face
Illumination	Non-illuminated, externally illuminated, internally illuminated, limited internally illuminated, or EMC
Electronic Message Centers at Gasoline Service Areas	
NOTE: Properties that sell gasoline, diesel, and/or other vehicle fuels are exempt from the requirement of receiving Special Exception approval from the Board of Zoning Appeals, as described in <i>Section 5.58(P)</i> , but must still meet the development standards listed below.	
Permit	Required
Type	Permanent, On-Canopy/Monument, Monochromatic EMC
Message Copy	<ul style="list-style-type: none"> • All electronic message copy shall be static • All electronic message centers installed under this provision must be monochromatic displays • The message copy shall not change more than once every thirty (30) minutes
Maximum Quantity	Limited by percent of canopy face as shown in Maximum Sign Area below
Maximum Sign Area	<ul style="list-style-type: none"> • A maximum of 50% of sign area on a canopy face, or on a monument sign may be EMC's • Each individual EMC panel may be a maximum of 32 square feet
Location	On the canopy face, or located on the monument sign
Illumination	See <i>Section 5.58(P)(5): Illumination</i>
Pump Island Signs/Under Canopy Signs	
Signs placed on canopy structures, pumps, or pump islands shall be designed for people using the services under the canopy. They shall not be designed to be readable from outside of the canopy area. Any signs that are placed outside the service canopy are subject to regulation noted previously in this section.	

Sign Standards (SI)

5.63 SI-10: Industrial Sign Standards

This Sign Standards (SI) section applies to the following zoning districts:



The following standards apply:

A. Cross Reference:

1. *Measurement:* See Section 5.58(M): *Measurement of Signs* for directions on how to calculate size and height of signs.
2. *Landscaping:* See Section 5.58(N): *Landscape Standards* for landscape requirements of signs.
3. *Illumination:* See Section 5.58(O): *Illumination Standards* for illumination requirements of signs.

Wall Sign

Sign Regulations	
Permit	Required
Type	Permanent, wall sign, on-premise, facade, Awning, and Projecting
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Quantity	Limited by percent of front and or side facade as shown in Maximum Sign Area below
Maximum Sign Area	<ul style="list-style-type: none"> • Front Facade: 15% percent of the front facade occupied by tenant. At least 12 square feet should be granted to each tenant space. • Side Facade 10% percent of the side facade occupied by the tenant. Tenants that do not have an outside side facade shall not be granted side facade signs. • Rear Facade: 10% percent of the rear facade occupied by tenant. • Any combination wall signs may be utilized, so long as the total surface area of the signs on the facade does not exceed the percentage noted above. This means there is no limit on number of wall signs. • Tenants with no road frontage are allowed signs on the front facade of the building as long as the signs does not exceed size allotment noted above.
Location	Signs shall be placed so that it does not cover any significant feature
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated
Additional Standards for Projection Sign	
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Quantity	1 per street frontage
Maximum Sign Area	Included in overall allotment of size as stated in Maximum Sign Area above
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Maximum Projection	6 feet from the building facade
Additional Standards for Awning Sign	
Maximum Sign Area	Included in overall allotment of size as stated in Maximum Sign Area above
Minimum Clearance	8 feet minimum from the ground to the bottom of the sign
Maximum Projection	6 feet from the building facade

Window Sign

Sign Regulation	
Permit	Not required
Materials	See Section 5.58(I): <i>Sign Materials</i>
Maximum Sign Area	20% of the window area
Location	Shall be applied directly to the window
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Under Canopy Sign

Sign Regulation	
Permit	Not required
Maximum Height	8 feet minimum from the ground to the bottom of the sign
Location	Under canopy, it cannot be projected past canopies ledge. Only allowed on a ground floor canopy
Illumination	Non-illuminated, externally illuminated, or internally illuminated

Monument Sign

Sign Regulations	
Single Tenant Building	
Permit	Required
Type	Permanent, Monument, on-premise
Materials	<ul style="list-style-type: none"> • Sign Base: The same materials as the primary structure to which the sign is associated. • See <i>Section 5.58(l): Sign Materials</i>.
Maximum Quantity	<ul style="list-style-type: none"> • Lots with 1 road frontage: 1 ground sign • Lots with more than 1 road frontage: 2 ground signs (1 per street frontage with a minimum of 150 feet between each ground sign).
Maximum Sign Area	64 square feet
Maximum Height	8 feet
Location	10 feet from existing or proposed right-of-way and property lines
Landscaping	Required
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated
Integrated Center	
Permit	Required
Type	Permanent, Monument, on-premise
Materials	<ul style="list-style-type: none"> • Sign Base: The same materials as the primary structure to which the sign is associated.
Maximum Quantity	<ul style="list-style-type: none"> • Lots with 1 road frontage: 1 ground sign • Lots with more than 1 road frontage: 2 ground signs (1 per street frontage with a minimum of 150 feet between each ground sign).
Maximum Sign Area	125 square feet
Maximum Height	10 feet
Location	10 feet from existing or proposed right-of-way and property lines
Landscaping	Required
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Incidental Freestanding Signs

Sign Regulations	
NOTE: For illustrative purposes only, examples may include a sign identifying menu items, direction, or a list of tenants.	
Permit	Not required
Type	Permanent, free standing, on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	One (1) per acre of subject lot size (Any non-whole number, shall be rounded to the next highest whole number.)
Maximum Sign Area	20 square feet
Maximum Height	10 feet
Location	Shall be located on or within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Illumination	Non-illuminated, externally illuminated, or internally illuminated

Incidental Wall Sign

Sign Regulation	
Permit	Not required
Type	Permanent, Wall Sign, On-Premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Sign Area	12 square feet
Location	Shall be located on or within five (5) feet of specific areas of the site including pedestrian entrances and exits, parking areas, loading areas, service areas, drive-through service areas, natural landscaping areas, rain gardens, bioswales and storm water management features, hazardous materials areas, and other similar areas as determined by the Zoning Administrator
Illumination	Non-illuminated, externally illuminated, internally illuminated, or limited internally illuminated

Small Temporary Sign

Sign Regulations	
Permit	Not required
Type	Temporary, Sandwich boards (A frame signs), on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	1 per property
Maximum Sign Area	12 square feet
Maximum Height	4 feet
Location	On property and adjacent to tenant space.
Illumination	Shall not be illuminated
Time Limit	14 days with 1 week between placement; maximum of 12 times a year

Large Temporary Sign

Sign Regulations	
Permit	Required
Type	Temporary, Banner, free standing or on facade, on-premise
Materials	See <i>Section 5.58(l): Sign Materials</i>
Maximum Quantity	<ul style="list-style-type: none"> • One (1) per property; and, • One (1) additional large temporary sign will be permitted during the sale or letting of a non-residential property, and shall be removed within ten (10) days after the completion of the sale or letting.
Maximum Sign Area	32 square feet
Maximum Height	8 feet
Location	On property.
Illumination	Shall not be illuminated
Time Limit	14 days with 1 week between placement; maximum of 12 times a year

Sign Standards (SI)

5.64 SI-11: Off-premise Advertising Billboards

This Sign Standards (SI) section applies to the following zoning districts:



The following standards apply:

- A. Approval Requirements: All Off-premise Advertising Billboards must receive Special Exception approval from the Board of Zoning Appeals.
- B. Location: Off-premise signs shall be allowed in the Interstate Corridor areas with zoning classifications of BH, IL, and IG.
- C. Maximum Area: The maximum size per face of an off-premise sign shall be 500 square feet, excluding structural supports and trim.
- D. Shape: The faces of the sign constructed in the form of a “V” shall not exceed forty-five degrees (45°).
- E. Maximum Height: The maximum height of an off-site sign shall be limited to the allowable maximum height of the principle structure for the zoning district in which the sign is located.
- F. Clear Space: The sign shall have a minimum clear space of ten (10) feet.
- G. Separation Requirement: Off-premise advertising billboards shall be separated by a distance of 5,280 feet (1 mile) on the same side of the road/street and shall have a 2,640 feet (1/2 mile) radius from any other off-premise sign on the opposite side of the street.
- H. Setback:
 1. *Street*: The setback from the street right-of-way shall be equal to the height of the off-premise sign.
 2. *Property Lines*: The setback from all other property lines shall be a minimum of ten (10) feet.
 3. *Residential Areas*: When a sign is adjacent to a residential area, the sign shall be set back equal to the height of the sign.
- I. Illumination: Billboards can be either non illuminate or externally illuminated.
 1. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of a street or roadway and which are of such intensity or brilliance as to cause glare and to impair the vision of the driver of any motor vehicle are prohibited.
 2. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.
- J. Materials: The structural support of the off-premise sign shall be constructed on a steel pole(s).
- K. Maintenance: All off-premise signs shall be maintained in a state of good repair.
- L. Permit: Before erecting any off-premise sign, a sign permit, location improvement permit, and a building permit shall be obtained through the proper offices.
- M. Violation: Whenever it shall appear that any sign has been constructed or is being maintained in violation of this section, such display shall be made to conform with all regulations herein or shall be removed at the expense of the owner within 30 days after written notification by the Zoning Administrator or Building Inspector.

Solar Energy Standards (SL)

5.65 SL-01: General Solar Energy System Standards

This Solar Energy Standards (SL) section applies to the following zoning districts:



- A. **Project Applicability:** Installation of any solar energy system shall meet the following standards:
- B. **Cross Reference:**
 - 1. *Accessory Use and Structure Standards(AS) (5.02)*
 - 2. *Architectural Standards(AR) (5.07)*
 - 3. *Density and Intensity Standards (DI) (5.11)*
 - 4. *Height Standards (HT) (5.23)*
 - 5. *Setback Standards (SB) (5.55)*
- C. **Definitions:**
 - 1. *Ground Installation:* shall include any solar energy systems that is attached directly to the ground, including all systems that are not attached or mounted on a primary or accessory structure.
 - 2. *Building Installation:* shall include any solar energy system that is attached to a primary or accessory structure, which can include systems that are not mounted directly to the roof of a structure.
- D. **Accessory Structures:** Any ground installation shall be considered an accessory structure as defined by this ordinance, and shall meet the applicable standards established for each zoning district, unless otherwise stated in this section.
- E. **Measurement of Solar Devices:**
 - 1. *Ground Installation:* The height of a solar installation shall be measured as a vertical distance from the highest natural grade below each solar panel to the uppermost point on the device.
 - 2. *Building Installation:* The height of a solar installation shall be measured as the vertical distance from the lowest horizontal plane of the system to the uppermost point of the device. Installations on roofs exceeding a 1:3 slope shall be measured as a distance from the plane of the roof, at an angle perpendicular to the roof plane.
- F. **Height:**
 - 1. *Ground Installation:* Any ground mounted solar installation shall not exceed twenty (20) feet in height, or the maximum accessory structure height established for that district, whichever is greater.
 - 2. *Building Installation:* Any rooftop solar installation on a flat roof or roof with a slope less than 1:3 shall not exceed ten (10) feet above the existing height of the structure, but solar installations themselves may exceed the maximum height of the structure as prescribed earlier in this ordinance. Any installation exceeding a 1:3 slope shall be installed parallel to the roof with the height not exceeding eighteen (18) inches of the existing roof height.
- G. **Prohibited:** Installation of solar energy systems shall not be permitted in the MP District.
- H. **Permits:** All solar installation types shall be required to obtain an electrical permit in accordance with procedures and requirements established by the Office of the Shelbyville Building Commissioner, and:
 - 1. *Ground Installation:* An Improvement Location Permit shall be required for any new solar energy system installation.
 - 2. *Rooftop Installation:* An Improvement Location Permit shall be required for any new solar energy system installation except for the R1, R2, AG, and AR districts which do not require an Improvement Location Permit.
- I. **Abandoned Systems:** A solar energy system shall be considered abandoned if its inoperable and/or not producing energy for more than six (6) months. The solar energy system shall be removed within six (6) months after being deemed abandoned by the Zoning Administrator. The Plan Commission and their staff shall utilize the “General Violations” enforcement procedures established in Article 10 of this Ordinance to address “Abandoned Systems.”
- J. **Floodplain:** Any solar installations located within the floodplain shall be exempt from floodplain setback standards established in *Section 5.55* of this Ordinance. Solar energy systems within a floodplain must meet all standards set by the Federal Emergency Management Agency, Indiana Department of Natural Resources, and any other applicable governmental agencies.

5.66 SL-02: Agricultural Solar Energy System Standards

This Solar Energy Standards (SL) section applies to the following zoning districts:



A. Scale:

1. *Ground Installation:* Shall be limited in scale by the Density and Intensity Standards established under Section 5.11 of this Ordinance.
2. *Building Installation:* May utilize the entire area of the structure's roof on the subject property.

B. Location:

1. *Ground Installation:* Shall meet all setback requirements set forth in Section 5.55 of this Ordinance.
2. *Building Installation:* Solar energy systems may be located on the roof, of a primary or accessory structure, but shall meet all requirements set forth in this document. Roof trusses shall have sufficient strength to accommodate the weight of solar energy systems.

Solar Energy Standards (SL)

5.67 SL-03: Residential and Park Solar Energy System Standards

This Solar Energy Standards (SL) section applies to the following zoning districts:

PK R1 R2 RM

A. Scale:

1. *Ground Installation:* Shall be limited in scale by the Density and Intensity Standards established under Section 5.11 of this Ordinance.
2. *Building Installation:* May utilize the entire area of the structure's roof on the subject property.

B. Location:

1. *Ground Installation:* Shall meet all setback requirements set forth in Section 5.55 of this Ordinance.
2. *Building Installation:* Solar energy systems may be located on the roof, of a primary or accessory structure, but shall meet all requirements set forth in this document. Roof trusses shall have sufficient strength to accommodate the weight of solar energy systems.

C. Setback: Solar energy systems residing in the PK Zoning District shall be exempt from setback standards established in *Section 5.55* of this Ordinance, and shall be permitted within any front yard or side yard.

5.68 SL-04: Commercial Solar Energy System Standards

This Solar Energy Standards (SL) section applies to the following zoning districts:



A. Scale:

1. *Ground Installation:* Shall be limited in scale by the Density and Intensity Standards established under Section 5.11 of this Ordinance.
2. *Building Installation:* May utilize the entire area of the structure's roof on the subject property.

B. Location:

1. *Ground Installation:* Solar energy systems may be located on the ground, but shall meet all setback requirements set forth by this Ordinance.
2. *Building Installation:* Solar energy systems may be located on the roof, but shall meet all requirements set forth in this Ordinance. Roof trusses shall have sufficient strength to accommodate the weight of solar energy systems and when installed on flat-roofs or roofs with slopes of 1:1 or less, shall be considered, "mechanical equipment" and screened accordingly. A report shall be prepared by a Professional Engineer that determines that the roof truss system of the structure will safely support the proposed solar energy installation.

Solar Energy Standards (SL)

5.69 SL-05: Industrial Solar Energy System Standards

This Solar Energy Standards (SL) section applies to the following zoning districts:



A. Scale:

1. *Ground Installation:* Shall be limited in scale by the Density and Intensity Standards established under Section 5.11 of this Ordinance.
2. *Building Installation:* May utilize the entire area of the structure's roof on the subject property.

B. Location:

1. *Ground Installation:* Solar energy systems may be located on the ground, but shall meet all setback requirements set forth by this Ordinance.
2. *Building Installation:* Solar energy systems may be located on the roof, but shall meet all requirements set forth in this Ordinance. Roof trusses shall have sufficient strength to accommodate the weight of solar energy systems and when installed on flat-roofs or roofs with slopes of 1:1 or less, shall be considered, "mechanical equipment" and screened accordingly. A report shall be prepared by a Professional Engineer that determines that the roof truss system of the structure will safely support the proposed solar energy installation.

Solar Energy Standards (SL)

5.70 SL-06: Solar Farm Energy System Standards

This Solar Energy Standards (SL) section applies to the following zoning districts:



A. Scale:

1. *Ground Installation:* Shall be limited in scale by the Density and Intensity Standards established under Section 5.11 of this Ordinance.
2. *Building Installation:* May utilize the entire area of the structure's roof on the subject property.

B. Uses: A solar energy system as an accessory structure shall be permitted by-right, but a solar energy system as a primary use shall be treated as a special exception and shall only be permitted after receiving approval in accordance with *Section 9.07* of this Ordinance.

C. Location:

1. *Ground Installation:* Solar energy systems located on the ground shall only be permitted via special exception by the Shelbyville Board of Zoning Appeals.
2. *Building Installation:* Solar energy systems may be located on the roof, but shall meet all requirements set forth in this Ordinance. Roof trusses shall have sufficient strength to accommodate the weight of solar energy systems and when installed on flat-roofs or roofs with slopes of 1:1 or less, shall be considered, "mechanical equipment" and screened accordingly. A report shall be prepared by a Professional Engineer that determines that the roof truss system of the structure will safely support the proposed solar energy installation.

Special Exception Standards (SE)

5.71 SE-01: Special Exception Standards

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



The intent of the Special Exception Standards is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by ensuring the most appropriate development standards are applied to special exception requests. The following standards apply:

- A. Cross Reference: The approval process and criteria for Special Exceptions is in *Article 9: Processes*.
- B. Applicable Development Standards: The development standards assigned to each zoning district are considered appropriate for the permitted uses within that zoning district. However, the development standards may not be appropriate for all Special Exception uses within a zoning district. For instance, some institutional uses are allowed in residential zoning districts as Special Exceptions. In this case, residential development standards would not necessarily be applicable.
 1. *Determining Appropriate Development Standards*:
 - a. The Zoning Administrator shall determine which development standards sections within *Article 5: Development Standards* shall apply to each Special Exception application. The development standards determined to apply shall be documented in the application and approval.
 - b. If the Special Exception use is a permitted use within another zoning district, the development standards for that zoning district shall be used as a guideline. In situations where the Special Exception use is not a permitted use in any zoning district, the most stringent development standards may be assigned by the Zoning Administrator as appropriate.

Structure Standards (SR)

5.72 SR-01: Structure Standards

This Structure Standards (SR) section applies to the following zoning districts:



The following standards apply:

- A. Applicability: If a structure standard does not appear on the two-page layout for a zoning district, then the standard does not apply to that particular zoning district.
 1. *Maximum Primary Structure*: The maximum number of primary structures shall be per each two-page layout in *Article 2: Zoning Districts*.

Telecommunication Facility Standards (TC)

5.73 TC-01: Telecommunication Facility Standards

These Telecommunication Facility Standards (TC) apply to the following zoning districts:



A. Purpose:

1. *Purpose:* The purpose of this section is to establish general guidelines for the siting of towers and antennas. The goals of these standards are to:
 - a. Encourage the location of towers in non-residential/non-historical areas to minimize the total number of towers throughout the communities.
 - b. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently.
 - c. Encourage strongly the joint use of new and existing tower sites.
 - d. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal.
 - e. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of towers and antennas.
2. *Antennas and Towers:* Antennas and towers may be considered either a principal or accessory uses on an industrial or commercially zoned lot. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to, setback requirements, lot size and coverage requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lots. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this section shall not be deemed to constitute the expansion of a nonconforming use or structure.
3. *Application:* Each applicant for approval of an antenna and or tower shall provide to the Zoning Administrator an inventory of its existing antennas and towers that are either within the city jurisdictional area, or within a half mile of the border thereof, including specific information about the location, height and design of each tower or antenna. Applicants are encouraged to submit an inventory of potential or future tower sites within the jurisdictional area of the city. The Zoning Administrator may share such information with other applicants applying for administrative approvals or special exceptions/variances under this section or other organizations seeking to locate towers or antennas within the jurisdiction of the governing authority; provided, however, that the Zoning Administrator is not, by sharing such information, in any way representing or warranting such sites are available or suitable.

B. Administrative Approvals: The Zoning Administrator may approve the following uses after conducting an administrative review:

1. *Existing Structure:* Installing an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other free standing, non- residential structure) that is more than fifty (50) feet in height, so long as such addition does not add more than twenty (20) feet to the height of the existing structure;
2. *Non-residential Structures:* Installing an antenna on an existing non- residential structure other than a tower (such as a building, sign, light pole, water tower, utility pole or other free standing, non-residential structure) in any commercial or industrial district that is less than fifty (50) feet in height so long as such addition does not add more than twenty (20) feet to the height of the existing structure;
3. *Existing Tower:* Installing an antenna on an existing tower of any height, including a preexisting tower and further including the placement of additional buildings or other supporting equipment used in connection with the antenna, so long as the addition of the antenna adds no more than twenty (20) feet to the height of the existing tower;
 - a. *Alternative Tower Structure:* Locating any alternative tower structure in a zoning district other than industrial or commercial, that, in the judgment of the Zoning Administrator, is in conformity with the goals set forth by the *City of Shelbyville Comprehensive Plan*;

4. *Industrial or Commercial Zoning District*: Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with the tower or antenna, in any industrial or commercial zoning district; provided, however, that such tower shall be set back from any existing off-site residence or previously platted residential lot lines a distance equal to the height of the tower. Engineering certification shall be submitted that states the structure's construction will cause the tower to crumble inward so that in the event of collapse no damage to structures on adjoining zoning lots will result. *Section 5.71(C)(1-5, 7, 9-11, and 13): Telecommunications Towers Special Use Criteria* shall be used in deciding applications for approval of new towers in commercial and industrial districts: divisions.
 5. *Replacing Tower*: Replacing an existing tower which adds no more than twenty (20) feet to the overall existing height of the existing structure.
- C. Telecommunications Towers Special Use Criteria: Telecommunication companies are encouraged to locate telecommunications antennae on or in structures other than a tower. Such structures may include church steeples, transmission line towers, utility/light poles, water towers, and the like. Where such facilities are not available, co-location of facilities is encouraged. When a new tower is proposed to be sited, a determination of whether the location will provide minimal level of coverage versus optimal coverage shall be taken into consideration. The following standards shall be used in the approval of the siting of new towers:
1. *Co-location*: Evidence that the applicant has investigated the possibilities for locating the proposed facilities on an existing tower, the use of stealth technology or location in another district where the tower would be permitted as an administratively approved use where a minimal level of coverage can be provided. Such evidence shall consist of:
 - a. *Notification*: Copies of letter sent to owners of all existing towers within a one (1) mile radius of the proposed site requesting the following information:
 - i. Tower height;
 - ii. Existing and planned tower uses;
 - iii. Whether the existing tower could accommodate the proposed antenna without instability or radio frequency interference; and
 - iv. If the proposed antenna cannot be accommodated on the existing tower, an assessment of whether the existing tower could be structurally strengthened or whether the antenna's transmitters and related equipment could be protected from electromagnetic interference, and a general description of the means and projected cost of shared use of the existing tower.
 - b. A copy of all responses within thirty (30) days of the mailing date of the letter required in *Section 5.71(C)(1)(a): Notification*; and
 - c. A summary explanation of why the applicant believes the proposed facility cannot be located on an existing tower.
 - d. A summary explanation of why the applicant believes that the use of an alternative tower structure is not possible.
 - e. Provision of sound engineering evidence demonstrating that location in the proposed district is necessary in the interest of the public safety or is a practical necessity.
 2. *Provisions for Co-location*: Evidence that the communications tower is structurally designed to support at least one (1) additional user, and the special use application includes a statement that the owner of the tower is willing to permit other user(s) to attach communication facilities, on a commercially reasonable basis, which do not interfere with the primary purpose of the tower. The tower owner may require that such other users agree to negotiate regarding reasonable compensation to the owner from any liability which may result from such attachment. The site plan shall indicate a location for at least one (1) equipment building in addition to that proposed for use by the applicant. Priority for co-location on the proposed tower shall be given to antennas that will serve a public safety need for the community.

3. *Buffering*: In order to provide spatial separation and create visual block from adjacent properties and streets, a buffer shall be installed around the outside of all improvements on the site, including the tower and guy anchors, any ground buildings or equipment, and security fencing. Ground buildings located in a residential district may be located outside the buffered area if they are constructed so the exterior appearance of the building has the appearance of a residential dwelling, including pitched roof and frame or brick veneer construction. The tower's guy anchors may be screened or fenced separately in order to comply with the requirements of this division.
4. *Fencing and Walls*: The base of the tower and each guy anchor shall be surrounded by a security fence or wall at least eight (8) feet in height unless the tower and all guy anchors are mounted entirely on a building over eight (8) feet in height. The tower's guy anchors may be screened separately in order to comply with the requirements of this division.
5. *Outside Storage*: No outside storage shall be allowed on any telecommunications facility site.
6. *Associated Buildings*: Associated buildings located in any residential district shall not be used as an employment center for any worker. This provision does not prohibit the periodic monitoring of equipment and instruments.
7. *FAA Standards*: The telecommunications tower shall meet all applicable Federal Aviation Administration (FAA) standards and shall not interfere with air traffic or air travel from or to any existing or proposed airport. Any lighting shall not project onto surrounding residential property.
8. *Lot Size*: The minimum lot size requirements shall be in accordance with the zoning district where the tower is proposed to be located or the setback requirements of *Section 5.71(C)(12): Setbacks*, whichever is greater.
9. *Color*: The color of the tower shall be neutral, except to the extent required by federal law, so as to minimize its visual impact.
10. *Power Levels*: In order to protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide documentation, such as a signed affidavit, indicating that the power density levels do not exceed levels permitted by the FCC.
11. *Commercial Advertising*: No commercial advertising shall be allowed on the tower or its related facilities.
12. *Setbacks*: Setback of the base tower from all adjacent property lines shall be one (1) foot for each foot in height. To encourage the shared use of facilities, applications for towers which will operate with more than one (1) user immediately upon completion may have a ten percent (10%) reduction in the required setbacks, but in no case shall the setback be less than those required for the underlying zoning district. Also, to encourage the construction of monopole structures, monopole towers may have a twenty percent (20%) reduction in the required setbacks. To encourage location of towers in forested areas with a minimum depth of sixty-five (65) feet, the tower may have a twenty percent (20%) reduction in the required setbacks. In no case shall the setback be less than those required for the underlying zoning district. The setback reductions shall only be allowed upon a professional engineering certification which states that the structure's construction will cause the tower to crumble inward so that in the event of a collapse no damage to structures on adjacent zoning lots will result.
13. *Out of Service Notice*: Notice shall be provided to the Zoning Administrator when the tower is placed out of service. Towers which are not used for a period of six (6) months or more shall be removed by the owner within 120 days of the receipt of notification to that effect. Should the aforementioned tower not be removed as required, the city may remove the tower and assess all reasonable costs of the removal to the owner of the property where the tower is located.
14. *Prohibited Districts*: Telecommunications towers and associated equipment and buildings shall not be allowed in any residential district or business district with the zoning of B1 or B3 as defined in this Article, without fulfilling one (1) of the following requirements:
 - a. That the proposed location is in accordance with *Section 5.71(B): Administrative Approvals*; or
 - b. A special exception is granted in accordance with *Section 9.07: Special Exception Use*.

Temporary Use and Structure Standards (TU)

5.74 TU-01: General Temporary Use and Structure Standards

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



The following specific temporary uses and structures are permitted as described below.

A. Cross Reference:

1. *Peddlers, Solicitors, and Itinerant Merchants*: See Chapter 115: *Peddlers, Solicitors, and Itinerant Merchants* in the *Shelbyville City Code* for additional standards and permitting requirements.

B. Temporary Structure Standards: All temporary structures, such as tents, trailers, and sales stands shall conform to the following requirements.

1. *Applicable Development Standards*: Temporary structures shall meet the setback standards for primary structures and height standards for accessory structures in the applicable zoning district.
2. *Trailers as Temporary Structures*: Any trailer used as a temporary structure shall be equipped with skirting on all four (4) sides that matches the color and material of the exterior of the trailer.

C. Exemption:

1. *Local Farmers*: Temporary structures used by local farmers selling their produce shall be exempt from this section.
2. *Fairs and Festivals*: Temporary trailers and other structures associated with fairs, festivals, and other similar events are exempt from this section.

D. Temporary Use and Structure Standards: Temporary uses and structures are permitted in any zoning district provided that the use is a permitted use in that zoning district. All temporary uses and structures shall conform to the following requirements:

1. *Permit Requirements*: All temporary structures and/or uses shall obtain a temporary improvement location permit unless otherwise specified in this section. No temporary use or structure, or the signs, lighting, landscaping, or parking areas for such facilities shall be constructed, placed upon a site, or altered prior to all necessary permits being obtained.
2. *Time Limits*: No temporary use or structure may occupy a lot for more than two (2) years unless otherwise specified. Temporary uses and/or structures that seek extensions of the initial time limits established for that use or structure shall be subject to the approval of the Board of Zoning Appeals through a variance of development standards.
 - a. The Board of Zoning Appeals may impose reasonable conditions as part of its approval.
 - b. No extensions of the time limits described shall be considered for any temporary use and/or structure that is in violation of any provision in this Ordinance.
3. *Removal Conditions*: All temporary uses or structures shall be removed and the site reverted to its original condition within the duration of the permit.

Temporary Use and Structure Standards (TU)

5.75 TU-02: Residential Temporary Use and Structure Standards

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



The following specific temporary uses and structures are permitted as described below.

- A. Permits: No permit shall be required for the below listed temporary uses and structures.
- B. Garage/Yard Sales: Garage/yard sales are permitted for a total of seven (7) days per calendar year, per lot. Garage/yard sales shall be distinguished from flea markets in that garage/yards sales are clearly accessory to residential uses, while flea markets are commercial businesses and primary uses. In no instance shall this provision be interpreted as permitting the operation of a flea market.
- C. Event Tents: One (1) or more tents used for a private party or event that are cumulatively 400 square feet or greater in covered area, are permitted on any lot for a total of seven (7) days per calendar year. (Note: Event tents may also be subject to the review of the Shelbyville Fire Department.) There is no regulation for one (1) or more tents used throughout the year that are cumulatively less than 400 square feet in covered area.
- D. Construction Trailers: A construction trailer is permitted on any lot as a temporary structure for up to twelve (12) months. A construction trailer shall not be located in a right-of-way, required setback, easement, or required buffer yard. The construction trailer shall be removed within thirty (30) days after the project receives a final inspection or within thirty (30) days after operations cease. Weather related delays shall not constitute ceasing.
- E. Dumpsters:
 1. *Duration*: Dumpsters in continued use for construction-related debris shall be permitted as temporary structures on any lot for up to twelve (12) months.
 2. *Location*: Dumpsters shall not be located in any right-of-way, required setback, easement, or buffer yard.
 3. *Removal*: Dumpsters shall be removed within thirty (30) days after the project receives a final inspection.
 4. *Restrictions*: The storage of unused dumpsters is not permitted.

Temporary Use and Structure Standards (TU)

5.76 TU-03: Home Sales Temporary Use and Structure Standards

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



- A. Permits: A permit shall be required for temporary home sales models and trailers. A temporary home sales trailer shall be permitted in each development until a model home is built, but for a maximum of six (6) months.
- B. Temporary Home Sales Model and Trailer Time Limits: Temporary model homes shall be permitted in each development until either:
 - 1. *Buildout Threshold*: The building permits have been obtained for greater than ninety percent (90%) of the lots included in the preliminary plat for the development, or
 - 2. *Time Threshold*: Five (5) years from the date of approval of the final plat for the most recent section of the development, whichever is greater.
- C. Temporary Home Sales Model and Trailer Location: Model homes and temporary home sales trailers shall be located on a lot in the development in which the homes are for sale.
- D. Temporary Home Sales Model and Trailer Requirements: The placement of temporary model homes and sales trailers shall be consistent with the following requirements.
 - 1. *Location*: The facility shall be located on a lot near to the entrance of the development that is not occupied by any other structure.
 - 2. *Lighting*: The use of flashing lights, or other lights that would adversely affect neighboring properties and/or traffic shall be prohibited.
 - 3. *Parking*: Each facility shall conform with the following parking requirements:
 - a. Model homes shall provide a minimum of two (2) off-street parking spaces.
 - i. Such parking spaces shall conform to the size requirements specified in the Parking regulations.
 - ii. Off-street parking for the facility shall be located in, and not extend beyond, the driveway. The parking spaces shall not obstruct sidewalks or project into the right-of-way. Such driveway area shall be consistent in size and paving with those of the homes to be constructed in the development.
 - b. Temporary sales trailers shall provide a minimum of two (2) off-street parking spaces. These parking spaces shall be surfaced with crushed stone and shall meet the size requirements specified in the Parking regulations.
 - 4. *Landscaping*: Model homes shall provide landscaping consistent with that which will be provided for homes to be constructed in the development.
- E. Temporary Home Sales Model Conversion:
 - 1. *Certificate of Occupancy*: Temporary home sales models are issued a temporary certificate of occupancy. A final certificate of occupancy shall be obtained before the sales model is to be used as a residence.
 - 2. *Removal of Sales Facility Elements*: Prior to the conversion of a model home for use as a residence, all signs and sales facility lighting shall be removed and the garage area shall be returned to use for vehicle storage.
- F. Temporary Home Sales Trailer Site Conversion: Any builder using a temporary home sales trailer shall restore the temporary home sales trailer site to match neighboring lot conditions by removing the trailer and any associated signs and lighting. If the trailer is to be replaced by a model home, the trailer and all associated site features shall be removed within ten (10) days of the issuance of any certificate of occupancy for the model home.

Temporary Use and Structure Standards (TU)

5.77 TU-04: Business Temporary Use and Structure Standards

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



The following specific temporary uses and structures are permitted.

- A. **Exemption:** Any outdoor public festival held on public streets, public sidewalks, public parking lots, or public property shall be exempt from the temporary use and structure standards, but shall be subject to Shelbyville Board of Public Works and Safety approval.
- B. **Seasonal Sales:** Outdoor sales events, sidewalk sales, or tent sales are permitted as follows.
 1. **Duration and Frequency:** Short-term seasonal sales shall be for a period of up to thirty (30) days, for up to five (5) times per calendar year, for each business on a lot. An event tent or corral may be used in a parking area. No permit shall be required for short-term seasonal sales, corrals, or event tents associated with such a use.
 2. **Location:** Seasonal sales shall be within the building envelope applicable to a primary structure, except in the BC District, where seasonal sales may be permitted on the public sidewalk after first getting permission from the Board of Public Works and Safety.
 3. **Limitations:** Under no circumstance shall seasonal sales block necessary parking, necessary driving aisles, access roads, driveways, or entrances. Nor shall seasonal sales restrict sidewalks to less than four (4) feet of clear way.
- C. **Construction Trailers:** Construction trailers are permitted subject to the following conditions.
 1. **Association:** The construction trailer shall be used only in conjunction with an approved construction project during actual construction work.
 2. **Duration:** The construction trailer shall be removed from the construction site upon the completion of the actual construction work or when construction has been discontinued, in the opinion of the Zoning Administrator, for a period of thirty (30) days or more.

Utility Services Standards (US)

5.78 US-01: Utility Services Standards

These Utility Services Standards (US) apply to the following districts:



- A. Electrical Service: All electrical service shall be provided to the primary structure via underground lines.
- B. Telephone Service: All telephone service shall be provided to the primary structure via underground lines.
- C. Cable Television Service: All cable television service shall be provided to the primary structure via underground lines.
- D. Wired Data Service: All wired data service shall be provided to the primary structure via underground lines.

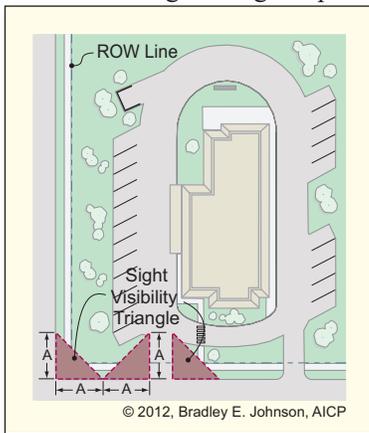
Vision Clearance Standards (VC)

5.79 VC-01: Vision Clearance Standards

These Vision Clearance Standards (VC) apply to the following districts:



- A. **Sight Visibility Requirements:** For sight visibility safety, a vision clearance triangle shall be maintained at every intersection of two (2) or more streets, intersection of a street and alley, and intersection of a street and driveway.
- B. **Horizontal Area:**
1. *Arterial Streets:* The vision clearance triangle leg lengths shall be forty (40) feet as measured along the edge of pavement (see "A" in the illustration below) when one (1) or more of the intersecting streets is an arterial street.
 2. *Collector Streets:* The vision clearance triangle leg lengths shall be thirty (30) feet as measured along the edge of pavement (see "A" in the illustration below) when one (1) or more of the intersecting streets is a collector street.
 3. *Local Streets:* The vision clearance triangle leg lengths shall be fifteen (15) feet as measured along the edge of pavement (see "A" in the illustration below) when both of the intersecting streets are local streets.
 4. *Private Entrance/Private Driveways:* The vision clearance triangle leg lengths shall be fifteen (15) feet as measured along the edge of pavement and driveway (see "A" in the illustration below).



- C. **Vertical Area:** No primary or accessory structures, landscaping, fences, walls, or signs shall be permitted to be placed or to project into the vision clearance triangle between the heights of two and one-half (2 ½) feet and nine (9) feet above the crown of the adjacent street.
- D. **Exemptions:** The following shall be exempt from the Vision Clearance Triangle Standards:
- Public street signs,
 - Utility poles,
 - Utility warning marker (e.g. buried gas line),
 - Any driveway intersections with an interior local street within a residential subdivision, and
 - A mailbox and post installed according to the postmaster's specifications; and providing the post does not exceed two (2) feet in circumference.

Wind Turbine System Standards (WT)

5.80 WT-01: Small Wind Turbine Systems

This Wind Turbine System Standards (WT) section applies to the following zoning districts:



The following standards apply to Small Wind Turbine Systems:

A. Permitted Systems:

1. *Horizontal Axis Wind Turbine:* A horizontal axis small wind turbine system shall be permitted as per the standards in this Section.
2. *Vertical Axis Wind Turbine:* A vertical axis small wind turbine system shall be permitted as per the standards in this Section.

B. Prerequisites:

1. *Energy Production Purpose:* Small wind turbine systems shall be primarily sized and installed for the purpose of generating energy for an on-site use (i.e. residence, small business, or farmstead). The small wind turbine system shall be sized to not produce more than 150% of the annual on-site electricity needs.
2. *Rated Power Limits:* A small wind turbine system shall have a maximum rated power level of twenty kilowatts (20kW).
3. *Lot Size:* A minimum one-half (½) acre lot shall be required for a small wind turbine system to be installed.
4. *Manufacturer Installation Specifications:* Any permitted small wind turbine system shall be installed according to the manufacturer's specifications unless in conflict with applicable standards in the Unified Development Ordinance. When conflicts exist, the following standards apply:
 - a. *Manufacturer Specifications are More Strict:* When the manufacturer's specifications are more strict than this ordinance, the manufacturer's specifications shall be followed.
 - b. *Zoning Standards are More Strict:* When this ordinance is more strict than the manufacturer's specifications, this ordinance shall prevail, and that particular small wind turbine system shall be considered not permitted.

C. Turbine System Limitations:

1. *Experimental Turbines:* Small wind turbine systems shall be commercially available and shall have been:
 - a. Certified by the Small Wind Certification Council (SWCC),
 - b. Certified by the American Wind Energy Association (AWEA),
 - c. Certified by an equivalent, reputable agency, or
 - d. Produced by a manufacturer that has produced and sold at least fifty (50) units of the model of interest. Small wind turbine systems that do not meet at least one (1) of these minimum standards shall be considered experimental and shall not be permitted.
2. *Connection to the Grid:* Any small wind turbine system that is intended to be connected to the power grid shall be IEEE 1547 compliant (Institute of Electrical and Electronics Engineers Standard for Interconnecting Distributed Resources with Electric Power Systems).

D. Supporting Structure:

1. *Tower Mounted:* A horizontal axis small wind turbine system designed by the manufacturer for tower mounting may be mounted on a monopole, pole with guy wires, lattice tower, or lattice tower with guy wires.
2. *Roof Mounted:* A horizontal or vertical axis small wind turbine system designed by the manufacturer for roof mounting may be mounted to the roof of a primary or accessory building.
3. *Ground Mounted:* A vertical axis small wind turbine system designed by the manufacturer for ground mounting shall be mounted on the ground.

E. Height Limitations:

1. *Horizontal Axis (Tower Mounted):* The maximum tower height for a horizontal axis small wind turbine system shall be eighty (80) feet for lots under five (5) acres, and 110 feet for lots five (5) acres or greater.
2. *Horizontal or Vertical Axis (Roof Mounted):* The maximum height of all components of a roof mounted small wind turbine system shall be six (6) feet above the highest point of the roof for residential buildings and ten (10) feet above the highest point on the roof for agricultural, commercial, institutional, and industrial uses
3. *Vertical Axis (Ground Mounted):* The maximum height for all components of a vertical axis, ground mounted small wind turbine system shall be forty (40) feet.

F. Maximum Number of Turbine Systems:

1. *Small Lot:* A lot with two (2) acres or less shall be restricted to one (1) horizontal axis small wind turbine

Wind Turbine System Standards (WT)

- system and one (1) vertical axis roof mounted small wind turbine system.
2. *Large Lots*: A lot with more than two (2) acres may have:
 - a. Up to two (2) tower mounted horizontal axis or ground mounted vertical axis small wind turbine systems, and
 - b. Up to three (3) roof mounted vertical axis or horizontal axis small wind turbine systems.
- G. Wind Load: A small wind turbine system shall be engineered to survive a 100 mph wind load or greater.
- H. Rotor Diameter: The maximum rotor diameter shall be twenty (20) feet for a small wind turbine system.
- I. Location Restrictions:
1. *Setback from Property Line*: A small wind turbine system, not including guy wires, shall be a minimum of twenty-five (25) feet from the property line or 110% of the height of the tower, whichever is greater.
 2. *Setback from Buildings*: A small wind turbine system, not including guy wires, shall not be required to be setback from any on-site building.
 3. *Setback from Utilities*: A small wind turbine system, not including guy wires, shall be a minimum of fifty (50) feet from any above-ground utility line or 120% of the height of the tower, whichever is greater.
 4. *Setback for Guy Wires*: Guy wire anchors shall be at least fifteen (15) feet from all property lines.
- J. Safety:
1. *Roof Mounted Systems*: The rotors (blades) of a horizontal axis turbine mounted on a roof shall not extend horizontally beyond the roof line of the building to which it is attached.
 2. *Ground Clearance*: The rotors (blades) of a horizontal axis wind turbine mounted on a tower shall not extend vertically to within twenty (20) feet of the ground.
 3. *Overspeed Protection*: A small wind turbine system shall have a fail-safe breaking system, auto-furling system, or similar system to prevent structural failure due to excessive revolutions per minute (rpm). Overspeed protection shall be a proven industry standard.
- K. Nuisance Prevention:
1. *Noise*: A small wind turbine system shall not generate more than 45dBA L₉₀ or ambient dBA L₉₀ + 5dBA whichever is greater when measured at the property line.
 2. *Illumination*: A small wind turbine system shall not be illuminated in any way unless required by FAA regulations.
 3. *Feeder Lines*: Feeder lines for wind turbines (i.e. electrical connection between the wind turbine and the on-site structure in which the power is utilized) shall be placed underground.
- L. Abandoned Systems: A small wind turbine system shall be considered abandoned if its use as a wind turbine system is discontinued for more than six (6) months. The small wind turbine system shall be removed within six (6) months after being abandoned.
- M. Appurtenances: A small wind turbine system shall not have any appurtenances (e.g. lighting, flags, signs, or decorations) attached to it except for meteorological measuring equipment.

Wind Turbine System Standards (WT)

5.81 WT-02: Large Wind Turbine Systems

This Wind Turbine System Standards (WT) section applies to the following zoning districts:



The following standards apply to Large Wind Turbine Systems:

A. Permitted Systems:

1. *Horizontal Axis Wind Turbine:* A horizontal axis large wind turbine system shall be permitted as per the standards in this Section.
2. *Vertical Axis Wind Turbine:* A vertical axis large wind turbine system shall be permitted as per the standards in this Section.

B. Prerequisites:

1. *Energy Production Purpose:* Large wind turbine systems shall be primarily sized and installed for the purpose of generating energy for an on-site use (e.g. a school, industry, office building). The large wind turbine system shall be sized to not produce more than 200% of the annual on-site electricity needs.
2. *Rated Power Limits:* A large wind turbine system shall have a minimum rated power of twenty-one kilowatts (21kW) and shall have a maximum rated power level of six hundred kilowatts (600kW).
3. *Lot Size:* A minimum two (2) acre lot shall be required for a large wind turbine system to be installed.
4. *Manufacturer Installation Specifications:* Any permitted large wind turbine system shall be installed according to the manufacturer's specifications unless in conflict with applicable standards in the Unified Development Ordinance. When conflicts exist, the following standards apply:
 - a. *Manufacturer Specifications are More Strict:* When the manufacturer's specifications are more strict than this ordinance, the manufacturer's specifications shall be followed.
 - b. *Zoning Standards are More Strict:* When this ordinance is more strict than the manufacturer's specifications, this ordinance shall prevail, and that particular large wind turbine system shall be considered not permitted.

C. Turbine System Limitations:

1. *Minimum Ratings:* A large wind turbine system shall be manufactured to meet all applicable industry standards for manufacturing practices and safety.
2. *Experimental Turbines:* A large wind turbine system that does not meet the applicable minimum ratings shall be considered experimental and shall not be permitted.
3. *Connection to the Grid:* A large wind turbine system that is intended to be connected to the power grid shall be IEEE 1547 compliant (Institute of Electrical and Electronics Engineers Standard for Interconnecting Distributed Resources with Electric Power Systems).

D. Supporting Structure:

1. *Tower Mounted Systems:* A horizontal axis large wind turbine system designed for tower mounting shall be mounted on a monopole. Lattice towers and towers with guy wires shall not be permitted.
2. *Roof Mounted:* A large wind turbine system shall not be permitted to be mounted on a roof.
3. *Ground Mounted Systems:* A vertical axis large wind turbine system designed for ground mounting shall be mounted on the ground.

E. Height Limitations:

1. *Horizontal Axis (Tower Mounted):* The maximum tower height for a horizontal axis large wind turbine system shall be 120 feet for lots under five (5) acres, and 150 feet for lots five (5) acres or greater.
2. *Roof Mounted:* Large wind turbine systems are not permitted to be mounted on a roof.
3. *Vertical Axis (Ground Mounted):* The maximum height of all components of a vertical axis, ground mounted large wind turbine system shall be sixty (60) feet.

F. Maximum Number of Turbine Systems:

1. *Small Lot:* A lot with fifteen (15) acres or less shall be restricted to one (1) horizontal axis or vertical axis large wind turbine system.
2. *Large Lots:* A lot with more than fifteen (15) acres may have up to two (2) horizontal axis or vertical axis large wind turbine systems.

G. Wind Load: A large wind turbine system shall be engineered to survive a 110 mph wind load or greater.

H. Rotor Diameter: The maximum rotor diameter shall be 200 feet for a large wind turbine system.

Wind Turbine System Standards (WT)

I. Location Restrictions:

1. *Setback from Property Line:* A large wind turbine system shall be a minimum of 100 feet or 200% of the hub height from the property line, whichever is greater.
2. *Setback from On-site Buildings:* A large wind turbine system shall be required to be setback 100 feet from any on-site primary building. There is no required setback from accessory structures.
3. *Setback from Off-site Land Uses:* A large wind turbine system shall be a minimum of 1,000 feet from a platted residential subdivision, multiple-family residential development, institutional use (e.g. school or church), land zoned single-family residential, land zoned multiple-residential, or land zoned institutional. These standards only apply to off-site properties and should not be construed as restricting any of the above listed types of development (e.g. school or multiple-family development) from choosing to have an on-site large wind turbine system.
4. *Setback from Airport or Heliport:* A large wind turbine system shall be a minimum of 2,500 feet from an airport or heliport.
5. *Setback from Utilities:* A large wind turbine system shall be a minimum of 200 feet or 200% of the hub height from above ground transmission lines, utility lines, or substations, whichever is greater.

J. Safety:

1. *Ground Clearance:* The rotors (i.e. blades) of a horizontal axis large wind turbine system mounted on a tower shall not extend vertically to within thirty (30) feet of the ground.
2. *Anti-icing Technology:* A large wind turbine system shall be equipped with technology able to detect icing on rotors that causes the system to shut down when experiencing a significant icing event; or shall utilize another industry accepted standard for protecting against shedding of significant pieces of ice capable of damaging nearby buildings and/or injuring persons or animals on the ground.
3. *Controls and Brakes:* A large wind turbine system shall be equipped with a redundant braking system that includes both aerodynamic overspeed controls (i.e. variable pitch, tip, and other similar systems) and mechanical brakes.

K. Nuisance Prevention:

1. *Noise:* A large wind turbine system shall not generate more than 45dBA L₉₀ or ambient dBA L₉₀ + 5dBA, whichever is greater when measured at the property line.
2. *Illumination:* A large wind turbine system shall not be illuminated in any way unless required by or Federal Aviation Administration (FAA) regulations. Federal Aviation Administration (FAA) regulations shall be demonstrated to the Zoning Administrator prior to installation. If signal lighting is required on the top of a large wind turbine system, then it shall be shielded to prevent light below the horizontal plain.
3. *Shadow Flicker:* The flickering effect caused by an Federal Aviation Administration (FAA) required signal light and the turning of the rotor shall be mitigated to the extent possible with the best known technology or practice.
4. *Color:* A large wind turbine system shall be a non-obtrusive color such as white, off-white, gray, earth tones, or similar non-reflective colors.
5. *Signs:* No large wind turbine system shall be used to display a commercial message.
6. *Signal Interference:* The owner shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the large wind turbine system.
7. *Feeder Lines:* Feeder lines for wind turbines (i.e. electrical connection between the wind turbine and the on-site structure in which the power is utilized) shall be placed underground.

L. Abandoned Systems: A large wind turbine system shall be considered abandoned if its use as a wind turbine system is discontinued for more than six (6) months. The large wind turbine system shall be removed within nine (9) months after being abandoned.

M. Appurtenances: A large wind turbine system shall not have any appurtenances (e.g. exterior lighting, wireless communication antennae, or ornamentation). Weather monitoring devices and safety equipment shall not be considered appurtenances.

