



City of Auburn  
Unified Development Ordinance

---

Title XV  
Chapter 150

Effective March 18, 2019



Title XV  
Chapter 150  
Table of Contents

---

**Article**

**00**

**AUBURN**

**Unified Development Ordinance**

<b>Article 1: Ordinance Foundation</b>	<b>1-1</b>
1.01 Title .....	1-2
1.02 Defined Words .....	1-2
1.03 Authority .....	1-2
1.04 Purpose .....	1-2
1.05 Compliance .....	1-2
1.06 Severability .....	1-2
1.07 Interpretation .....	1-2
1.08 Ordinance Jurisdictional Area .....	1-4
1.09 Repealer .....	1-4
1.10 Transition Rules .....	1-4
1.11 Administrative Officer .....	1-5
1.12 Saving Provision .....	1-5
1.13 Effect of Annexation or Vacation on Zoning .....	1-5
1.14 Statutory Changes .....	1-5
1.15 References .....	1-5
1.16 Establishment of Standard Zoning Districts .....	1-6
1.17 Establishment of Overlay Districts .....	1-7
1.18 Establishment of Planned Development Districts .....	1-7
1.19 Zoning District Land Uses .....	1-7
1.20 Unlisted Land Uses .....	1-7
1.21 Questionable Land Uses .....	1-7
1.22 Official Zoning Map .....	1-8
1.23 Common Council Summary of Powers and Duties .....	1-10
1.24 Plan Commission Summary of Powers and Duties .....	1-10
1.25 Board of Zoning Appeals Summary of Duties .....	1-11
1.26 Zoning Administrator Summary of Duties .....	1-11
1.27 Plan Commission Certification .....	1-12
1.28 Unified Development Ordinance Adoption and Effective Date .....	1-13
 <b>Article 2: Zoning Districts</b>	 <b>2-1</b>
2.01 PR District Intent, Permitted Uses, and Special Exception Uses .....	2-2
2.02 PR District Development Standards .....	2-3
2.03 AG District Intent, Permitted Uses, and Special Exception Uses .....	2-4
2.04 AG District Development Standards .....	2-5
2.05 AC District Intent, Permitted Uses, and Special Exception Uses .....	2-6
2.06 AC District Development Standards .....	2-7
2.07 ER District Intent, Permitted Uses, and Special Exception Uses .....	2-8
2.08 ER District Development Standards .....	2-9
2.09 R1 District Intent, Permitted Uses, and Special Exception Uses .....	2-10
2.10 R1 District Development Standards .....	2-11
2.11 R2 District Intent, Permitted Uses, and Special Exception Uses .....	2-12
2.12 R2 District Development Standards .....	2-13
2.13 R3 District Intent, Permitted Uses, and Special Exception Uses .....	2-14
2.14 R3 District Development Standards .....	2-15
2.15 TR District Intent, Permitted Uses, and Special Exception Uses .....	2-16
2.16 TR District Development Standards .....	2-17
2.17 M1 District Intent, Permitted Uses, and Special Exception Uses .....	2-18
2.18 M1 District Development Standards .....	2-19
2.19 M2 District Intent, Permitted Uses, and Special Exception Uses .....	2-20
2.20 M2 District Development Standards .....	2-21
2.21 MH District Intent, Permitted Uses, and Special Exception Uses .....	2-22
2.22 MH District Development Standards .....	2-23
2.23 IS District Intent, Permitted Uses, and Special Exception Uses .....	2-24
2.24 IS District Development Standards .....	2-25
2.25 DC District Intent, Permitted Uses, and Special Exception Uses .....	2-26
2.26 DC District Development Standards .....	2-27

# Table of Contents

2.27	C1 District Intent, Permitted Uses, and Special Exception Uses.....	2-28
2.28	C1 District Development Standards.....	2-29
2.29	C2 District Intent, Permitted Uses, and Special Exception Uses.....	2-30
2.30	C2 District Development Standards.....	2-31
2.31	I1 District Intent, Permitted Uses, and Special Exception Uses.....	2-32
2.32	I1 District Development Standards.....	2-33
2.33	I2 District Intent, Permitted Uses, and Special Exception Uses.....	2-34
2.34	I2 District Development Standards.....	2-35
2.35	HI District Intent, Permitted Uses, and Special Exception Uses.....	2-36
2.36	HI District Development Standards.....	2-37
<b>Article 3: Overlay Districts</b>		<b>3-1</b>
3.01	WH-O District Intent, Effect on Uses, and Effect on Standards.....	3-2
3.02	Wellhead Protection Overlay District Development Standards.....	3-3
3.03	Process Supplement.....	3-4
3.04	Monitoring.....	3-4
3.05	CG-O District Intent, Effect on Uses, and Effect on Standards.....	3-6
3.06	Corridors and Gateways Overlay District Development Standards.....	3-7
3.07	Corridors and Gateways Overlay District Design Standards.....	3-7
3.08	Corridors and Gateways Overlay District Other Non-residential Architectural Design Standards.....	3-9
3.09	Corridors and Gateways Overlay District Non-residential Driveway Standards.....	3-10
3.10	ACO District Intent, Effect on Uses, and Development Standards.....	3-12
3.11	Applicability.....	3-13
3.12	Establishment of Airport Compatibility Area.....	3-13
3.13	Restrictions for Each Sub-area.....	3-14
<b>Article 4: Planned Development Districts</b>		<b>4-1</b>
4.01	PD District Intent, Regulations, and Prerequisites.....	4-2
4.02	General.....	4-3
4.03	Origination of Proposals.....	4-3
4.04	Rules and Procedures.....	4-3
4.05	Limitation of Revisions to this Unified Development Ordinance.....	4-3
4.06	Designation of Permanent Open Space.....	4-4
<b>Article 5: Development Standards</b>		<b>5-1</b>
5.01	How to Use this Article.....	5-2
5.02	Icon Key.....	5-3
5.03	AD-01: General Accessory Dwelling Standards.....	5-4
5.04	AS-01: General Accessory Structure Standards.....	5-6
5.05	AS-02: Parks and Recreation and Agricultural Accessory Structure Standards.....	5-7
5.06	AS-03: Estate Residential Accessory Structure Standards.....	5-8
5.07	AS-04: Residential Accessory Structure Standards.....	5-9
5.08	AS-05: Multiple-family Accessory Structure Standards.....	5-10
5.09	AS-06: Manufactured Home Residential Accessory Structure Standards.....	5-11
5.10	AS-07: Institutional Accessory Structure Standards.....	5-12
5.11	AS-08: Downtown Commercial Accessory Structure Standards.....	5-13
5.12	AS-09: Neighborhood Commercial Accessory Structure Standards.....	5-14
5.13	AS-10: General Commercial Accessory Structure Standards.....	5-14
5.14	AS-11: Industrial Accessory Structure Standards.....	5-15
5.15	AR-01: Residential and Neighborhood Commercial Architectural Standards.....	5-16
5.16	AR-02: Traditional Residential Architectural Standards.....	5-17
5.17	AR-03: Downtown Commercial Architectural Standards.....	5-18
5.18	AR-04: Commercial Architectural Standards.....	5-20
5.19	CF-01: General Confined Feeding Standards.....	5-21
5.20	DI-01: General Density and Intensity Standards.....	5-22
5.21	DW-01: General Driveway Standards.....	5-23
5.22	DW-02: Agricultural Driveway Standards.....	5-24
5.23	DW-03: Residential Driveway Standards.....	5-25

5.24	DW-04: Non-residential Driveway Standards .....	5-26
5.25	EN-01: General Environmental Standards.....	5-27
5.26	FW-01: General Fence and Wall Standards .....	5-29
5.27	FW-02: Parks and Recreation Fence and Wall Standards .....	5-30
5.28	FW-03: Agricultural Fence and Wall Standards.....	5-30
5.29	FW-04: Residential Fence and Wall Standards.....	5-31
5.30	FW-05: Institutional and Commercial Fence and Wall Standards .....	5-31
5.31	FW-06: Downtown Commercial Fence and Wall Standards .....	5-32
5.32	FW-07: Industrial and High Impact Fence and Wall Standards.....	5-32
5.33	FP-01: General Floodplain Standards .....	5-33
5.34	FA-01: General Floor Area Standards.....	5-34
5.35	HT-01: General Height Standards.....	5-35
5.36	HB-01: Type 1 Home Business Standards .....	5-36
5.37	HB-02: Type 2 Home Business Standards .....	5-37
5.38	HB-03: Type 3 Home Business Standards .....	5-38
5.39	KA-01 Agricultural Keeping of Animals Standards .....	5-39
5.40	KA-02 Estate Residential Keeping of Farm Animals Standards .....	5-39
5.41	LA-01: General Landscaping Standards .....	5-40
5.42	LA-02: Parking Lot Planting Standards.....	5-40
5.43	LT-01: General Lighting Standards.....	5-41
5.44	LD-01: General Loading Standards .....	5-42
5.45	LO-01: General Lot Standards.....	5-43
5.46	MH-01: Manufactured Housing and Lease-lot Development Standards .....	5-44
5.47	OD-01: General Outdoor Dining Standards.....	5-45
5.48	OS-01: General Outdoor Storage Standards .....	5-46
5.49	OS-02: Construction Trades Outdoor Storage Yard Standards.....	5-46
5.50	OS-03: Industrial and High Impact Outdoor Storage Standards.....	5-46
5.51	PK-01: General Parking Standards .....	5-47
5.52	PK-02: Residential Parking Standards.....	5-47
5.53	PK-03: Traditional Residential Parking Standards .....	5-48
5.54	PK-04: Multiple-family Residential Parking Standards .....	5-48
5.55	PK-05: Manufactured Home Residential Parking Standards.....	5-48
5.56	PK-06: Downtown Commercial Parking Standards .....	5-48
5.57	PK-07: Nonresidential Parking Standards .....	5-49
5.58	Table PK-A: Minimum Number Of Parking Spaces Per Use .....	5-52
5.59	PF-01: General Performance Standards.....	5-56
5.60	PD-01: Permanent Outdoor Display Standards .....	5-57
5.61	PD-02: Downtown Commercial Permanent Outdoor Display Standards.....	5-58
5.62	PI-01: General Public Improvement Standards .....	5-59
5.63	RV-01: Recreational Vehicle Standards .....	5-61
5.64	RW-01: Retaining Wall Standards .....	5-62
5.65	SB-01: Setback Standards.....	5-63
5.66	SW-01: General Sewer and Water Standards.....	5-65
5.67	SX-01: General Sexually Oriented Business Standards .....	5-66
5.68	SI-01: General Sign Standards.....	5-67
5.69	SI-02: Agricultural Sign Standards .....	5-70
5.70	SI-03: Residential Sign Standards.....	5-71
5.71	SI-04: Multiple Family Residential Sign Standards .....	5-72
5.72	SI-05: Parks and Recreation, Agricultural Commercial and Institutional Sign Standards .....	5-74
5.73	SI-06: Neighborhood and Downtown Commercial Sign Standards .....	5-79
5.74	SI-07: General Commercial Sign Standards .....	5-84
5.75	SI-09: Industrial Sign Standards .....	5-89
5.76	SL-01: General Solar and Alternate Energy Standards.....	5-93
5.77	SL-02: Agricultural and Estate Residential Solar and Alternate Energy Standards.....	5-93
5.78	SL-03: Small Scale Solar and Alternate Energy Standards .....	5-93
5.79	SL-04: Large Scale Solar and Alternate Energy Standards .....	5-94

5.80	SL-05: Solar and Alternate Energy Farm Standards .....	5-94
5.81	SE-01: General Special Exception Standards .....	5-95
5.82	SR-01: General Storage Tank Standards .....	5-96
5.83	SR-02: Residential Storage Tank Standards .....	5-96
5.84	SR-03: Parks and Recreation and Estate Residential Storage Tank Standards .....	5-96
5.85	SR-03: Non-residential Storage Tank Standards .....	5-96
5.86	ST-01: General Structure Standards .....	5-97
5.87	TC-01: General Telecommunication Facility Standards .....	5-98
5.88	TC-02: Telecommunication Micro Tower Facility Standards .....	5-100
5.89	TC-03: Telecommunication Antenna Standards .....	5-100
5.90	TU-01: General Temporary Use and Structure Standards .....	5-101
5.91	TU-02: Agricultural and Estate Residential Temporary Use and Structure Standards .....	5-101
5.92	TU-03: Residential Temporary Use and Structure Standards .....	5-102
5.93	TU-04: Nonresidential Temporary Use and Structure Standards .....	5-102
5.94	TR-01: General Trash Receptacle Standards .....	5-103
5.95	VC-01: General Vision Clearance Standards .....	5-104
<b>Article 6: Subdivision Types</b>		<b>6-1</b>
6.01	Residential Subdivision Intent .....	6-2
6.02	Residential Subdivision Prerequisites .....	6-2
6.03	Residential Subdivision Standards .....	6-3
6.04	Commercial District Subdivision Intent .....	6-4
6.05	Commercial District Subdivision Prerequisites .....	6-4
6.06	Commercial District Subdivision Standards .....	6-5
6.07	Industrial Park Subdivision Intent .....	6-6
6.08	Industrial Park Subdivision Prerequisites .....	6-6
6.09	Industrial Park Subdivision Standards .....	6-7
<b>Article 7: Design Standards</b>		<b>7-1</b>
7.01	Using This Section .....	7-2
7.02	Purpose of Design Standards .....	7-2
7.03	Icon Key .....	7-3
7.04	DN-01: General Development Name Standards .....	7-4
7.05	DD-01: General Dedication of Public Improvement Standards .....	7-5
7.06	EA-01: Easement Standards .....	7-6
7.07	EF-01: General Entryway Feature Standards .....	7-8
7.08	EC-01: General Erosion Control Standards .....	7-9
7.09	FP-01: General Hazard Reduction Floodplain Standards .....	7-10
7.10	LT-01: Residential Lot Establishment Standards .....	7-11
7.11	LT-02: Non-residential Lot Establishment Standards .....	7-12
7.12	MX-01: General Mixed-use Development Standards .....	7-13
7.13	MM-01: General Monument and Marker Standards .....	7-14
7.14	OP-01: General Open Space Standards .....	7-15
7.15	OA-01: Owners' Association Standards .....	7-16
7.16	PN-01: General Pedestrian Network Standards .....	7-18
7.17	PL-01: General Perimeter Landscaping Standards .....	7-19
7.18	PQ-01: General Prerequisite Standards .....	7-20
7.19	SM-01 General Storm Water Standards .....	7-21
7.20	SA-01: General Street and Access Standards .....	7-23
7.21	SA-02: Private Street and Access Standards .....	7-27
7.22	SA-03: Other Residential Street and Access (Alley) Standards .....	7-28
7.23	SA-04: Residential Street and Access Standards .....	7-28
7.24	SA-05: Nonresidential Access Standards .....	7-29
7.25	SA-06: Street and Access (Signs) Standards .....	7-30
7.26	SL-01: Residential Street Lighting Standards .....	7-31
7.27	SL-02: Non-residential Street Lighting Standards .....	7-31
7.28	SY-01: General Surety Standards .....	7-32
7.29	UT-01: General Utility Standards .....	7-34

# Table of Contents

<b>Article 8: Nonconformances</b>	<b>8-1</b>
8.01 Intent .....	8-2
8.02 Distinction Between Conforming, Illegal Nonconforming, and Legal Nonconforming .....	8-2
8.03 Illegal Nonconforming Structures, Uses, and Lots .....	8-2
8.04 Legal Nonconforming Structures.....	8-3
8.05 Legal Nonconforming Lots.....	8-5
8.06 Legal Nonconforming Use.....	8-6
<b>Article 9: Processes</b>	<b>9-1</b>
9.01 Introduction to Processes .....	9-2
9.02 Improvement Location Permit .....	9-3
9.03 Temporary Improvement Location Permit.....	9-8
9.04 Administrative Appeal .....	9-10
9.05 Development Plan .....	9-12
9.06 General Planned Development.....	9-17
9.07 Planned Development: District Ordinance .....	9-18
9.08 Planned Development: Detailed Development Plan.....	9-21
9.09 Planned Development: Final Development Plan .....	9-26
9.10 Special Exception.....	9-28
9.11 Subdivision of Land: Primary Plat.....	9-31
9.12 Subdivision of Land: Secondary Plat.....	9-35
9.13 Unified Development Ordinance: Text Amendment.....	9-37
9.14 Variance.....	9-38
9.15 Zoning Map Amendment (Rezoning) .....	9-41
<b>Article 10: Enforcement and Penalties</b>	<b>10-1</b>
10.01 Authority .....	10-2
10.02 Violations .....	10-2
10.03 Procedure for Violations .....	10-3
10.04 Appeals or Trials .....	10-3
10.05 Enforcement, Remedies, and Injunctive Relief .....	10-4
<b>Article 11: Definitions</b>	<b>11-1</b>
11.01 General .....	11-2
11.02 Defined Words.....	11-2
<b>Article 12: Land Use Matrix</b>	<b>A-1</b>
<b>Article 13: Flood Hazard Areas</b>	<b>B-1</b>
<b>Article 14: Amendment Tracking</b>	<b>C-1</b>





**Article**

**01**

**Ordinance Foundation**

---

**AUBURN**

**Unified Development Ordinance**

## 1.01 Title

This ordinance shall be formally known as the “Auburn Unified Development Ordinance” and may be cited and referred to as the “Zoning Ordinance,” “Subdivision Control Ordinance,” or “Unified Development Ordinance.”

## 1.02 Defined Words

Words used in a special sense in this Unified Development Ordinance are defined in *Article 11: Definitions*.

## 1.03 Authority

This Unified Development Ordinance is adopted by the City pursuant to its authority under the laws of the State of Indiana, *IC 36-7-4 et seq.*

## 1.04 Purpose

This Unified Development Ordinance is intended to guide the growth and development of Auburn in accordance with the Auburn Comprehensive Plan, and for the following purposes:

- A. Basic Rights: To secure adequate light, air, convenience of access, and safety from fire, flood, and other dangers, which may include providing adequate open spaces for light, air, and outdoor uses.
- B. General Welfare: To promote the public health, safety, morals, comfort, convenience, and general welfare.
- C. Development and Growth: To promote the orderly, responsible, and beneficial development and growth of the areas within the planning jurisdiction in accordance with Auburn land use policy.
- D. Character: To protect and stabilize the character of agricultural, residential, institutional, commercial, industrial, and natural areas.
- E. Circulation and Vehicular Safety: To minimize or avoid traffic congestion on public streets and to ensure safe, convenient, and efficient traffic circulation.
- F. Environmental Integrity: To preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the planning jurisdiction.
- G. Compatibility: To bring about compatibility between different land uses and to protect the scale and character of existing development from the encroachment of incompatible uses.
- H. Intensity and Use: To regulate and restrict the intensity and use of buildings, structures, and land for business, industry, residence, and other uses.
- I. Public Service: To define the powers and duties of administrative officers and bodies, and to establish procedures for the implementation and enforcement of this Unified Development Ordinance.
- J. Compliance: To require ongoing compliance and punitive recourse for noncompliance regarding the provisions of this Unified Development Ordinance.

## 1.05 Compliance

No structure shall be located, erected, constructed, reconstructed, moved, altered, converted, enlarged, or used, nor shall any piece of land be used, nor shall any existing use be expanded except when in full compliance with all provisions of this Unified Development Ordinance and the permits and certificates required by this Unified Development Ordinance have been lawfully issued. For regulations regarding existing nonconforming structures, see *Article 08: Nonconformance*.

## 1.06 Severability

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

## 1.07 Interpretation

- A. Minimum Requirements: The provisions of this Unified Development Ordinance are the minimum requirements necessary for the protection of the health, safety, comfort, morals, convenience, and general welfare of the people at large.
- B. Conflict or Inconsistency:
  - 1. *Internal*: Unless otherwise specifically stated within this Unified Development Ordinance, if two (2) or more provisions of this ordinance are in conflict or are inconsistent with one another, then the most restrictive provision shall apply.

2. *Federal, State and Local:*
    - a. Whenever a provision of this Unified Development Ordinance imposes a greater restriction or a higher standard than is required by any State or federal code or regulation, or other City ordinance or regulation, the provision of this Unified Development Ordinance shall apply. This provision shall have no effect on whether a project is to be reviewed or whether a permit is required.
    - b. Whenever a provision of any State or federal code or regulation or other City ordinance or regulation imposes a greater restriction or a higher standard than is required by this Unified Development Ordinance, the provision of the State or federal code or regulation, or other City ordinance or regulation, shall apply. This provision shall have no effect on whether a project is to be reviewed or whether a permit is required.
    - c. Whenever it is unlawful for the City to impose stricter or different provisions than which are regulated by the State or federal code or regulation, the State or federal code or regulation shall apply. This provision shall have no effect on the requirements for permits at the federal, State or local level.
  3. *Other:* Whenever a private covenant, contract, commitment, agreement, or other similar private land use regulation imposes a greater restriction or a higher standard than is required by a provision of this Unified Development Ordinance, the City is not obligated to enforce the provisions of such private covenants, contracts, commitments, agreements, or other similar regulations.
- C. Text: If differences are found between the meaning or implication of any drawing, table, figure, title, or section heading, the text of this Unified Development Ordinance shall apply.
  - D. Time Frames: Unless specifically noted otherwise, time frames stated within this Unified Development Ordinance shall be calculated to include weekdays, weekends, and holidays. If a time frame ends on a Saturday, Sunday, or holiday that the City offices are closed, the time frame shall be extended to the end of the next business day.
  - E. Delegation of Authority: If a provision in this Unified Development Ordinance requires the Zoning Administrator or other City officer to perform an act or duty, that provision shall also include any person working under the authority and supervision of the Zoning Administrator or other City officer unless specified otherwise.
  - F. Mandatory and Permissive Terms: The words “shall” or “must” are always mandatory. The words “may” or “should” are always permissive.
  - G. Words Used: If words used in this Unified Development Ordinance are not defined in *Article 11: Definitions*, they shall be construed to be the common usage of the language. Any legal or technical words not defined in this Unified Development Ordinance shall be construed to be as defined by appropriate lexicon or current and common dictionary.
  - H. Tense: If words are used in a specific tense (past, future, or present) it shall be construed to include all tenses, unless the context clearly indicates a single tense.
  - I. Singular and Plural Form: If words are used in singular form, the plural form shall apply and vice versa, unless the context clearly indicates the contrary.
  - J. Gender: If a feminine term is used, the masculine shall also apply and vice versa.
  - K. Conjunctions: The word “and” shall be construed to include all connected items in a series, conditions, and provisions. The word “or” shall be construed to include one (1) or more of the items in a series, conditions, and provisions, unless the context clearly suggests the contrary.
  - L. Rounding: If a formula is used within this Unified Development Ordinance and results in a non-whole number of an indivisible object or feature, the non-whole number shall be rounded to the next highest whole number.

## 1.08 Ordinance Jurisdictional Area

This Unified Development Ordinance applies to all land within the city limits of Auburn, Indiana and its extra-territorial jurisdiction.

## 1.09 Repealer

The following City of Auburn ordinances are hereby repealed and are replaced by this Unified Development Ordinance and Official Zoning Map:

- A. Zoning Ordinance: The City of Auburn Zoning Ordinance of November 16, 1987, Ordinance No. 89-1, Title XV, Chapter 150 as amended, and its associated Zoning Map.
- B. Subdivision Control: The City of Auburn Subdivision Control Ordinance of November 16, 1987, Ordinance No. 89-1, Title XV, Chapter 152 as amended.
- C. Manufactured Housing: The City of Auburn's Manufacturing Housing Ordinance, Chapter 156.
- D. Floodplain Ordinance: The City of Auburn Flood Hazard Area Ordinance passed in 2017, Ordinance No. 2017-11, Title XV, Chapter 150.700, as amended.

## 1.10 Transition Rules

- A. Plan Commission: Any application (e.g. Development Plan Review, Primary Plat, etc.) filed with the Plan Commission that is full and complete prior to the effective date of this Unified Development Ordinance shall be regulated by the terms and conditions of the Zoning Ordinance and/or Subdivision Control Ordinance that were in place at the time of filing. However, all administrative procedures and fees shall follow those established in this Unified Development Ordinance.
- B. Rezone: Any application for a Zoning Map Amendment (Rezone) filed with the Plan Commission, that is full and complete prior to the effective date of this Unified Development Ordinance shall continue through the process to completion pursuant to the terms and conditions of the Zoning Ordinance that was in place at the time of filing. However, if there is a specific use for which the rezone was proposed, and that use would no longer be permitted in the proposed zoning district, or if the proposed zoning district no longer exists under this Unified Development Ordinance, the Zoning Administrator shall amend the application such that the request for rezoning would accomplish the same end goal for the applicant.
- C. Board of Zoning Appeals: Any application (i.e. Development Standards Variance, Administrative Appeal, etc.) filed with the Board of Zoning Appeals that is full and complete prior to the effective date of this Unified Development Ordinance shall continue the process pursuant to the terms and conditions of the Zoning Ordinance that were in place at the time of filing, provided that:
  - 1. *Required*: The application is still required by the terms of this Unified Development Ordinance; or
  - 2. *Additional Approvals*: If the proposed use or development requires additional approvals from the Board of Zoning Appeals pursuant to the terms of this Unified Development Ordinance that were not required under the previous ordinances, the application will be amended to include only those additional approvals that are now required and within the jurisdiction of the Board of Zoning Appeals.
- D. Planned Development:
  - 1. *Detailed Development Plan*: A Detailed Development Plan for a Planned Development zoning district filed with the Plan Commission that is full and complete prior to the adoption of an amendment to the PD District Ordinance and/or Concept Plan shall continue the process pursuant to the terms and conditions of the PD District Ordinance and/or Concept Plan in place prior to the amendment.
  - 2. *Final Development Plan*: A Final Development Plan for a Planned Development zoning district filed with the Plan Commission that is full and complete prior to the adoption of an amendment to the PD District Ordinance and/or Concept Plan shall continue the process pursuant to the terms and conditions of the PD District Ordinance and/or Concept Plan in place prior to the amendment. If the Final Development Plan is compliant with a Detailed Development Plan that was approved prior to the adoption of such amendment to the PD District Ordinance and/or Concept Plan, then the Final Development Plan may be considered for approval utilizing the same standards that applied to the Detailed Development Plan.

# Basic Provisions

- E. **Building Sites:** All new building sites shall meet the requirements of this Unified Development Ordinance unless:
1. *Building Permit:* A complete Building Permit application was filed and is still valid; or
  2. *Improvement Location Permit:* A complete Improvement Location Permit application was filed and is still valid; or
  3. *Buildable Lot:* A parcel was approved as a buildable lot by the Plan Commission (valid Primary or Secondary Plat) or the Board of Zoning Appeals (valid Development Standards Variance) prior to the effective date of this Unified Development Ordinance; or
  4. *Primary Plat:* A complete and valid Primary Plat application has been filed with the Plan Commission prior to the effective date of this Unified Development Ordinance.

## 1.11 Administrative Officer

The Zoning Administrator shall have the primary responsibility for administration and enforcement (or coordination of enforcement) of this Unified Development Ordinance within the City's zoning jurisdiction.

## 1.12 Saving Provision

This Unified Development Ordinance shall not be construed as eliminating or reducing any action now pending under, or by virtue of, an existing law or previous zoning ordinance, subdivision control ordinance, or related ordinance. This Unified Development Ordinance shall not be construed as discontinuing, reducing, modifying or altering any penalty accruing or about to accrue.

## 1.13 Effect of Annexation or Vacation on Zoning

The Plan Commission shall be guided by the principles and directives of the Auburn Comprehensive Plan and this Unified Development Ordinance in making recommendations to the Common Council regarding zoning district classifications for newly annexed areas.

## 1.14 Statutory Changes

Whenever Indiana Code cited in this Unified Development Ordinance has been amended or superseded, this Unified Development Ordinance shall be deemed amended in reference to the new or revised code.

## 1.15 References

Whenever any agency, department, position, document, map, or publication referenced in this Unified Development Ordinance changes, the new or substitute agency, department, position, document, map, or publication shall be deemed incorporated into this Unified Development Ordinance.

## 1.16 Establishment of Standard Zoning Districts

The standard zoning districts in this Unified Development Ordinance stand alone and are not part of a hierarchy or pyramidal system of zoning. For example, what is permitted in the R2 zoning district is not necessarily permitted in the R3 zoning district. Only those uses and development standards which are expressly permitted and noted for each zoning district apply to that zoning district.

For the purpose of this Unified Development Ordinance, the City of Auburn has established the following zoning districts:

District Code	District Name	District Purpose
PR	Parks and Recreation	This district is established for parks, trails, open spaces, and recreational areas.
AG	Agricultural	This district is established for the protection of agricultural operations including small-scale farms and buildings associated with agricultural production. This district is intended primarily for areas within the City's extra-territorial jurisdiction.
AC	Agricultural Commercial	This district is established for commercial and industrial uses directly related to agriculture that are compatible with rural and agricultural areas. This district is intended primarily for areas within the City's extra-territorial jurisdiction.
ER	Estate Residential	This district is established for agricultural operations and single-family detached dwellings in a rural or country setting. This district is intended primarily for areas within the City's extra-territorial jurisdiction.
R1	Low Density Single-Family Residential	This district is established for single-family detached dwellings in the form of medium to large sized homes on medium to large sized lots.
R2	Medium Density Single-Family Residential	This district is established for single-family detached dwellings in the form of small to medium sized homes on medium sized lots.
R3	High Density Single-Family Residential	This district is established for single-family detached dwellings in the form of small to medium sized homes on small to medium sized lots.
TR	Traditional Residential	This district is established for single-family detached dwellings in the form of small to medium sized homes on small sized lots. This district is intended primarily for older, traditional-style, existing neighborhoods within the City of Auburn.
M1	Multiple-Family Residential	This district is established for single-family attached dwellings in the form of duplexes, triplexes, up to 4 units, consistent in scale with single-family residential.
M2	High Density Multiple-Family Residential	This district is established for high density multiple-family dwellings in the form of apartment and/or condominium complexes.
MH	Manufactured Home Residential	This district is established for lease lot developments (mobile or manufactured home parks) which typically lease dwelling sites for single-wide and/or double-wide manufactured homes.
IS	Institutional	This district is established for various institutional uses including governmental, hospital, educational, and religious institutions.
DC	Downtown Commercial	This district is established to accommodate the unique mix of retail, commercial, entertainment, governmental, and professional uses with upper floor residential uses that occur in a downtown setting. This district is intended primarily for the existing downtown area.
C1	Neighborhood Commercial	This district is established for existing commercial uses located adjacent to residential neighborhoods and that serve those neighborhoods.
C2	General Commercial	This district is established for a wide variety of retail, commercial, service, entertainment, and eating establishments that are medium to large in scale and medium to high intensity.
I1	Light Industrial / High-Tech	This district is established for low to moderate intensity industrial uses, light manufacturing facilities, and technology or business parks.
I2	Heavy Industrial	This district is established for moderate to high intensity industrial uses and light manufacturing facilities.
HI	High Impact	This district is established for specific uses that can have a particularly high impact on adjacent areas.

# Zoning Districts

## 1.17 Establishment of Overlay Districts

The overlay districts as noted below have been established to add additional and unique development standards which will help the City accomplish its goals. For the purpose of this Unified Development Ordinance, the following overlay districts have been established for the purpose as stated:

District Code	District Name	District Purpose
WH-O	Wellhead Protection Overlay	This overlay district is established to protect the integrity and potability of the community's public water supply and enhance water quality of streams.
CG-O	Corridor and Gateway Overlay	This overlay district is established to promote rational, aesthetically pleasing, and cohesive development in areas along major arterial streets and gateways.
AC-O	Airport Compatibility Overlay	This overlay district is established to promote safety and compatibility for the occupants of land near the DeKalb County Airport

## 1.18 Establishment of Planned Development Districts

As provided for in this Unified Development Ordinance, only the following standard zoning districts may be rezoned to a planned development: R1, R2, R3, TR, M1, M2, MH, IS, C2, I1 and I2.

## 1.19 Zoning District Land Uses

The two-page layout for each standard zoning district in *Article 02: Zoning Districts* identifies land uses allowed in that district. Such land uses are of two (2) kinds: permitted uses and special exception uses. Auburn's permitted and special exception uses for each district are noted in the "Permitted Use" and "Special Exception Use" columns on each two-page layout.

## 1.20 Unlisted Land Uses

Any land use not listed in either the permitted use or special exception use column of a particular zoning district, shall be prohibited in that particular zoning district.

## 1.21 Questionable Land Uses

Any land use not listed in either the permitted use or special exception use column of a particular zoning district, but that is similar or related to a use that is a permitted use or a special exception use in that zoning district may be deemed permitted through a Questionable Land Use Interpretation by the Zoning Administrator.

## 1.22 Official Zoning Map

- A. Description: The map labeled “Official Zoning Map” maintained by the Plan Commission is hereby incorporated as part of this Unified Development Ordinance and is to function as the means to apply a zoning district to each parcel within the City’s jurisdiction. The zoning map shall be formally known as the “Official Zoning Map,” and it may be cited and referred to as the “Auburn Zoning Map” or the “Zoning Map.”
- B. Location: The Official Zoning Map will be located in the Department of Building, Planning and Development and maintained by the Plan Commission.
- C. Zoning District Boundaries:
  1. *Standard Zoning Districts*: The standard zoning district boundaries shall be shown on the Official Zoning Map. The two digit abbreviations for the standard zoning districts appearing in this Unified Development Ordinance or a specific color noted on the map legend shall be used to identify the zoning districts on the map.
  2. *Overlay Districts*: The overlay district boundaries shown on the Official Zoning Map shall be interpreted as follows:
    - a. *Labeling*: An overlay district shall be noted on the Official Zoning Map with a hatch or textured pattern and be noted as such on the map legend.
    - b. *Fully Covered*: A lot that is fully covered (bounded) by an overlay district shall be interpreted to be subject to the overlay district standards found in *Article 03: Overlay Districts*.
    - c. *Partially Covered*: A lot that is partially covered (transected) by an overlay district shall be interpreted to be subject to the overlay district standards to the extent the lot area is covered by the overlay district.
  3. *Standards*: Zoning district boundaries on the Official Zoning Map shall be interpreted as follows:
    - a. *Streets*: Zoning district boundaries shown within or parallel to the lines of streets, easements, and transportation rights-of-way shall be deemed to follow the centerline of the affected street, easement or right-of-way.
    - b. *Section Lines*: Zoning district boundaries indicated as following or being parallel to section or fractional sectional lines, platted lot lines or City corporation lines shall be construed as following or paralleling such lines.
    - c. *Water*: Zoning district boundaries indicated as approximately following the centerline of streams, rivers or other moving bodies of water shall be construed to follow such center lines.
    - d. *Vacated*: Whenever any street, alley, public way, railroad right-of-way, waterway, or other similar area is vacated by proper authority, the zoning districts adjoining each side of vacated areas shall be extended automatically to the center of the vacated area. All areas included in the vacation shall thereafter be subject to all regulations of the extended zoning districts. The following exception applies:
      - i. In the event of a partial vacation, the adjoining zoning district, or zoning district nearest the portion vacated, shall be extended automatically to include all of the vacated area.
  4. *Disputes*: Any disputes as to the exact zoning district boundaries shall be determined by the Zoning Administrator. The Zoning Administrator may refuse to make a determination when he/she cannot definitely determine the location of a zoning district boundary. The Board of Zoning Appeals may then interpret the location of the zoning district boundary with reference to the scale of the Official Zoning Map and the purposes set forth in all relevant provisions of this Unified Development Ordinance.
- D. Regular Revisions: The Official Zoning Map shall be formally revised by the Plan Commission as changes are made (i.e. rezonings, planned developments, annexations). During the time it takes for each revision to be made electronically, hand drawn lines and text on a printout of the previous Official Zoning Map will be appropriate to note zoning district changes. Revisions may be made at any time to correct drafting errors, clerical errors, or omissions, in the map.

# Official Zoning Map

---

- E. Copies: Print copies of the Official Zoning Map may be distributed. Each copy of the Official Zoning Map shall be accurate only to the date on which it was last modified. The date of the latest revision shall also be printed on copies of the Official Zoning Map.
- F. Damage, Destruction, or Loss: In the event the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret, the Plan Commission may prepare a new map which shall depict the Official Zoning Map as accurately as possible, and shall supersede the prior map upon approval by the Common Council. The new map shall not have the effect of amending the Official Zoning Map.

## 1.23 Common Council Summary of Powers and Duties

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

### A. Common Council Duties:

1. *Documents:* Adopt, reject or amend the Auburn Comprehensive Plan, strategic plans or Unified Development Ordinance that have been certified and submitted by the Plan Commission.
2. *Amendments:* Adopt, reject or amend proposals to amend or partially repeal the text of the Auburn Comprehensive Plan, strategic plans or Unified Development Ordinance that has been certified and submitted by the Plan Commission.
3. *Zoning Map:* Adopt, reject or amend proposals to amend the Official Zoning Map certified and submitted by the Plan Commission.
4. *Fee Schedule:* Adopt, reject or amend a fee schedule.
5. *Enforcement:* Enforce regulations and procedures of the Auburn Comprehensive Plan and Unified Development Ordinance to the extent of the local resolutions, ordinances and State of Indiana Law.
6. *Other:* Other duties as permitted by Indiana Code.

### B. Common Council Powers:

1. *Document Amendment Initiation:* Initiate amendments to the Auburn Comprehensive Plan, strategic plans, or Unified Development Ordinance by making the proposal to the Plan Commission.
2. *Zoning Map Amendment Initiation:* Initiate amendments to the Official Zoning Map by making the proposal to the Plan Commission.
3. *Other:* Other powers as permitted by Indiana Code.

## 1.24 Plan Commission Summary of Powers and Duties

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

### A. Plan Commission Duties:

1. *Documents:* Adopt and maintain the Common Council approved Auburn Comprehensive Plan and Unified Development Ordinance as authorized under Indiana State Law.
2. *Rules and Procedures:* Adopt and maintain rules and procedures for holding meetings, holding public hearings, and administrating and enforcing the Auburn Comprehensive Plan and Unified Development Ordinance.
3. *Records:* Maintain complete records of all meetings, hearings, correspondences, and affairs of the Plan Commission.
4. *Materials:* Publish and make available to the public all plans, ordinances, and other related material that are the responsibility of the Plan Commission.
5. *Process and Seal:* Adopt and maintain a permitting process and seal used to certify official or approved documents.
6. *Recommendations for Documents:* Certify and submit recommendations to the Common Council including new versions of and revisions to the Auburn Comprehensive Plan, Unified Development Ordinance, and Official Zoning Map.
7. *Recommendations for Planned Developments:* Certify and submit recommendations to the Common Council for adopting a Planned Development District.
8. *Fiscal Records:* Maintain monetary and fiscal records of the Plan Commission.
9. *Budget:* Prepare and submit an annual budget to the Common Council.
10. *Plats:* Approve or deny plats or replats of subdivisions.
11. *Waivers:* Approve or deny request for waivers to the subdivision requirements of this Unified Development Ordinance.
12. *Development Plans:* Approve or deny development plans and amendments to development plans.
13. *Names:* Approve or deny proposed subdivision names, street names and addresses in new developments.
14. *Enforcement:* Enforce regulations and procedures of the Comprehensive Plan and Unified Development Ordinance to the extent of the local resolutions, ordinances and State of Indiana Law.
15. *Other:* Other duties as permitted by Indiana Code.

# Powers and Duties

## B. Plan Commission Powers:

1. *Staff:* Hire, remove, and determine job descriptions for support staff with the Department of Building, Planning and Development.
2. *Committees:* Establish advisory committees as necessary.
3. *Funding:* Seek funding assistance through grant programs as necessary.
4. *Distribution:* Distribute copies or summaries of the Auburn Comprehensive Plan or Unified Development Ordinance to the general public and development community.
5. *Compensation:* Determine the compensation for support staff and members as provided within the budget submission to Common Council.
6. *Other:* Other powers as permitted by Indiana Code.

## 1.25 Board of Zoning Appeals Summary of Duties

The duties of the Board of Zoning Appeals are described below. Duties should be interpreted as activities that are obligations.

### A. Board of Zoning Appeals Duties:

1. *Appeals:* Hear and determine appeals from, and review any order, requirement, decision, or determination made by an administrative official or commission (except the Plan Commission) charged with the enforcement of this Unified Development Ordinance.
2. *Exceptions:* Authorize exceptions to the zoning district and overlay district regulations only in the classes of uses or in particular situations as specified in this Unified Development Ordinance.
3. *Variances:* Authorize, on appeal in specific cases, variances from the terms of this Unified Development Ordinance.
4. *Interpretations:* Interpret the Official Zoning Map.
5. *Other:* Other duties as permitted by Indiana Code.

## 1.26 Zoning Administrator Summary of Duties

The duties delegated by the Plan Commission to the Zoning Administrator are described below. Duties should be interpreted as activities that are obligations.

### A. Zoning Administrator Duties:

1. *Plan Commission Files:* Maintain complete records of all meetings, hearings, correspondences, budgets, Rules and Procedures, memberships, term expirations and general affairs of the Plan Commission.
2. *Plan Commission Meetings:* Serve as staff for the Plan Commission and any of its committees by setting agendas, conducting research, distributing meeting information, and serving as Plan Commission Secretary.
3. *Publish:* Publish and make available to the public all plans, ordinances, and other related material that are the responsibility of the Plan Commission.
4. *Public Interaction:* Be available as a first point of contact for planning and zoning questions from the public.
5. *Administrative Decisions:* Make administrative decisions based on the standards and procedures in this Unified Development Ordinance.
6. *Interpretations:* Interpret the standards in this Unified Development Ordinance.
7. *Applications:* Process applications submitted to the Department of Building, Planning and Development.
8. *Review:* Review permit applications and issue or deny permits submitted to the Department of Building, Planning and Development.
9. *Inspections and Enforcement:* Complete field inspections of improvements, structures, and uses to verify compliance with this Unified Development Ordinance.
10. *Recommendations:* Prepare and present Plan Commission recommendations to other commissions and boards.
11. *Other:* Other duties that may be delegated by the Plan Commission from time to time.

# Plan Commission Certification

## 1.27 Plan Commission Certification

This Unified Development Ordinance was certified with a favorable recommendation for adoption on the 13th day of November, 2018, by the Auburn Plan Commission after holding a legally announced public hearing. The certification was made by the following Plan Commission vote:

Signatures:

The Advisory Plan Commission of the City of Auburn, DeKalb County, Indiana

AYE

NAY

_____	Al Wleklinski, President	_____
_____	Troy Ackerman, Vice President	_____
_____	Thomas Smith, Secretary	_____
_____	Mark Benbow, Member	_____
_____	James Canino, Member	_____
_____	Brett Carmer, Member	_____
_____	Jim Finchum, Member	_____
_____	Tim Griffin, Member	_____
_____	Steve Klein, Member	_____
_____	Christopher Lamm, Member	_____
_____	Lou Metelko, Member	_____
_____	Don Myers, Member	_____

Attest:

Date:

\_\_\_\_\_  
Amy Schweitzer, Administrator,  
City of Auburn, Indiana

Form and content approved by:  
W. Erik Weber, City Attorney



# Common Council Adoption

**1.28 Unified Development Ordinance Adoption and Effective Date**

The Unified Development Ordinance shall become effective on March 18, 2019 after its passage by the Common Council. Adopted by the Common Council of Auburn, Indiana on the 5th day of February, 2019.

Signatures:

The Common Council of the City of Auburn, DeKalb County, Indiana

AYE

NAY

_____	Wayne Madden, District 1	_____
_____	Kevin Webb, District 2	_____
_____	Matthew Kruse, District 3	_____
_____	Mike Watson, District 4	_____
_____	Michael Walter, District 5	_____
_____	Jim Finchum, At-Large	_____
_____	Denny Ketzenberger, At-Large	_____

Attest:

Date:

\_\_\_\_\_  
Patricia M. Miller, Clerk-Treasurer,  
City of Auburn, Indiana

Form and content approved by:  
W. Erik Weber, City Attorney





**Article**

**02**

**Zoning Districts**

---

**AUBURN**

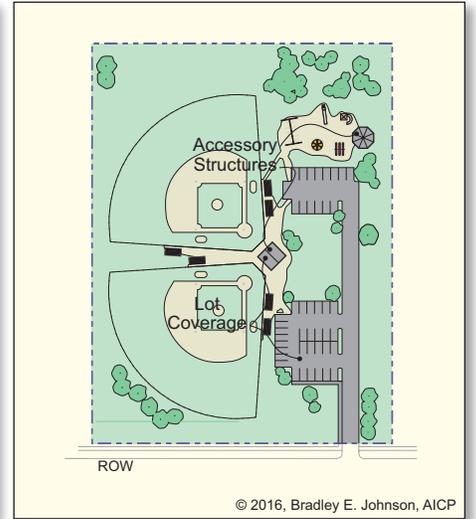
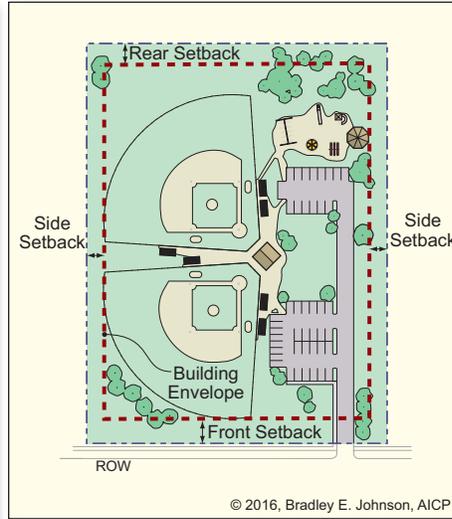
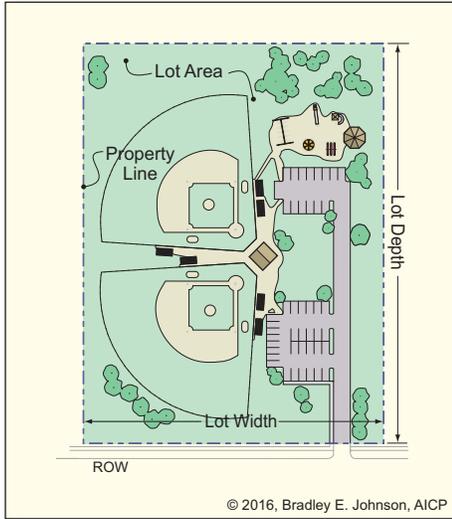
**Unified Development Ordinance**

## 2.01 PR District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The PR (Parks and Recreation) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• All intensities of active and passive recreation areas including parks, picnic areas, trails, open spaces, playgrounds, and sports fields</li> <li>• Public and privately owned areas</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new facilities</li> <li>• PR districts are typically spot zoned and distributed around the community</li> <li>• Buffer and transitional district</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Promote high quality natural areas for public access, enjoyment, and recreation</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, ER, R1, R2, R3, TR, M1, M2, MH, IS, DC, C1, C2, I1 and I2</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• farmers' market</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• country club</li> <li>• golf course</li> <li>• recreation center or play center</li> <li>• sports complex (outdoor)</li> <li>• swimming pool</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• nature center</li> <li>• park</li> <li>• skate park</li> <li>• swimming pool, public</li> </ul>	<p><b>Agricultural Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• fairground</li> </ul> <p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• camp ground</li> <li>• driving range</li> <li>• marina</li> <li>• paintball facility</li> <li>• sports complex (indoor)</li> <li>• stadium</li> <li>• watercraft rental</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• community center</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• caretaker's residence</li> </ul>

# Parks and Recreation (PR) District

## 2.02 PR District Development Standards



**Minimum Lot Area**

- no minimum

**Minimum Lot Width**

- 50 feet

**Sanitary Sewer Utility**

- Required

**Water Utility**

- Required

**Minimum Front Yard Setback**

- 40 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 25 feet for primary structure
- 10 feet for accessory structure

**Minimum Rear Yard Setback**

- 25 feet for primary structure
- 10 feet for accessory structure

**Maximum Lot Coverage**

- 30% of lot area

**Minimum Main Floor Area**

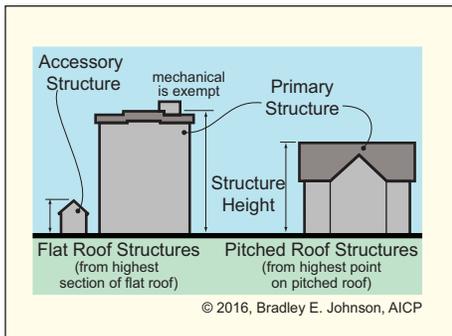
- n/a

**Minimum Dwelling Unit Size**

- n/a

**Maximum Primary Structures**

- no limit



**Maximum Structure Height**

- 40 feet for primary structures
- 30 feet for accessory structures

**Additional Development Standards that Apply**

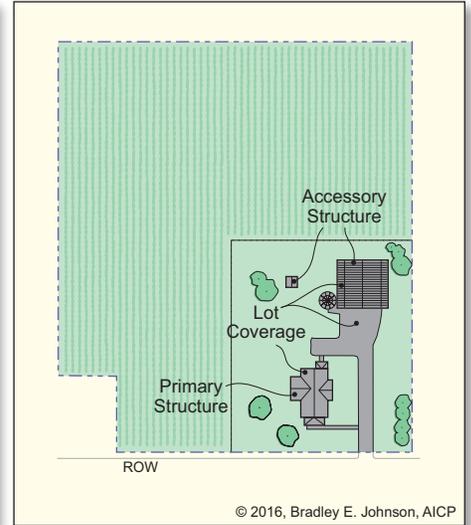
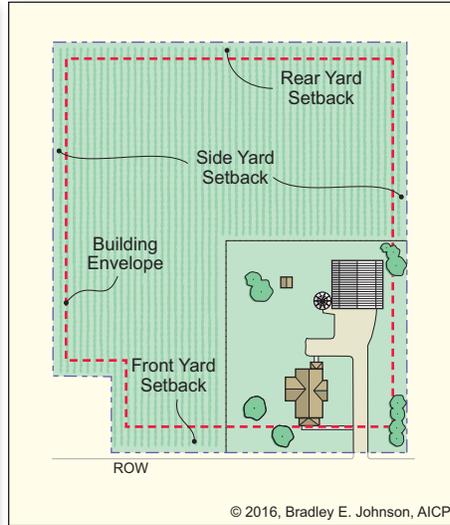
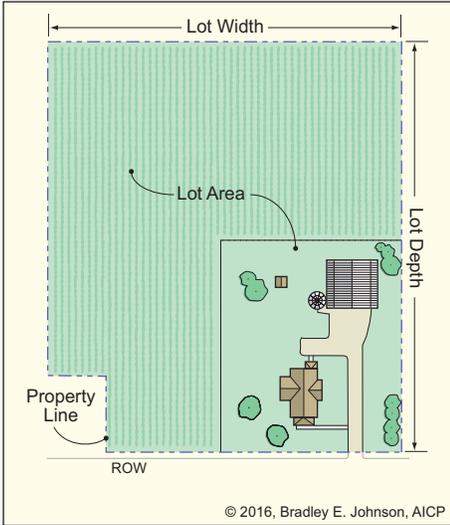
<p><b>Accessory Structure (AS)</b></p> <ul style="list-style-type: none"> <li>• AS-01 ..... Page 5-6</li> <li>• AS-02 ..... Page 5-7</li> </ul> <p><b>Density and Intensity (DI)</b></p> <ul style="list-style-type: none"> <li>• DI-01 ..... Page 5-22</li> </ul> <p><b>Driveway (DW)</b></p> <ul style="list-style-type: none"> <li>• DW-01 ..... Page 5-23</li> <li>• DW-04 ..... Page 5-26</li> </ul> <p><b>Environmental (EN)</b></p> <ul style="list-style-type: none"> <li>• EN-01 ..... Page 5-27</li> </ul> <p><b>Fence and Wall (FW)</b></p> <ul style="list-style-type: none"> <li>• FW-01 ..... Page 5-29</li> <li>• FW-02 ..... Page 5-30</li> </ul> <p><b>Floodplain (FP)</b></p> <ul style="list-style-type: none"> <li>• FP-01 ..... Page 5-33</li> </ul> <p><b>Floor Area (FA)</b></p> <ul style="list-style-type: none"> <li>• FA-01 ..... Page 5-34</li> </ul> <p><b>Height (HT)</b></p> <ul style="list-style-type: none"> <li>• HT-01 ..... Page 5-35</li> </ul>	<p><b>Landscaping (LA)</b></p> <ul style="list-style-type: none"> <li>• LA-01 ..... Page 5-40</li> </ul> <p><b>Lighting (LT)</b></p> <ul style="list-style-type: none"> <li>• LT-01 ..... Page 5-41</li> </ul> <p><b>Lot (LO)</b></p> <ul style="list-style-type: none"> <li>• LO-01 ..... Page 5-43</li> </ul> <p><b>Outdoor Storage (OS)</b></p> <ul style="list-style-type: none"> <li>• OS-01 ..... Page 5-46</li> </ul> <p><b>Parking (PK)</b></p> <ul style="list-style-type: none"> <li>• PK-01 ..... Page 5-47</li> <li>• PK-07 ..... Page 5-49</li> </ul> <p><b>Performance (PF)</b></p> <ul style="list-style-type: none"> <li>• PF-01 ..... Page 5-56</li> </ul> <p><b>Public Improvement (PI)</b></p> <ul style="list-style-type: none"> <li>• PI-01 ..... Page 5-59</li> </ul> <p><b>Retaining Wall (RW)</b></p> <ul style="list-style-type: none"> <li>• RW-01 ..... Page 5-62</li> </ul> <p><b>Setback (SB)</b></p> <ul style="list-style-type: none"> <li>• SB-01 ..... Page 5-63</li> </ul> <p><b>Sewer and Water (SW)</b></p> <ul style="list-style-type: none"> <li>• SW-01 ..... Page 5-65</li> </ul>	<p><b>Sign (SI)</b></p> <ul style="list-style-type: none"> <li>• SI-01 ..... Page 5-67</li> <li>• SI-05 ..... Page 5-74</li> </ul> <p><b>Solar / Alternate Energy (SL)</b></p> <ul style="list-style-type: none"> <li>• SL-01 ..... Page 5-93</li> <li>• SL-03 ..... Page 5-93</li> </ul> <p><b>Special Exception (SE)</b></p> <ul style="list-style-type: none"> <li>• SE-01 ..... Page 5-95</li> </ul> <p><b>Storage Tank (SR)</b></p> <ul style="list-style-type: none"> <li>• SR-01 ..... Page 5-96</li> <li>• SR-03 ..... Page 5-96</li> </ul> <p><b>Structure (ST)</b></p> <ul style="list-style-type: none"> <li>• ST-01 ..... Page 5-97</li> </ul> <p><b>Telecommunication Facility (TC)</b></p> <ul style="list-style-type: none"> <li>• TC-02 ..... Page 5-100</li> </ul> <p><b>Temporary Use (TU)</b></p> <ul style="list-style-type: none"> <li>• TU-01 ..... Page 5-101</li> </ul> <p><b>Trash Receptacle (TR)</b></p> <ul style="list-style-type: none"> <li>• TR-01 ..... Page 5-103</li> </ul> <p><b>Vision Clearance (VC)</b></p> <ul style="list-style-type: none"> <li>• VC-01 ..... Page 5-104</li> </ul>
---	---	---

## 2.03 AG District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The AG (Agricultural) District is intended to be used as follows:</p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Low to moderate intensity agricultural activities</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing agricultural areas</li> <li>• Land within the extra-territorial jurisdiction of the City of Auburn</li> <li>• Holding district immediately after annexation</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Provide standards that allow common agricultural practices</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, AC, ER, R1, R2, M1, M2, MH, IS, C2, I1, I2 and HI</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• agricultural tourism</li> <li>• child care home</li> <li>• farmers' market</li> <li>• home business, type 1</li> <li>• home business, type 2</li> <li>• home business, type 3</li> <li>• outdoor storage</li> <li>• roadside sales</li> <li>• solar field</li> </ul> <p><b>Agricultural Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• agricultural crop production</li> <li>• hobby farming</li> <li>• orchard</li> <li>• plant nursery, wholesale</li> <li>• raising of farm animals</li> <li>• stable, private</li> <li>• storage of agricultural products</li> <li>• tree farm</li> <li>• vineyard</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling, single-family detached</li> <li>• fair housing facility (small)</li> <li>• personal storage (primary use)</li> </ul>	<p><b>Agricultural Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• confined feeding operation (small)</li> <li>• raising of exotic animals</li> </ul> <p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• camp ground</li> <li>• kennel</li> <li>• shooting range</li> <li>• stable, commercial</li> <li>• winery</li> </ul> <p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• telecommunication facility</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• cemetery or mausoleum</li> <li>• church, temple or mosque</li> <li>• police, fire or rescue station</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• bed and breakfast</li> </ul>

# Agricultural (AG) District

## 2.04 AG District Development Standards



**Minimum Lot Area**

- 5 acres

**Minimum Lot Width**

- 120 feet

**Sanitary Sewer Utility**

- Required where available

**Water Utility**

- Required where available

**Minimum Front Yard Setback**

- 60 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 30 feet for primary and accessory structures

**Minimum Rear Yard Setback**

- 30 feet for primary structures
- 15 feet for accessory structures

**Maximum Lot Coverage**

- 35% of lot area

**Minimum Main Floor Area**

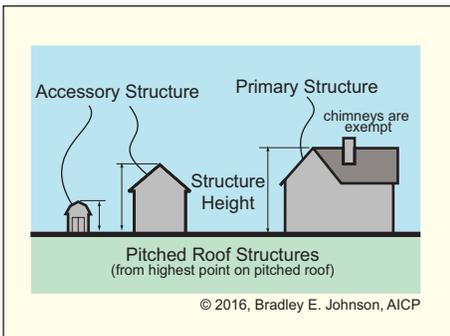
- n/a

**Minimum Dwelling Unit Size**

- 1,000 square feet

**Maximum Primary Structures**

- 1



**Maximum Structure Height**

- 35 feet for primary structures
- 30 feet for accessory structures

**Additional Development Standards that Apply**

**Accessory Structure (AS)**

- AS-01 ..... Page 5-6
- AS-02 ..... Page 5-7

**Confined Feeding (CF)**

- CF-01 ..... Page 5-21

**Density and Intensity (DI)**

- DI-01 ..... Page 5-22

**Driveway (DW)**

- DW-01 ..... Page 5-23
- DW-02 ..... Page 5-24

**Environmental (EN)**

- EN-01 ..... Page 5-27

**Fence and Wall (FW)**

- FW-01 ..... Page 5-29
- FW-03 ..... Page 5-30

**Floodplain (FP)**

- FP-01 ..... Page 5-33

**Floor Area (FA)**

- FA-01 ..... Page 5-34

**Height (HT)**

- HT-01 ..... Page 5-35

**Home Business (HB)**

- HB-01 ..... Page 5-36
- HB-02 ..... Page 5-37
- HB-03 ..... Page 5-38

**Keeping of Animal (KA)**

- KA-01 ..... Page 5-39

**Landscaping (LA)**

- LA-01 ..... Page 5-40

**Lighting (LT)**

- LT-01 ..... Page 5-41

**Lot (LO)**

- LO-01 ..... Page 5-43

**Performance (PF)**

- PF-01 ..... Page 5-56

**Public Improvement (PI)**

- PI-01 ..... Page 5-59

**Retaining Wall (RW)**

- RW-01 ..... Page 5-62

**Setback (SB)**

- SB-01 ..... Page 5-63

**Sewer and Water (SW)**

- SW-01 ..... Page 5-65

**Sign (SI)**

- SI-01 ..... Page 5-67
- SI-02 ..... Page 5-70

**Solar / Alternate Energy (SL)**

- SL-01 ..... Page 5-93
- SL-02 ..... Page 5-93

**Special Exception (SE)**

- SE-01 ..... Page 5-95

**Storage Tank (SR)**

- SR-01 ..... Page 5-96
- SR-04 ..... Page 5-96

**Structure (ST)**

- ST-01 ..... Page 5-97

**Telecommunication Facility (TC)**

- TC-01 ..... Page 5-98
- TC-02 ..... Page 5-100

**Temporary Use (TU)**

- TU-01 ..... Page 5-101
- TU-02 ..... Page 5-101

**Vision Clearance (VC)**

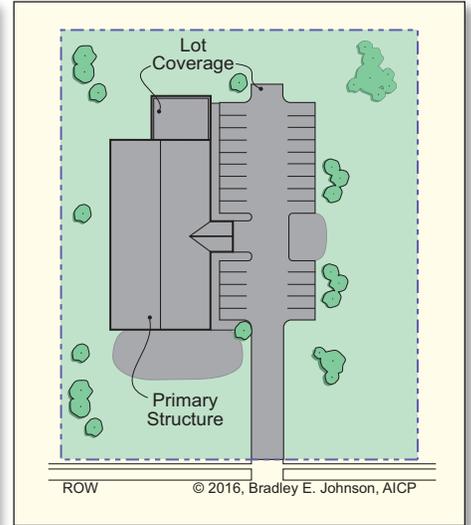
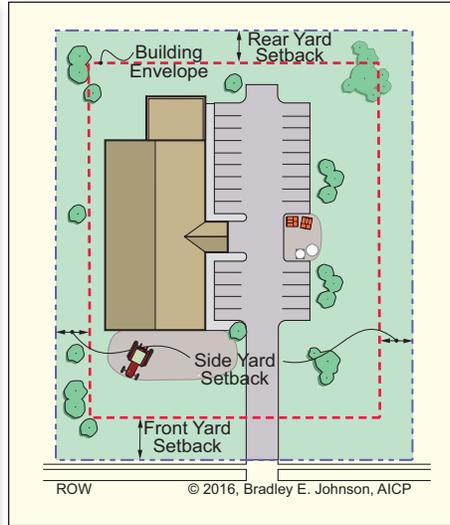
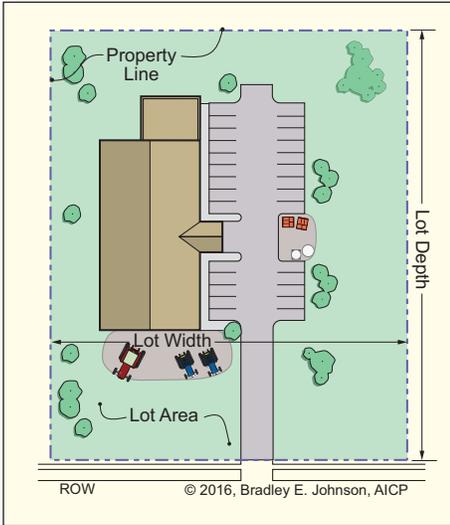
- VC-01 ..... Page 5-104

## 2.05 AC District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The AC (Agricultural Commercial) District is intended to be used as follows:</p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>Commercial and industrial uses directly related to agricultural operations that are compatible with the character of the area</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>Existing or new development</li> <li>Spot zoning within or directly adjacent to existing agricultural areas</li> <li>Land within the City's extra-territorial jurisdiction</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>AG, AC, I2 and HI</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>This district should accommodate commercial and industrial operations that are substantially supported by the agricultural industry</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>farmers' market</li> <li>outdoor storage</li> <li>permanent outdoor display area</li> <li>roadside sales</li> <li>solar field</li> </ul> <p><b>Agricultural Permitted Uses</b></p> <ul style="list-style-type: none"> <li>agricultural crop production</li> <li>grain elevator</li> <li>orchard</li> <li>plant nursery, wholesale</li> <li>processing of agricultural products</li> <li>raising of exotic animals</li> <li>raising of farm animals</li> <li>sale of agricultural products</li> <li>stable, private</li> <li>storage of agricultural products</li> <li>tree farm</li> <li>vineyard</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>farm implement sales</li> <li>landscape contractor</li> <li>plant nursery, retail or greenhouse</li> <li>stable, commercial</li> <li>tool or heavy equipment sales or rental</li> <li>winery</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>food production or processing</li> <li>heavy equipment repair</li> <li>liquid fertilizer storage or distribution</li> <li>public utility facility</li> <li>outdoor storage</li> <li>storage tanks (nonhazardous)</li> <li>welding</li> </ul>	<p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>camp ground</li> <li>kennel</li> </ul> <p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>telecommunication facility</li> <li>warehouse "self storage" facility</li> </ul>

# Agricultural Commercial (AC) District

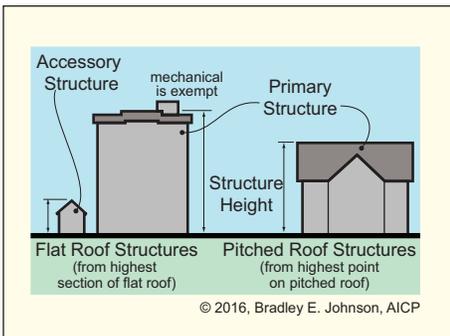
## 2.06 AC District Development Standards



- Minimum Lot Area**
  - 15,000 square feet
- Minimum Lot Width**
  - 120 feet
- Sanitary Sewer Utility**
  - Required where available
- Water Utility**
  - Required where available

- Minimum Front Yard Setback**
  - 50 feet for primary and accessory structures
- Minimum Side Yard Setback**
  - 30 feet for primary and accessory structures
- Minimum Rear Yard Setback**
  - 30 feet for primary and accessory structures

- Maximum Lot Coverage**
  - 60% of lot area
- Minimum Main Floor Area**
  - n/a
- Minimum Dwelling Unit Size**
  - n/a
- Maximum Primary Structures**
  - no limit



- Maximum Structure Height**
  - 35 feet for primary structures
  - 30 feet for accessory structures

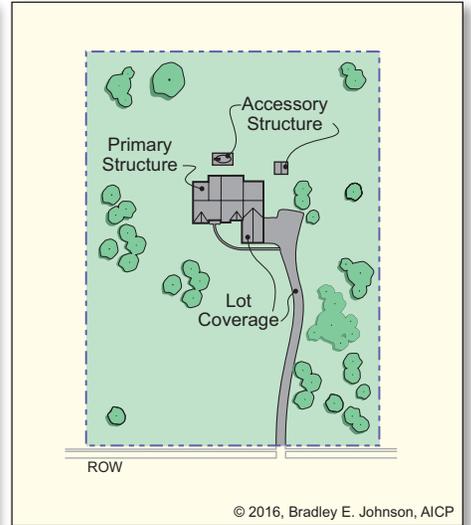
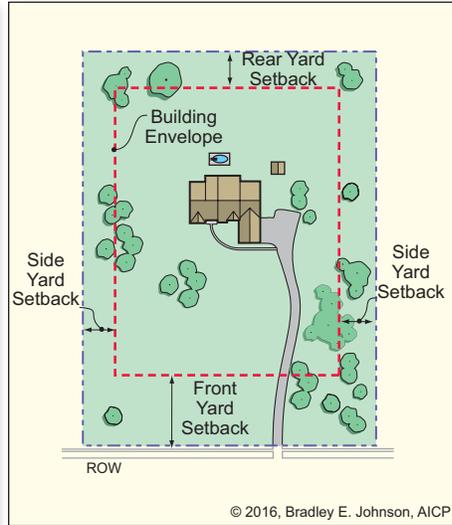
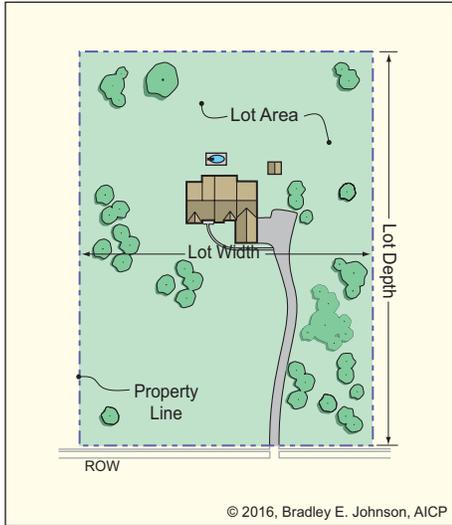
Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Lot (LO)</b>	<b>Storage Tank (SR)</b>
• AS-01 ..... Page 5-6	• LO-01 ..... Page 5-43	• SR-01 ..... Page 5-96
• AS-02 ..... Page 5-7	<b>Performance (PF)</b>	• SR-04 ..... Page 5-96
<b>Density and Intensity (DI)</b>	• PF-01 ..... Page 5-56	<b>Structure (ST)</b>
• DI-01 ..... Page 5-22	<b>Permanent Outdoor Display (PD)</b>	• ST-01 ..... Page 5-97
<b>Driveway (DW)</b>	• PD-01 ..... Page 5-57	<b>Telecommunication Facility (TC)</b>
• DW-01 ..... Page 5-23	<b>Public Improvement (PI)</b>	• TC-02 ..... Page 5-100
• DW-02 ..... Page 5-24	• PI-01 ..... Page 5-59	<b>Temporary Use (TU)</b>
<b>Environmental (EN)</b>	<b>Retaining Wall (RW)</b>	• TU-01 ..... Page 5-101
• EN-01 ..... Page 5-27	• RW-01 ..... Page 5-62	• TU-04 ..... Page 5-102
<b>Fence and Wall (FW)</b>	<b>Setback (SB)</b>	<b>Vision Clearance (VC)</b>
• FW-01 ..... Page 5-29	• SB-01 ..... Page 5-63	• VC-01 ..... Page 5-104
• FW-03 ..... Page 5-30	<b>Sewer and Water (SW)</b>	
<b>Floodplain (FP)</b>	• SW-01 ..... Page 5-65	
• FP-01 ..... Page 5-33	<b>Sign (SI)</b>	
<b>Floor Area (FA)</b>	• SI-01 ..... Page 5-67	
• FA-01 ..... Page 5-34	• SI-05 ..... Page 5-74	
<b>Height (HT)</b>	<b>Solar / Alternative Energy (SL)</b>	
• HT-01 ..... Page 5-35	• SL-01 ..... Page 5-93	
<b>Landscaping (LA)</b>	• SL-02 ..... Page 5-93	
• LA-01 ..... Page 5-40	<b>Special Exception (SE)</b>	
<b>Lighting (LT)</b>	• SE-01 ..... Page 5-95	
• LT-01 ..... Page 5-41		

## 2.07 ER District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The ER (Estate Residential) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Single-family detached homes</li> <li>• Large sized homes</li> <li>• Large lots</li> <li>• Hobby farming</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Primarily for existing development</li> <li>• Spot zoning or small pockets of development (a couple of lots)</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Permit low density, low impact development that complements a natural setting</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, ER, R1, R2, M1, and IS</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• District is designed primarily for existing development</li> <li>• Should limit the use of this district within the City of Auburn due to its low density nature and to avoid exclusionary zoning practices</li> <li>• New subdivisions involving multiple lots should have access to municipal water and sewer</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• accessory dwelling unit</li> <li>• child care home</li> <li>• home business, type 1</li> <li>• home business, type 2</li> <li>• roadside sales</li> <li>• solar field</li> </ul> <p><b>Agricultural Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• agricultural crop production</li> <li>• hobby farming</li> <li>• stable, private</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• bed and breakfast</li> <li>• dwelling, single-family detached</li> <li>• fair housing facility (small)</li> </ul>	<p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• personal storage (primary use)</li> </ul>

# Estate Residential (ER) District

## 2.08 ER District Development Standards



**Minimum Lot Area**

- 2 acres

**Minimum Lot Width**

- 120 feet

**Sanitary Sewer Utility**

- Required where available

**Water Utility**

- Required where available

**Minimum Front Yard Setback**

- 70 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 30 feet for primary and accessory structures

**Minimum Rear Yard Setback**

- 30 feet for primary and accessory structures

**Maximum Lot Coverage**

- 25% of lot area

**Minimum Main Floor Area**

- n/a

**Minimum Dwelling Unit Size**

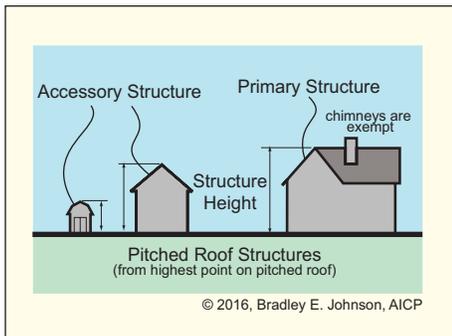
- 1,800 square feet

**Maximum Primary Structures**

- 1

**Maximum Density**

- 0.8 du/acre in a multiple lot development



**Maximum Structure Height**

- 35 feet for primary structures
- 25 feet for accessory structures

**Additional Development Standards that Apply**

<b>Accessory Dwelling (AD)</b>	<b>Home Business (HB)</b>	<b>Setback (SB)</b>
• AD-01..... Page 5-4	• HB-01..... Page 5-36	• SB-01..... Page 5-63
<b>Accessory Structure (AS)</b>	• HB-02..... Page 5-37	<b>Sewer and Water (SW)</b>
• AS-01..... Page 5-6	• HB-03..... Page 5-38	• SW-01..... Page 5-65
• AS-03..... Page 5-8	<b>Keeping of Animal (KA)</b>	<b>Sign (SI)</b>
<b>Architectural (AR)</b>	• KA-02..... Page 5-39	• SI-01..... Page 5-67
• AR-01..... Page 5-16	<b>Landscaping (LA)</b>	• SI-03..... Page 5-71
<b>Density and Intensity (DI)</b>	• LA-01..... Page 5-40	<b>Solar / Alternative Energy (SL)</b>
• DI-01..... Page 5-22	<b>Lighting (LT)</b>	• SL-01..... Page 5-93
<b>Driveway (DW)</b>	• LT-01..... Page 5-41	• SL-02..... Page 5-93
• DW-01..... Page 5-23	<b>Lot (LO)</b>	<b>Special Exception (SE)</b>
• DW-03..... Page 5-25	• LO-01..... Page 5-43	• SE-01..... Page 5-95
<b>Environmental (EN)</b>	<b>Outdoor Storage (OS)</b>	<b>Storage Tank (SR)</b>
• EN-01..... Page 5-27	• OS-01..... Page 5-46	• SR-01..... Page 5-96
<b>Fence and Wall (FW)</b>	<b>Parking (PK)</b>	• SR-03..... Page 5-96
• FW-01..... Page 5-29	• PK-01..... Page 5-47	<b>Structure (ST)</b>
• FW-04..... Page 5-31	• PK-02..... Page 5-47	• ST-01..... Page 5-97
<b>Floodplain (FP)</b>	<b>Performance (PF)</b>	<b>Telecommunication Facility (TC)</b>
• FP-01..... Page 5-33	• PF-01..... Page 5-56	• TC-02..... Page 5-100
<b>Floor Area (FA)</b>	<b>Public Improvement (PI)</b>	<b>Temporary Use and Structure (TU)</b>
• FA-01..... Page 5-34	• PI-01..... Page 5-59	• TU-01..... Page 5-101
<b>Height (HT)</b>	<b>Recreational Vehicle (RV)</b>	• TU-02..... Page 5-101
• HT-01..... Page 5-35	• RV-01..... Page 5-61	<b>Vision Clearance (VC)</b>
	<b>Retaining Wall (RW)</b>	• VC-01..... Page 5-104
	• RW-01..... Page 5-62	

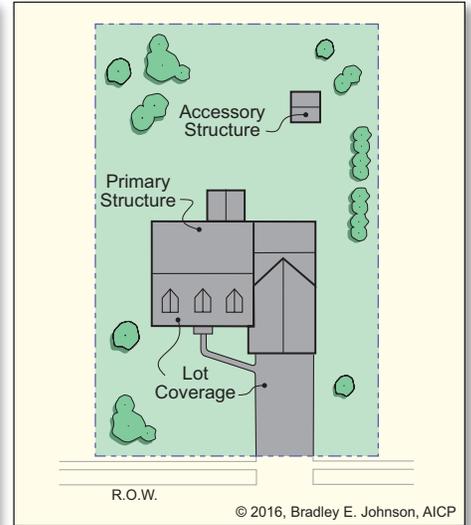
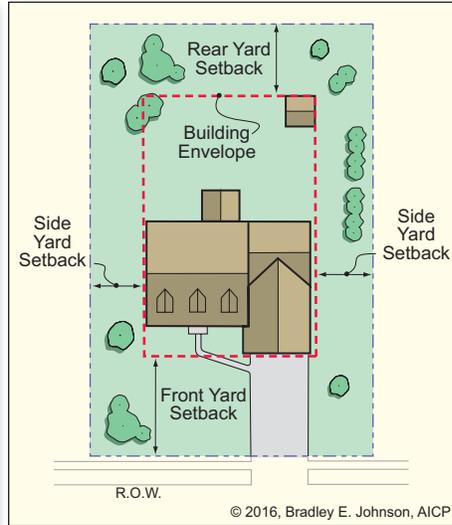
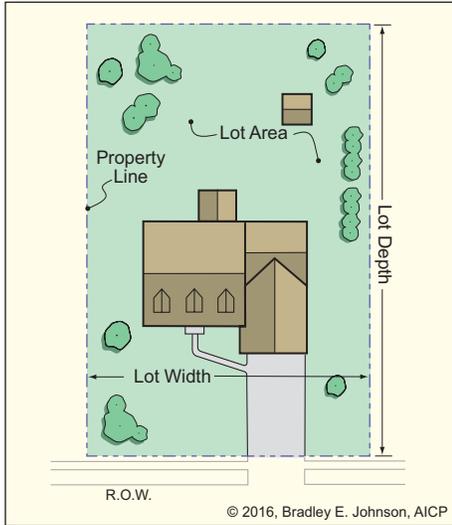
# Low Density Single-family Residential (R1) District

## 2.09 R1 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The R1 (Low Density Single-family Residential) District is intended to be used as follows:</p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"><li>• Single-family detached homes</li><li>• Large to medium sized homes</li><li>• Large to medium sized lots</li></ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"><li>• Existing and new development</li><li>• Areas within the City of Auburn and areas within the City's extra-territorial jurisdiction</li><li>• Small to medium sized pockets of development</li></ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"><li>• Promote low impact development in concert with the natural setting</li></ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"><li>• PR, AG, ER, R1, R2, R3, TR, M1, M2, MH, and IS</li></ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"><li>• Allow special exception use only when it clearly benefits the residential nature of the district</li></ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"><li>• child care home</li><li>• home business, type 1</li><li>• home business, type 2</li></ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"><li>• dwelling, manufactured home</li><li>• dwelling, single-family detached</li><li>• fair housing facility (small)</li></ul>	<p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"><li>• public utility facility</li></ul>

# Low Density Single-family Residential (R1) District

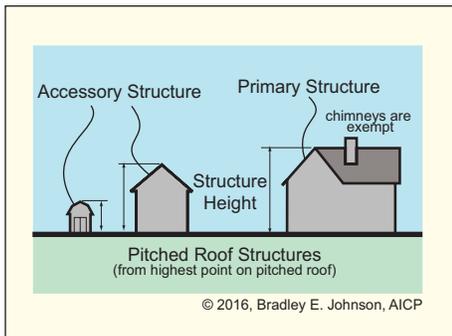
## 2.10 R1 District Development Standards



- Minimum Lot Area**
  - 14,500 square feet
- Minimum Lot Width**
  - 100 feet
- Sanitary Sewer Utility**
  - Required
- Water Utility**
  - Required

- Minimum Front Yard Setback**
  - 35 feet for primary and accessory structures
- Minimum Side Yard Setback**
  - 10 feet for primary structures and accessory structures
- Minimum Rear Yard Setback**
  - 30 feet for primary structures
  - 10 feet for accessory structures

- Maximum Lot Coverage**
  - 35% of lot area
- Minimum Main Floor Area**
  - n/a
- Minimum Dwelling Unit Size**
  - 1,200 square feet
- Maximum Primary Structures**
  - 1
- Maximum Density**
  - 1.5 du/acre in a multiple lot development



- Maximum Structure Height**
  - 35 feet for primary structures
  - 20 feet for accessory structures

Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Landscaping (LA)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LA-01 ..... Page 5-40	• SI-01 ..... Page 5-67
• AS-04 ..... Page 5-9	<b>Lighting (LT)</b>	• SI-03 ..... Page 5-71
<b>Architectural (AR)</b>	• LT-01 ..... Page 5-41	<b>Solar / Alternative Energy (SL)</b>
• AR-01 ..... Page 5-16	<b>Lot (LO)</b>	• SL-01 ..... Page 5-93
<b>Density and Intensity (DI)</b>	• LO-01 ..... Page 5-43	• SL-03 ..... Page 5-93
• DI-01 ..... Page 5-22	<b>Outdoor Storage (OS)</b>	<b>Special Exception (SE)</b>
<b>Driveway (DW)</b>	• OS-01 ..... Page 5-46	• SE-01 ..... Page 5-95
• DW-01 ..... Page 5-23	<b>Parking (PK)</b>	<b>Storage Tank (SR)</b>
• DW-03 ..... Page 5-25	• PK-01 ..... Page 5-47	• SR-01 ..... Page 5-96
<b>Environmental (EN)</b>	• PK-02 ..... Page 5-47	• SR-02 ..... Page 5-96
• EN-01 ..... Page 5-27	<b>Performance (PF)</b>	<b>Structure (ST)</b>
<b>Fence and Wall (FW)</b>	• PF-01 ..... Page 5-56	• ST-01 ..... Page 5-97
• FW-01 ..... Page 5-29	<b>Public Improvement (PI)</b>	<b>Telecommunication Facility (TC)</b>
• FW-04 ..... Page 5-31	• PI-01 ..... Page 5-59	• TC-02 ..... Page 5-100
<b>Floodplain (FP)</b>	<b>Recreational Vehicle (RV)</b>	<b>Temporary Use and Structure (TU)</b>
• FP-01 ..... Page 5-33	• RV-01 ..... Page 5-61	• TU-01 ..... Page 5-101
<b>Floor Area (FA)</b>	<b>Retaining Wall (RW)</b>	• TU-03 ..... Page 5-102
• FA-01 ..... Page 5-34	• RW-01 ..... Page 5-62	<b>Vision Clearance (VC)</b>
<b>Height (HT)</b>	<b>Setback (SB)</b>	• VC-01 ..... Page 5-104
• HT-01 ..... Page 5-35	• SB-01 ..... Page 5-63	
<b>Home Business (HB)</b>	<b>Sewer and Water (SW)</b>	
• HB-01 ..... Page 5-36	• SW-01 ..... Page 5-65	
• HB-02 ..... Page 5-37		

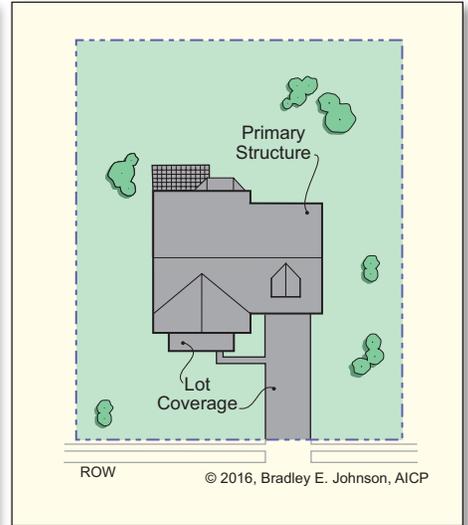
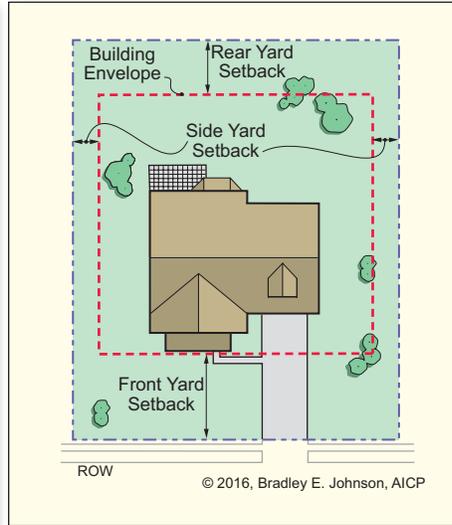
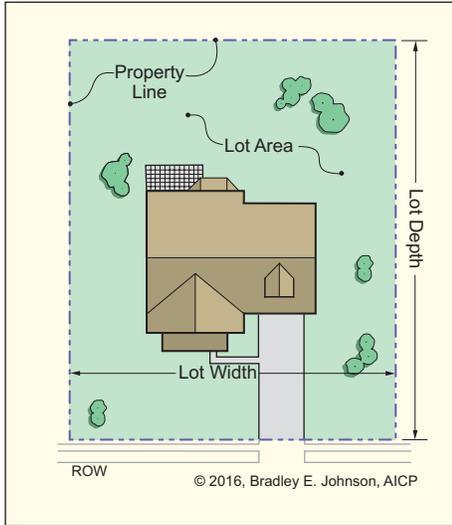
# Medium Density Single-family Residential (R2) District

## 2.11 R2 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The R2 (Medium Density Single-family Residential) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Single-family detached homes</li> <li>• Small to medium sized homes</li> <li>• Medium sized lots</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new development</li> <li>• District areas can range from small pockets (a couple of lots) to large areas (entire neighborhoods and blocks)</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Promote low-impact development in harmony with a natural setting</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, ER, R1, R2, R3, TR, M1, M2, MH, IS, DC, and C1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Should use this district for the majority of new single-family residential development within the City of Auburn</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Allow a special exception use only when it clearly benefits the residential nature of the district</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• child care home</li> <li>• home business, type 1</li> <li>• home business, type 2</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling, manufactured home</li> <li>• dwelling, single-family detached</li> <li>• fair housing facility (small)</li> </ul>	<p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul>

# Medium Density Single-family Residential (R2) District

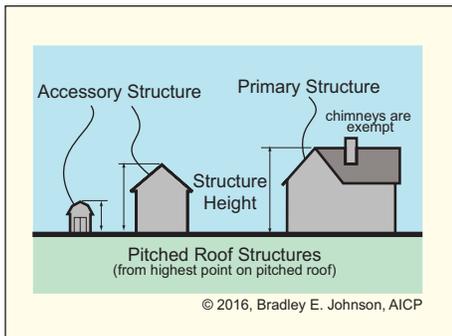
## 2.12 R2 District Development Standards



- Minimum Lot Area**
  - 10,000 square feet
- Minimum Lot Width**
  - 80 feet
- Sanitary Sewer Utility**
  - Required
- Water Utility**
  - Required

- Minimum Front Yard Setback**
  - 30 feet for primary and accessory structures
- Minimum Side Yard Setback**
  - 8 feet for primary and accessory structures
- Minimum Rear Yard Setback**
  - 30 feet for primary structures
  - 8 feet for accessory structures

- Maximum Lot Coverage**
  - 40% of lot area
- Minimum Main Floor Area**
  - n/a
- Minimum Dwelling Unit Size**
  - 1,000 square feet
- Maximum Primary Structures**
  - 1
- Maximum Density**
  - 3.5 du/acre in a multiple lot development



- Maximum Structure Height**
  - 35 feet for primary structures
  - 20 feet for accessory structures

Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Landscaping (LA)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LA-01 ..... Page 5-40	• SI-01 ..... Page 5-67
• AS-04 ..... Page 5-9	<b>Lighting (LT)</b>	• SI-03 ..... Page 5-71
<b>Architectural (AR)</b>	• LT-01 ..... Page 5-41	<b>Solar / Alternative Energy (SL)</b>
• AR-01 ..... Page 5-16	<b>Lot (LO)</b>	• SL-01 ..... Page 5-93
<b>Density and Intensity (DI)</b>	• LO-01 ..... Page 5-43	• SL-03 ..... Page 5-93
• DI-01 ..... Page 5-22	<b>Outdoor Storage (OS)</b>	<b>Special Exception (SE)</b>
<b>Driveway (DW)</b>	• OS-01 ..... Page 5-46	• SE-01 ..... Page 5-95
• DW-01 ..... Page 5-23	<b>Parking (PK)</b>	<b>Storage Tank (SR)</b>
• DW-03 ..... Page 5-25	• PK-01 ..... Page 5-47	• SR-01 ..... Page 5-96
<b>Environmental (EN)</b>	• PK-02 ..... Page 5-47	• SR-02 ..... Page 5-96
• EN-01 ..... Page 5-27	<b>Performance (PF)</b>	<b>Structure (ST)</b>
<b>Fence and Wall (FW)</b>	• PF-01 ..... Page 5-56	• ST-01 ..... Page 5-97
• FW-01 ..... Page 5-29	<b>Public Improvement (PI)</b>	<b>Telecommunication Facility (TC)</b>
• FW-04 ..... Page 5-31	• PI-01 ..... Page 5-59	• TC-02 ..... Page 5-100
<b>Floodplain (FP)</b>	<b>Recreational Vehicle (RV)</b>	<b>Temporary Use and Structure (TU)</b>
• FP-01 ..... Page 5-33	• RV-01 ..... Page 5-61	• TU-01 ..... Page 5-101
<b>Floor Area (FA)</b>	<b>Retaining Wall (RW)</b>	• TU-03 ..... Page 5-102
• FA-01 ..... Page 5-34	• RW-01 ..... Page 5-62	<b>Vision Clearance (VC)</b>
<b>Height (HT)</b>	<b>Setback (SB)</b>	• VC-01 ..... Page 5-104
• HT-01 ..... Page 5-35	• SB-01 ..... Page 5-63	
<b>Home Business (HB)</b>	<b>Sewer and Water (SW)</b>	
• HB-01 ..... Page 5-36	• SW-01 ..... Page 5-65	
• HB-02 ..... Page 5-37		

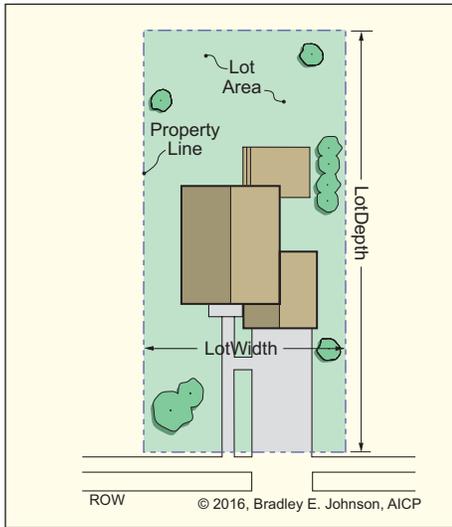
# High Density Single-family Residential (R3) District

## 2.13 R3 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The R3 (High Density Single-family Residential) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Single-family detached homes</li> <li>• Small to medium sized homes</li> <li>• Small to medium sized lots</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Infill development</li> <li>• District areas can range from small pockets (a couple of lots) to large areas (entire neighborhoods or blocks)</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Promote limited impact development in concert with an urban environment</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, R1, R2, R3, TR, M1, M2, MH, IS, DC, and C1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Recognize the smaller the lots, the higher the quality of design must be.</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Utilize the design features of surrounding properties to determine commitments and approvals</li> <li>• Allow special exception uses only when it clearly benefits the residential nature of the district</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• child care home</li> <li>• home business, type 1</li> <li>• home business, type 2</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling, manufactured home</li> <li>• dwelling, single-family detached</li> <li>• fair housing facility (small)</li> </ul>	<p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• parking lot, independent</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling, two-family (duplex)</li> </ul>

# High Density Single-family Residential (R3) District

## 2.14 R3 District Development Standards

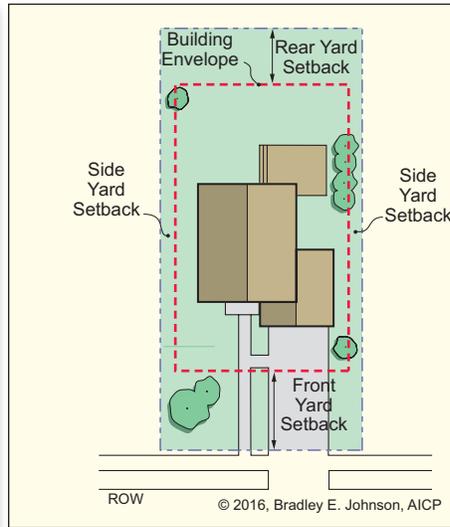


**Minimum Lot Area**  
• 7,200 square feet

**Minimum Lot Width**  
• 60 feet

**Sanitary Sewer Utility**  
• Required

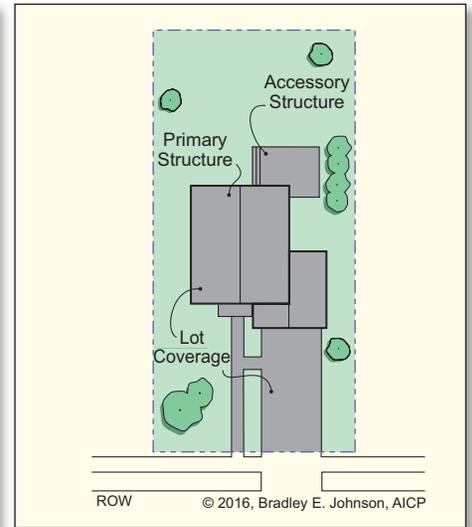
**Water Utility**  
• Required



**Minimum Front Yard Setback**  
• 25 feet for primary and accessory structures

**Minimum Side Yard Setback**  
• 5 feet for primary and accessory structures

**Minimum Rear Yard Setback**  
• 15 feet for primary structures  
• 5 feet for accessory structures



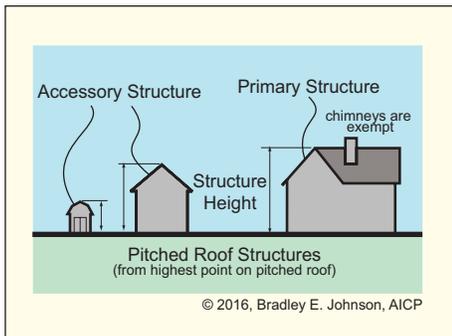
**Maximum Lot Coverage**  
• 50% of lot area

**Minimum Main Floor Area**  
• n/a

**Minimum Dwelling Size**  
• 900 square feet

**Maximum Primary Structures**  
• 1

**Maximum Density**  
• 4.6 du/acre in a multiple lot development



**Maximum Structure Height**  
• 35 feet for primary structures  
• 20 feet for accessory structures

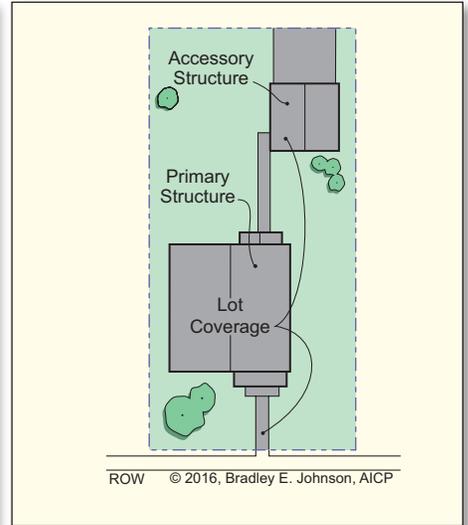
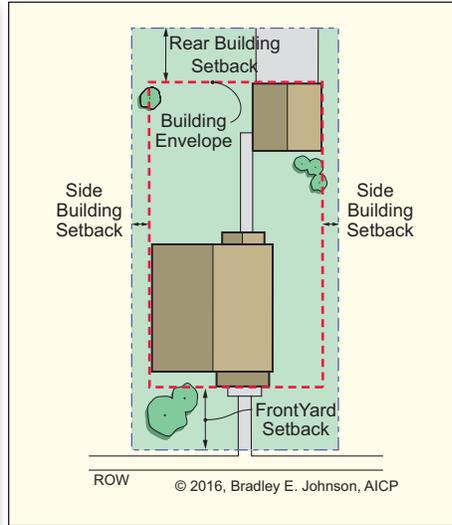
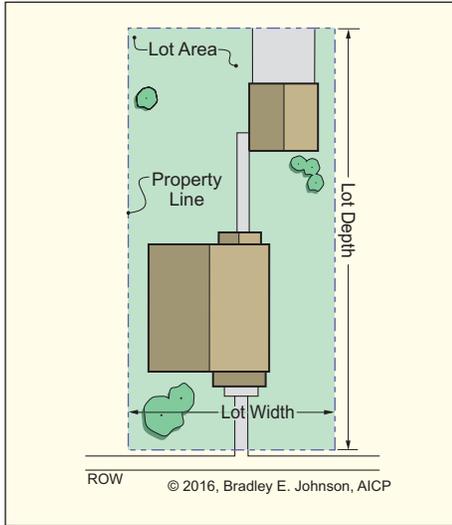
Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Landscaping (LA)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LA-01 ..... Page 5-40	• SI-01 ..... Page 5-67
• AS-04 ..... Page 5-9	<b>Lighting (LT)</b>	• SI-03 ..... Page 5-71
<b>Architectural (AR)</b>	• LT-01 ..... Page 5-41	<b>Solar / Alternative Energy (SL)</b>
• AR-01 ..... Page 5-16	<b>Lot (LO)</b>	• SL-01 ..... Page 5-93
<b>Density and Intensity (DI)</b>	• LO-01 ..... Page 5-43	• SL-03 ..... Page 5-93
• DI-01 ..... Page 5-22	<b>Outdoor Storage (OS)</b>	<b>Special Exception (SE)</b>
<b>Driveway (DW)</b>	• OS-01 ..... Page 5-46	• SE-01 ..... Page 5-95
• DW-01 ..... Page 5-23	<b>Parking (PK)</b>	<b>Storage Tank (SR)</b>
• DW-03 ..... Page 5-25	• PK-01 ..... Page 5-47	• SR-01 ..... Page 5-96
<b>Environmental (EN)</b>	• PK-03 ..... Page 5-48	• SR-02 ..... Page 5-96
• EN-01 ..... Page 5-27	<b>Performance (PF)</b>	<b>Structure (ST)</b>
<b>Fence and Wall (FW)</b>	• PF-01 ..... Page 5-56	• ST-01 ..... Page 5-97
• FW-01 ..... Page 5-29	<b>Public Improvement (PI)</b>	<b>Telecommunication Facility (TC)</b>
• FW-04 ..... Page 5-31	• PI-01 ..... Page 5-59	• TC-02 ..... Page 5-100
<b>Floodplain (FP)</b>	<b>Recreational Vehicle (RV)</b>	<b>Temporary Use and Structure (TU)</b>
• FP-01 ..... Page 5-33	• RV-01 ..... Page 5-61	• TU-01 ..... Page 5-101
<b>Floor Area (FA)</b>	<b>Retaining Wall (RW)</b>	• TU-03 ..... Page 5-102
• FA-01 ..... Page 5-34	• RW-01 ..... Page 5-62	<b>Vision Clearance (VC)</b>
<b>Height (HT)</b>	<b>Setback (SB)</b>	• VC-01 ..... Page 5-104
• HT-01 ..... Page 5-35	• SB-01 ..... Page 5-63	
<b>Home Business (HB)</b>	<b>Sewer and Water (SW)</b>	
• HB-01 ..... Page 5-36	• SW-01 ..... Page 5-65	
• HB-02 ..... Page 5-37		

## 2.15 TR District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The TR (Traditional Residential) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Single-family detached homes</li> <li>• Small to medium sized homes</li> <li>• Small to medium sized lots</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing "old town" residential neighborhoods</li> <li>• Infill development</li> <li>• District areas can range from small pockets (a couple of lots) to large areas (entire neighborhoods or blocks) but should be contiguous to the existing City street grid</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Protect, maintain, and promote the "old residential" character in Auburn</li> <li>• Promote limited impact development in concert with an urban environment</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, R1, R2, R3, TR, M1, M2, IS, DC, and C1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Should use this district primarily for existing development</li> <li>• Recognize the smaller the lots, the higher the quality of design must be.</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Utilize the design features of surrounding properties to determine commitments and approvals</li> <li>• Allow special exception uses only when it clearly benefits the residential nature of the district</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• child care home</li> <li>• home business, type 1</li> <li>• home business, type 2</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• park</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling, single-family detached</li> <li>• fair housing facility (small)</li> </ul>	<p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• church, temple or mosque</li> <li>• parking lot, independent</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• bed and breakfast</li> <li>• dwelling, two-family (duplex)</li> </ul>

# Traditional Residential (TR) District

## 2.16 TR District Development Standards



**Minimum Lot Area**  
• 5,500 square feet

**Minimum Lot Width**  
• 40 feet

**Sanitary Sewer Utility**  
• Required

**Water Utility**  
• Required

**Minimum Front Yard Setback**  
• 25 feet for primary and accessory structures; or established building setback line

**Minimum Side Yard Setback**  
• 5 feet for primary and accessory structures

**Minimum Rear Yard Setback**  
• 15 feet for primary structures  
• 5 feet for accessory structures  
• 20 feet for accessory structures with vehicular access from an alley

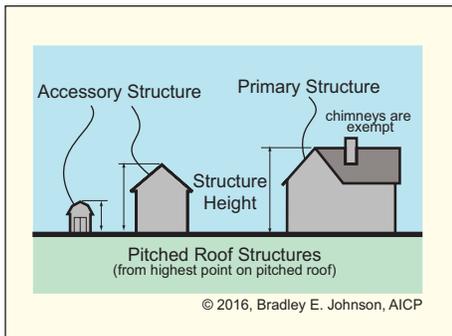
**Maximum Lot Coverage**  
• 55% of lot area

**Minimum Main Floor Area**  
• n/a

**Minimum Dwelling Unit Size**  
• 1,000 square feet

**Maximum Primary Structures**  
• 1

**Maximum Density**  
• 5.8 du/acre in a multiple lot development



**Maximum Structure Height**  
• 35 feet for primary structures  
• 20 feet for accessory structures

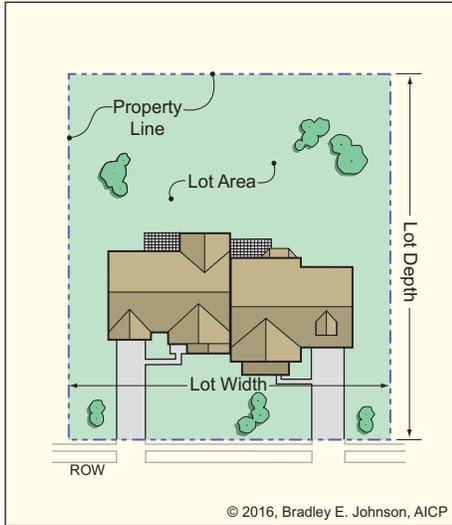
Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Landscaping (LA)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LA-01 ..... Page 5-40	• SI-01 ..... Page 5-67
• AS-04 ..... Page 5-9	<b>Lighting (LT)</b>	• SI-03 ..... Page 5-71
<b>Architectural (AR)</b>	• LT-01 ..... Page 5-41	<b>Solar / Alternate Energy (SL)</b>
• AR-02 ..... Page 5-17	<b>Lot (LO)</b>	• SL-01 ..... Page 5-93
<b>Density and Intensity (DI)</b>	• LO-01 ..... Page 5-43	• SL-03 ..... Page 5-93
• DI-01 ..... Page 5-22	<b>Outdoor Storage (OS)</b>	<b>Special Exception (SE)</b>
<b>Driveway (DW)</b>	• OS-01 ..... Page 5-46	• SE-01 ..... Page 5-95
• DW-01 ..... Page 5-23	<b>Parking (PK)</b>	<b>Storage Tank (SR)</b>
• DW-03 ..... Page 5-25	• PK-01 ..... Page 5-47	• SR-01 ..... Page 5-96
<b>Environmental (EN)</b>	• PK-03 ..... Page 5-48	• SR-02 ..... Page 5-96
• EN-01 ..... Page 5-27	<b>Performance (PF)</b>	<b>Structure (ST)</b>
<b>Fence and Wall (FW)</b>	• PF-01 ..... Page 5-56	• ST-01 ..... Page 5-97
• FW-01 ..... Page 5-29	<b>Public Improvement (PI)</b>	<b>Telecommunication Facility (TC)</b>
• FW-04 ..... Page 5-31	• PI-01 ..... Page 5-59	• TC-02 ..... Page 5-100
<b>Floodplain (FP)</b>	<b>Recreational Vehicle (RV)</b>	<b>Temporary Use and Structure (TU)</b>
• FP-01 ..... Page 5-33	• RV-01 ..... Page 5-61	• TU-01 ..... Page 5-101
<b>Floor Area (FA)</b>	<b>Retaining Wall (RW)</b>	• TU-03 ..... Page 5-102
• FA-01 ..... Page 5-34	• RW-01 ..... Page 5-62	<b>Vision Clearance (VC)</b>
<b>Height (HT)</b>	<b>Setback (SB)</b>	• VC-01 ..... Page 5-104
• HT-01 ..... Page 5-35	• SB-01 ..... Page 5-63	
<b>Home Business (HB)</b>	<b>Sewer and Water (SW)</b>	
• HB-01 ..... Page 5-36	• SW-01 ..... Page 5-65	
• HB-02 ..... Page 5-37		

## 2.17 M1 District Intent, Permitted Uses, and Special Exception Uses

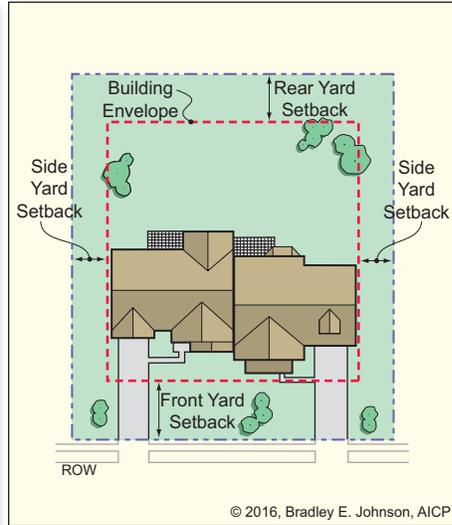
District Intent	Permitted Uses	Special Exception Uses
<p><b>The M1 (Multiple-family Residential) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Single-family attached homes in the form of duplexes and triplexes</li> <li>• Small to medium sized lots</li> <li>• Similar in scale and intensity to single-family neighborhoods</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new development</li> <li>• Spot zoning or small pockets of development (a couple of contiguous lots)</li> <li>• Use very sparingly for the conversion of single-family dwellings</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Recognize that multiple-family developments require stringent standards to protect the quality of life for tenants and surrounding land uses</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, R1, R2, R3, TR, M1, M2, MH, IS, DC, and C1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Should use this district for existing developments and carefully for new development within the City of Auburn</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Allow special exception use only when it clearly complements the residential nature of the district</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• child care home</li> <li>• home business, type 1</li> <li>• home business, type 2</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling, two-family (duplex)</li> <li>• dwelling, three-family (triplex)</li> <li>• dwelling, four-family (quadplex)</li> <li>• dwelling, five-family</li> </ul>	<p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• assisted living facility</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling, multiple-family (6 to 10 units per building)</li> <li>• dwelling, multiple-family (11+ units per building)</li> <li>• dwelling, single-family detached</li> <li>• fair housing facility (large)</li> </ul>

# Multiple-family Residential (M1) District

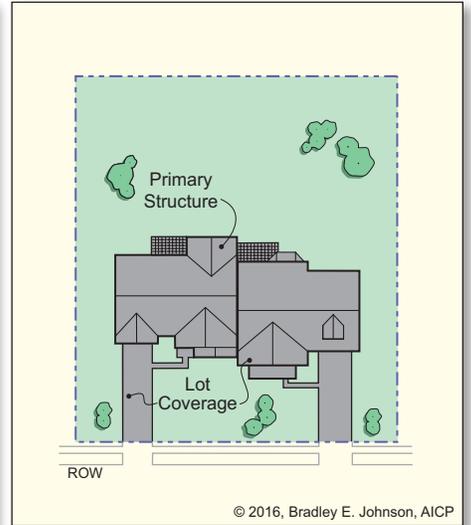
## 2.18 M1 District Development Standards



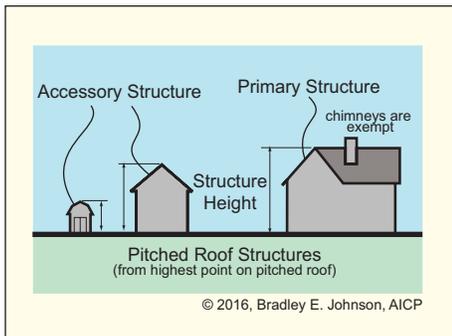
- Minimum Lot Area**
  - 12,500 square feet
- Minimum Lot Width**
  - 60 feet
- Sanitary Sewer Utility**
  - Required
- Water Utility**
  - Required



- Minimum Front Yard Setback**
  - 30 feet for primary and accessory structures
- Minimum Side Yard Setback**
  - 15 feet for primary and accessory structures
- Minimum Rear Yard Setback**
  - 25 feet for primary structures
  - 15 feet for accessory structures



- Maximum Lot Coverage**
  - 50% of lot area
- Minimum Main Floor Area**
  - n/a
- Minimum Dwelling Unit Size**
  - 900 square feet per unit
- Minimum Distance Between Primary Structures**
  - 25 feet
- Maximum Dwelling Units**
  - 40 for the development
- Maximum Density**
  - 10 du/acre for the development



- Maximum Structure Height**
  - 35 feet for primary structures
  - 2 ½ stories
  - 20 feet for accessory structures

Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Landscaping (LA)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LA-01 ..... Page 5-40	• SI-01 ..... Page 5-67
• AS-04 ..... Page 5-9	<b>Lighting (LT)</b>	• SI-04 ..... Page 5-72
<b>Architectural (AR)</b>	• LT-01 ..... Page 5-41	<b>Solar / Alternative Energy (SL)</b>
• AR-01 ..... Page 5-16	<b>Lot (LO)</b>	• SL-01 ..... Page 5-93
<b>Density and Intensity (DI)</b>	• LO-01 ..... Page 5-43	• SL-03 ..... Page 5-93
• DI-01 ..... Page 5-22	<b>Outdoor Storage (OS)</b>	<b>Special Exception (SE)</b>
<b>Driveway (DW)</b>	• OS-01 ..... Page 5-46	• SE-01 ..... Page 5-95
• DW-01 ..... Page 5-23	<b>Parking (PK)</b>	<b>Storage Tank (SR)</b>
• DW-03 ..... Page 5-25	• PK-01 ..... Page 5-47	• SR-01 ..... Page 5-96
<b>Environmental (EN)</b>	• PK-02 ..... Page 5-47	• SR-02 ..... Page 5-96
• EN-01 ..... Page 5-27	<b>Performance (PF)</b>	<b>Structure (ST)</b>
<b>Fence and Wall (FW)</b>	• PF-01 ..... Page 5-56	• ST-01 ..... Page 5-97
• FW-01 ..... Page 5-29	<b>Public Improvement (PI)</b>	<b>Telecommunication Facility (TC)</b>
• FW-04 ..... Page 5-31	• PI-01 ..... Page 5-59	• TC-02 ..... Page 5-100
<b>Floodplain (FP)</b>	<b>Recreational Vehicle (RV)</b>	<b>Temporary Use and Structure (TU)</b>
• FP-01 ..... Page 5-33	• RV-01 ..... Page 5-61	• TU-01 ..... Page 5-101
<b>Floor Area (FA)</b>	<b>Retaining Wall (RW)</b>	• TU-03 ..... Page 5-102
• FA-01 ..... Page 5-34	• RW-01 ..... Page 5-62	<b>Trash Receptacle (TR)</b>
<b>Height (HT)</b>	<b>Setback (SB)</b>	• TR-01 ..... Page 5-103
• HT-01 ..... Page 5-35	• SB-01 ..... Page 5-63	<b>Vision Clearance (VC)</b>
<b>Home Business (HB)</b>	<b>Sewer and Water (SW)</b>	• VC-01 ..... Page 5-104
• HB-01 ..... Page 5-36	• SW-01 ..... Page 5-65	
• HB-02 ..... Page 5-37		

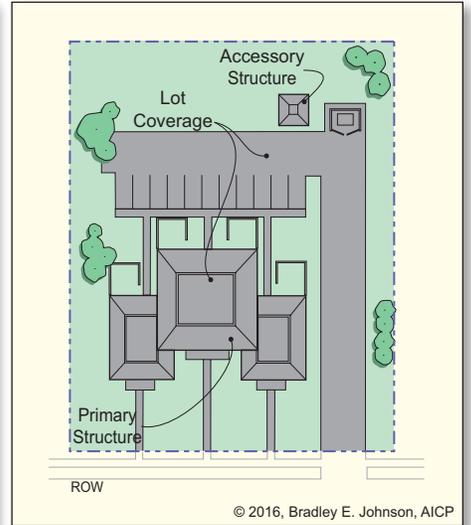
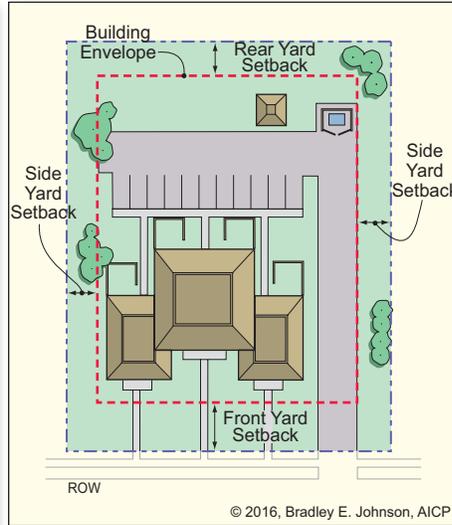
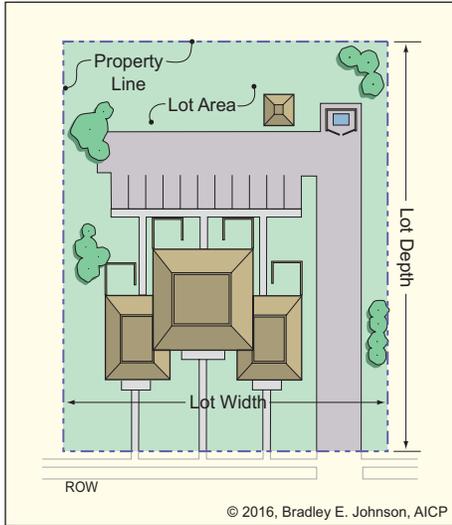
# High Density Multiple-family Residential (M2) District

## 2.19 M2 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The M2 (High Density Multiple-family Residential) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Multiple-family homes in the form of apartment or condominium complexes</li> <li>• Medium to high density</li> <li>• Multiple primary structures on one lot</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new development</li> <li>• District is comprised of spot zoning or small pockets of development (a couple of contiguous lots)</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Stringent standards to protect the quality of life for tenants and surrounding zoning districts</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, R1, R2, R3, TR, M1, M2, MH, IS, DC, C1, and C2</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Should use this district for existing developments and carefully for new residential development within the City of Auburn</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Discourage the creation of duplexes and triplexes from existing single-family detached homes.</li> <li>• Allow a special exception use only when it clearly compliments the residential nature of the district</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• home business, type 1</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• assisted living facility</li> <li>• park</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• assisted living facility</li> <li>• dwelling, two-family (duplex)</li> <li>• dwelling, three-family (triplex)</li> <li>• dwelling, four-family (quadplex)</li> <li>• dwelling, five-family</li> <li>• dwelling, multiple-family (6 to 10 units per building)</li> <li>• dwelling, multiple-family (11+ units per building)</li> <li>• fair housing facility (large)</li> <li>• retirement community</li> </ul>	<p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• mental health facility</li> <li>• nursing home</li> <li>• police, fire or rescue station</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• fraternity or sorority house</li> </ul>

# High Density Multiple-family Residential (M2) District

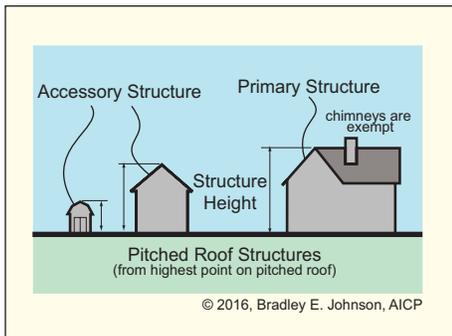
## 2.20 M2 District Development Standards



- Minimum Lot Area**
  - 25,000 square feet
- Minimum Lot Width**
  - 100 feet
- Sanitary Sewer Utility**
  - Required
- Water Utility**
  - Required

- Minimum Front Yard Setback**
  - 30 feet for primary and accessory structures
- Minimum Side Yard Setback**
  - 25 feet for primary and accessory structures
- Minimum Rear Yard Setback**
  - 20 feet for primary structures
  - 15 feet for accessory structures
- Minimum Building Separation**
  - 30 feet for primary structures

- Maximum Lot Coverage**
  - 50% of lot area
- Minimum Main Floor Area**
  - n/a
- Minimum Dwelling Unit Size**
  - 500 square feet per unit
- Minimum Distance Between Primary Structures**
  - 25 feet
- Maximum Density**
  - 25 du/acre in a multiple lot development



- Maximum Structure Height**
  - 45 feet for primary structures
  - 20 feet for accessory structures

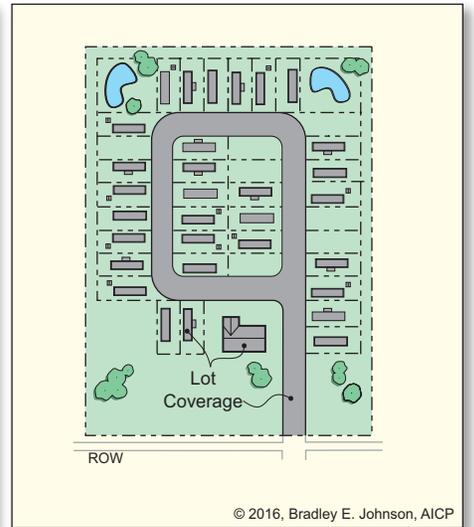
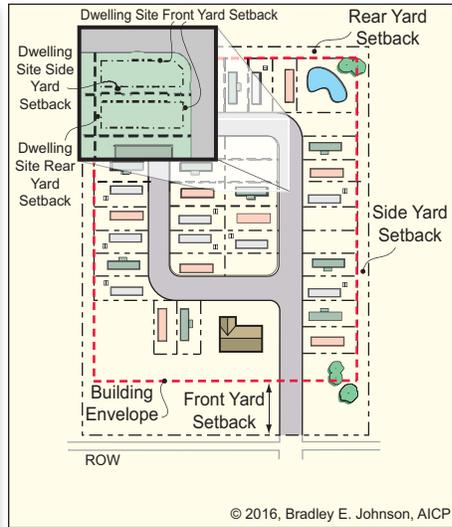
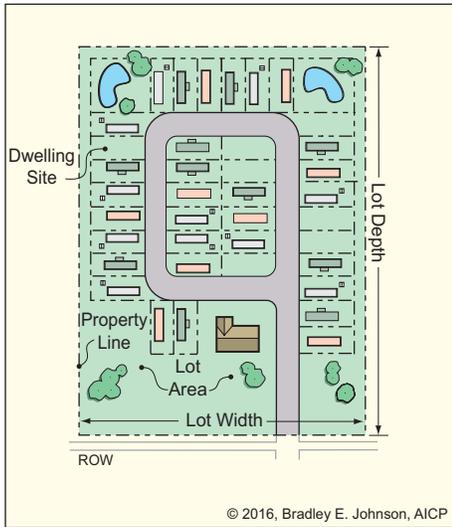
Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Lighting (LT)</b>	<b>Solar / Alternative Energy (SL)</b>
• AS-01 ..... Page 5-6	• LT-01 ..... Page 5-41	• SL-01 ..... Page 5-93
• AS-05 ..... Page 5-10	<b>Lot (LO)</b>	• SL-04 ..... Page 5-94
<b>Density and Intensity (DI)</b>	• LO-01 ..... Page 5-43	<b>Special Exception (SE)</b>
• DI-01 ..... Page 5-22	<b>Outdoor Storage (OS)</b>	• SE-01 ..... Page 5-95
<b>Driveway (DW)</b>	• OS-01 ..... Page 5-46	<b>Storage Tank (SR)</b>
• DW-01 ..... Page 5-23	<b>Parking (PK)</b>	• SR-01 ..... Page 5-96
• DW-04 ..... Page 5-26	• PK-01 ..... Page 5-47	• SR-02 ..... Page 5-96
<b>Environmental (EN)</b>	• PK-04 ..... Page 5-48	<b>Structure (ST)</b>
• EN-01 ..... Page 5-27	<b>Performance (PF)</b>	• ST-01 ..... Page 5-97
<b>Fence and Wall (FW)</b>	• PF-01 ..... Page 5-56	<b>Telecommunication Facility (TC)</b>
• FW-01 ..... Page 5-29	<b>Public Improvement (PI)</b>	• TC-02 ..... Page 5-100
• FW-04 ..... Page 5-31	• PI-01 ..... Page 5-59	<b>Temporary Use and Structure(TU)</b>
<b>Floodplain (FP)</b>	<b>Retaining Wall (RW)</b>	• TU-01 ..... Page 5-101
• FP-01 ..... Page 5-33	• RW-01 ..... Page 5-62	• TU-03 ..... Page 5-102
<b>Floor Area (FA)</b>	<b>Setback (SB)</b>	<b>Trash Receptacle (TR)</b>
• FA-01 ..... Page 5-34	• SB-01 ..... Page 5-63	• TR-01 ..... Page 5-103
<b>Height (HT)</b>	<b>Sewer and Water (SW)</b>	<b>Vision Clearance (VC)</b>
• HT-01 ..... Page 5-35	• SW-01 ..... Page 5-65	• VC-01 ..... Page 5-104
<b>Home Business (HB)</b>	<b>Sign (SI)</b>	
• HB-01 ..... Page 5-36	• SI-01 ..... Page 5-67	
<b>Landscaping (LA)</b>	• SI-04 ..... Page 5-72	
• LA-01 ..... Page 5-40		
• LA-02 ..... Page 5-40		

## 2.21 MH District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The MH (Manufactured Home Residential) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>Lease lot housing developments (manufactured and/or mobile home parks)</li> <li>Multiple primary structures on one lot</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>Existing and new development</li> <li>Zoning district is comprised of small to medium sized pockets of development</li> <li>Primarily for areas within Auburn's city limits</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>Lease lot developments require more stringent development standards to protect the quality of life of tenants and surrounding districts</li> <li>Standards shall be in accordance with <i>IC 16-11-27-1 et.seq. Rule 410, IAC 6-6</i> and their subsequent amendments</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>PR, AG, R1, R2, R3, M1, M2, MH, IS, and C1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>Should use this district for existing development and with sensitivity for new residential development within the City of Auburn</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>Allow special exception use only when it clearly complements the residential nature of the district</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>home business, type 1</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>community center</li> <li>park</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>dwelling, manufactured home</li> <li>dwelling, mobile home</li> <li>manufactured home park</li> <li>mobile home park</li> <li>retirement community</li> </ul>	<p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>public utility facility</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>dwelling, single-family detached</li> </ul>

# Manufactured Home Residential (MH) District

## 2.22 MH District Development Standards



**Minimum Lot Area**

- 5 acres

**Minimum Lot Width**

- 250 feet

**Minimum Dwelling Site Area**

- 3,000 square feet

**Minimum Dwelling Site Width**

- 30 feet

**Sanitary Sewer Utility**

- Required

**Water Utility**

- Required

**Minimum Front Yard Setback**

- 40 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 20 feet for primary and accessory structures

**Minimum Rear Yard Setback**

- 20 feet for primary and accessory structures

**Minimum Dwelling Site Front Yard Setback**

- 10 feet from edge of pavement of interior street

**Minimum Dwelling Site Side Yard Setback**

- 5 feet

**Minimum Dwelling Site Rear Yard Setback**

- 5 feet

**Maximum Lot Coverage**

- 65% of lot area

**Minimum Main Floor Area**

- n/a

**Minimum Dwelling Unit Size**

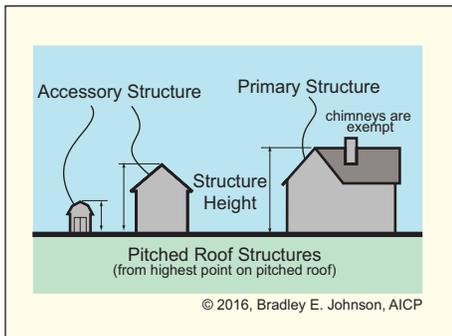
- 700 square feet

**Maximum Primary Structures**

- 1 per dwelling site

**Maximum Density**

- 10 du/acre in a multiple dwelling site development



**Maximum Structure Height**

- 25 feet for primary structures
- 20 feet for accessory structures

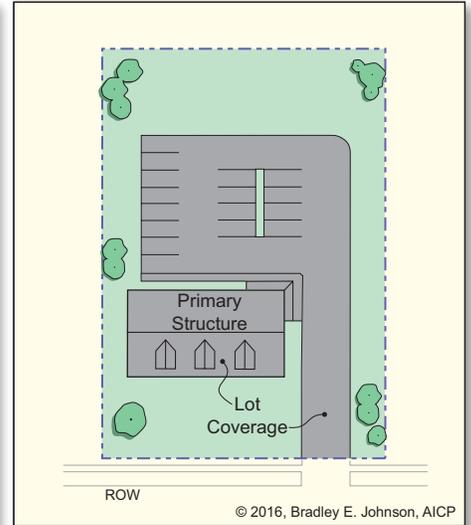
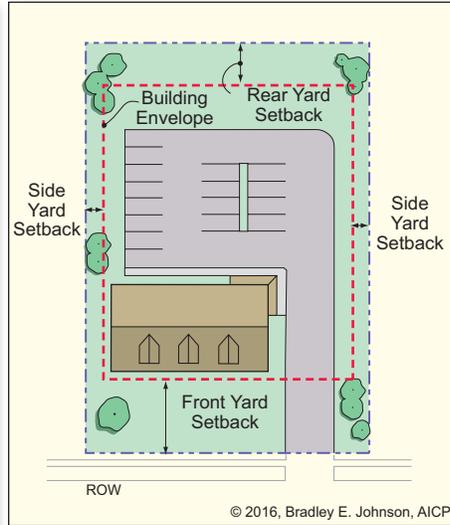
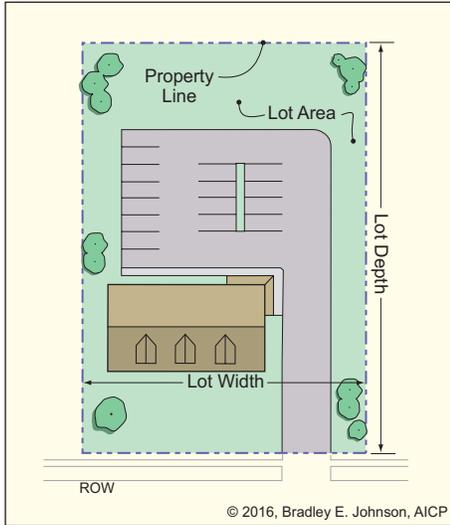
Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Lighting (LT)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LT-01 ..... Page 5-41	• SI-01 ..... Page 5-67
• AS-06 ..... Page 5-11	<b>Lot (LO)</b>	• SI-04 ..... Page 5-72
<b>Density and Intensity (DI)</b>	• LO-01 ..... Page 5-43	<b>Solar / Alternative Energy (SL)</b>
• DI-01 ..... Page 5-22	<b>Manufactured Housing (MH)</b>	• SL-01 ..... Page 5-93
<b>Driveway (DW)</b>	• MH-01 ..... Page 5-44	<b>Special Exception (SE)</b>
• DW-01 ..... Page 5-23	<b>Outdoor Storage (OS)</b>	• SE-01 ..... Page 5-95
• DW-03 ..... Page 5-25	• OS-01 ..... Page 5-46	<b>Storage Tank (SR)</b>
<b>Environmental (EN)</b>	<b>Parking (PK)</b>	• SR-01 ..... Page 5-96
• EN-01 ..... Page 5-27	• PK-01 ..... Page 5-47	• SR-02 ..... Page 5-96
<b>Fence and Wall (FW)</b>	• PK-05 ..... Page 5-48	<b>Structure (ST)</b>
• FW-01 ..... Page 5-29	<b>Performance (PF)</b>	• ST-01 ..... Page 5-97
• FW-04 ..... Page 5-31	• PF-01 ..... Page 5-56	<b>Telecommunication Facility (TC)</b>
<b>Floodplain (FP)</b>	<b>Public Improvement (PI)</b>	• TC-02 ..... Page 5-100
• FP-01 ..... Page 5-33	• PI-01 ..... Page 5-59	<b>Temporary Use and Structure (TU)</b>
<b>Floor Area (FA)</b>	<b>Recreational Vehicle (RV)</b>	• TU-01 ..... Page 5-101
• FA-01 ..... Page 5-34	• RV-01 ..... Page 5-61	• TU-03 ..... Page 5-102
<b>Height (HT)</b>	<b>Retaining Wall (RW)</b>	<b>Trash Receptacle (TR)</b>
• HT-01 ..... Page 5-35	• RW-01 ..... Page 5-62	• TR-01 ..... Page 5-103
<b>Home Business (HB)</b>	<b>Setback (SB)</b>	<b>Vision Clearance (VC)</b>
• HB-01 ..... Page 5-36	• SB-01 ..... Page 5-63	• VC-01 ..... Page 5-104
<b>Landscaping (LA)</b>	<b>Sewer and Water (SW)</b>	
• LA-01 ..... Page 5-40	• SW-01 ..... Page 5-65	

## 2.23 IS District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The IS (Institutional) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• All intensities of institutionally-owned lands, including state, county, and city facilities</li> <li>• Public facilities</li> <li>• Limited quasi-public uses</li> <li>• Multiple primary structures per lot</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new development</li> <li>• District areas can range from spot zoning, small pockets (a couple of contiguous lots), and medium sized areas</li> <li>• Buffering or transitional district</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Enact quality development standards that optimize accessibility and use while minimizing the impacts to surrounding areas</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, ER, R1, R2, R3, TR, M1, M2, MH, IS, DC, C1, C2, and I1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Zone property IS only after determining the site is appropriate for any of the possible uses allowed in the zoning district</li> <li>• Be sensitive to the potential for light pollution, noise pollution and the generation of excessive vehicular traffic</li> <li>• Pedestrian traffic should be accommodated within each development</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Allow a special exception use only when compatible with the surrounding areas</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• farmers' market</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• accounting firm</li> <li>• art and craft gallery</li> <li>• child care center</li> <li>• country club</li> <li>• day care, adult</li> <li>• funeral home or mortuary</li> <li>• golf course</li> <li>• insurance office</li> <li>• investment firm</li> <li>• law office</li> <li>• membership associations</li> <li>• office, design services</li> <li>• office, medical</li> <li>• reading clinic</li> <li>• real estate office</li> <li>• recreation center or play center</li> <li>• service organization</li> <li>• technology park</li> <li>• title company</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• assisted living facility</li> <li>• bus station</li> <li>• cemetery or mausoleum</li> <li>• child care institution</li> <li>• church, temple or mosque</li> <li>• community center</li> <li>• government office</li> <li>• government operation (non-office)</li> <li>• hospital</li> <li>• library</li> <li>• mental health facility</li> <li>• museum</li> <li>• nursing home</li> <li>• park</li> <li>• parking lot, independent</li> <li>• parking structure</li> <li>• police, fire or rescue station</li> <li>• post office</li> <li>• school (P-12)</li> <li>• swimming pool, public</li> <li>• trade or business school</li> <li>• university or college</li> </ul>	<p><b>Accessory Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• solar field</li> </ul> <p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• bank or credit union</li> <li>• employment service</li> <li>• office, veterinarian clinic or hospital</li> <li>• publishing corporate office</li> <li>• secretarial service</li> <li>• temporary service agency</li> <li>• trade office</li> <li>• travel agency</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• crematory</li> <li>• jail</li> <li>• juvenile detention facility</li> <li>• municipal airport</li> <li>• municipal heliport</li> <li>• recycling collection point</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• fair housing facility (large)</li> </ul>

# Institutional (IS) District

## 2.24 IS District Development Standards



**Minimum Lot Area**

- n/a

**Minimum Lot Width**

- n/a

**Sanitary Sewer Utility**

- Required

**Water Utility**

- Required

**Minimum Front Yard Setback**

- 30 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 10 feet for primary and accessory structures
- 20 feet for primary and accessory structures adjacent to residential uses or residential zoning district

**Minimum Rear Yard Setback**

- 30 feet for primary and accessory structures

**Maximum Lot Coverage**

- 70% of lot area

**Minimum Main Floor Area**

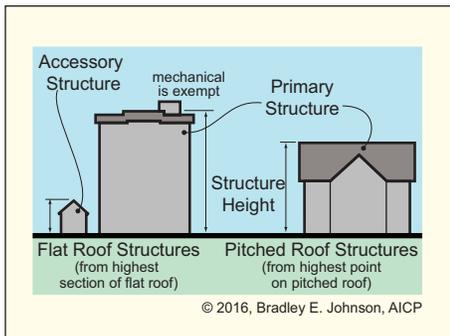
- 1,000 square feet

**Minimum Dwelling Unit Size**

- n/a

**Maximum Primary Structures**

- no limit



**Maximum Structure Height**

- 50 feet for primary structures
- 20 feet for accessory structures

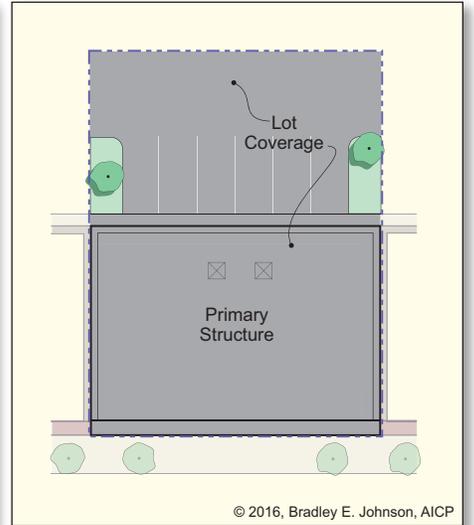
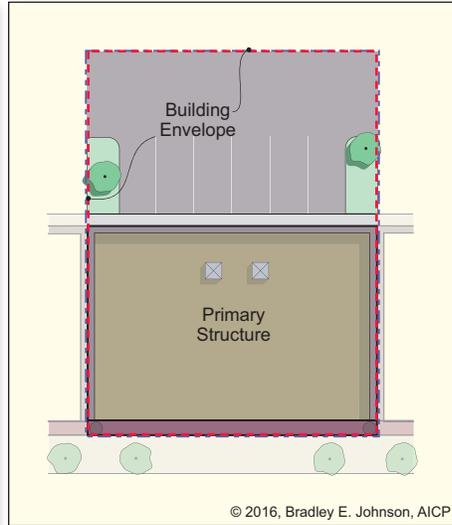
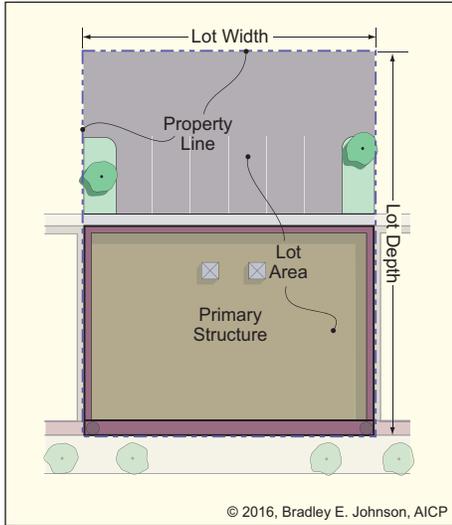
Additional Development Standards that Apply		
<p><b>Accessory Structure (AS)</b></p> <ul style="list-style-type: none"> <li>• AS-01 ..... Page 5-6</li> <li>• AS-07 ..... Page 5-12</li> </ul> <p><b>Architectural (AR)</b></p> <ul style="list-style-type: none"> <li>• AR-04 ..... Page 5-20</li> </ul> <p><b>Density and Intensity (DI)</b></p> <ul style="list-style-type: none"> <li>• DI-01 ..... Page 5-22</li> </ul> <p><b>Driveway (DW)</b></p> <ul style="list-style-type: none"> <li>• DW-01 ..... Page 5-23</li> <li>• DW-04 ..... Page 5-26</li> </ul> <p><b>Environmental (EN)</b></p> <ul style="list-style-type: none"> <li>• EN-01 ..... Page 5-27</li> </ul> <p><b>Fence and Wall (FW)</b></p> <ul style="list-style-type: none"> <li>• FW-01 ..... Page 5-29</li> <li>• FW-05 ..... Page 5-31</li> </ul> <p><b>Floodplain (FP)</b></p> <ul style="list-style-type: none"> <li>• FP-01 ..... Page 5-33</li> </ul> <p><b>Floor Area (FA)</b></p> <ul style="list-style-type: none"> <li>• FA-01 ..... Page 5-34</li> </ul> <p><b>Height (HT)</b></p> <ul style="list-style-type: none"> <li>• HT-01 ..... Page 5-35</li> </ul> <p><b>Home Business (HB)</b></p> <ul style="list-style-type: none"> <li>• HB-01 ..... Page 5-36</li> </ul>	<p><b>Landscaping (LA)</b></p> <ul style="list-style-type: none"> <li>• LA-01 ..... Page 5-40</li> <li>• LA-02 ..... Page 5-40</li> </ul> <p><b>Lighting (LT)</b></p> <ul style="list-style-type: none"> <li>• LT-01 ..... Page 5-41</li> </ul> <p><b>Loading (LD)</b></p> <ul style="list-style-type: none"> <li>• LD-01 ..... Page 5-42</li> </ul> <p><b>Lot (LO)</b></p> <ul style="list-style-type: none"> <li>• LO-01 ..... Page 5-43</li> </ul> <p><b>Outdoor Storage (OS)</b></p> <ul style="list-style-type: none"> <li>• OS-01 ..... Page 5-46</li> </ul> <p><b>Parking (PK)</b></p> <ul style="list-style-type: none"> <li>• PK-01 ..... Page 5-47</li> <li>• PK-07 ..... Page 5-49</li> </ul> <p><b>Performance (PF)</b></p> <ul style="list-style-type: none"> <li>• PF-01 ..... Page 5-56</li> </ul> <p><b>Public Improvement (PI)</b></p> <ul style="list-style-type: none"> <li>• PI-01 ..... Page 5-59</li> </ul> <p><b>Retaining Wall (RW)</b></p> <ul style="list-style-type: none"> <li>• RW-01 ..... Page 5-62</li> </ul> <p><b>Setback (SB)</b></p> <ul style="list-style-type: none"> <li>• SB-01 ..... Page 5-63</li> </ul> <p><b>Sewer and Water (SW)</b></p> <ul style="list-style-type: none"> <li>• SW-01 ..... Page 5-65</li> </ul>	<p><b>Sign (SI)</b></p> <ul style="list-style-type: none"> <li>• SI-01 ..... Page 5-67</li> <li>• SI-05 ..... Page 5-74</li> </ul> <p><b>Solar / Alternative Energy (SL)</b></p> <ul style="list-style-type: none"> <li>• SL-01 ..... Page 5-93</li> <li>• SL-04 ..... Page 5-94</li> </ul> <p><b>Special Exception (SE)</b></p> <ul style="list-style-type: none"> <li>• SE-01 ..... Page 5-95</li> </ul> <p><b>Storage Tank (SR)</b></p> <ul style="list-style-type: none"> <li>• SR-01 ..... Page 5-96</li> <li>• SR-04 ..... Page 5-96</li> </ul> <p><b>Structure (ST)</b></p> <ul style="list-style-type: none"> <li>• ST-01 ..... Page 5-97</li> </ul> <p><b>Telecommunication Facility (TC)</b></p> <ul style="list-style-type: none"> <li>• TC-02 ..... Page 5-100</li> <li>• TC-03 ..... Page 5-100</li> </ul> <p><b>Temporary Use and Structure (TU)</b></p> <ul style="list-style-type: none"> <li>• TU-01 ..... Page 5-101</li> </ul> <p><b>Trash Receptacle (TR)</b></p> <ul style="list-style-type: none"> <li>• TR-01 ..... Page 5-103</li> </ul> <p><b>Vision Clearance (VC)</b></p> <ul style="list-style-type: none"> <li>• VC-01 ..... Page 5-104</li> </ul>

## 2.25 DC District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The DC (Downtown Commercial) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>Traditional downtown uses including low to moderate intensity commercial, retail, service, eating, and entertainment establishments</li> <li>Mixed uses that promote a strong pedestrian-oriented downtown</li> <li>No dwelling units on ground floors</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>Existing downtown area</li> <li>Downtown-like buildings in the City's planning jurisdiction</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>Assure that future development and modifications will reflect the existing character of downtown</li> <li>Reduce parking requirements due to the nature of downtown lots and downtown dynamics</li> <li>Minimize light, noise, water, and air pollution</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>PR, R2, R3, TR, M1, M2, IS, DC, C1, and I1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>Allow and promote vehicular traffic generation</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>Drive-up windows should clearly not conflict with pedestrian traffic</li> <li>Restrict drive-up window lanes from creating new curb cuts or from breaking up the continuity of structure facades</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>farmers' market</li> <li>home business, type 1</li> <li>permanent outdoor display area</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>bank machine or atm walk-up</li> <li>bank without drive-up window</li> <li>bar or tavern</li> <li>barber or beauty shop</li> <li>club or lodge</li> <li>coffee shop</li> <li>delicatessen</li> <li>funeral home or mortuary</li> <li>ice cream shop</li> <li>movie theater</li> <li>office, design services</li> <li>office, general services</li> <li>office, dental clinic</li> <li>office, medical clinic</li> <li>office, optical clinic</li> <li>photographic studio</li> <li>restaurant</li> <li>restaurant with outdoor dining</li> <li>studio arts</li> <li>type 1 retail, very low intensity</li> <li>type 2 retail, low intensity</li> <li>type 3 retail, medium intensity</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>community center</li> <li>government office</li> <li>library</li> <li>museum</li> <li>park</li> <li>parking lot, independent</li> <li>parking structure</li> <li>police, fire or rescue station</li> <li>post office</li> <li>trade or business school</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>dwelling unit (upper floors)</li> </ul>	<p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>bank machine or atm drive-up</li> <li>bank with drive-up window</li> <li>boarding house</li> <li>coin laundry</li> <li>hotel or motel</li> <li>skating rink</li> <li>type 3 retail, plant nursery, retail or greenhouse</li> <li>type 4 retail, high intensity</li> </ul> <p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>public utility facility</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>church, temple or mosque</li> </ul>

# Downtown Commercial (DC) District

## 2.26 DC District Development Standards



**Minimum Lot Area**  
• 1,000 square feet

**Minimum Lot Width**  
• no minimum

**Sanitary Sewer Utility**  
• Required

**Water Utility**  
• Required

**Minimum Front Yard Setback**  
• 0 feet

**Minimum Side Yard Setback**  
• 0 feet

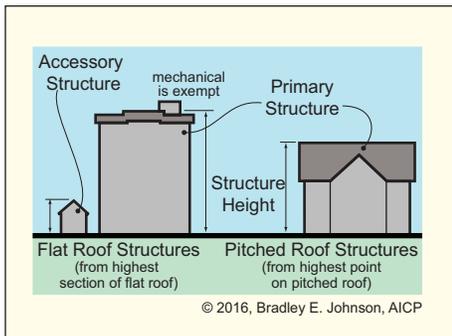
**Minimum Rear Yard Setback**  
• 0 feet

**Maximum Lot Coverage**  
• 100% of lot area

**Minimum Main Floor Area**  
• 1,000 square feet

**Minimum Dwelling Unit Size**  
• 500 square feet

**Maximum Primary Structures**  
• 1



**Maximum Structure Height**  
• 48 feet for primary structures  
• 20 feet for accessory structures

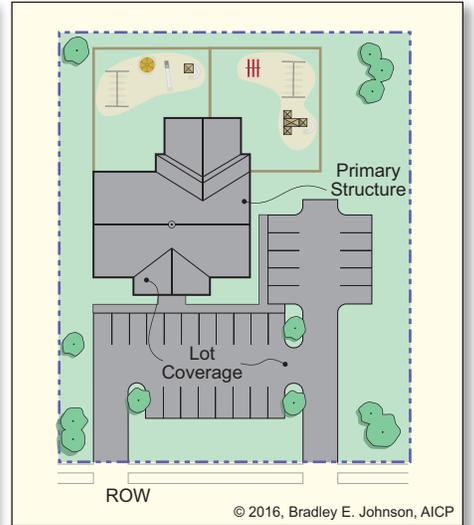
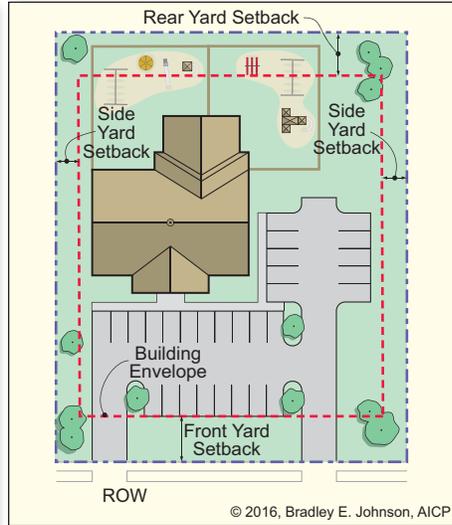
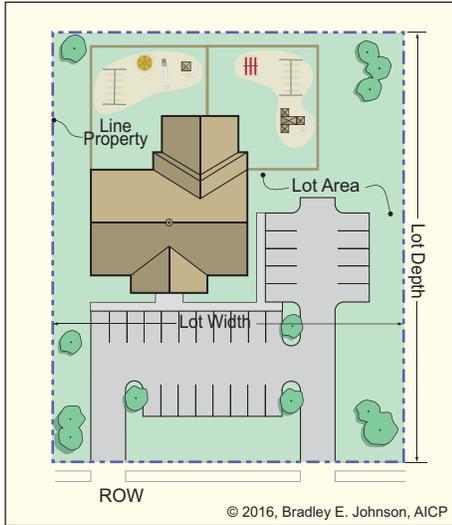
Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Landscaping (LA)</b>	<b>Sewer and Water (SW)</b>
• AS-01 ..... Page 5-6	• LA-01 ..... Page 5-40	• SW-01 ..... Page 5-65
• AS-08 ..... Page 5-13	• LA-02 ..... Page 5-40	<b>Sign (SI)</b>
<b>Architectural (AR)</b>	<b>Lighting (LT)</b>	• SI-01 ..... Page 5-67
• AR-03 ..... Page 5-18	• LT-01 ..... Page 5-41	• SI-06 ..... Page 5-79
<b>Density and Intensity (DI)</b>	<b>Lot (LO)</b>	<b>Solar / Alternative Energy (SL)</b>
• DI-01 ..... Page 5-22	• LO-01 ..... Page 5-43	• SL-01 ..... Page 5-93
<b>Driveway (DW)</b>	<b>Outdoor Dining (OD)</b>	• SL-03 ..... Page 5-93
• DW-01 ..... Page 5-23	• OD-01 ..... Page 5-45	<b>Special Exception (SE)</b>
<b>Environmental (EN)</b>	<b>Outdoor Storage (OS)</b>	• SE-01 ..... Page 5-95
• EN-01 ..... Page 5-27	• OS-01 ..... Page 5-46	<b>Storage Tank (SR)</b>
<b>Fence and Wall (FW)</b>	<b>Parking (PK)</b>	• SR-01 ..... Page 5-96
• FW-01 ..... Page 5-29	• PK-01 ..... Page 5-47	• SR-02 ..... Page 5-96
• FW-06 ..... Page 5-32	• PK-06 ..... Page 5-48	<b>Structure (ST)</b>
<b>Floodplain (FP)</b>	<b>Performance (PF)</b>	• ST-01 ..... Page 5-97
• FP-01 ..... Page 5-33	• PF-01 ..... Page 5-56	<b>Telecommunication Facility (TC)</b>
<b>Floor Area (FA)</b>	<b>Permanent Outdoor Display (PD)</b>	• TC-02 ..... Page 5-100
• FA-01 ..... Page 5-34	• PD-02 ..... Page 5-58	• TC-03 ..... Page 5-100
<b>Height (HT)</b>	<b>Public Improvement (PI)</b>	<b>Temporary Use and Structure (TU)</b>
• HT-01 ..... Page 5-35	• PI-01 ..... Page 5-59	• TU-01 ..... Page 5-101
<b>Home Business (HB)</b>	<b>Retaining Wall (RW)</b>	• TU-04 ..... Page 5-102
• HB-01 ..... Page 5-36	• RW-01 ..... Page 5-62	<b>Trash Receptacle (TR)</b>
	<b>Setback (SB)</b>	• TR-01 ..... Page 5-103
	• SB-01 ..... Page 5-63	<b>Vision Clearance (VC)</b>
		• VC-01 ..... Page 5-104

## 2.27 C1 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The C1 (Neighborhood Commercial) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Low intensity retail and services</li> <li>• Serve adjacent neighborhoods</li> <li>• One to three tenant structures</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new development</li> <li>• Buffering or transitional district</li> <li>• Spot zoning</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Ensure development is consistent with residential scale and character</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, R2, R3, TR, M1, M2, MH, IS, DC, and C1</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Zone property C1 only after determining the site is appropriate for any of the possible uses allowed in the zoning district</li> <li>• Be sensitive to the potential for light pollution, noise pollution and the generation of excessive vehicular traffic</li> <li>• Pedestrian traffic should be accommodated within each development and connected to surrounding areas</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Allow a special exception use only when it clearly benefits the surrounding areas</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• farmers' market</li> <li>• home business, type 1</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• bank machine or atm walk-up</li> <li>• bank with drive-up window</li> <li>• bank without drive-up window</li> <li>• barber or beauty shop</li> <li>• coffee shop</li> <li>• delicatessen</li> <li>• ice cream shop</li> <li>• office, design services</li> <li>• office, general services</li> <li>• office, medical</li> <li>• photographic studio</li> <li>• recreation center or play center</li> <li>• restaurant</li> <li>• restaurant with drive-up window</li> <li>• restaurant with outdoor dining</li> <li>• studio arts</li> <li>• tailor or pressing shop</li> <li>• tanning salon</li> <li>• type 1 retail, very low intensity</li> <li>• type 2 retail, low intensity</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• public utility facility</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• community center</li> <li>• government office</li> <li>• library</li> <li>• park</li> <li>• parking lot, independent</li> <li>• police, fire or rescue station</li> <li>• post office</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• dwelling unit (upper floors)</li> </ul>	<p><b>Accessory Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• permanent outdoor display area</li> </ul> <p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• bank machine or atm drive-up</li> <li>• child care center</li> <li>• day care, adult</li> <li>• gas station</li> <li>• plant nursery, retail or greenhouse</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• church, temple or mosque</li> <li>• parking lot, independent</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• bed and breakfast</li> <li>• personal storage (primary use)</li> </ul>

# Neighborhood Commercial (C1) District

## 2.28 C1 District Development Standards



**Minimum Lot Area**

- 5,000 square feet

**Maximum Lot Area**

- 1 acre

**Minimum Lot Width**

- 55 feet

**Sanitary Sewer Utility**

- Required

**Water Utility**

- Required

**Minimum Front Yard Setback**

- 30 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 10 feet for primary and accessory structures
- 20 feet for primary and accessory structures adjacent to residential uses or residential zoning district

**Minimum Rear Yard Setback**

- 30 feet for primary and accessory structures

**Maximum Lot Coverage**

- 65% of lot area

**Minimum Main Floor Area**

- 800 square feet

**Maximum Main Floor Area**

- 10,000 square feet for a single establishment

**Minimum Dwelling Unit Size**

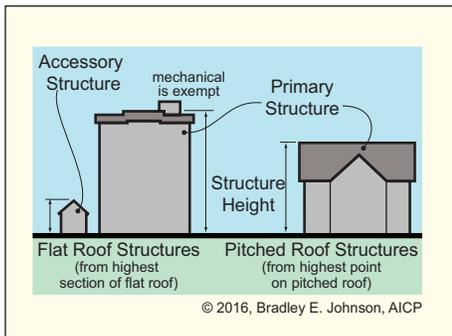
- 800 square feet

**Maximum Primary Structures**

- no limit

**Maximum Density**

- 3 du/acre in a multiple unit development



**Maximum Structure Height**

- 35 for primary structures
- 20 for accessory structures

### Additional Development Standards that Apply

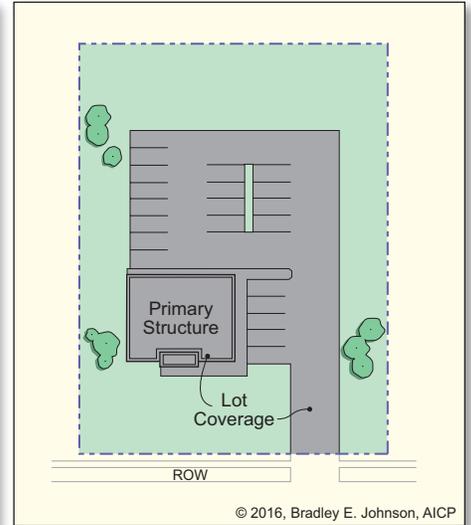
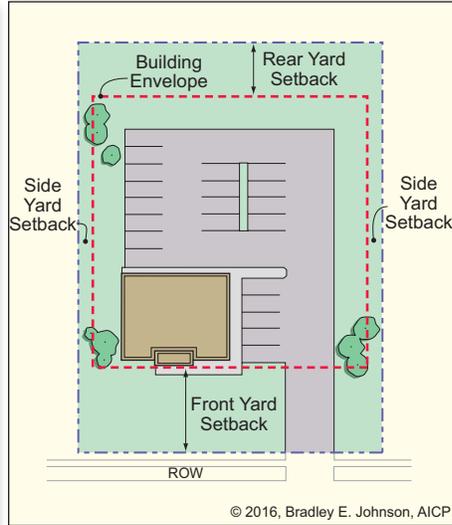
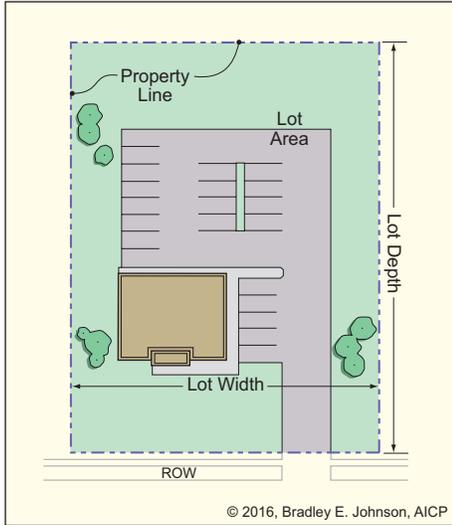
<p><b>Accessory Structure (AS)</b></p> <ul style="list-style-type: none"> <li>• AS-01 ..... Page 5-6</li> <li>• AS-09 ..... Page 5-14</li> </ul> <p><b>Architectural (AR)</b></p> <ul style="list-style-type: none"> <li>• AR-01 ..... Page 5-16</li> </ul> <p><b>Density and Intensity (DI)</b></p> <ul style="list-style-type: none"> <li>• DI-01 ..... Page 5-22</li> </ul> <p><b>Driveway (DW)</b></p> <ul style="list-style-type: none"> <li>• DW-01 ..... Page 5-23</li> <li>• DW-04 ..... Page 5-26</li> </ul> <p><b>Environmental (EN)</b></p> <ul style="list-style-type: none"> <li>• EN-01 ..... Page 5-27</li> </ul> <p><b>Fence and Wall (FW)</b></p> <ul style="list-style-type: none"> <li>• FW-01 ..... Page 5-29</li> <li>• FW-05 ..... Page 5-31</li> </ul> <p><b>Floodplain (FP)</b></p> <ul style="list-style-type: none"> <li>• FP-01 ..... Page 5-33</li> </ul> <p><b>Floor Area (FA)</b></p> <ul style="list-style-type: none"> <li>• FA-01 ..... Page 5-34</li> </ul> <p><b>Height (HT)</b></p> <ul style="list-style-type: none"> <li>• HT-01 ..... Page 5-35</li> </ul> <p><b>Home Business (HB)</b></p> <ul style="list-style-type: none"> <li>• HB-01 ..... Page 5-36</li> </ul>	<p><b>Landscaping (LA)</b></p> <ul style="list-style-type: none"> <li>• LA-01 ..... Page 5-40</li> <li>• LA-02 ..... Page 5-40</li> </ul> <p><b>Lighting (LT)</b></p> <ul style="list-style-type: none"> <li>• LT-01 ..... Page 5-41</li> </ul> <p><b>Loading (LD)</b></p> <ul style="list-style-type: none"> <li>• LD-01 ..... Page 5-42</li> </ul> <p><b>Lot (LO)</b></p> <ul style="list-style-type: none"> <li>• LO-01 ..... Page 5-43</li> </ul> <p><b>Outdoor Dining (OD)</b></p> <ul style="list-style-type: none"> <li>• OD-01 ..... Page 5-45</li> </ul> <p><b>Outdoor Storage (OS)</b></p> <ul style="list-style-type: none"> <li>• OS-01 ..... Page 5-46</li> </ul> <p><b>Parking (PK)</b></p> <ul style="list-style-type: none"> <li>• PK-01 ..... Page 5-47</li> <li>• PK-07 ..... Page 5-49</li> </ul> <p><b>Performance (PF)</b></p> <ul style="list-style-type: none"> <li>• PF-01 ..... Page 5-56</li> </ul> <p><b>Public Improvement (PI)</b></p> <ul style="list-style-type: none"> <li>• PI-01 ..... Page 5-59</li> </ul> <p><b>Retaining Wall (RW)</b></p> <ul style="list-style-type: none"> <li>• RW-01 ..... Page 5-62</li> </ul> <p><b>Setback (SB)</b></p> <ul style="list-style-type: none"> <li>• SB-01 ..... Page 5-63</li> </ul>	<p><b>Sewer and Water (SW)</b></p> <ul style="list-style-type: none"> <li>• SW-01 ..... Page 5-65</li> </ul> <p><b>Sign (SI)</b></p> <ul style="list-style-type: none"> <li>• SI-01 ..... Page 5-67</li> <li>• SI-06 ..... Page 5-79</li> </ul> <p><b>Solar / Alternative Energy (SL)</b></p> <ul style="list-style-type: none"> <li>• SL-01 ..... Page 5-93</li> <li>• SL-03 ..... Page 5-93</li> </ul> <p><b>Special Exception (SE)</b></p> <ul style="list-style-type: none"> <li>• SE-01 ..... Page 5-95</li> </ul> <p><b>Storage Tank (SR)</b></p> <ul style="list-style-type: none"> <li>• SR-01 ..... Page 5-96</li> <li>• SR-02 ..... Page 5-96</li> </ul> <p><b>Structure (ST)</b></p> <ul style="list-style-type: none"> <li>• ST-01 ..... Page 5-97</li> </ul> <p><b>Telecommunication Facility (TC)</b></p> <ul style="list-style-type: none"> <li>• TC-02 ..... Page 5-100</li> <li>• TC-03 ..... Page 5-100</li> </ul> <p><b>Temporary Use and Structure (TU)</b></p> <ul style="list-style-type: none"> <li>• TU-01 ..... Page 5-101</li> </ul> <p><b>Trash Receptacle (TR)</b></p> <ul style="list-style-type: none"> <li>• TR-01 ..... Page 5-103</li> </ul> <p><b>Vision Clearance (VC)</b></p> <ul style="list-style-type: none"> <li>• VC-01 ..... Page 5-104</li> </ul>
--	--	--

## 2.29 C2 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The C2 (General Commercial) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>Moderate to high intensity commercial, retail, service, eating, and entertainment establishments</li> <li>Stand alone buildings, strip centers, and malls</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>Existing and new development</li> <li>Zoning districts can range from medium sized to large areas</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>Minimize light, noise, water, and air pollution</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>PR, AG, M2, IS, C2, I1, and I2</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>Zone property C2 only after determining the site is appropriate for any of the possible permitted uses</li> <li>Be very sensitive to pedestrian and vehicular safety; environmental protection; and the potential for light and noise pollution</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>Allow a special exception use only when it clearly benefits the surrounding areas</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>farmers' market</li> <li>permanent outdoor display area</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>automobile oriented business</li> <li>bank machine or atm drive-up</li> <li>bank machine or atm walk-up</li> <li>bank with drive-up window</li> <li>bank without drive-up window</li> <li>banquet hall</li> <li>bar or tavern</li> <li>barber or beauty shop</li> <li>billiard or arcade room</li> <li>bowling alley</li> <li>broadcast studio</li> <li>child care center</li> <li>club or lodge</li> <li>coffee shop</li> <li>coin laundry</li> <li>country club</li> <li>dance or night club</li> <li>day care, adult</li> <li>delicatessen</li> <li>driving range</li> <li>dry-cleaning service (on-site)</li> <li>fireworks sales</li> <li>fitness center or health club</li> <li>funeral home or mortuary</li> <li>gas station</li> <li>gun sales</li> <li>health spa or day spa</li> <li>heavy equipment sales or rental</li> <li>hotel or motel</li> <li>hunting store</li> <li>ice cream shop</li> <li>kennel</li> <li>miniature golf</li> <li>movie theater</li> <li>office, construction trade</li> <li>office, design services</li> <li>office, general services</li> <li>office, medical</li> <li>photographic studio</li> <li>recreation center or play center</li> <li>recreational vehicle or watercraft sales</li> <li>restaurant</li> <li>restaurant with drive-up window</li> <li>restaurant with outdoor dining</li> <li>sexually oriented business</li> <li>skating rink</li> <li>sports complex (indoor)</li> <li>studio arts</li> <li>swimming pool</li> <li>tailor or pressing shop</li> <li>tanning salon</li> <li>tattoo or piercing parlor</li> <li>type 1 retail, very low intensity</li> <li>type 2 retail, low intensity</li> <li>type 3 retail, medium intensity</li> <li>type 4 retail, high intensity</li> <li>type 5 retail, very high intensity</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>public utility facility</li> <li>research center</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>assisted living facility</li> <li>government office</li> <li>mental health facility</li> <li>nursing home</li> <li>parking lot, independent</li> <li>police, fire or rescue station</li> <li>recycling collection point</li> <li>trade or business school</li> </ul> <p><b>Residential Permitted Uses</b></p> <ul style="list-style-type: none"> <li>personal storage (primary use)</li> </ul>	<p><b>Accessory Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>solar field</li> </ul> <p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>farm implement sales</li> <li>manufactured home sales</li> <li>paintball facility</li> <li>semi tractor - trailer sales</li> <li>shooting range</li> <li>sports complex (outdoors)</li> </ul> <p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>construction trade office with outdoor yard</li> <li>telecommunication facility</li> <li>warehouse "self storage" facility</li> </ul> <p><b>Institutional Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>church, temple or mosque</li> </ul>

# General Commercial (C2) District

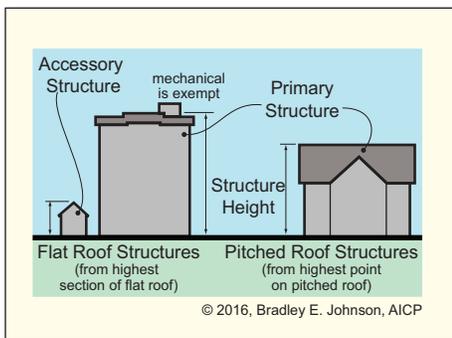
## 2.30 C2 District Development Standards



- Minimum Lot Area**
  - 15,000 square feet
- Minimum Lot Width**
  - 100 feet
- Sanitary Sewer Utility**
  - Required
- Water Utility**
  - Required

- Minimum Front Yard Setback**
  - 50 feet for primary and accessory structures; or established building setback line
- Minimum Side Yard Setback**
  - 20 feet for primary-structures
  - 10 feet for accessory structures
- Minimum Rear Yard Setback**
  - 30 feet for primary structures; or established building setback line
  - 10 feet for accessory structures

- Maximum Lot Coverage**
  - 75% of lot area
- Minimum Main Floor Area**
  - 1,000 square feet
- Minimum Dwelling Unit Size**
  - n/a
- Maximum Primary Structures**
  - 6



- Maximum Structure Height**
  - 35 feet for primary structures
  - 15 feet for accessory structures

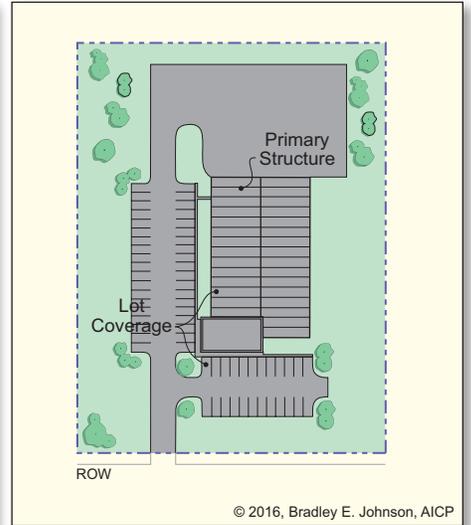
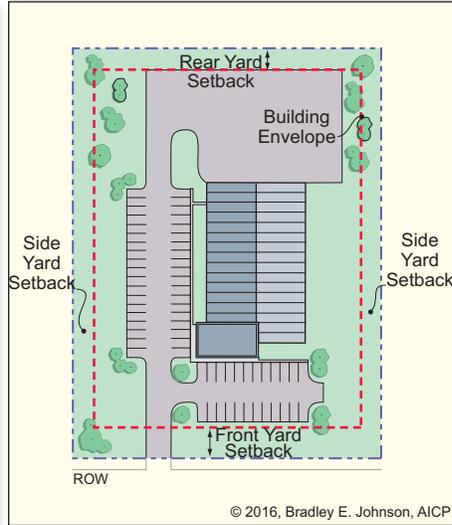
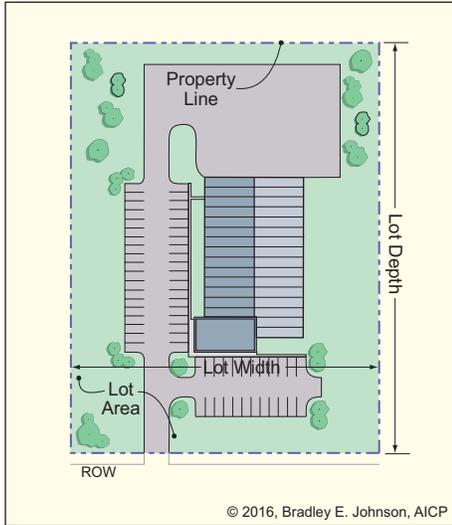
Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Loading (LD)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LD-01 ..... Page 5-42	• SI-01 ..... Page 5-67
• AS-10 ..... Page 5-14	<b>Lot (LO)</b>	• SI-07 ..... Page 5-84
<b>Architectural (AR)</b>	• LO-01 ..... Page 5-43	<b>Solar / Alternative Energy (SL)</b>
• AR-04 ..... Page 5-20	<b>Outdoor Dining (OD)</b>	• SL-01 ..... Page 5-93
<b>Density and Intensity (DI)</b>	• OD-01 ..... Page 5-45	• SL-04 ..... Page 5-94
• DI-01 ..... Page 5-22	<b>Outdoor Storage (OS)</b>	<b>Special Exception (SE)</b>
<b>Driveway (DW)</b>	• OS-01 ..... Page 5-46	• SE-01 ..... Page 5-95
• DW-01 ..... Page 5-23	• OS-02 ..... Page 5-46	<b>Storage Tank (SR)</b>
• DW-04 ..... Page 5-26	<b>Parking (PK)</b>	• SR-01 ..... Page 5-96
<b>Environmental (EN)</b>	• PK-01 ..... Page 5-47	• SR-04 ..... Page 5-96
• EN-01 ..... Page 5-27	• PK-07 ..... Page 5-49	<b>Structure (ST)</b>
<b>Fence and Wall (FW)</b>	<b>Performance (PF)</b>	• ST-01 ..... Page 5-97
• FW-01 ..... Page 5-29	• PF-01 ..... Page 5-56	<b>Telecommunication Facility (TC)</b>
• FW-05 ..... Page 5-31	<b>Permanent Outdoor Display (PD)</b>	• TC-02 ..... Page 5-100
<b>Floodplain (FP)</b>	• PD-01 ..... Page 5-57	• TC-03 ..... Page 5-100
• FP-01 ..... Page 5-33	<b>Public Improvement (PI)</b>	<b>Temporary Use and Structure (TU)</b>
<b>Floor Area (FA)</b>	• PI-01 ..... Page 5-59	• TU-01 ..... Page 5-101
• FA-01 ..... Page 5-34	<b>Retaining Wall (RW)</b>	• TU-04 ..... Page 5-102
<b>Height (HT)</b>	• RW-01 ..... Page 5-62	<b>Trash Receptacle (TR)</b>
• HT-01 ..... Page 5-35	<b>Setback (SB)</b>	• TR-01 ..... Page 5-103
<b>Landscaping (LA)</b>	• SB-01 ..... Page 5-63	<b>Vision Clearance (VC)</b>
• LA-01 ..... Page 5-40	<b>Sewer and Water (SW)</b>	• VC-01 ..... Page 5-104
• LA-02 ..... Page 5-40	• SW-01 ..... Page 5-65	
<b>Lighting (LT)</b>	<b>Sexually Oriented Business (SX)</b>	
• LT-01 ..... Page 5-41	• SX-01 ..... Page 5-66	

## 2.31 I1 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The I1 (Light Industrial / High-Tech) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Low intensity industrial uses</li> <li>• Business park, distribution operations, and industrial facilities</li> <li>• High-Tech facilities</li> <li>• Stand alone buildings or multiple primary structures on one lot</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new development</li> <li>• Zoning district is comprised of small pockets of development (a couple of lots) to medium sized areas</li> <li>• Should exist primarily within Auburn's city limits</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Require development standards that minimize impacts on surrounding properties while encouraging economic vitality</li> <li>• Do not require separation or buffering from uses with similar intensity</li> <li>• Require extensive buffering when adjacent to less intense uses</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, IS, DC, C2, I1 and I2</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Zone property I1 only after determining that the site is appropriate for any of the possible permitted uses</li> <li>• Be very sensitive to environmental protection</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Allow a special exception use only when it clearly benefits the surrounding areas</li> <li>• Assure environmental protection before granting a special exception</li> <li>• Be very sensitive to pedestrian and vehicular safety and the potential for light pollution, noise pollution, loading bays fronting streets, oversized signs, extensive truck traffic, and inadequate ingress/egress</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• farmers' market</li> <li>• permanent outdoor display area</li> <li>• solar field</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• automobile oriented business</li> <li>• banquet hall</li> <li>• bowling alley</li> <li>• broadcast studio</li> <li>• club or lodge</li> <li>• dance or night club</li> <li>• farm implement sales</li> <li>• fireworks sales</li> <li>• fitness center or health club</li> <li>• gun sales</li> <li>• health spa or day spa</li> <li>• heavy equipment sales or rental</li> <li>• kennel</li> <li>• office, construction trade</li> <li>• skating rink</li> <li>• technology park</li> <li>• type 3 retail, plant nursery retail or greenhouse</li> <li>• type 5 retail, very high intensity</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• assembly</li> <li>• construction trade office with outdoor yard</li> <li>• distribution facility</li> <li>• flex-space</li> <li>• light manufacturing</li> <li>• public utility facility</li> <li>• research center</li> <li>• sign painting or fabrication</li> <li>• testing lab</li> <li>• tool and die shop</li> <li>• warehouse</li> <li>• warehouse "self storage" facility</li> <li>• water treatment plant</li> <li>• welding</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• government operation (non-office)</li> <li>• recycling collection point</li> </ul> <p><b>Residential Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• personal storage (primary use)</li> </ul>	<p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• hunting store</li> <li>• manufactured home sales</li> <li>• recreational vehicle or watercraft sales</li> <li>• paintball facility</li> <li>• semi tractor - trailer sales</li> <li>• shooting range</li> </ul> <p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• telecommunication facility</li> </ul>

# Light Industrial / High-Tech (I1) District

## 2.32 I1 District Development Standards



**Minimum Lot Area**

- 1 acre

**Minimum Lot Width**

- 100 feet

**Sanitary Sewer Utility**

- Required

**Water Utility**

- Required

**Minimum Front Yard Setback**

- 100 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 25 feet for primary and accessory structures

**Minimum Rear Yard Setback**

- 25 feet for primary and accessory structures

**Maximum Lot Coverage**

- 75% of lot area

**Minimum Main Floor Area**

- n/a

**Maximum Main Floor Area**

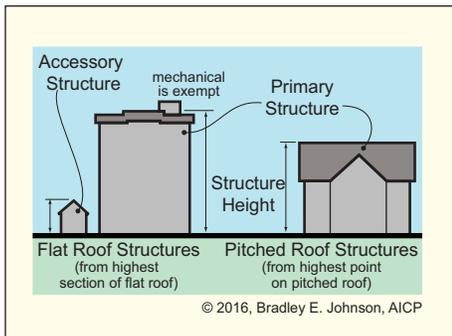
- 75,000 square feet

**Minimum Dwelling Unit Size**

- n/a

**Maximum Primary Structures**

- 4



**Maximum Structure Height**

- 50 feet for primary structures
- 35 feet for accessory structures

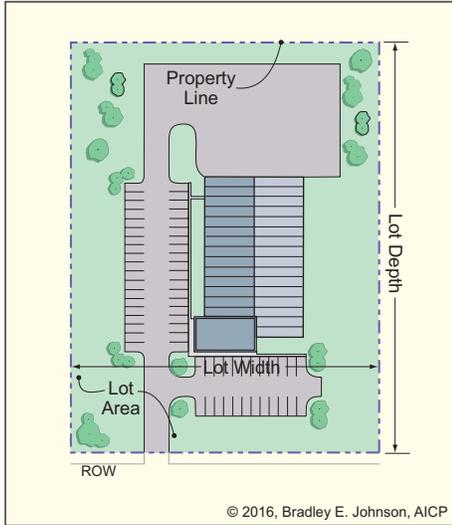
Additional Development Standards that Apply		
<p><b>Accessory Structure (AS)</b></p> <ul style="list-style-type: none"> <li>• AS-01 ..... Page 5-6</li> <li>• AS-11 ..... Page 5-15</li> </ul> <p><b>Density and Intensity (DI)</b></p> <ul style="list-style-type: none"> <li>• DI-01 ..... Page 5-22</li> </ul> <p><b>Driveway (DW)</b></p> <ul style="list-style-type: none"> <li>• DW-01 ..... Page 5-23</li> <li>• DW-04 ..... Page 5-26</li> </ul> <p><b>Environmental (EN)</b></p> <ul style="list-style-type: none"> <li>• EN-01 ..... Page 5-27</li> </ul> <p><b>Fence and Wall (FW)</b></p> <ul style="list-style-type: none"> <li>• FW-01 ..... Page 5-29</li> <li>• FW-07 ..... Page 5-32</li> </ul> <p><b>Floodplain (FP)</b></p> <ul style="list-style-type: none"> <li>• FP-01 ..... Page 5-33</li> </ul> <p><b>Floor Area (FA)</b></p> <ul style="list-style-type: none"> <li>• FA-01 ..... Page 5-34</li> </ul> <p><b>Height (HT)</b></p> <ul style="list-style-type: none"> <li>• HT-01 ..... Page 5-35</li> </ul> <p><b>Landscaping (LA)</b></p> <ul style="list-style-type: none"> <li>• LA-01 ..... Page 5-40</li> <li>• LA-02 ..... Page 5-40</li> </ul> <p><b>Lighting (LT)</b></p> <ul style="list-style-type: none"> <li>• LT-01 ..... Page 5-41</li> </ul>	<p><b>Loading (LD)</b></p> <ul style="list-style-type: none"> <li>• LD-01 ..... Page 5-42</li> </ul> <p><b>Lot (LO)</b></p> <ul style="list-style-type: none"> <li>• LO-01 ..... Page 5-43</li> </ul> <p><b>Outdoor Storage (OS)</b></p> <ul style="list-style-type: none"> <li>• OS-02 ..... Page 5-46</li> </ul> <p><b>Parking (PK)</b></p> <ul style="list-style-type: none"> <li>• PK-01 ..... Page 5-47</li> <li>• PK-07 ..... Page 5-49</li> </ul> <p><b>Performance (PF)</b></p> <ul style="list-style-type: none"> <li>• PF-01 ..... Page 5-56</li> </ul> <p><b>Permanent Outdoor Display (PD)</b></p> <ul style="list-style-type: none"> <li>• PD-01 ..... Page 5-57</li> </ul> <p><b>Public Improvement (PI)</b></p> <ul style="list-style-type: none"> <li>• PI-01 ..... Page 5-59</li> </ul> <p><b>Retaining Wall (RW)</b></p> <ul style="list-style-type: none"> <li>• RW-01 ..... Page 5-62</li> </ul> <p><b>Setback (SB)</b></p> <ul style="list-style-type: none"> <li>• SB-01 ..... Page 5-63</li> </ul> <p><b>Sewer and Water (SW)</b></p> <ul style="list-style-type: none"> <li>• SW-01 ..... Page 5-65</li> </ul> <p><b>Sexually Oriented Business (SX)</b></p> <ul style="list-style-type: none"> <li>• SX-01 ..... Page 5-66</li> </ul>	<p><b>Sign (SI)</b></p> <ul style="list-style-type: none"> <li>• SI-01 ..... Page 5-67</li> <li>• SI-09 ..... Page 5-89</li> </ul> <p><b>Solar / Alternative Energy (SL)</b></p> <ul style="list-style-type: none"> <li>• SL-01 ..... Page 5-93</li> <li>• SL-04 ..... Page 5-94</li> </ul> <p><b>Special Exception (SE)</b></p> <ul style="list-style-type: none"> <li>• SE-01 ..... Page 5-95</li> </ul> <p><b>Storage Tank (SR)</b></p> <ul style="list-style-type: none"> <li>• SR-01 ..... Page 5-96</li> <li>• SR-04 ..... Page 5-96</li> </ul> <p><b>Structure (ST)</b></p> <ul style="list-style-type: none"> <li>• ST-01 ..... Page 5-97</li> </ul> <p><b>Telecommunication Facility (TC)</b></p> <ul style="list-style-type: none"> <li>• TC-01 ..... Page 5-98</li> <li>• TC-02 ..... Page 5-100</li> </ul> <p><b>Temporary Use and Structure (TU)</b></p> <ul style="list-style-type: none"> <li>• TU-01 ..... Page 5-101</li> <li>• TU-04 ..... Page 5-102</li> </ul> <p><b>Trash Receptacle (TR)</b></p> <ul style="list-style-type: none"> <li>• TR-01 ..... Page 5-103</li> </ul> <p><b>Vision Clearance (VC)</b></p> <ul style="list-style-type: none"> <li>• VC-01 ..... Page 5-104</li> </ul>

## 2.33 I2 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p><b>The I2 (Heavy Industrial) District is intended to be used as follows:</b></p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>• Moderate to high-intensity industrial uses</li> <li>• Business parks, distribution operations, and industrial parks</li> <li>• Stand alone buildings or multiple primary structures on one lot</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Existing and new development</li> <li>• Zoning district is comprised of small pockets of development (a couple of lots) to medium sized areas</li> <li>• Should exist primarily within Auburn's city limits</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Recognize the need for development standards that minimize impacts on surrounding properties while encouraging economic vitality</li> <li>• Do not require separation or buffering from uses with similar intensity</li> <li>• Require extensive buffering when adjacent to less intense uses</li> <li>• Assure there are minimal negative affects on the natural environment</li> <li>• Minimize light, noise, water, and air pollution</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>• PR, AG, AC, I1, I2 and HI</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Zone property I2 only after determining that the site is appropriate for any of the possible permitted uses</li> <li>• Be very sensitive to environmental protection</li> </ul> <p><b>Board of Zoning Appeals</b></p> <ul style="list-style-type: none"> <li>• Allow a special exception use only when it clearly benefits the surrounding areas</li> <li>• Be very sensitive to the potential for light pollution, noise pollution, extensive truck traffic, and inadequate ingress/egress</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• outdoor storage</li> <li>• solar field</li> </ul> <p><b>Agricultural Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• processing of agricultural products</li> <li>• storage of agricultural products</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• kennel</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• assembly</li> <li>• construction trade office with outdoor yard</li> <li>• distribution facility</li> <li>• flex-space</li> <li>• food production or processing</li> <li>• heavy manufacturing</li> <li>• light manufacturing</li> <li>• liquid fertilizer storage or distribution</li> <li>• public utility facility</li> <li>• recycling processing</li> <li>• research center</li> <li>• sewage treatment plant</li> <li>• sign painting or fabrication</li> <li>• storage tanks (nonhazardous)</li> <li>• testing lab</li> <li>• tool and die shop</li> <li>• transfer station</li> <li>• warehouse</li> <li>• warehouse "self storage" facility</li> <li>• water treatment plant</li> <li>• welding</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• government operation (non-office)</li> </ul>	<p><b>Commercial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• shooting range</li> </ul> <p><b>Industrial Special Exception Uses</b></p> <ul style="list-style-type: none"> <li>• solar farm</li> <li>• telecommunication facility</li> </ul>

# Heavy Industrial (I2) District

## 2.34 I2 District Development Standards



**Minimum Lot Area**

- 2 acre

**Minimum Lot Width**

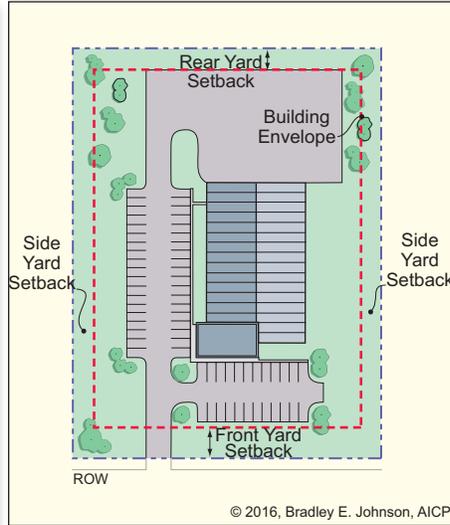
- 250 feet

**Sanitary Sewer Utility**

- Required

**Water Utility**

- Required



**Minimum Front Yard Setback**

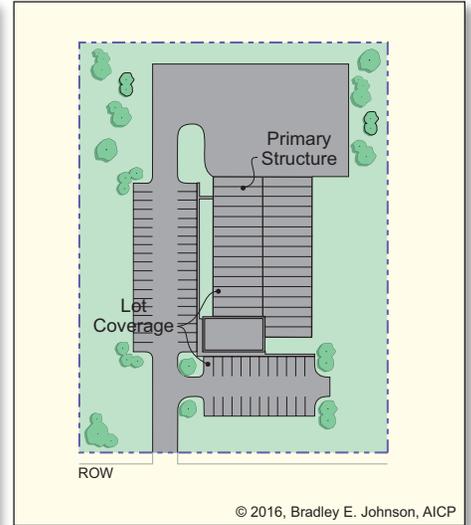
- 100 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 25 feet for primary and accessory structures

**Minimum Rear Yard Setback**

- 25 feet for primary and accessory structures



**Maximum Lot Coverage**

- 75% of lot area

**Minimum Main Floor Area**

- n/a

**Maximum Main Floor Area**

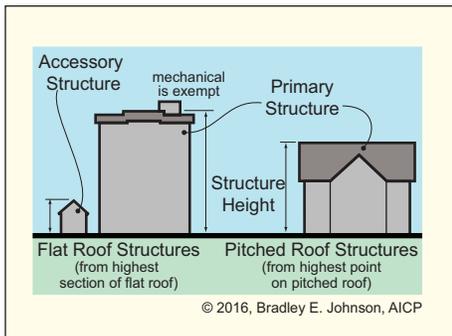
- 250,000 square feet

**Minimum Dwelling Unit Size**

- n/a

**Maximum Primary Structures**

- 8



**Maximum Structure Height**

- 70 feet for primary structures
- 35 feet for accessory structures

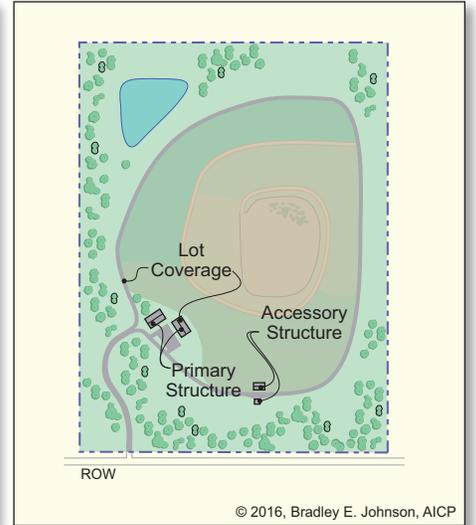
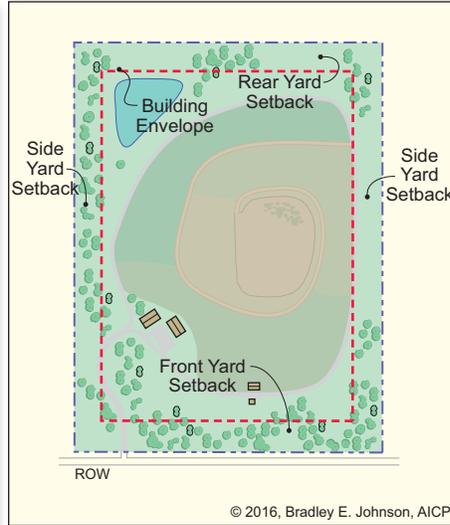
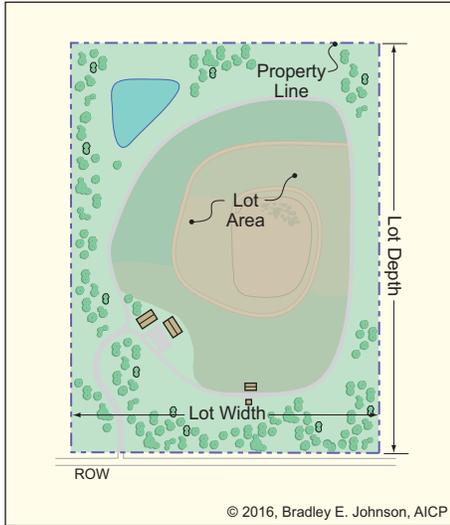
Additional Development Standards that Apply		
<p><b>Accessory Structure (AS)</b></p> <ul style="list-style-type: none"> <li>• AS-01 ..... Page 5-6</li> <li>• AS-11 ..... Page 5-15</li> </ul> <p><b>Density and Intensity (DI)</b></p> <ul style="list-style-type: none"> <li>• DI-01 ..... Page 5-22</li> </ul> <p><b>Driveway (DW)</b></p> <ul style="list-style-type: none"> <li>• DW-01 ..... Page 5-23</li> <li>• DW-04 ..... Page 5-26</li> </ul> <p><b>Environmental (EN)</b></p> <ul style="list-style-type: none"> <li>• EN-01 ..... Page 5-27</li> </ul> <p><b>Fence and Wall (FW)</b></p> <ul style="list-style-type: none"> <li>• FW-01 ..... Page 5-29</li> <li>• FW-07 ..... Page 5-32</li> </ul> <p><b>Floodplain (FP)</b></p> <ul style="list-style-type: none"> <li>• FP-01 ..... Page 5-33</li> </ul> <p><b>Floor Area (FA)</b></p> <ul style="list-style-type: none"> <li>• FA-01 ..... Page 5-34</li> </ul> <p><b>Height (HT)</b></p> <ul style="list-style-type: none"> <li>• HT-01 ..... Page 5-35</li> </ul> <p><b>Landscaping (LA)</b></p> <ul style="list-style-type: none"> <li>• LA-01 ..... Page 5-40</li> <li>• LA-02 ..... Page 5-40</li> </ul> <p><b>Lighting (LT)</b></p> <ul style="list-style-type: none"> <li>• LT-01 ..... Page 5-41</li> </ul>	<p><b>Loading (LD)</b></p> <ul style="list-style-type: none"> <li>• LD-01 ..... Page 5-42</li> </ul> <p><b>Lot (LO)</b></p> <ul style="list-style-type: none"> <li>• LO-01 ..... Page 5-43</li> </ul> <p><b>Outdoor Storage (OS)</b></p> <ul style="list-style-type: none"> <li>• OS-02 ..... Page 5-46</li> <li>• OS-03 ..... Page 5-46</li> </ul> <p><b>Parking (PK)</b></p> <ul style="list-style-type: none"> <li>• PK-01 ..... Page 5-47</li> <li>• PK-07 ..... Page 5-49</li> </ul> <p><b>Performance (PF)</b></p> <ul style="list-style-type: none"> <li>• PF-01 ..... Page 5-56</li> </ul> <p><b>Public Improvement (PI)</b></p> <ul style="list-style-type: none"> <li>• PI-01 ..... Page 5-59</li> </ul> <p><b>Retaining Wall (RW)</b></p> <ul style="list-style-type: none"> <li>• RW-01 ..... Page 5-62</li> </ul> <p><b>Setback (SB)</b></p> <ul style="list-style-type: none"> <li>• SB-01 ..... Page 5-63</li> </ul> <p><b>Sewer and Water (SW)</b></p> <ul style="list-style-type: none"> <li>• SW-01 ..... Page 5-65</li> </ul> <p><b>Sexually Oriented Business(SX)</b></p> <ul style="list-style-type: none"> <li>• SX-01 ..... Page 5-66</li> </ul>	<p><b>Sign (SI)</b></p> <ul style="list-style-type: none"> <li>• SI-01 ..... Page 5-67</li> <li>• SI-09 ..... Page 5-89</li> </ul> <p><b>Solar / Alternative Energy (SL)</b></p> <ul style="list-style-type: none"> <li>• SL-01 ..... Page 5-93</li> <li>• SL-04 ..... Page 5-94</li> </ul> <p><b>Special Exception (SE)</b></p> <ul style="list-style-type: none"> <li>• SE-01 ..... Page 5-95</li> </ul> <p><b>Storage Tank (SR)</b></p> <ul style="list-style-type: none"> <li>• SR-01 ..... Page 5-96</li> <li>• SR-04 ..... Page 5-96</li> </ul> <p><b>Structure (ST)</b></p> <ul style="list-style-type: none"> <li>• ST-01 ..... Page 5-97</li> </ul> <p><b>Telecommunication Facility (TC)</b></p> <ul style="list-style-type: none"> <li>• TC-01 ..... Page 5-98</li> <li>• TC-02 ..... Page 5-100</li> </ul> <p><b>Temporary Use and Structure(TU)</b></p> <ul style="list-style-type: none"> <li>• TU-01 ..... Page 5-101</li> </ul> <p><b>Trash Receptacle (TR)</b></p> <ul style="list-style-type: none"> <li>• TR-01 ..... Page 5-103</li> </ul> <p><b>Vision Clearance (VC)</b></p> <ul style="list-style-type: none"> <li>• VC-01 ..... Page 5-104</li> </ul>

## 2.35 HI District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The HI (High Impact) District is intended to be used as follows:</p> <p><b>Use Type and Intensity</b></p> <ul style="list-style-type: none"> <li>High impact uses</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>Existing and new development</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>Minimize light, noise, water, and air pollution</li> </ul> <p><b>Appropriate Adjacent Districts</b></p> <ul style="list-style-type: none"> <li>AG, AC, C2, I2 and HI</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>Zone property HI only after determining the site is appropriate for any of the possible uses allowed in the zoning district</li> <li>Be very sensitive to environmental protection</li> </ul>	<p><b>Accessory Permitted Uses</b></p> <ul style="list-style-type: none"> <li>outdoor storage</li> <li>solar field</li> </ul> <p><b>Commercial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>amusement park</li> <li>race track</li> <li>shooting range</li> <li>sports complex (indoor)</li> <li>sports complex (outdoors)</li> <li>stadium</li> <li>truck stop</li> <li>type 6 retail, special handling</li> </ul> <p><b>Industrial Permitted Uses</b></p> <ul style="list-style-type: none"> <li>construction demolition landfill</li> <li>electrical generation plant</li> <li>gravel or sand mining</li> <li>incinerator</li> <li>junk yard</li> <li>metal shredding</li> <li>public utility facility</li> <li>rendering plant</li> <li>sanitary landfill or refuse dump</li> <li>scrap metal yard</li> <li>sewage treatment plant</li> <li>solar farm</li> <li>storage tanks (hazardous)</li> <li>storage tanks (non-hazardous)</li> <li>telecommunication facility</li> </ul> <p><b>Institutional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>jail</li> <li>juvenile detention facility</li> <li>municipal airport</li> <li>municipal heliport</li> <li>prison</li> </ul>	

# High Impact (HI) District

## 2.36 HI District Development Standards



**Minimum Lot Area**

- 20 acres

**Minimum Lot Width**

- 400 feet

**Sanitary Sewer Utility**

- Required

**Water Utility**

- Required

**Minimum Front Yard Setback**

- 200 feet for primary and accessory structures

**Minimum Side Yard Setback**

- 200 feet for primary and accessory structures

**Minimum Rear Yard Setback**

- 200 feet for primary and accessory structures

**Maximum Lot Coverage**

- 65% of lot area

**Minimum Main Floor Area**

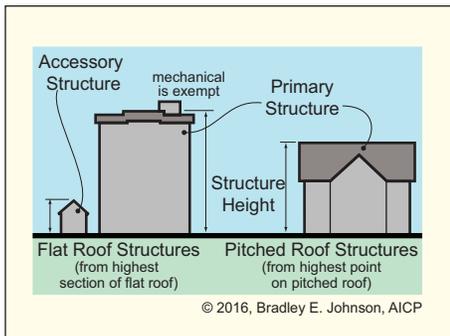
- n/a

**Minimum Dwelling Unit Size**

- n/a

**Maximum Primary Structures**

- 5



**Maximum Structure Height**

- 70 feet for primary structures
- 35 feet for accessory structures

Additional Development Standards that Apply		
<b>Accessory Structure (AS)</b>	<b>Landscaping (LA)</b>	<b>Sign (SI)</b>
• AS-01 ..... Page 5-6	• LA-01 ..... Page 5-40	• SI-01 ..... Page 5-67
• AS-11 ..... Page 5-15	• LA-02 ..... Page 5-40	• SI-09 ..... Page 5-89
<b>Density and Intensity (DI)</b>	<b>Lighting (LT)</b>	<b>Solar / Alternative Energy (SL)</b>
• DI-01 ..... Page 5-22	• LT-01 ..... Page 5-41	• SL-01 ..... Page 5-93
<b>Driveway (DW)</b>	<b>Loading (LD)</b>	• SL-05 ..... Page 5-94
• DW-01 ..... Page 5-23	• LD-01 ..... Page 5-42	<b>Special Exception (SE)</b>
• DW-04 ..... Page 5-26	<b>Lot (LO)</b>	• SE-01 ..... Page 5-95
<b>Environmental (EN)</b>	• LO-01 ..... Page 5-43	<b>Storage Tank (SR)</b>
• EN-01 ..... Page 5-27	<b>Outdoor Storage (OS)</b>	• SR-01 ..... Page 5-96
<b>Fence and Wall (FW)</b>	• OS-03 ..... Page 5-46	• SR-04 ..... Page 5-96
• FW-01 ..... Page 5-29	<b>Parking (PK)</b>	<b>Structure (ST)</b>
• FW-07 ..... Page 5-32	• PK-01 ..... Page 5-47	• ST-01 ..... Page 5-97
<b>Floodplain (FP)</b>	• PK-07 ..... Page 5-49	<b>Telecommunication Facility (TC)</b>
• FP-01 ..... Page 5-33	<b>Performance (PF)</b>	• TC-02 ..... Page 5-100
<b>Floor Area (FA)</b>	• PF-01 ..... Page 5-56	<b>Temporary Use and Structure (TU)</b>
• FA-01 ..... Page 5-34	<b>Public Improvement (PI)</b>	• TU-01 ..... Page 5-101
<b>Height (HT)</b>	• PI-01 ..... Page 5-59	<b>Trash Receptacle (TR)</b>
• HT-01 ..... Page 5-35	<b>Retaining Wall (RW)</b>	• TR-01 ..... Page 5-103
	• RW-01 ..... Page 5-62	<b>Vision Clearance (VC)</b>
	<b>Setback (SB)</b>	• VC-01 ..... Page 5-104
	• SB-01 ..... Page 5-63	
	<b>Sewer and Water (SW)</b>	
	• SW-01 ..... Page 5-65	



**Article**

**03**

**Overlay Districts**

---

**AUBURN**

**Unified Development Ordinance**

## 3.01 WH-O District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Uses	Effect on Standards
<p>The WH-O (Wellhead Protection Overlay) District is intended to protect the public water supply by minimizing the potential for contamination.</p> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Areas where water flows to a public water supply or well field within a five (5) year period of time</li> <li>• Areas may be within Auburn's city limits or the City's extra-territorial jurisdiction</li> <li>• Single-family and multiple-family dwelling units connected to a municipal sewer system are exempt from the WH-O District requirements</li> </ul> <p><b>Land Use Restrictions</b></p> <ul style="list-style-type: none"> <li>• Uses that utilize or contain volatile, poisonous, toxic, or other material hazardous to the potability of water are restricted or excluded</li> </ul>	<p>All uses allowed as a permitted use or special exception use in the underlying zoning district shall remain permitted except for the following uses shall not be permitted:</p> <ul style="list-style-type: none"> <li>• body shop (automobile oriented)</li> <li>• car wash (automobile oriented)</li> <li>• cemetery</li> <li>• chemical or fuel storage &gt; 500 gallons</li> <li>• chemical processing</li> <li>• confined feeding operation (small)</li> <li>• construction demolition landfill</li> <li>• dry cleaners</li> <li>• ethanol production facility</li> <li>• gas station</li> <li>• golf course</li> <li>• gravel or sand mining</li> <li>• heavy equipment repair</li> <li>• incinerator</li> <li>• junk yard</li> <li>• lagoons associated with agricultural use</li> <li>• lagoons associated with industrial use</li> <li>• liquid fertilizer storage or distribution</li> <li>• municipal airport</li> <li>• municipal heliport</li> <li>• oil change facility (automobile oriented)</li> <li>• processing of agricultural products (ethanol)</li> <li>• recycling processing</li> <li>• rendering plant</li> <li>• sanitary landfill or refuse dump</li> <li>• scrap metal yard</li> <li>• storage of hazard wastes</li> <li>• transfer station</li> <li>• truck stop (with idling)</li> <li>• truck stop (without idling)</li> </ul>	<p>The development standards of <i>Article 02: Zoning Districts</i> and <i>Article 05: Development Standards</i> apply where an alternative development standard has not been specified herein for the WH-O District.</p> <p>The design standards of <i>Article 06: Subdivision Types</i> and <i>Article 07: Design Standards</i> apply where an alternative design standard has not been specified herein for the WH-O District.</p>

# Wellhead Protection Overlay (WH-O) District

## 3.02 Wellhead Protection Overlay District Development Standards

This Wellhead Protection Overlay District Development Standards section applies when the Wellhead Protection Overlay District exists over any of the following underlying zoning districts:



The following standards apply:

- A. Cross-Reference: Refer to *Article 02: Zoning Districts* and *Article 05: Development Standards* for standards applicable to the underlying zoning district.
- B. Exemptions: Single-family and multiple-family dwelling units connected to a municipal sewer system shall be exempt from the WH-O District requirements.
- C. Best Management Practices: Uses within the WH-O District shall implement best management practices known to its particular industry. Simple, but important practices, include:
  - 1. *Avoid Excess Potential Contaminant Usage*: Each land use within the WH-O District shall use the minimal amount of the potential contaminant that is necessary to achieve the desired result; employ waste reduction and management strategies; and mandate responsible purchasing to reduce the threat of hazardous materials.
  - 2. *Proper Use and Handling*: Each land use within the WH-O District shall train employees and follow instructions on labels to ensure proper use and handling of potential contaminants.
  - 3. *Proper Storage and Disposal*: Each land use within the WH-O District shall create and implement a chemical management plan that includes a list of chemicals and potential contaminants used, the method of disposal, and procedures for assuring that chemicals and potential contaminants are not discharged. The chemical management plan shall be updated at least every five (5) years and be provided to the Auburn Water Department upon request.
- D. Sewer and Water Standards
  - 1. *Abandoned Wells*: All known abandoned wells shall be identified and sealed at the surface or plugged with impervious materials in accordance with *Rule 10 in the Indiana Administrative Code, 312 IAC 13*.
  - 2. *Sanitary Sewer*: Connection to the City of Auburn municipal sanitary sewer system or a privately-owned sanitary sewer system shall be required.
- E. Storage Tank Standards: The storage of flammable and combustible liquids in containers and tanks shall meet the Fire and Building Safety Standards as established in *Article 13 Building Codes of Title 675 of the Indiana Administrative Code*.
  - 1. *Above Ground Storage Tanks*:
    - a. Above ground storage of flammable and combustible products shall be not exceed one thousand (1,000) gallons.
    - b. Above ground storage of flammable and combustible liquids shall have corrosion protection for the tank and piping.
    - c. Storage of more than forty (40) gallons of flammable or combustible liquids for more than twenty-four (24) hours shall meet the following secondary containment requirements:
      - i. Secondary containment shall be capable of containing 110% of the volume of the tank.
      - ii. Secondary containment shall be designed to prevent and control the escape of the contaminant into ground water for a minimum of seventy-two (72) hours; or designed and built with an outer shell that includes monitoring between the tank wall and outer shell.
      - iii. The secondary containment structure shall be properly maintained and shall be free of vegetation, cracks, open seams, open drains, siphons, or other openings that jeopardize the integrity of the structure.
      - iv. The secondary containment structure shall be designed to prevent the infiltration of precipitation.

## 2. *Underground Storage Tanks:*

- a. New underground storage tanks (USTs) shall not be permitted.
- b. Existing underground storage tanks may be replaced or upgraded, but shall meet the following conditions.
  - i. Underground storage tanks shall be constructed of noncorrosive material or materials having corrosion protection (externally coated and cathodically protected metal, double-walls, metal having a thick corrosion resistant cladding or jacket, internal tank lining).
  - ii. Spill protection, overflow protection, and leak detection features shall be incorporated on each underground tank system.

### 3.03 Process Supplement

Additional Reviews: If a subdivision of land, planned development, special exception, variance, rezoning, or Improvement Location Permit is proposed or requested for a site that lies fully or partially within the WH-O District, the proposed development and process shall be subject to an additional review by the Auburn Water Department. The Auburn Water Department may suggest conditions for approval or reasons for denial.

### 3.04 Monitoring

- A. Inspection: Land uses involving the storage or use of potential contaminants may be subject to periodic inspection by the Building Commissioner, Fire Marshall, or the Auburn Water Department. The scope of inspections shall be limited to issues related to the storage and use of the potential contaminants.
- B. Testing: The Auburn Water Department may request periodic testing for spillage or soil contamination.
- C. Reporting: The Auburn Water Department and Auburn Fire Department may require reporting of any spillage of contaminants into the soil and in accordance with the *Indiana Department of Environmental Management's Spill Rule 327 IAC 2-6.1*, as amended.



## 3.05 CG-O District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Uses	Effect on Standards
<p>The CG-O (Corridors and Gateways Overlay) District is intended to promote a plan for rational, aesthetically pleasing, and cohesive development in areas along Auburn's major arterial streets and gateways.</p> <p><b>Applicability</b></p> <ul style="list-style-type: none"><li>• Streets that are subject to the CG-O District are designated on the Zoning Map</li><li>• The CG-O District shall extend four hundred (400) feet from the right-of-way line on each side of the designated street</li><li>• The CG-O District includes areas within Auburn's city limits and the City's extra-territorial jurisdiction</li><li>• Agricultural uses and structures in the AG District are exempt from the requirements of the CG-O District</li></ul> <p><b>Land Use Restrictions</b></p> <ul style="list-style-type: none"><li>• Uses that involve outdoor storage are restricted</li></ul>	<p>All uses allowed as a permitted use or special exception use in the underlying zoning district shall remain permitted except for the following prohibited uses:</p> <ul style="list-style-type: none"><li>• outdoor storage</li></ul>	<p>The development standards of <i>Article 02: Zoning Districts</i> and <i>Article 05: Development Standards</i> apply where an alternative development standard has not been specified herein for the CG-O District.</p> <p>The design standards of <i>Article 06: Subdivision Types</i> and <i>Article 07: Design Standards</i> apply where an alternative design standard has not been specified herein for the CG-O District.</p>

# Corridors and Gateways Overlay (CG-O) District

## 3.06 Corridors and Gateways Overlay District Development Standards

This Corridors and Gateways Overlay District Development Standards section applies when the Corridors and Gateways Overlay District exists over any of the following underlying zoning districts:



The following standards apply:

- A. Cross Reference: Refer to *Article 02: Zoning Districts* and *Article 05: Development Standards* for standards applicable to the underlying zoning district.
- B. Exemptions: Agricultural uses and structures in the AG District are exempt from the requirements of the CG-O District.
- C. Accessory Structure Standards:
  1. *Applicability*: This Accessory Structure Standards section applies to all underlying zoning districts within the CG-O District.
  2. *Compatibility*: All accessory structures and uses that are permitted in the underlying zoning district shall be permitted, except that all sides of attached or detached accessory structure shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

## 3.07 Corridors and Gateways Overlay District Design Standards

This Corridors and Gateways Overlay District Development Standards section applies when the Corridors and Gateways Overlay District exists over any of the following underlying zoning districts:



The following standards apply:

- A. Project Applicability: These architectural standards shall apply to construction of a new primary structure or additions to a primary structure. Where an addition is made to an existing structure, the architectural standards shall apply only to the new construction. Interior remodeling of existing structures shall not cause the exterior of the structure to be subject to these architectural standards.
- B. Consistency: Each structure may be unique; however, all structures within a single development shall be complementary in design, theme, materials, and architecture.
- C. Form: Lineal or strip development shall incorporate variations in building height, building mass, roof forms, and changes in wall planes. Lineal or strip development is discouraged.
- D. Facades: The architectural style, materials, color and design on the front elevation shall be applied to all elevations of the structure.
  1. *Exterior Materials*: A minimum of three (3) materials from the following list shall be used for building exteriors:
    - a. Stone.
    - b. Brick.
    - c. Split-face concrete masonry units.
    - d. Integrally colored concrete masonry units.
    - e. Fiber cement board.
    - f. Exterior insulation finish system (EIFS).
    - g. Stucco.
    - h. Architectural pre-cast (panels or detailing).
    - i. Architectural metal panels.
    - j. Glass.
    - k. Ornamental metal.

2. *Glass*: Large expanses of glass shall be permitted, up to seventy percent (70%) of the facade area. The structure may not be constructed entirely of a metal and glass curtain wall.
3. *Wall Planes*:
  - a. For every fifty (50) feet of structure facing a public street, as measured horizontally, there shall be a minimum four (4) foot projection or recess in the facade (vertical plane). The projection or recess can be realized with setbacks of the structure facade or architectural elements including, but not limited to arcades, columns, piers and pilasters.
  - b. Any wall exceeding fifty (50) feet in length shall include at least one (1) change in wall plane. The minimum change in plane shall be five (5) feet.
4. *Facade Colors*: Facade colors shall be low reflectance, subtle, or neutral hues or tones. The use of high-fluorescent colors shall not be permitted.

E. Entries:

1. *General*: Entries shall be clearly defined and accentuated with such features as awnings, porticos, overhangs, recesses or projections, arcades, raised corniced parapets over the door, peaked roof forms, or arches.
2. *Required Features*: Each structure greater than 3,000 square feet shall have clearly defined, highly visible customer entrance featuring at least two (2) of the following components:
  - a. Canopies or porticos.
  - b. Overhangs.
  - c. Arcades.
  - d. Raised corniced parapets over the door.
  - e. Peaked roof forms.
  - f. Arches.
  - g. Outdoor patios.
  - h. Architectural details such as decorative tile work, brickwork or moldings that are integrated into the building structure and design.
  - i. Integrated planters or wing walls that incorporate landscaped areas and/or places for sitting.
  - j. Columns.
  - k. Awnings.
  - l. Enframed window walls.

F. Mechanical and Utility Equipment Screening: All mechanical equipment, trash compactors, and the like shall be screened using enclosures that are architecturally compatible with the primary structure.

1. *Ground Mounted Features*: Mechanical and utility equipment located on the ground shall be screened using landscaping, fencing, or walls.
2. *Roof Mounted Features*: Mechanical and utility equipment located on roofs shall be screened using parapet walls or other roof designs.

G. Trash Receptacle Screening:

1. *Design*: Trash receptacles shall be enclosed with a solid enclosure that complements the architecture of the primary structure.
2. *Height*: The minimum height of the trash receptacle enclosure shall be the height of the trash receptacle plus two (2) feet, or at least six (6) feet, whichever is greater.
3. *Enclosure Gate*: The enclosure shall contain a solid gate. The gate shall be maintained in operable condition. The gate shall remain closed except when the dumpster is being accessed.
4. *Landscaping*: Shrub plantings shall be provided where possible to further enhance the wall enclosure.

# Corridors and Gateways Overlay (CG-0) District

## 3.08 Corridors and Gateways Overlay District Other Non-residential Architectural Design Standards

This Corridors and Gateways Overlay District Development Standards section applies when the Corridors and Gateways Overlay District exists over any of the following underlying zoning districts:



The following standards apply:

- A. **Project Applicability:** These architectural standards shall apply to construction of a new primary structure or additions to a primary structure. Where an addition is made to an existing structure, the architectural standards shall apply only to the new construction. Interior remodeling of existing structures shall not cause the exterior of the structure to be subject to these architectural standards.
- B. **Compatibility:** All buildings on a site shall be complementary in design, theme, materials and architecture.
- C. **Facade:** The architectural style, materials, color and design of the front facade shall be applied to all elevations of the structure that are visible from a street.
  - 1. *Exterior Materials:* All exterior siding shall be comprised of the following materials:
    - a. Masonry.
    - b. Stone.
    - c. Fiber cement plank siding.
    - d. Decorative precast panels.
    - e. Integrally colored, textured concrete masonry unit.
    - f. External insulation finish system.
    - g. Concrete tilt-up panels with brick or stone facing.
    - h. Metal siding, but no greater than 50% of the building.
    - i. Vinyl siding, but no greater than 50% of the building.
  - 2. *Facade Colors:* Facade colors shall be low reflectance, subtle, or neutral hues or tones. The use of high-fluorescent colors shall be prohibited.
- D. **Entries:** Pedestrian and customer entries shall be emphasized by overhanging eaves, canopies, sloped roofs, offset roof lines, projected or recessed areas, or a change in building materials.
- E. **Mechanical and Utility Equipment Screening:** All mechanical equipment, trash compactors, and the like shall be screened using enclosures that are architecturally compatible with the primary structure.
  - 1. *Ground Mounted Features:* Mechanical and utility equipment located on the ground shall be screened using landscaping, fencing, or walls.
  - 2. *Roof Mounted Features:* Mechanical and utility equipment located on roofs shall be screened using parapet walls or other roof designs.
- F. **Trash Receptacle Screening:**
  - 1. *Design:* Trash receptacles shall be enclosed with a solid enclosure that complements the architecture of the primary structure. Trash receptacles enclosures attached to the primary structure shall be designed as an architecturally integrated part of the primary structure.
  - 2. *Height:* The minimum height of the trash receptacle enclosure shall be the height of the trash receptacle plus two (2) feet, or at least six (6) feet, whichever is greater.
  - 3. *Enclosure Gate:* The enclosure shall contain a solid gate. The gate shall be maintained in operable condition. The gate shall remain closed except when the dumpster is being accessed.
  - 4. *Landscaping:* Shrub plantings shall be provided where possible to further enhance the wall enclosure.

## 3.09 Corridors and Gateways Overlay District Non-residential Driveway Standards

This Corridors and Gateways Overlay District Development Standards section applies when the Corridors and Gateways Overlay District exists over any of the following underlying zoning districts:



The following standards apply:

- A. Accessibility: Direct access to the streets subject to the CG-O District shall not be permitted unless the site does not have access to another public street or common access street. Direct access onto any street subject to the CG-O District shall be closed, if another means of access is established at a later date at a one-to-one (1:1) ratio (meaning if one access is established on another street, one existing access on the CG-O street shall be closed). Closing the access includes removing the entrance and driveway improvements and establishing the landscape greenbelt within six (6) months.



# Airport Compatibility Overlay (AC-0) District

## 3.10 ACO District Intent, Effect on Uses, and Development Standards

District Intent	Effect on Uses	Development Standards
<p>The Airport Compatibility Overlay District is intended to establish a standard of safety and compatibility for the occupants of land in the vicinity of the DeKalb County Airport by regulating incompatible land uses and setting development standards that supplement or supercede the underlying zoning district.</p>	<p>The permitted uses and special exception uses allowed within the Airport Compatibility Overlay District shall be those of the underlying zoning district with the elimination of the uses listed in <i>Section 3.13: Additional Restrictions for Each Sub-area</i>.</p>	<p>The development standards within the Airport Compatibility Overlay District shall be those of the underlying zoning district in addition to the standards listed in <i>Section 3.13: Additional Restrictions for Each Sub-area</i>.</p>

# Airport Compatibility Overlay (AC-O) District

## 3.11 Applicability

The following requirements apply to all land within the Airport Compatibility Overlay District, as defined in *Section 3.13: Establishment of Airport Compatibility Area*.

## 3.12 Establishment of Airport Compatibility Area

The airport compatibility area and subareas have been determined, established and drawn using information and regulations collated from FAA Advisory Circulars; FAA Land Use Planning Guides; the *State of Indiana Tall Structures Act (IC 8-21-10)*; Aviation Compatible Land Use Planning Guides from the States of California, Oregon, Washington and Wisconsin; and the 2004 Land Use Report from the National Association of State Aviation Officials.

## 3.13 Restrictions for Each Sub-area

- A. Traffic Pattern Zone (AC6): The Traffic Pattern Zone generally includes those portions of the regular traffic patterns and pattern entry routes not included in other zones.
1. *Open Space*: Open spaces to be maintained every ¼ to ½ mile throughout the Traffic Pattern Zone.
  2. *Limited Uses, Structures, and Materials*: The following uses, structures, and materials are allowed in the Traffic Pattern Zone only under the limitations as noted below.
    - a. Agricultural uses shall not create a wildlife hazard to aircraft,
    - b. Residential uses shall be allowed at any density allowed by the underlying zoning district. Prior to issuance of a Building Permit or Improvement Location Permit, the owner shall sign and record a noise sensitive use and a non-remonstrance waiver in the form(s) adopted by the City of Auburn,
    - c. Non-residential uses shall be low to high intensity with a population intensity limit of one hundred fifty (150) persons/acre average per site (max multiplier x 3.0),
    - d. Noise sensitive non-residential uses should be avoided. However, when permitted, prior to issuance of a Building Permit or Improvement Location Permit, they shall sign and record a noise sensitive use and a non-remonstrance waiver in the form(s) adopted by the City of Auburn,
    - e. Trash transfer stations, including all transport, processing and disposal, shall take place in a totally enclosed environment and all odor shall be controlled (not masked),
    - f. Compost operations shall not include food or other municipal solid waste,
    - g. Existing wetlands and associated wildlife activities shall be monitored for wildlife hazards to aircraft and any such hazards shall be addressed immediately,
    - h. Existing wastewater treatment facilities shall be monitored for wildlife hazards to aircraft and any such hazards shall be addressed immediately,
    - i. Existing retention ponds should be converted to dry detention ponds where possible,
    - j. New detention ponds shall be designed to drain dry within 48 hours and vegetation providing food and/or cover shall be eliminated around ponds,
    - k. The DeKalb County Airport shall be notified a minimum of 60 days prior to any Plan Commission or Board of Zoning Appeals hearing relating to approval of any new tall structure or an increase in height of an existing tall structure.
    - l. For tall structures not requiring a hearing before the Plan Commission or Board of Zoning Appeals, the DeKalb County Airport shall be notified a minimum of 60 days prior to the issuance of any permit for the construction of a new tall structure or to allow any increase in height of an existing tall structure. The DeKalb County Airport, after their review, may waive any or all of the remaining 60-day notification period by providing written notification of said waiver to the Zoning Administrator.
  3. *Prohibited Uses, Structures, and Materials*: The following uses, structures, and materials are prohibited from the Traffic Pattern Zone.
    - a. Confined feeding operations,
    - b. Aquaculture operations outside of totally enclosed buildings,
    - c. Non-residential uses that are a very high intensity use,
    - d. New golf courses,
    - e. New solid waste landfills,
    - f. New retention and recreational ponds,
    - g. New wetlands including mitigation efforts for airport projects, and
    - h. New wastewater treatment facilities including the discharge of wastewater or sludge onto airport property..

- B. Outer Compatibility Zone (AC7): The Outer Compatibility Zone encompasses an extended area beyond the Traffic Pattern Zone wherein certain uses can impact aviation safety while distant from the airport.
1. *Limited Uses, Structures, and Materials*: The following uses, structures, and materials are permitted in the Outer Compatibility Zone only under the limitations as noted below.
    - a. No combination of agricultural uses, golf courses, retention/recreational ponds, detention ponds, wetlands, and/or wastewater treatment facilities shall collectively create a wildlife corridor through airport airspace,
    - b. Existing solid waste landfills shall demonstrate their operations do not pose a wildlife hazard to aircraft and shall implement a management plan to eliminate any such hazards that do exist,
    - c. Trash transfer stations, including all transport, processing and disposal, shall take place in a totally enclosed environment and all odor shall be controlled (not masked),
    - d. Compost operations shall not include food or other municipal solid waste,
    - e. The DeKalb County Airport shall be notified a minimum of 60 days prior to any Plan Commission or Board of Zoning Appeals hearing relating to approval of any new tall structure or an increase in height of an existing tall structure.
    - f. For tall structures not requiring a hearing before the Plan Commission or Board of Zoning Appeals, the DeKalb County Airport shall be notified a minimum of 60 days prior to the issuance of any permit for the construction of a new tall structure or to allow any increase in height of an existing tall structure. The DeKalb County Airport may, after their review, waive any or all of the remaining 60-day notification period by providing written notification of said waiver to the Zoning Administrator.
  2. *Prohibited Uses, Structures, and Materials*: The following uses, structures, and materials are prohibited from the Outer Compatibility Zone.
    - a. New solid waste landfills.



**Article**

**04**

**Planned Development Districts**

---

**AUBURN**

**Unified Development Ordinance**

## 4.01 PD District Intent, Regulations, and Prerequisites

District Intent	Regulations	Prerequisites
<p><b>The PD (Planned Development) District is intended to provide flexible design standards and development standards for medium to large scale developments that do not easily comply to zoning district standards due to any of the following:</b></p> <ul style="list-style-type: none"> <li>• Interest in an integrated mixed use development;</li> <li>• Existence of unique geological or natural features; and/or</li> <li>• Interest in unique or innovative development design including zero lot line development, traditional residential development, and/or townhouse residential development.</li> <li>• The need for waivers or variances shall not by itself justify the pursuit of a Planned Development.</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Areas within the City of Auburn and areas within the City's extra-territorial jurisdiction.</li> <li>• Minimum of five (5) acres</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Any parcel that meets the prerequisites specified herein may be considered to be rezoned to a Planned Development District after Plan Commission review and approval, and after the Common Council reviews and adopts the Planned Development Ordinance in accordance with the Auburn Comprehensive Plan, <i>Article 04: Planned Development Districts</i>, and state statute criteria.</li> <li>• Under no circumstances is the Plan Commission or Common Council required to rezone a property to a Planned Development.</li> </ul>	<p><b>Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• Predominantly in line with original zoning district</li> <li>• Predominantly in line with Comprehensive Plan</li> <li>• Compatible with surrounding land uses and zoning districts</li> <li>• Flexible only to the extent permitted in <i>Article 04: Planned Development Districts</i></li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Generally in line with the intent of the original zoning district;</li> <li>• Predominantly in line with Comprehensive Plan;</li> <li>• Compatible with surrounding land uses and zoning districts; and</li> <li>• Flexible only to the extent permitted in <i>Article 04: Planned Development District</i></li> </ul> <p><b>Design Standards</b></p> <ul style="list-style-type: none"> <li>• Predominantly in compliance with the design standards in <i>Article 07: Design Standards</i></li> <li>• Flexible only to the extent permitted in <i>Article 04: Planned Development Districts</i></li> </ul> <p><b>Construction Standards</b></p> <ul style="list-style-type: none"> <li>• Fully in compliance with the City of Auburn's construction standards</li> </ul>	<p><b>Site Area</b></p> <ul style="list-style-type: none"> <li>• The minimum site area required for a Planned Development is five (5) acres</li> </ul> <p><b>Standard Zoning Districts</b></p> <ul style="list-style-type: none"> <li>• Only the following standard zoning districts may be rezoned to a planned development: R1, R2, R3, TR, M1, M2, MH, IS, C2, I1 and I2</li> </ul>

# Planned Development (PD) District

## 4.02 General

- A. Description: A Planned Development District is a special district that can be pursued by an applicant in which a stand alone ordinance regulating the development is drafted and which binds the development to its unique language.
- B. Creation: The procedure for the creation of a Planned Development District shall be consistent with the process set forth in *Section 9.06 General Planned Developments* of this Unified Development Ordinance.
- C. Maps: Planned Development Districts shall be identified as such on the Official Zoning Map.
- D. Regulations:
  - 1. *Development Standards and Design Standards*: The requirements of *Article 05: Development Standards* and *Article 07: Design Standards* shall apply to a Planned Development unless alternate standards are deemed appropriate by the Plan Commission in order to accomplish the intent of the Comprehensive Plan and Unified Development Ordinance. Any lessening of the required standards of this Unified Development Ordinance shall be clearly beneficial to the City and directly linked to the intent of the Planned Development (i.e. to provide a mixed use development, accommodate a creative and unique design not otherwise achievable using standard zoning districts and subdivision regulations, or address unusual site conditions or constraints).
  - 2. *Establishment Plan*: The Establishment Plan shall indicate the proposed land uses, location of all proposed improvements, and a proposed Planned Development District Ordinance that includes development standards, design standards, and other specifications which shall govern the Planned Development. If the Establishment Plan and the Planned Development District Ordinance are silent or do not address a particular land use, development standard, design standard, or other specification, this Unified Development Ordinance shall apply.
  - 3. *Open Space*: Open space shall be:
    - a. Conveyed to an owners' association established for the purpose of maintaining common area; or
    - b. Conveyed to the City if it is willing to accept all or part of the common area; or
    - c. Conveyed to one or more not-for-profit corporations established for conservation of natural resources.

## 4.03 Origination of Proposals

A proposal for a Planned Development District shall be initiated by the property owner(s). The site proposed for a Planned Development shall be under single ownership, or if multiple owners exist, a legal document, legal partnership, or corporation shall be provided indicating that all owners of the property support and desire to develop the land. The legal document shall also indicate who the owners appoint as their representative.

## 4.04 Rules and Procedures

All proceedings brought under *Article 04: Planned Development Districts* are subject to the Rules and Procedures of the Plan Commission, unless stated otherwise.

## 4.05 Limitation of Revisions to this Unified Development Ordinance

- A. Public Health and Safety: Regulations in this Unified Development Ordinance that directly protect public health and safety shall apply to a Planned Development.
- B. Failure to Comply: If a Planned Development is no longer proceeding in accordance with its Establishment Plan or Planned Development District Ordinance the City may deem it a violation and utilize its applicable power to enforce the violation according to *Article 10: Enforcement and Penalties*. No language in a Planned Development District Ordinance shall supersede *Article 10: Enforcement and Penalties*.
- C. Rezoning to Standard District: All Planned Developments, or a subdistrict or phase thereof, that has reached either ninety percent (90%) build-out or seven (7) years from its approval date are subject to being rezoned into an appropriate standard zoning district if the City deems it necessary to better administer the development.

## 4.06 Designation of Permanent Open Space

- A. Designation: No Planned Development District shall be approved, unless the design provides for permanent landscaped or natural open space. Natural open space may be designated through the use of common space or other mechanisms such as conservation easements to the satisfaction of the Plan Commission. Impervious surfaces within rights-of-way or private street easements shall not count towards open space. Wetlands and areas within the floodway and floodway fringe shall only count at fifty percent (50%). Open space shall be provided in at least the following percentage of the total gross area of the Planned Development by type of use:
1. *Single-Family and Multiple-Family Residential Use*: 20%
  2. *Office Use*: 15%
  3. *All Other Uses*: 10%
- B. Mixed Uses: In the case of mixed uses, permanent open space shall be allocated in proportion to the mixture of uses that exist. Each use shall have its proportion of open space located within close proximity. The permanent open space need not be located in proximity to the use in the case of preservation of existing natural features.
- C. Development in Stages: If the Establishment Plan provides for the Planned Development to be constructed in phases, open space shall be provided for each phase of the development relatively proportionate to that phase, and conveyed or guaranteed.

**Article**

**05**

**Development Standards**

---

**AUBURN**

**Unified Development Ordinance**

## 5.01 How to Use this Article

This Article 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 02: 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 four-digit codes noted in the “Additional Development Standards that Apply” section apply to that zoning district.

[Example: On page 2-11, the four digit code “AS-01” can be found under the “Additional Development Standards that Apply” section in the R1 District. Therefore, the Development Standards in the section labeled “AS-01” (on page 5-6) would apply to the 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 icons with zoning district abbreviations (e.g. R1 for the Low Density Single-family Residential District). These zoning district icons note that the development standards written in that section apply to that zoning district.

[Example: On page 5-6, the R1 icon () can be found under the AS-01 development standard section. Therefore the language in the AS-01 section would apply to the R1 District.]

Section Name	Page Number	Section Name	Page Number
Accessory Dwelling Standards (AD)	5-4	Outdoor Storage Standards (OS)	5-46
Accessory Structure Standards (AS)	5-6	Parking Standards (PK)	5-47
Architectural Standards (AR)	5-16	Performance Standards (PF)	5-56
Confined Feeding Standards (CF)	5-21	Permanent Outdoor Display Standards (PD)	5-57
Density and Intensity Standards (DI)	5-22	Public Improvement Standards (PI)	5-59
Driveway Standards (DW)	5-23	Recreational Vehicle Standards (RV)	5-61
Environmental Standards (EN)	5-27	Retaining Wall Standards (PI)	5-62
Fence and Wall Standards (FW)	5-29	Setback Standards (SB)	5-63
Floodplain Standards (FP)	5-33	Sewer and Water Standards (SW)	5-65
Floor Area Standards (FA)	5-34	Sexually Oriented Business Standards (SX)	5-66
Height Standards (HT)	5-35	Sign Standards (SI)	5-67
Home Business Standards (HB)	5-36	Solar and Alternative Energy Standards	5-93
Keeping of Animal (KA)	5-39	Special Exception Standards (SE)	5-95
Landscaping Standards (LA)	5-40	Storage Tank Standards (SR)	5-96
Lighting Standards (LT)	5-41	Structure Standards (ST)	5-97
Loading Standards (LD)	5-42	Telecommunication Facility Standards (TC)	5-98
Lot Standards (LO)	5-43	Temporary Use and Structure Standards (TU)	5-101
Manufactured Housing Standards (MH)	5-44	Trash Receptacle Standards (TR)	5-103
Outdoor Dining Standards (OD)	5-45	Vision Clearance Standards (VC)	5-104

## District Icons

### 5.02 Icon Key

-  - Parks and Recreation District
-  - Agricultural District
-  - Agricultural Commercial District
-  - Estate Residential District
-  - Low Density Single-family Residential District
-  - Medium Density Single-family Residential District
-  - High Density Single-family Residential District
-  - Traditional Residential District
-  - Multiple-family Residential District
-  - High Density Multiple-family Residential District
-  - Manufactured Home Residential District
-  - Institutional District
-  - Downtown Commercial District
-  - Neighborhood Commercial District
-  - General Commercial District
-  - Light Industrial / High-Tech District
-  - Heavy Industrial District
-  - High Impact District

## 5.03 AD-01: General Accessory Dwelling Standards

This Accessory Dwelling Standards section applies to the following zoning district:

**ER**

The intent of the Accessory Dwelling Standards is provide an opportunity for an accessory dwelling while ensuring that specific conditions are met to protect the health, safety, and welfare of the residents within the zoning jurisdiction of the City. The following standards apply:

- A. **Applicability:** An accessory dwelling shall meet the applicable setbacks for accessory structures and structure height for accessory structures as indicated on the two-page layout.
  - 1. *Minimum Front Yard Setback:* The minimum front yard setback shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 2. *Minimum Side Yard Setback:* The minimum side yard setback shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 3. *Minimum Rear Yard Setback:* The minimum rear yard setback shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 4. *Maximum Structure Height:* The maximum structure height shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
- B. **Permits:** An Improvement Location Permit shall be required prior to the construction of an accessory dwelling or the conversion of an accessory structure to an accessory dwelling.
- C. **Types:** An accessory dwelling may be permitted on a lot only if the primary structure (primary dwelling) is owner-occupied.
  - 1. *Permitted:* An accessory dwelling shall include a guest house, mother-in-law suite, or any single dwelling unit.
  - 2. *Prohibited:* A mobile home, manufactured home, recreational vehicle, semi-tractor trailer, boat, motor vehicle, or trailer; in part, in whole, or of the like, shall not be permitted as an accessory dwelling.
- D. **Relationship:**
  - 1. *Use:* An accessory dwelling shall be accessory to the primary structure (primary dwelling).
  - 2. *Timing:* An accessory dwelling shall not be built on a lot prior to the construction of the primary structure (primary dwelling).
- E. **Quantity and Size:**
  - 1. *Maximum Number:* No more than one (1) accessory dwelling shall be permitted on a lot, and it shall consist of one (1) unit.
  - 2. *Maximum Size:* An accessory dwelling shall be a minimum of 800 square feet, but shall not exceed the square footage of the primary structure (primary dwelling).
- F. **Design:**
  - 1. *Attachment:* The accessory dwelling may be attached to or detached from the primary structure (primary dwelling).
  - 2. *Minimum Components:* The accessory dwelling shall contain bathroom, kitchen, and sleeping facilities.
  - 3. *Driveway:* An accessory dwelling shall utilize the driveway of the primary structure (primary dwelling).
  - 4. *Parking:* Off-street parking for an accessory dwelling shall comply with requirements for a dwelling unit in *Parking Standards (PK)*.
  - 5. *Utilities:* An accessory dwelling shall utilize the utility connections that serve the primary structure (primary dwelling).
  - 6. *Home Business:* For the purpose of a home business, an accessory dwelling shall be considered a dwelling, not an accessory structure. Therefore, a home business that complies with the *Home Business Standards (HB)* may be conducted within an accessory dwelling.
  - 7. *Exemptions:* An accessory dwelling shall be exempt from complying with the *Architectural Standards (AR)*.

## Accessory Dwelling Standards (AD)

---

8. *Accessory Structures:*
  - a. For the purpose of accessory structures, an accessory dwelling shall be considered accessory to the primary structure (primary dwelling). The accessory dwelling shall not be permitted to have its own accessory structures; all accessory structures on the lot shall be considered accessory to the primary structure (primary dwelling).
  - b. Accessory dwellings shall not count towards the maximum number and maximum size standards for accessory structures included in *Accessory Structure Standards (AS)*.
9. *Physical Appearance:* The exterior finish and facade of any accessory dwelling shall match, closely resemble, or significantly complement the materials and colors used on the primary structure (primary dwelling).

## 5.04 AS-01: General Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The intent of the Accessory Structure Standards is to permit accessory structures that meet the needs of property owners while ensuring neighborliness and aesthetic quality. These Accessory Structure Standards also protect the health, safety, and welfare of the residents within the zoning jurisdiction of the City. The following standards apply:

- A. **Cross Reference:** Some structures are regulated independent of the Accessory Structure Standards. The following types of structures are regulated in other sections.
  - 1. *Accessory Dwelling:* See *Accessory Dwelling Standards (AD)*.
  - 2. *Fences and Walls:* See *Fence and Wall Standards (FW)*.
  - 3. *Signs:* See *Sign Standards (SI)*.
  - 4. *Storage Tanks:* See *Storage Tank Standards (SR)*.
  - 5. *Swimming Pools:* Swimming pools shall meet the regulations within these Accessory Structure Standards sections and the Indiana Administrative Code (*675 IAC 20: Swimming Pool Code*).
  - 6. *Telecommunication Facilities:* See *Telecommunication Facility Standards (TC)*.
  - 7. *Trash Receptacles:* See *Trash Receptacle Standards (TR)*.
- B. **Applicability:**
  - 1. *Minimum Front Yard Setback:* The minimum front yard setback shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 2. *Minimum Side Yard Setback:* The minimum side yard setback shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 3. *Minimum Rear Yard Setback:* The minimum rear yard setback shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 4. *Maximum Structure Height:* The maximum structure height shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
- C. **Permits:** An Improvement Location Permit shall be required prior to installation or construction of an accessory structure. In circumstances where a permit is not required, the accessory structure shall still meet all applicable Accessory Structure Standards.
- D. **Types:**
  - 1. *Prohibited Accessory Structures:*
    - a. A mobile home, manufactured home, recreational vehicle, semi-tractor trailer, boat, motor vehicle, or trailer; in part, in whole, or of the like, shall not be permitted as an accessory structure.
    - b. Portable On Demand Storage (PODS) units shall not be permitted as a permanent accessory structure. See *Temporary Use and Structure Standards (TU)*.
- E. **Maintenance:** All accessory structures shall be properly maintained and kept in good condition.

## Accessory Structure Standards (AS)

### 5.05 AS-02: Parks and Recreation and Agricultural Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The following standards apply:

A. Types:

1. *Storage-based*: Storage-based accessory structures shall be permitted. Storage-based accessory structures shall include barns, boat houses, carports, detached garages, greenhouses, mini-barns, pole structures, 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 the primary structure or without the existence of the primary structure.

C. Quantity: No more than ten (10) storage-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.

D. Location: Storage-based and recreation-based accessory structures shall only be permitted in side yards and rear yards with the following exceptions:

1. *Basketball Goals*: A basketball goal along a driveway or mounted on the garage shall not be considered a sport court. However, a basketball goal shall meet the front yard setback requirement.
2. *Detached Garage*: A detached garage may be placed forward of a primary structure, but only if it is side loading and to the side of the primary structure's facade.

## 5.06 AS-03: Estate Residential Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:

**ER**

The following standards apply:

A. Types:

1. *Storage-based*: Storage-based accessory structures shall be permitted. Storage-based accessory structures shall include barns, boat houses, carports, detached garages, greenhouses, mini-barns, pole structures, 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.
2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:

1. *Maximum Number*: No more than three (3) storage-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.
2. *Maximum Size*: The cumulative square footage of all storage-based accessory structures shall not exceed 200% of the area of the footprint of the primary structure.

D. Materials: The exterior finish and facade of all storage-based accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: Storage-based and recreation-based accessory structures shall only be permitted in side yard and rear yards with the following exceptions:

1. *Basketball Goals*: A basketball goal along a driveway or mounted on the garage shall not be considered a sport court. However, a basketball goal shall meet the front yard setback requirement.
2. *Detached Garage*: A detached garage may be placed forward of a primary structure, but only if it is side loading, footprint of less than 700 square feet and to the side of the primary structure's facade.

## Accessory Structure Standards (AS)

### 5.07 AS-04: Residential Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:

**R1 R2 R3 TR M1**

The following standards apply:

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.
2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:

1. *Maximum Number*: No more than two (2) storage-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.
2. *Maximum Size*: The cumulative square footage of all storage-based accessory structures shall not exceed one hundred percent (100%) of the area of the footprint of the primary structure.

D. Materials: The exterior finish and facade of all storage-based accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: Storage-based and recreation-based accessory structures shall only be permitted in side and rear yards with the following exceptions:

1. *Basketball Goals*: A basketball goal along a driveway or mounted on the garage shall not be considered a sport court. However, a basketball goal shall meet the front yard setback requirement.
2. *Detached Garage*: A detached garage shall not be placed forward of a primary structure.
3. *Vehicular Access off Alley*: Any accessory structure with vehicular access off an alley shall be set back at least twenty (20) feet off the alley.

## 5.08 AS-05: Multiple-family Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:

**M2**

The following standards apply:

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. Quantity: No more than four (4) support-based accessory structures shall be permitted for any development. There is no limit on storage-based accessory structures.

D. Materials: The exterior finish and facade of all accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: Support-based and storage-based accessory structures are not restricted to any specific yards.

# Accessory Structure Standards (AS)

## 5.09 AS-06: Manufactured Home Residential Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The following standards apply:

### A. Types:

1. *Support-based:* Support-based accessory structures shall be permitted. Support-based accessory structures shall include a management office, sales office, maintenance facility, indoor fitness room, indoor and outdoor sport courts, indoor and outdoor swimming pool, indoor and outdoor play equipment, enclosed vending, laundry, emergency storm shelter, 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 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 for dwelling sites.
3. *Recreation-based:* Recreation-based accessory structures in the form of decks and ground-mounted satellite dishes shall be permitted for dwelling sites. However, decks and covered porches shall not be attached to manufactured or mobile home dwelling.

### 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 and Recreation-based:* Storage-based accessory structures and recreational-based accessory structures shall not be installed or built on a dwelling site prior to the construction or installation of a dwelling unit.

### C. Quantity and Size:

1. *Maximum Number per Development:* No more than four (4) support-based accessory structures shall be permitted for every 100 dwelling sites within the development. There is no limit on recreation-based accessory structures.
2. *Maximum Number 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. Materials: The exterior finish and facade of all accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure with which it is associated.

### E. Location: Storage-based and recreation-based accessory structures shall only be permitted in side yards and rear yards with the following exception:

1. *Basketball Goals:* A basketball goal along a driveway or mounted on the garage shall not be considered a sport court. However, a basketball goal shall meet the front yard setback requirement.

## 5.10 AS-07: Institutional Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The following standards apply:

### A. Types:

1. *Support-based*: Support-based accessory structures shall be permitted. A support-based accessory structure shall include a maintenance facility, mechanical structure, freestanding canopy, stand-alone restroom facilities, storage building, enclosed vending, kiosk, or structures used in support of the primary structure.
2. *Recreation-based*: Recreation-based accessory structures shall be permitted. A recreational-based accessory structure shall include a deck, fountains, pavilion, picnic shelter, public art display, sport courts, terrace, playground equipment or other structures that add a recreational element to the primary use of the land.

### B. Relationship:

1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of a primary structure.

### C. Quantity and Size: Up to eight (8) support-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.

### D. Materials: The exterior finish and facade of all accessory structures shall match, closely resemble, or significantly complement the character of the district.

### E. Location: Support-based and recreation-based accessory structures shall only be permitted in side yards and rear yards; and shall not be placed forward of a primary structure.

## Accessory Structure Standards (AS)

### 5.11 AS-08: Downtown Commercial Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The following standards apply:

A. Types:

1. *Support-based*: Support-based accessory structures shall be permitted for non-residential uses. Support-based accessory structures shall include a storage building, refrigeration or freezer unit, mechanical structure, or other structure used in support of the primary structure.
2. *Recreation-based*: Recreation-based accessory structures shall be permitted for non-residential uses. Recreation-based accessory structures shall include a deck, fountain, pavilion, public art display, terrace, or other structures that add a recreational element to the primary structure that is consistent with the intent of the district.
3. *Prohibited*: Accessory structures for residential uses 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 specific primary use.
2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

C. Quantity and Size:

1. *Maximum Number*: One (1) support-based accessory structure shall be permitted on a lot. There is no limit on recreation-based accessory structures.
2. *Maximum Size*: A support-based accessory structure shall not exceed 500 square feet in area or five percent (5%) of the area of the footprint of the primary structure, whichever is larger.

D. Materials: The exterior finish and facade of any accessory structure shall match, closely resemble, or significantly complement the materials and color used on the primary structures and in the district.

E. Location: Support-based and recreation-based accessory structures shall only be permitted in side yards and rear yards; and shall not be placed forward of a primary structure.

## 5.12 AS-09: Neighborhood Commercial Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:

**C1**

The following standards apply:

### A. Types:

1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include a storage building, refrigeration or freezer unit, freestanding canopy, mechanical structure, or other structure used in support of the primary structure.
2. *Recreation-based*: Recreation-based accessory structures shall be permitted. A recreational-based accessory structure shall include a deck, terrace, play equipment, or other structures that add a recreational element to the primary structure that is consistent with the intent of the district.

### B. Relationship:

1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structure.

### C. Quantity and Size:

1. *Maximum Number*: No more than two (2) support-based accessory structure shall be permitted on a lot. There is no limit on recreation-based accessory structures.
2. *Maximum Size*: The cumulative square footage of all storage-based accessory structures shall not exceed 800 square feet in area or ten percent (10%) of the area of the footprint of the primary structure, whichever is greater.

D. Materials: The exterior finish and facade of all accessory structures greater than 200 square feet in area shall match, closely resemble, or significantly complement the materials and colors used on the primary structure.

E. Location: Support-based and recreation-based accessory structures shall only be permitted in side yards and rear yards; and shall not be placed forward of a primary structure.

## 5.13 AS-10: General Commercial Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:

**C2**

The following standards apply:

### A. Types:

1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include a maintenance facility, mechanical structure, freestanding canopy, storage building, refrigeration or freezer unit, or other structures used in support of the primary structure.
2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include a deck, fountain, pavilion, picnic shelter, public art display, sport court, terrace, play equipment, or other structures that add a recreational element to the primary use of the land.

### B. Relationship:

1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
2. *Timing*: An accessory structure shall not be permitted prior to the construction of a primary structure.

C. Quantity: No more than four (4) support-based accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.

D. Materials: The exterior finish and facade of all accessory structures over 200 square feet in area shall match, closely resemble, or significantly complement the materials and color used on the primary structures.

E. Location: Support-based and recreation-based accessory structures shall only be permitted in side yards and rear yards; and shall not be placed forward of a primary structure.

## Accessory Structure Standards (AS)

### 5.14 AS-11: Industrial Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The following standards apply:

A. Types:

1. *Support-based*: Support-based accessory structures shall be permitted. Support-based accessory structures shall include a cooling tower, maintenance facility, mechanical structure, storage building, water tower, or other structures used in support of the primary structure.
2. *Recreation-based*: Recreation-based accessory structures shall be permitted. Recreation-based accessory structures shall include a deck, fountain, pavilion, picnic shelter, public art display, sport court, terrace, play equipment, or other structures that add a recreational element to the primary use of the land.

B. Relationship:

1. *Use*: An accessory structure shall relate to the primary use of the land and be solely used in connection with the specific primary use.
2. *Timing*: An accessory structure shall not be installed or built on a lot prior to the construction of the primary structures.

C. Quantity: No more than eight (8) accessory structures shall be permitted on a lot. There is no limit on recreation-based accessory structures.

D. Materials: The exterior finish and facade of all accessory structures over 200 square feet in area shall match, closely resemble, or significantly complement the materials used on the primary structures.

E. Location: Support-based and recreation-based accessory structures shall only be permitted in side yards and rear yards.

F. Open Side Orientation: Support-based accessory structures may have one (1) open side if the open side faces an existing structure and is not visible from any public right-of-way.

## 5.15 AR-01: Residential and Neighborhood Commercial Architectural Standards

This Architectural Standards section applies to the following districts:



The intent of the Architectural Standards is to protect the health, safety, and welfare of the residents of the City by maintaining the community's character and improving the quality of life within the zoning jurisdiction of the City. The following standards apply:

- A. Project Applicability: Architectural details consistent with the requirements of this Unified Development Ordinance shall be required when an Improvement Location Permit for a new primary structure is obtained.
- B. Architectural Elements:
  - 1. *Front Facade*: The front facade of single-family and two-family dwellings shall be parallel or thirty degrees (30°) of parallel to the street to which the dwelling gains primary access, except as described below:
    - a. On corner lots, the front facade may face either street.
    - b. A single-family dwelling that is setback 200 feet or more from the street to which the dwelling gains primary access may orient the front facade up to ninety degrees (90°) from parallel to that street.
  - 2. *Roof*:
    - a. The minimum pitch shall be five vertical units to twelve horizontal units (5:12 pitch).
    - b. Single-family and two-family dwellings shall have eaves or overhangs a minimum of nine (9) inches from the facade's siding material on at least eighty percent (80%) of the roof line. The eave or overhang shall be measured after the installation of masonry.
  - 3. *Garages*:
    - a. A one-car, attached garage shall be required for all single-family dwellings, and a one-car attached garage shall be required for each unit in a two-family dwelling.
    - b. Front loading garages shall be limited to three vehicle access. For corner lots, front loading garages facing the street in which the dwelling derives its address shall be limited to three vehicle access.
  - 4. *Mechanical Equipment*: Mechanical equipment, central air conditioner units located on the ground, propane tanks, and the like shall not be located in front of the front facade. On corner lots this standard applies to each facade that faces a street.

## Architectural Standards (AR)

### 5.16 AR-02: Traditional Residential Architectural Standards

This Architectural Standards section applies to the following districts:



The following standards apply:

- A. Project Applicability: Architectural details consistent with the requirements of this Unified Development Ordinance shall be required when an Improvement Location Permit for a new primary structure is obtained.
- B. Architectural Elements:
  1. *Front Facade*: The front facade of single-family and two-family dwellings shall be parallel or up to thirty degrees (30°) of parallel to the street to which the dwelling gains primary access, except as described below:
    - a. On corner lots, the front facade may face either street.
    - b. A single-family dwellings that is setback 200 feet or more from the street to which the dwelling gains primary access may orient the front facade up to ninety degrees (90°) from parallel to that street.
  2. *Roof*:
    - a. The minimum pitch shall be five vertical units to twelve horizontal units (5:12 pitch).
    - b. Single-family and two-family dwellings shall have eaves or overhangs a minimum of nine (9) inches from the facade's siding material on at least eighty percent (80%) of the roof line. The eave or overhang shall be measured after the installation of masonry.
  3. *Garages*:
    - a. A one-car garage, attached or detached, shall be required for all single-family dwellings, and a one-car attached garage shall be required for each unit in a two-family dwelling.
    - b. Front-loading garages shall not be located in front of the main living area of the dwelling by more than four (4) feet.
    - c. Front loading garages shall be limited to two vehicle access. For corner lots, front loading garages facing the street in which the dwelling derives its address shall be limited to two vehicle access. Garages facing alleys are not considered front loading.
- C. Mechanical Equipment: Mechanical equipment, central air conditioner units located on the ground, propane tanks, and the like shall not be located in front of the front facade. On corner lots this standard applies to each facade that faces a street.

## 5.17 AR-03: Downtown Commercial Architectural Standards

This Architectural Standards section applies to the following districts:



The following standards apply:

- A. **Project Applicability:** Architectural details consistent with the requirements of this Unified Development Ordinance shall be required when renovations or new construction necessitate a Building Permit. Only building components that are being renovated shall be subject to these standards (eg. a new door does not necessitate an awning be brought into compliance.)
- B. **Renovation Projects**
  1. **Storefronts:**
    - a. Maintain and repair original commercial storefronts including large glass display windows with bulkheads, transoms, kick plates/knee walls, and side light windows.
    - b. When maintenance and restoration is not possible, replacement storefront elements shall match original components using historical documentation to guide the design of replacement elements.
  2. **Entries and Doors:**
    - a. The original primary entrance shall be retained including details such as transoms and side light windows.
    - b. Recessed entries shall not be altered in depth.
    - c. When modifications have been made, a new entry door shall be designed to match the original opening in size, scale, and materials.
  3. **Windows and Window Framing:**
    - a. Encourage the preservation and maintenance of historic windows. If repair is not feasible, an original window shall be replaced with a window of similar design.
    - b. Window openings and configurations (size, shape, dimensions, and rhythm) shall be retained. All replacement windows shall retain the placement, method of operation, and arrangement of glass panes.
    - c. Clear window glazing that conveys the visual appearance of historic glazing shall be required. (Transparent low-e glass is recommended.) Mirrored glass shall be prohibited.
    - d. Replacement windows shall be wood, vinyl, or anodized aluminum and shall compliment the color scheme of the façade.
    - e. Encourage the restoration of historic window openings that have been altered when the façade containing the windows is part of an overall renovation project.
  4. **Exterior Materials:**
    - a. Repair of original building materials is encouraged and preferred.
    - b. When exterior materials are beyond repair, remove and replace only damaged materials. Repair materials shall match original materials in character, texture, scale, and size.
  5. **Awnings:**
    - a. Awning design and color shall be complementary to the character of the building.
    - b. Awnings shall not cover up or conceal significant architectural details, transom lights, or decorative millwork.
    - c. Awnings shall allow for appropriate clearances from the sidewalks and not impede pedestrian movements.
  6. **Façade Lighting:**
    - a. When possible, original light fixtures should be retained; replacement fixtures should be similar in appearance, material and scale to the original or should be compatible with the historic character of the building. Spacing patterns between light fixtures should be retained as much as possible.
    - b. Light should be directed toward signage, entrances or building features. General floodlighting of any exterior building surface shall not be permitted.
  7. **Roof and Roof Elements:**
    - a. Original shape and materials of historic roofs and parapets shall be retained whenever possible. The roof line and orientation of the roof as seen from a street shall be maintained. When roof is visible from a street, replacement roof materials shall be similar in scale, texture, finish, and color to traditional materials. Roofs that are not visible from a street may be of any suitable material.
    - b. Mechanical and service equipment shall be installed where it cannot be seen from the street.

- c. Gutters and downspouts shall be directed to discharge away from the building foundation and be secured to the building to prevent damage to architectural features.
  - d. Original stone or tile coping (found in parapet walls) shall be retained. If it is not feasible to retain existing coping, replacement coping shall match in character, color, size, scale, and texture to the original coping.
  - e. Balconies may be installed off of second or third floors of buildings, but shall be compatible with the historic character of the building.
  - f. Roof top decks may be installed provided they do not interfere with street level activities and are closed by 10 PM on Sunday through Thursday and midnight on Friday and Saturday.
  - g. Signs shall be permitted on rooftops in accordance with *Sign Standards (SI)*.
- C. New Construction and Building Additions
- 1. *Setbacks and Orientation:*
    - a. New construction shall match the setbacks of adjacent buildings. In traditional commercial areas, new buildings shall be positioned at the sidewalk edge, maintaining a uniform street wall.
    - b. In former residential areas, new structures shall be placed within the established range of front yard setbacks on the block at the discretion of the Department of Building, Planning, and Development.
  - 2. *Building Mass, Scale, and Height:*
    - a. Widths of newly constructed buildings shall reflect the established range of traditional widths of buildings within the district. If a building must exceed traditional building widths, façades designed to appear as multiple facades are encouraged.
    - b. New construction shall convey the traditional size and scale of historic buildings as it is perceived at the street level.
    - c. The height of new construction shall be compatible with the average downtown building.
  - 3. *Primary Entrances and Façade Openings:*
    - a. Primary entrances shall be oriented towards the street and have a strong sense of entry similar to the location, size, and type in historic buildings. Recessed entries are encouraged; exterior doors shall not swing into the path of a public sidewalk.
    - b. The rhythm and ratio of openings to wall surface should reflect that found on adjacent and surrounding historic buildings. Storefront proportions of glass shall be consistent with surrounding historic buildings, and large surfaces of glass on street facades of upper floors shall not be permitted.
  - 4. *Materials and Features:*
    - a. Exterior materials shall compliment or match those used on adjacent buildings. New buildings shall be faced with traditional materials found within the district including, but not limited to brick, limestone, and wood/hardi-plank siding. New materials may be considered if they are similar in character and detailing to traditional materials.
    - b. Vinyl siding and highly reflective materials (such as mirrored glass) shall not be permitted.
    - c. Low quality trim materials such as anodized aluminum and vinyl shall not be used for window and/or door trim.
    - d. Awnings shall meet the awning standards for Renovation Projects in *Section 5.17 (B) (5) Awnings*.
  - 5. *Building Additions:*
    - a. New additions shall respect the historic character and features.
    - b. Only rear and side additions shall be permitted.
    - c. Additions shall be subordinate to the existing building.
    - d. Additions shall minimize damage to existing historic components of the building, including walls, roofs, and architectural details.

## 5.18 AR-04: Commercial Architectural Standards

This Architectural Standards section applies to the following districts:



The following standards apply:

- A. Project Applicability: Architectural details consistent with the requirements of this Unified Development Ordinance shall be required when an Improvement Location Permit for a new primary structure is obtained.
- B. Architectural Features:
  - 1. *Facades*:
    - a. Any facade that faces a right-of-way shall be finished to a standard similar to the architectural quality of the front facade, including building materials, architectural detail, windows, and faux windows.
    - b. Long facades (30 feet or greater) or large areas (420 square feet or greater) of a facade without visual relief shall not be permitted. Visual relief may include a faux window, column, a change in materials, or any change of the plane of the facade.
  - 2. *Entries*: A building greater than 15,000 square feet in area shall have clearly defined, highly visible customer entrances with at least two (2) of the following features:
    - a. Canopies or porticos.
    - b. Overhangs.
    - c. Arcades.
    - d. Raised corniced parapets over the door.
    - e. Peaked roof forms.
    - f. Arches.
    - g. Outdoor patios.
    - h. Architectural details such as tile work and moldings that are integrated into the building structure and design.
    - i. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
    - j. Columns.
    - k. Awnings.
    - l. Enframed window walls.
- C. Site Planning and Layout: Lineal or strip development shall incorporate variation in building height, building mass, roof forms, and changes in wall planes.

## Confined Feeding Standards (CF)

### 5.19 CF-01: General Confined Feeding Standards

This Confined Feeding Standards section applies to the following districts:



The intent of the Confined Feeding Standards is to protect the health, safety, and welfare of residents in the zoning jurisdiction of the City by regulating the placement and operation of confined feeding beyond standards required by State and federal agencies. The following standards apply:

- A. Minimum Distance from Existing Uses: All confined feeding facilities, including animal barns or sheds, lagoons, animal mortality facilities, parking areas, truck maneuvering areas, and accessory structures shall meet the following standards:
  1. *Residential*: The minimum separation to an existing residential use and/or residential zoning district shall be 5,000 feet measured from foundation to foundation.
  2. *Institutional*: The minimum separation to an existing institutional use and/or institutional zoning district shall be 5,000 feet measured from foundation to foundation.
  3. *Retail, Restaurant, or Entertainment Related Businesses*: The minimum separation to an existing retail, restaurant, or entertainment related business use and/or commercial zoning district shall be 5,000 feet measured from foundation to property line.

## 5.20 DI-01: General Density and Intensity Standards

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



The intent of the Density and Intensity Standards is to protect the health, safety, and welfare of residents through the establishment of maximum density and maximum land use intensity requirements. The following standards apply:

- A. **Project Applicability:** Any project requiring an Improvement Location Permit or Building Permit that increases impervious surface on a lot shall meet the Density and Intensity Standards of this Unified Development Ordinance.
- B. **General:** If a density or intensity standard does not appear on the two-page layout in *Article 02: Zoning Districts* for a zoning district, then a density or intensity standard shall not apply 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 02: Zoning Districts*.
  - 2. **Minimum Main Floor Area:** The minimum main floor area shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 3. **Maximum Main Floor Area:** The maximum main floor area shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 4. **Minimum Dwelling Unit Size:** The minimum dwelling unit size shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
  - 5. **Maximum Density:** The maximum density shall be as indicated on the applicable two-page layout in *Article 02: Zoning Districts*.
- C. **Lot Coverage Rules:** The cumulative area on a lot covered by structures, buildings, and surfaces that are impervious or semi-pervious.
  - 1. **100% Coverage:** The following shall count as 100% coverage on a lot: building footprints, swimming pools, non-porous concrete, non-porous asphalt and any other entirely impervious surface. Also, any interior space or impervious surface that projects away (e.g. cantilevered space) from a foundation shall count toward lot coverage.
  - 2. **75% Coverage:** The following shall count as 75% coverage on a lot: stepping stones, stone, brick pavers, porous concrete and porous asphalt.
  - 3. **50% Coverage:** The following shall count as 50% coverage on a lot: grass pavers.
  - 4. **0% Coverage:** The following shall not be considered impervious surfaces:
    - a. Retaining walls.
    - b. Surfaces constructed using wood or composite planks for decking (e.g. wood plank decks or private sidewalks).

# Driveway Standards (DW)

## 5.21 DW-01: General Driveway Standards

This Driveway Standards section applies to the following zoning districts:



The intent of the Driveway Standards is to ensure the placement of driveways protects the health, safety, and welfare of the residents within the zoning jurisdiction of the City. The following standards apply:

- A. **Project Applicability:** Any new or expanded access to a right-of-way intended for vehicular or farm equipment use shall be considered a driveway and shall meet the Driveway Standards of this 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 shall meet the applicable standards within the City of Auburn's Construction Standards.
  - 2. *Non-residential Limits:* Access to four (4) or more non-residential lots 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 Auburn's Construction Standards.
- B. **Cross Reference:**
  - 1. *Street Classification:* The classification of streets shall be based on the City of Auburn Thoroughfare Plan Map. In addition, all State and federal highways shall be designated arterial streets.
  - 2. *Construction Standards:* Driveways constructed within the zoning jurisdiction of the City shall meet or exceed the City of Auburn's Construction Standards.
- C. **Permits:** An Excavation Permit from the City of Auburn shall be required for all driveway cuts into rights-of-way or onto public streets within the zoning jurisdiction of the City. The Auburn Street Superintendent reviews each Excavation Permit and the Department of Building, Planning and Development issues the Excavation Permit.
  - 1. *State and Federal Highways:* An Indiana Department of Transportation permit shall be required in lieu of the City of Auburn's Excavation Permit for all driveway cuts onto State or federal highways.
  - 2. *Extra-Territorial Jurisdiction:* Written approval from the DeKalb County Highway Department shall be required in lieu of the City of Auburn's Excavation Permit for all driveway cuts onto public streets within the City's extra-territorial jurisdictional area.
- 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 pavement to the other edge of the pavement at the right-of-way line of the street to which the driveway gains access.
- E. **Depressed Curb:** Installation of a depressed curb in new or expanded driveways is encouraged.

- F. **Positioning:**
  - 1. **Alignment:** The centerline of two (2) driveways for non-residential development accessing an arterial or collector street from opposite sides of the street shall align with each another, or shall meet the 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:** The Zoning Administrator, the Director of Engineering, or the Street Superintendent may deny a proposed driveway location or require additional separation due to other safety concerns, including but not limited to width of the right-of-way, 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.
- G. **Discretion:** The Zoning Administrator, Director of Engineering, or Routing Committee 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 *Public Improvement Standards (PI)*.

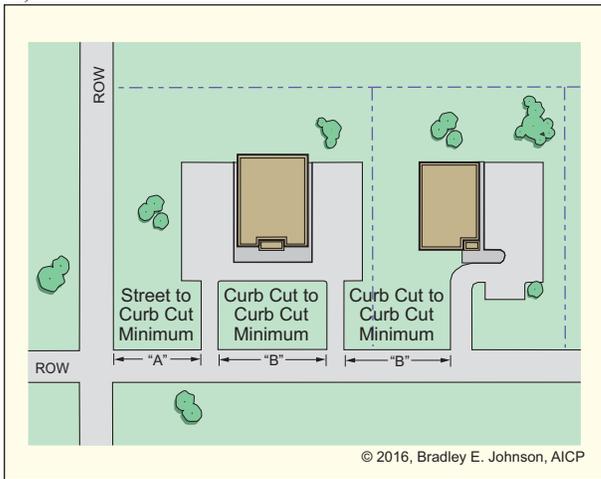
## 5.22 DW-02: Agricultural Driveway Standards

This Driveway Standards section applies to the following zoning districts:



The following standards apply:

- A. **Separation:** A driveway shall not be permitted to be installed within 100 feet of any intersecting street (see “A” below).



- B. **Materials:** Asphalt, concrete, other non-porous materials, or gravel shall be acceptable driveway surface materials.

## Driveway Standards (DW)

### 5.23 DW-03: Residential Driveway Standards

This Driveway Standards section applies to the following zoning districts:

**ER R1 R2 R3 TR M1 MF**

The following standards apply:

A. Separation:

1. *A driveway shall not be permitted to be installed within 30 feet of any intersecting street. If the lot is not large enough to achieve the required separation, then the driveway shall be installed at the location acceptable to the Zoning Administrator.*

B. Materials: Driveways shall consist of asphalt, concrete, pavers and/or other hard-surfaced material approved by the Zoning Administrator. Gravel or stone shall not be permitted.

C. Drainage: Driveways shall be designed and installed so there is no adverse affect from drainage onto adjacent property.

## 5.24 DW-04: Non-residential Driveway Standards

This Driveway Standards section applies to the following zoning districts:



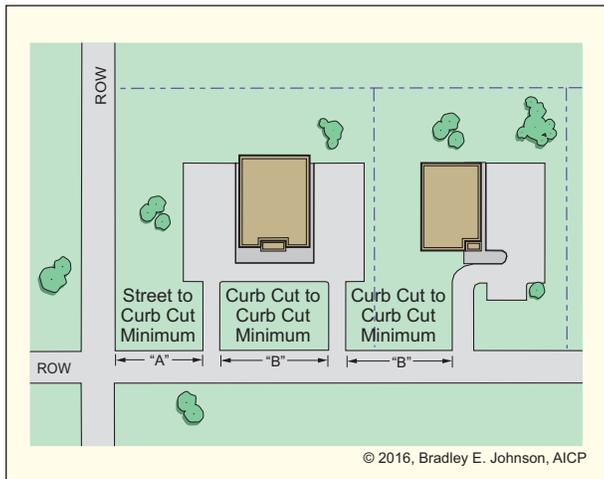
The following standards apply:

### A. Quantity:

1. One (1) driveway shall be permitted on lots with less than 400 feet of frontage on a public right-of-way.
2. Two (2) driveways shall be permitted on lots with frontage on a public right-of-way that is at least 400 feet, but less than 800 feet. The driveways shall meet the separation requirements.
3. Three (3) driveways shall be permitted on lots with frontage on a public right-of-way that is at least 800 feet, but less than 1,200 feet. The driveways shall meet the separation requirements.
4. Four (4) driveways shall be permitted on lots with frontage on a public right-of-way that is 1,200 feet or more. The driveways shall meet the separation requirements.

### B. 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).
  - b. Within 100 feet of any intersecting street if access is along a local street (see “A” below).
  - 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.
  - d. Under no circumstances shall a driveway be permitted within sixty (60) feet of any street intersection.
2. *Between Driveways on the Same Lot:* Two (2) or more driveways shall not be permitted to be installed within 250 feet if on the same lot (see “B” below).
3. *Between Driveways on Different Lots:* Two (2) or more driveways shall not be permitted to be installed within 100 feet of one another (see “B” below).



- C. **Width:** A driveway shall be at least nine (9) feet wide, but shall not exceed twelve (12) feet per lane and forty-two (42) feet in overall width.
- D. **Materials:** Driveways shall consist of asphalt, concrete, or other impervious material approved by the Zoning Administrator. Internal driveways may be stone or gravel in the PR, I2, and HI Districts at the discretion of the Zoning Administrator.
- E. **Setback:** Driveways shall be setback at least five (5) feet from side property lines.

# Environmental Standards (EN)

## 5.25 EN-01: General Environmental Standards

This Environmental Standards section applies to the following zoning districts:



The intent of the Environmental Standards is to protect the health, safety, and welfare of residents of the zoning jurisdiction of the City by providing for the protection of air, soil, and water quality on a local level. The following standards apply:

- A. Cross Reference: See *Storage Tank Standards (SR)*.
- B. Prohibitive Geology: A lot or portions thereof shall be unsuitable for structures when it contains any of the characteristics listed below. Structures may be permitted if an engineered site plan is submitted and approved by the Routing Committee. Such engineered site plan shall show and commit to adequate measures for erosion control; minimum site disturbance; soil stability for structural load; storm water management; aesthetic treatment of engineered structures; and final landscaping.
  - 1. *Slope*: Pre-development or post development slopes greater than twenty percent (20%).
  - 2. *Rock*: Adverse rock formations.
  - 3. *Soil*: Adverse soils.
  - 4. *Stability Limitations*:
    - a. Has a low loading rate.
    - b. Has a low weight-bearing strength.
    - c. Has any other feature which will significantly accelerate the deterioration of a structure or significantly reduce the structure's stability.
- C. Air Quality:
  - 1. *Generally*: A use shall not discharge fly ash, dust, smoke, vapors, noxious toxic or corrosive matter, or other air pollutants in such concentration as to conflict with public air quality standards or be detrimental to humans, animals, vegetation, or property.
  - 2. *Outdoor Burners*: Outdoor wood burning furnaces, corn burning furnaces, or any other detached device or standalone structure for the purpose of burning and/or providing heat or other energy to a residential structure and/or garage or outbuilding shall be prohibited.
- D. Soil and Water Quality:
  - 1. *Erosion Control*:
    - a. Developments shall be in compliance with the City of Auburn's Stormwater Management Ordinances. (See *Title XV: Chapter 160 Illicit Discharge and Connection to the Stormwater Drains within the City of Auburn; Chapter 161 Construction Site Stormwater Runoff; and Chapter 162 Post Construction Stormwater Control*.)
    - b. Developments shall be in compliance with the filing requirements for erosion control on construction sites as in Indiana Administrative Code 327-1 (Rule 5), when applicable.
    - c. Sedimentation in adjoining surfaces, drainage systems, and watercourses caused from the development of a lot or use shall not be permitted. If such sedimentation occurs, it shall be the responsibility of the owner of the developing lot or use to remove the sedimentation.
  - 2. *Fill*:
    - a. All fill materials shall be free of environmentally hazardous materials, and the Zoning Administrator or the City's MS4 Coordinator may request representative samples of the fill for testing purposes.
    - b. Fill that changes the final grade by more than twelve (12) inches or changes the drainage pattern of the area shall not be permitted without approval from the Zoning Administrator and Director of Engineering.
  - 3. *Production*: No use shall produce pollutants in such a quantity as to pollute soils, water bodies, adjacent properties, or conflict with public water standards.
  - 4. *Storage*: No use shall accumulate within the lot or discharge beyond the lot lines any waste, debris, refuse, trash, discarded construction materials, discarded appliances, scrap metals, or rotting wood that are in conflict with applicable public health, safety, and welfare standards unless expressly permitted by this Unified Development Ordinance.
  - 5. *Disposal*: No waste materials such as garbage, rubbish, trash, construction material, gasoline, oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature that it may contaminate, pollute, or harm the waters or soils shall be deposited, located, stored, or discharged on any lot unless expressly permitted by this Unified Development Ordinance.

- E. Environmental Feature Protective Setback: Primary structures, accessory dwellings, storage-based accessory structures, and support based-accessory structures shall be at least a twenty-five (25) feet from the delineated boundary of a wetland or the edge of the water at normal pool of a lake, pond, creek, stream, or river.
- F. Excavation Activities Within the Extra-Territorial Jurisdiction:
  - 1. Require the extraction of sand, gravel or other minerals when done below the ground water level to be done so with dragline, floating dredge, or alternative wet excavation method.
  - 2. Restrict de-watering of sites utilized for mining or extraction.
  - 3. Excavation sites shall not utilize anything other than clean natural earth fill materials to fill or alter the contour of the site. Construction debris shall not be considered clean natural fill.
  - 4. Restrict all fuel, oil, lubricant, hydraulic fluid, petroleum products or similar material from being stored on-site without fully being within a secondary containment area with 110% capacity to contain a 100% spill.
- G. Drainage Within the Extra-Territorial Jurisdiction:
  - 1. Projects shall be subject to review and approval of the DeKalb County Surveyor and/or DeKalb County Drainage Board.

# Fence and Wall Standards (FW)

## 5.26 FW-01: General Fence and Wall Standards

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

**PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**

The intent of the Fence and Wall Standards is to ensure neighborliness, visibility, and aesthetic quality; and to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City. The following standards apply:

A. Cross Reference:

1. *Vision Clearance:* Fences and walls shall meet all vision clearance standards in *Vision Clearance Standards (VC)*.
2. *Covenants:* Property owners within subdivisions are advised to investigate applicable Declaration of Covenants which may impose greater restrictions than are found in this Unified Development Ordinance. The stricter standard shall apply to lots with covenants.

B. Permits: An Improvement Location Permit shall be required prior to the installation of a fence or wall unless the fence meets one (1) of the exemptions below.

1. *Agricultural:* Containment fences for livestock or produce shall be exempt from obtaining an Improvement Location Permit, but shall still meet all the applicable Fence and Wall Standards.
2. *Privacy Partitions:* Privacy partitions located around decks and patios which do not exceed twenty-four (24) lineal feet shall be exempt from obtaining an Improvement Location Permit, but shall still meet all the applicable Fence and Wall Standards.

C. Positioning:

1. *Presentation:* Fences and walls shall present the non-structural face outward.
2. *Property Line:* Fences and walls shall be permitted on the property line, but if not on the property line are encouraged to be at least two (2) feet from the property line so both sides of the fence can be maintained by the owner of the fence.
3. *Easement:* No fence or wall shall be located within an easement unless a Utility Services Agreement is approved by the City of Auburn Board of Public Works and Safety or written permission from the easement holder has been granted.

D. Access: Containment fences four (4) feet in height or more shall include at least one (1) opening or operable gate.

E. Height Exemptions: Fences that surround sport courts shall be exempt from the maximum height regulations, but shall meet the applicable setback standards in *Article 02: Zoning Districts* for the Accessory Structure with which they are associated.

F. Maintenance: All fences and walls shall be properly maintained and kept in good condition.

## 5.27 FW-02: Parks and Recreation Fence and Wall Standards

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

**PR**

The following standards apply:

### A. Types:

1. *Permitted Materials:* Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, and landscape components shall be permitted materials for fences and walls. Vinyl-coated chain link, zinc-coated chain link, powder-coated chain link, and galvanized chain link shall only be permitted materials for fences and walls that surround swimming pools, sport courts, playgrounds, neighborhood parks, or similar recreational amenities.
2. *Prohibited Materials:* Fences and walls shall not incorporate barbed wire, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials.

### B. Location:

1. *Front Yards:* Only fences that are decorative in nature, do not serve as an enclosure, and are three (3) feet or less in height shall be permitted in front yard, except in neighborhood parks.
2. *Side and Rear Yards:* Fences and walls shall be permitted in side and rear yards.

### C. Height:

1. *Front Yards:* Fences and walls shall not exceed three (3) feet in height, except in neighborhood parks.
2. *Side and Rear Yards:* Fences and walls shall not exceed six (6) feet in height.

## 5.28 FW-03: Agricultural Fence and Wall Standards

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

**AG AC**

The following standards apply:

### A. Types:

1. *Permitted Materials:* Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl-coated chain link, zinc-coated chain link, powder-coated chain link, galvanized chain link, and landscape components shall be permitted materials for fences and walls. Chicken wire, wire mesh, agricultural wire, and fences that incorporate barbed wire or above ground electrified wires shall only be permitted materials for fences that are used for the containment of livestock or to surround fields.
2. *Prohibited Materials:* Fences and walls shall not incorporate razor wire, glass, sharpened top spikes, or other similarly hazardous materials.

### B. Location:

1. *Front Yards:* Fences and walls shall be permitted in the front yard if one (1) of the following conditions is met.
  - a. The fence or wall is decorative in nature, does not serve as an enclosure, and is three (3) feet or less in height.
  - b. The fence is for the containment of livestock.
  - c. The fence is around a field.
2. *Side and Rear Yards:* Fences and walls shall be permitted in side and rear yards.

### C. Height:

1. *Front Yards:* Fences and walls shall not exceed three (3) feet in height; except containment fences and fences around fields shall not exceed (6) feet in height within the front yard.
2. *Side and Rear Yards:* Fences and walls shall not exceed eight (8) feet in height.

## Fence and Wall Standards (FW)

### 5.29 FW-04: Residential Fence and Wall Standards

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

**ER R1 R2 R3 TR M1 M2 MH**

The following standards apply:

A. Types:

1. *Permitted Materials:* Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl-coated chain link, zinc-coated chain link, powder-coated chain link, galvanized chain link, and landscape components 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.

B. Location:

1. *Front Yards:* Only fences that are decorative in nature, do not serve as an enclosure, and are three (3) feet or less in height shall be permitted in the front yard.
2. *Side and Rear Yards:* Fences and walls shall be permitted in side and rear yards.

C. Height:

1. *Front Yards:* Fences and walls shall not exceed three (3) feet in height.
2. *Side and Rear Yards:* Fences and walls shall not exceed six (6) feet in height.

### 5.30 FW-05: Institutional and Commercial Fence and Wall Standards

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

**IS C1 C2**

The following standards apply:

A. Types:

1. *Permitted Materials:* Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl-coated chain link, zinc-coated chain link, powder-coated chain link, galvanized chain link, and landscape component shall be permitted materials for fences and walls.
2. *Prohibited Materials:* Fences and walls shall not incorporate chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, concrete jersey barriers, barbed wire, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials.

B. Location:

1. *Front Yards:* Fences and walls shall not be permitted in front yards and in front of the primary structure.
2. *Side and Rear Yards:* Fences and walls shall be permitted in side and rear yards.

C. Height: Fences and walls shall not exceed six (6) feet in height.

## 5.31 FW-06: Downtown Commercial Fence and Wall Standards

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



The following standards apply:

### A. Types:

1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, and landscape components shall be permitted materials for fences and walls.
2. *Prohibited Materials*: Fences and walls shall not incorporate chain link, chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, concrete jersey barriers, barbed wire, above ground electrified wires, razor wire, glass, sharpened top spikes, or similarly hazardous materials.

### B. Location:

1. *Front Yards*: Fences and walls shall not be permitted in front of the primary structure.
2. *Side and Rear Yards*: Fences and walls shall be permitted in side and rear yards.

### C. Height: Fences and walls shall not exceed six (6) feet in height.

## 5.32 FW-07: Industrial and High Impact Fence and Wall Standards

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



The following standards apply:

### A. Types:

1. *Permitted Materials*: Wood, composite wood, stone, masonry, wrought iron, decorative metal, PVC, vinyl-coated chain link, zinc-coated chain link, powder-coated chain link, galvanized chain link, and landscape components shall be permitted materials for fences and walls.
2. *Prohibited Materials*: Fences and walls shall not incorporate chicken wire, mesh wire, agricultural wire, metal or plastic slats within chain links, above ground electrified wires, glass, sharpened top spikes, or similarly hazardous materials. While barbed wire and razor wire are generally not permitted materials, the Zoning Administrator may permit the use of barbed wire and razor wire in special circumstances when deemed necessary for the protection of public health and/or safety (i.e. prison).

### B. Location:

1. *Front Yards*: Fences and walls shall not be permitted in front yards.
2. *Side and Rear Yards*: Fences and walls shall be permitted in side and rear yards.

### C. Height: Fences and walls shall not exceed eight (8) feet in height.

# Floodplain Standards (FP)

## 5.33 FP-01: General Floodplain Standards

This Floodplain Standards section applies to the following zoning districts:

**PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**

See the City of Auburn Floodplain Hazard Area Ordinance as adopted and amended. A copy of the official ordinance can be viewed in *Appendix B*.

## 5.34 FA-01: General Floor Area Standards

This Floor Area Standards section applies to the following zoning districts:



The intent of the Floor Area Standards is to protect the health, safety, and welfare of residents and community character through the establishment of minimum floor area requirements. The following standards apply:

- A. Applicability: If a floor area standard does not appear on the two-page layout for a zoning district, then a standard does not apply to that particular zoning district.
  1. *Minimum Main Floor Area*: The minimum main floor area shall be per each two-page layout in *Article 02: Zoning Districts*.
  2. *Maximum Main Floor Area*: The maximum main floor area shall be per each two-page layout in *Article 02: Zoning Districts*.
  3. *Minimum Dwelling Unit Size*: The minimum dwelling unit size shall be per each two-page layout in *Article 02: Zoning Districts*.

# Height Standards (HT)

## 5.35 HT-01: General Height Standards

This Height Standards section applies to the following zoning districts:



The intent of the Height Standards is to ensure adequate fire and life safety protection for taller structures, and to protect the health, safety, and welfare of the residents in the zoning jurisdiction of the City. The following standards apply:

- A. Cross Reference: See *Telecommunication Facilities Standards (TC)*.
- B. Applicability: If a height standard does not appear on the two-page layout for a zoning district, then a standard does not apply to that particular zoning district.
  - 1. *Primary Structure*: The maximum height for primary structures shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 2. *Accessory Structure*: The maximum height for accessory structures shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 3. *Exceptions*: The following types of structures or features shall be exempt or partially exempt from the maximum structure height standards, assuming they are permitted uses or structural features, as stated:
    - a. Grain elevators and grain silos used for agricultural purposes may exceed the maximum structure height but shall not exceed 150 feet in height.
    - b. Church steeples, bell towers, and religious symbols may exceed the maximum structure height but shall not exceed 200% of the height of the primary structure.
    - c. Functional chimneys may exceed the maximum structure height but shall not extend more than ten (10) feet above the roof's highest point.
    - d. Awnings shall be constructed to allow clear passage beneath the awning. Specifically, no fabric, structure component, decorative element, or the like shall be less than eight (8) feet above the surface beneath the awning.
    - e. Public utility structures and private water towers may exceed the maximum structure height, but shall not exceed one hundred fifty (150) feet.
    - f. Roof-mounted antennas that are not located on the front roof plane may exceed the maximum structure height, but shall not exceed five (5) feet over the maximum primary structure height or ten (10) feet above the primary structure's height, whichever is less.
    - g. Pole-mounted antennas located in a rear yard may exceed the maximum structure height but shall not exceed twenty (20) feet over the maximum primary structure height or thirty (30) feet above the primary structure's height, whichever is less.
    - h. Roof-mounted mechanical equipment including solar and alternate energy devices and elevator bulkheads, may exceed the maximum structure height but shall not extend any more than fifteen (15) feet above the roof's highest point; provided that it is architecturally integrated into the building's features or is generally screened from view by an architectural enclosure, parapet, or similar feature. Industrial uses shall be exempt from the integration and screening requirement.
    - i. Flagpoles may exceed the maximum structure height, but shall not exceed forty (40) feet or the height of the primary structure, whichever is greater.
    - j. Ham radio towers shall be exempt from the maximum structure height if the ham radio tower is located on a lot owned by a ham radio operator that has a valid and active license from the Federal Communication Commission (FCC).
    - k. Decorative cupolas may exceed the maximum structure height, but shall not extend more than ten (10) feet above the highest point of the roof. Decorative cupolas shall not be accessible.

## 5.36 HB-01: Type 1 Home Business Standards

This Home Business Standards section applies to the following zoning districts:

**AG ER R1 R2 R3 TR M1 M2 MH IS DC C1**

The intent of the Home Business Standards is to ensure the protection of the health, safety, and welfare of the residents in the zoning jurisdiction of the City by allowing and regulating home-based businesses that have minimal impact on the residential character of neighborhoods. The following standards apply:

- A. Permits: An Improvement Location Permit for a type 1 home business shall not be required.
- B. Permissible Home Businesses:
  - 1. *Permitted*: A type 1 home business shall be limited to a home office, catalog business, telecommuting, professional services, or internet business.
  - 2. *Discretion*: Businesses not specifically listed above shall be interpreted by the Zoning Administrator as to whether the business shall be permitted as a type 1 home business.
- C. Personnel:
  - 1. *Residency*: The primary operator shall reside in the dwelling unit where the home business is located.
  - 2. *Employees*: Only the residents of the dwelling unit where the home business is located shall be employed in the type 1 home business.
- D. Operations:
  - 1. *Nuisance*: The type 1 home business shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.
  - 2. *Traffic*: The home business shall not generate vehicular traffic in greater volumes than would normally be expected in the neighborhood in which it is located.
  - 3. *Customers*: The home business shall not have patrons or customers visit the home business.
  - 4. *Hours*: The hours of operation of the home business shall not interfere with the use and enjoyment of adjacent properties.
- E. Design:
  - 1. *Primary Structure*:
    - a. The home business shall be conducted entirely within the primary structure.
    - b. The home business shall not exceed ten percent (10%) of the square footage of the primary structure.
    - c. There shall be no visible evidence of the home business, including but not limited to alterations to the exterior of the residence which change the character of the residence, exterior displays, or the outdoor storage of materials or equipment used in the home business.
  - 2. *Accessory Structure*: No accessory structure shall be utilized for any part of the type 1 home business.
  - 3. *Parking and Loading*: Off-street parking and loading facilities beyond what is common for a residential structure shall not be permitted.
  - 4. *Mechanical Equipment*: The home business shall not require the installation of mechanical equipment other than that which is common in a residential structure.
  - 5. *Utility Service*: The home business shall not require the installation of a sewer, water, or electrical utility service that is beyond what is common in a residential structure. Exceeding typical phone, cable, or internet services for residential property shall be permitted.
  - 6. *Signs*: Signs shall not be permitted.

# Home Business Standards (HB)

## 5.37 HB-02: Type 2 Home Business Standards

This Home Business Standards section applies to the following zoning districts:



The following standards apply:

- A. Permits: An Improvement Location Permit for a type 2 home business shall be required.
- B. Permissible Home Businesses:
  1. *Permitted*: The home business shall be limited to domestic crafts, art and music teaching, tutoring, hair cutting or styling, professional service office, clergy office, childcare home, or similar businesses as determined by the Zoning Administrator.
  2. *Prohibited*: The home business shall not include walk-in retail sales.
  3. *Discretion*: Businesses not specifically listed above shall be interpreted by the Zoning Administrator as to whether the business shall be permitted as a type 2 home business.
- C. Personnel:
  1. *Residency*: The primary operator shall reside in the dwelling unit where the home business is located.
  2. *Employees*: One (1) employee who does not reside in the dwelling unit where the home business is located may be employed at the home business.
- D. Operations:
  1. *Nuisance*: The home business shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.
  2. *Traffic*: The home business shall not generate vehicular traffic in greater volumes than would normally be expected in the neighborhood in which it is located.
  3. *Customers*: The home business shall not generate visitors in the form of patrons or customers in greater volumes than would normally be expected in the neighborhood.
  4. *Hours*: The hours of operation of the home business shall be no earlier than 6:00 AM and no later than 9:00 PM for the employee that does not reside in the dwelling unit where the home business is located, and the hours of operation of the home business shall not interfere with the use and enjoyment of adjacent residential properties.
- E. Design:
  1. *Primary Structure*:
    - a. The home business shall be conducted entirely within the primary structure.
    - b. The home business shall not exceed twenty-five percent (25%) of the square footage of the primary structure or 500 square feet, whichever is less.
    - c. There shall be no visible evidence of the home business, including but not limited to alterations to the exterior of the dwelling unit which change the character of the dwelling unit, exterior displays, or the outdoor storage of materials or equipment used in the home business.
  2. *Accessory Structure*: No accessory structure shall be utilized for any part of the home business.
  3. *Parking and Loading*:
    - a. Off-street parking and loading facilities beyond what is common for a residential structure shall not be permitted.
    - b. The home business shall not receive more than five (5) deliveries per week. Deliveries shall be made primarily between 8:00 AM and 5:00 PM by a vehicle not larger than a box-style truck.
  4. *Mechanical Equipment*: The home business shall not require the installation of mechanical equipment other than that which is common in a residential structure.
  5. *Utility Service*: The home business shall not require the installation of a sewer, water, or electrical utility service that is beyond what is common in a residential structure. Exceeding typical phone, cable, or internet services for residential property shall be permitted.
  6. *Signs*: One (1) wall sign, not to exceed four (4) square feet, shall be permitted. The sign shall be permanently attached to the primary structures. Signs in the yard shall not be permitted.

## 5.38 HB-03: Type 3 Home Business Standards

This Home Business Standards section applies to the following zoning districts:



The following standards apply:

- A. Permits: An Improvement Location for a type 3 home business shall be required.
- B. Permissible Home Businesses:
  - 1. *Permitted*: The home business shall be limited to assembly of products, automobile repair, welding, contracting business, landscaping business, light manufacturing, or a similar use as determined by the Zoning Administrator.
  - 2. *Prohibited*: The home business shall not include any kind of walk-in retail sales.
  - 3. *Discretion*: Businesses not specifically listed above shall be interpreted by the Zoning Administrator as to whether the business shall be permitted as a type 3 home business.
- C. Personnel:
  - 1. *Residency*: The primary operator of the home business shall reside in the dwelling on the same lot where the home business is located.
  - 2. *Employees*: Five (5) employees who do not reside in the dwelling where the home business is located may be employed by the home business.
- D. Operations:
  - 1. *Nuisance*: The home business shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.
  - 2. *Hours*: The hours of operation of the home business shall be no earlier than 6:00 AM and no later than 9:00 PM for anyone who does not reside on the premises and for any activity that involves the accessory structure where the home business is primarily located. There are no limits on the hours of operation of the office component of the home business.
- E. Design:
  - 1. *Primary Structure*:
    - a. The office component of the home business may be operated in the primary structure (the home).
    - b. The home business shall not exceed five percent (5%) of the square footage of the primary structure.
    - c. There shall be no evidence of the home business from alterations to the exterior of the residence. However, the character of the property may show minimal evidence of its business use, including exterior storage of materials, vehicles, or equipment used in the home business.
  - 2. *Accessory Structure*:
    - a. The home business shall be primarily conducted within an accessory structure.
    - b. The home business may consume one hundred percent (100%) of the square footage of the accessory structure.
  - 3. *Parking and Loading*:
    - a. Off-street parking and loading facilities beyond what is common for a residential structure or agricultural use shall not be permitted.
    - b. There shall be no more than seven (7) operable vehicles parked on the lot at any time.
  - 4. *Exterior Storage*:
    - a. Vehicles, trailers, and other equipment used in the home business shall be stored and/or parked in an organized manner that is in an inconspicuous location.
    - b. All exterior storage shall be located behind the footprint of the primary structure and behind or beside the accessory structure that is the primary location of the home business.
    - c. All exterior storage shall be screened so it is nearly invisible from any right-of-way.
  - 5. *Mechanical Equipment*: The home business shall not require the installation of industrial-grade mechanical equipment. Commercial-grade mechanical equipment shall be permitted.
  - 6. *Utility Service*: The home business shall not require the installation of a sewer or water utility service beyond what is common in a residential structure. Commercial-grade electrical services and exceeding typical phone, cable, or internet services for residential property shall be permitted.
  - 7. *Signs*: One wall sign shall be permitted on the accessory structure but shall not exceed ten (10) square feet in area, regardless of its distance from the street.

# Keeping of Animal Standards (KA)

## 5.39 KA-01 Agricultural Keeping of Animals Standards

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

**AG**

The intent of the Keeping of Animals Standards is to ensure the protection of the health, safety, and welfare of the residents by regulating the number and type of animals permitted on a lot. The following standards apply:

- A. Cross Reference: See *Chapter 90: Animals, in the Auburn Code of Ordinances*.
- B. Exotic Animals: One (1) exotic animal shall be permitted per twenty-five (25) acres with the necessary State and/or federal permits.
- C. Pastured Farm Animals: Farm Animals are permitted as follows:
  1. *Minimum Lot Area*: Six (6) acres.
  2. *Minimum Pasturage Area*: Two (2) acres.
  3. *Maximum Animal Units*: One (1) animal unit per fenced acre.
  4. *Determination of Animal Units*: See table below.

Animal Type	Animals Per Animal Unit
Cattle, Buffalo, and similar	2
Horse, Mule, Donkey, Camel, and similar	1
Horse (34 inches or less at withers)	5
Swine, Ostrich, Emu, and similar	5
Goat, Sheep, Llama, Alpaca, and similar	5
Mink and other similar fur-bearing animals	25

- D. Fowl: Fowl are permitted as follows:
  1. *Minimum Lot Area*: Two (2) acres.
  2. *Minimum Pasturage Area*: One-half (1/2) acre.
  3. *Maximum Animal Units*: Ten (10) chicken, turkey, pheasant, and similar fowl per fenced half acre.

## 5.40 KA-02 Estate Residential Keeping of Farm Animals Standards

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

**ER**

The intent of the Keeping of Animals Standards is to ensure the protection of the health, safety, and welfare of the residents by regulating the number and type of animals permitted on a lot. The following standards apply:

- A. Cross Reference: See *Chapter 90: Animals, in the Auburn Code of Ordinances*.
- B. Pastured Farm Animals: Farm Animals are permitted as follows:
  1. *Minimum Lot Area*: Four (4) acres.
  2. *Minimum Pasturage Area*: Two (2) acres.
  3. *Maximum Animal Units*: One (1) animal unit per two (2) acres that are fenced.
  4. *Determination of Animal Units*: See table below.

Animal Type	Animals Per Animal Unit
Cattle, Buffalo, and similar	2
Horse, Mule, Donkey, Camel, and similar	1
Horse (34 inches or less at withers)	5
Swine, Ostrich, Emu, and similar	5
Goat, Sheep, Llama, Alpaca, and similar	5
Mink and other similar fur-bearing animals	25

- C. Fowl: Fowl are permitted as follows:
  1. *Minimum Lot Area*: Two (2) acres.
  2. *Minimum Pasturage Area*: One-half (1/2) acre.
  3. *Maximum Animal Units*: Ten (10) chicken, turkey, pheasant, and similar fowl per fenced half acre.
  4. *Prohibited*: Roosters shall not be permitted.

## 5.41 LA-01: General Landscaping Standards

This Landscaping Standards section applies to the following zoning districts:



The intent of Landscaping Standards is to maintain community character, enhance the visual quality of developments, screen land uses, and better integrate the built and natural environment. The following standards apply:

A. Cross Reference:

1. *Vision Clearance Standards*: All landscape materials shall be located to avoid interference with visibility per the *Vision Clearance Standards (VC)*.

B. Project Applicability: Landscape materials consistent with the requirements of this Unified Development Ordinance shall be required when one (1) of the following conditions is met:

1. *New Primary Structure*: An Improvement Location Permit for a new primary structure is obtained.
2. *Addition to Primary Structure*: An Improvement Location Permit for an addition to the primary structure that adds fifty percent (50%) or more square footage is obtained.

C. Placement:

1. *Easements*: Landscape materials shall not be planted in rights-of-way or easements without permission from the City and/or the easement holder unless otherwise required by this Unified Development Ordinance. A tree canopy, however, may project over a right-of-way or any type of easement.
2. *Infrastructure Interference*:
  - a. Landscape materials shall be located to avoid interference with overhead and underground utilities.
  - b. Landscape materials shall maintain five (5) feet of horizontal clearance from sewer and water lines.
  - c. Landscape materials shall not project into sidewalks, pedestrian paths, and the like below a height of seven (7) feet.
  - d. Landscape materials shall not project over street curbs or pavement below a height of eight (8) feet.

D. Prohibited: Any plant species listed on the invasive species list for Indiana, Michigan, and Ohio shall be prohibited.

1. *Indiana*: The Indiana Invasive Species Council maintains the official Invasive Plant List.
2. *Michigan*: Michigan's Invasive Species Program maintains the official Invasive Species Plant List.
3. *Ohio*: The Ohio Invasive Plant Council maintains the official Invasive Plants Banned in Ohio List.

## 5.42 LA-02: Parking Lot Planting Standards

This Landscaping Standards section applies to the following zoning districts:



The intent of this section is to require a reasonable amount of plant materials around and within parking lots to reduce glare, reduce heat buildup, enhance visual quality of developments, screen and mitigate potential conflicts between land uses, reduce noise pollution, reduce wind, minimize storm runoff, and improve air quality. The following standards apply:

- A. Screening: Parking lots shall be screened from adjacent non-related structures and streets with plantings, earth berms, walls or changes in grade. A parking lot with a capacity of ten (10) or more vehicles shall have a vertical screen consisting of structural or plant materials at least four (4) feet in height.
- B. Minimum Landscaping: A minimum of ten percent (10%) of a parking area with a capacity of ten (10) or more vehicles shall be landscaped.

# Lighting Standards (LT)

## 5.43 LT-01: General Lighting Standards

This Lighting Standards section applies to the following zoning districts:



The intent of the Lighting Standards is to protect the health, safety, and welfare of the residents within the zoning jurisdiction of the City by permitting site and facade lighting that has minimal impact on adjacent property. The following standards apply:

- A. Cross Reference:
  1. *Parking Lot Lighting*: See *Parking Standards (PK)* for parking lot lighting requirements.
  2. *Illumination of Signs*: See *Sign Standards (SI)* for standards regarding the illumination of signs.
- B. Permits: A Building Permit shall be required for the installation of lighting, and lighting shall be in compliance with the Indiana Electrical Code.
- C. Measurement Rules: Measurements of light readings shall be taken at any point along the property line of the subject property with a light meter facing the center of the property from a height between four (4) and eight (8) feet above the ground.
- D. Types: All lighting fixtures and poles within a single development shall be consistent in style, color, size, height, and design.
  1. *Permitted*:
    - a. *Site Lighting*: Pole, wall, or ground mounted fixtures shall be full-cutoff fixtures.
    - b. *Facade Highlighting*: Modest intensity up-lighting of structure facades and landscaping from ground-mounted fixtures shall be permitted.
  2. *Prohibited*: Non-cutoff fixtures, semi-cutoff fixtures, and cutoff fixtures shall not be permitted.
  3. *Exemptions*: Sport complexes may light fields and courts. All such lighting shall not exceed 100 feet in height, and shall be shut-off by 10:00 PM Sunday through Thursday and 11:00 PM Friday through Saturday.
- E. Glare: Light fixtures shall be fully shielded to prevent direct lighting on streets, alleys, and adjacent properties. Any structural part of the light fixture providing this shielding shall be permanently affixed.
- F. Light Trespass: The maximum allowable light at a property line shall be two (2) lux or two-tenths (.2) foot-candles, with the following exceptions:
  1. *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 twenty (20) lux or two (2) 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.
  2. *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.

## 5.44 LD-01: General Loading Standards

This Loading Standards section applies to the following zoning districts:



The intent of Loading Standards is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by requiring loading docks to meet certain standards. The following standards apply:

- A. Project Applicability: The following loading standards only apply when a project involves a loading dock.
- B. Design:
  - 1. *Location*:
    - a. Loading docks shall be located so that they do not face a public street. If such a location is not possible, a loading dock visible from a public street shall be screened by solid structure walls and/or landscape buffers.
    - b. Loading docks shall have adequate area for trucks to maneuver in and out of the facility. Trucks shall not block rights-of-way, streets, alleys, aisles, or other internal circulation when maneuvering into or docked at loading docks.
  - 2. *Surface Materials*: Loading docks shall be paved with asphalt or concrete.
  - 3. *Drainage*: Loading docks shall be constructed to allow proper drainage away from the structure.

# Lot Standards (LO)

## 5.45 LO-01: General Lot Standards

This Lot Standards section applies to the following zoning districts:

**PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**

The intent of the Lot Standards is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by establishing area, width, and frontage requirements for lots. The following standards apply:

- A. **Applicability:** If a lot 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. *Minimum Dwelling Site Area:* The minimum dwelling site area shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 2. *Minimum Dwelling Site Width:* The minimum dwelling site width shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 3. *Minimum Lot Area:* The minimum lot area shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 4. *Maximum Lot Area:* The maximum lot area shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 5. *Minimum Lot Width:* The minimum lot width shall be per each two-page layout in *Article 02: Zoning Districts*.
- B. **Minimum Lot Frontage:** The minimum lot frontage shall be at least sixty percent (60%) of the Minimum Lot Width included on each two-page layout in *Article 02: Zoning Districts* with the following exception:
  - 1. *Cul-de-sac Lots:* The minimum lot frontage for lots established along a cul-de-sac bulb shall be at least fifty percent (50%) of the Minimum Lot Width for the applicable district. However, under no circumstances shall the lot frontage be less than twenty-five (25) feet in residential districts or thirty-five (35) feet in all other districts.

## 5.46 MH-01: Manufactured Housing and Lease-lot Development Standards

This Manufactured Housing Standards section applies to the following district:



The intent of Manufactured Housing Standards is to promote quality and safe lease-lot manufactured home and mobile home developments. The following standards apply:

- A. Exemption from Permits: An Improvement Location Permit shall not be required for each manufactured home dwelling and each mobile home dwelling prior to installation on a dwelling site, and for all other primary or accessory structures on the lot or dwelling sites, including fences and sheds.
- B. Design:
  1. *Dwelling Sites*
    - a. Each dwelling site within a lease-lot development shall have a separate concrete pad for each mobile home and a separate foundation for each manufactured home or other habitable structure.
    - b. Each dwelling site within a lease-lot development shall have separate utility connections.
    - c. Each dwelling site within a lease-lot development with four (4) or more dwelling sites shall have direct access onto a paved private street.
    - d. No more than one (1) dwelling shall be placed on a dwelling site.
  2. *Dwelling Units*
    - a. Each dwelling within a lease-lot development shall be tied down and have a permanent perimeter enclosure or have a permanent foundation.
    - b. Each dwelling within a lease-lot development with four (4) or more dwelling sites shall be considered a separate residence for all purposes such as taxing, assessing of improvements, garbage collection, and public utilities.

# Outdoor Dining Standards (OD)

## 5.47 OD-01: General Outdoor Dining Standards

This Outdoor Dining Standards section applies to the following districts:



The intent of Outdoor Dining Standards is to permit outdoor dining in appropriate areas while maintaining pedestrian accessibility and circulation, ensuring the safety of diners and restaurant servers, and preserving or enhancing the character of the area. The following standards apply:

- A. **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.
- B. **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.
- C. **Design:**
  1. *Circulation and Accessibility:*
    - a. All outdoor dining areas shall maintain a minimum four (4) foot wide pedestrian circulation area along a public sidewalk. 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. When pedestrian barriers are necessary for safety, as determined by the Zoning Administrator, they 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 within the right-of-way, unless granted permission by 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 that are not permanently installed shall be removed and stored during the off season, but not on the exterior of the building.
    - d. Pedestrian barriers shall be constructed of wood, composite wood, stone, masonry, wrought iron, decorative metal, or a combination of these materials.
    - e. No element of the outdoor dining area shall interfere with access to any building entrance.
  2. *General:*
    - a. A sufficient number of trash containers shall be provided outdoors and be readily accessible to outdoor diners except where public trash cans are available. 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.
  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 and color-fast fabric.
    - c. Outdoor dining furniture, trash containers, and umbrellas shall not incorporate signs.
    - d. Outdoor dining furniture, trash containers, and umbrellas shall be stored during the off-season, but not on the exterior of the building.

## 5.48 OS-01: General Outdoor Storage Standards

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

**PR ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2**

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

A. Cross Reference:

1. *Recreational Vehicle Standards*: See *Recreational Vehicle Standards (RV)* for specific regulations for Recreational Vehicles.
2. *Junk and Trash*: See Chapter 92: Littering for specific regulations for litter, junk, and trash on private property.

B. Prohibited: The outdoor storage of equipment, product, supplies, materials, machinery, building materials, waste or scrap, pallets, and similar materials shall not be permitted.

C. Vehicles: Vehicles shall not encroach into a right-of-way or block or impede an access easement, sidewalk, or driving aisle.

## 5.49 OS-02: Construction Trades Outdoor Storage Yard Standards

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

**C2 I1 I2**

The following standards apply:

A. Storage Yard: Storage yards for construction trades shall be maintained in an orderly condition, screened with an opaque fence, and meet the setbacks for accessory structures.

## 5.50 OS-03: Industrial and High Impact Outdoor Storage Standards

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

**I2 HI**

The following standards apply:

A. Industrial Storage: Outdoor storage of vehicles, equipment, products, supplies, materials, waste or scrap, pallets, and the like shall only be permitted within an enclosed storage building. In cases where the storage building is adjacent to another industrial building on the same property, one side of the storage building may be open to the other industrial building if, and only if, the open side faces the other industrial building and the open side is not visible from any public right-of-way.

# Parking Standards (PK)

## 5.51 PK-01: General Parking Standards

This Parking Standards section applies to the following zoning districts:



The intent of Parking Standards is to require minimal parking standards in order to assure public health, safety and welfare; minimize risks to the natural environment; and minimize conflict and promote vehicular and pedestrian safety along streets by minimizing on-street parking. The following standards apply:

- A. **Project Applicability:** Parking consistent with the requirements of this Unified Development Ordinance shall be required when any of the following conditions are met.
  1. *New Primary Structure:* An Improvement Location Permit for a new primary structure is obtained.
  2. *Expansion-Small Parking Lot:* An Improvement Location Permit for an existing parking lot with twenty (20) spaces or less is obtained, and the expansion adds fifty percent (50%) or more parking to the pre-existing parking lot.
  3. *Expansion-Large Parking Lot:* An Improvement Location Permit for an existing parking lot with twenty (21) spaces or more is obtained, and the expansion adds ten percent (10%) or more parking to the pre-existing parking lot.
  4. *Second Expansion:* A legally nonconforming parking area has already been expanded one (1) time, up to ten percent (10%) of its existing size, with a valid Improvement Location Permit, and a second expansion is proposed for the same legal nonconforming parking area.
- B. **Cross Reference:**
  1. *Setback Standards:* Parking lots shall comply with the setbacks in the *Setback Standards (SB)*.
  2. *Driveways:* For standards regarding driveways or access to parking lots, see *Driveway Standards (DW)*.
  3. *Temporary Sales in Parking Lots:* For standards regarding temporary structures and temporary uses located in existing parking lots or parking areas, see *Temporary Use and Structure Standards (TU)*.
- C. **Permits:** An Improvement Location Permit shall be required for new parking lots or the expansion of an existing parking lot.
- D. **Design:**
  1. *Materials:* All off-street parking shall utilize a paved surface of concrete, asphalt, brick pavers, porous concrete, or the like. Gravel, stone, rock, dirt, sand, or grass shall not be permitted as parking surfaces except for areas dedicated to long-term land conservation.
  2. *Size of Spaces:* Each off-street parking space shall be a minimum of nine (9) feet wide and eighteen (18) feet in length.
  3. *Right-of-way:* Off-street parking spaces shall not be fully or partially in a right-of-way or access easement.
  4. *Bike Racks:* Parking lot and site design is encouraged to incorporate bike racks to accommodate bike parking.
- E. **Prohibited:** Parking of motor vehicles shall not be permitted on yards, lawns, or similar pervious-surfaced areas on a lot, except as may be permitted in *Recreational Vehicle Standards (RV)*.

## 5.52 PK-02: Residential Parking Standards

This Parking Standards section applies to the following zoning districts:



The following standards apply:

- A. **Quantity:** A minimum of three (3) 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 may include spaces within garages and/or carports.

## 5.53 PK-03: Traditional Residential Parking Standards

This Parking Standards section applies to the following zoning 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 may include spaces within garages and/or carports.

## 5.54 PK-04: Multiple-family Residential Parking Standards

This Parking Standards section applies to the following zoning districts:



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 two (2) dwelling units shall be required for visitors.
- 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 an area within 200 feet of each multiple-family structure.

## 5.55 PK-05: Manufactured Home Residential Parking Standards

This Parking Standards section applies to the following zoning districts:



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 three (3) 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.

## 5.56 PK-06: Downtown Commercial Parking Standards

This Parking Standards section applies to the following zoning districts:



The following standards apply:

- A. Quantity: Off-street parking shall not be required for dwelling units.
- B. Location: New off-street parking spaces shall be discouraged between the building facade with the primary entrance and right-of-way in downtown.
- C. Design: Bike racks are encouraged.

# Parking Standards (PK)

## 5.57 PK-07: Nonresidential Parking Standards

This Parking Standards section applies to the following zoning districts:



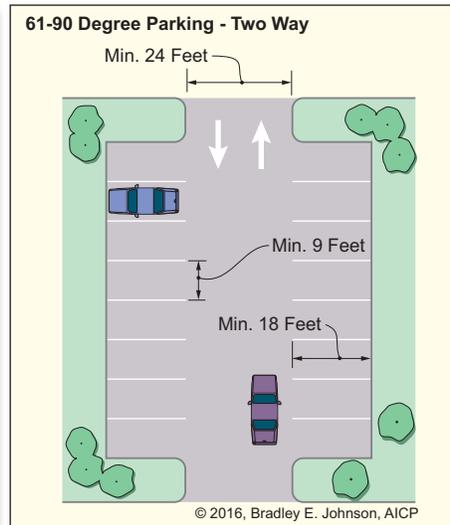
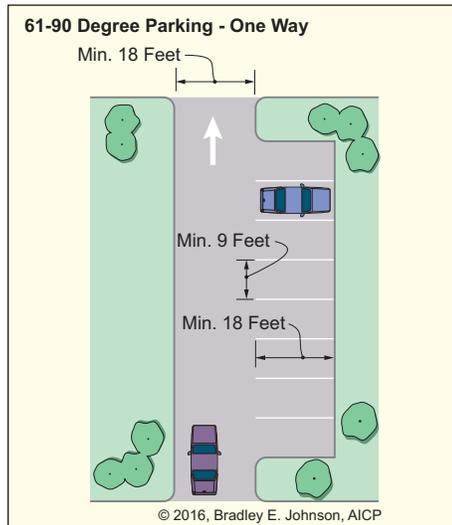
The following standards apply:

### A. Quantity:

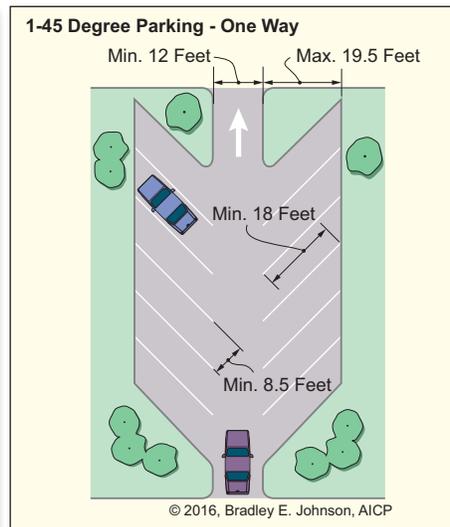
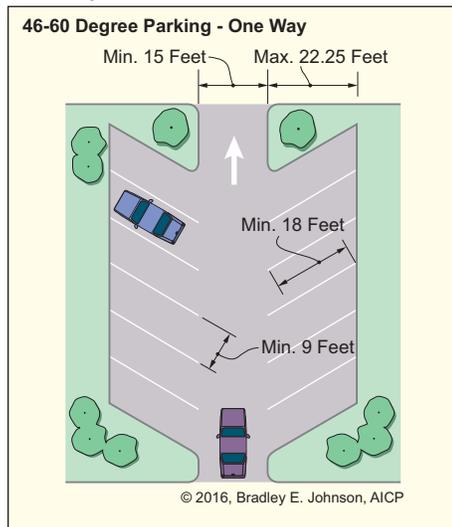
1. *Minimum Number:*
  - a. Off-street parking shall be required for all uses as shown in *Table PK-A: Minimum Number Of Parking Spaces Per Use*. The land use is listed in the left column. The minimum number of parking spaces for employees or tenants is in the middle column, and the minimum number of parking spaces for visitors, clients, and customers is in the right column. The minimum number of parking spaces shall be the sum of all three (3) columns. The 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*, the Zoning Administrator shall determine a use with similar employment and customer characteristics, therefore determining the minimum number of parking spaces required.
2. *Bicycle Parking:* Developments are encouraged to provide bicycle parking areas when appropriate. If provided, bicycle parking areas shall be within sixty (60) feet of the main entryway into the primary structure or be located inside the primary structure. Additionally, a secured bike rack shall be installed to provide the opportunity for secure parking of bicycles.
3. *Stacking Lanes:* The following uses shall provide minimum stacking lane space as indicated below to accommodate drop-off and pick-up.
  - a. ATM: 3 per ATM lane.
  - b. Banks: 3 per drive-up window lane.
  - c. Car wash, automatic: 5.
  - d. Day Care Center, Adult: 3.
  - e. Day Care Center, Child: 6.
  - f. Fast food restaurant: 5.
  - g. Pick-up windows: 5.
  - h. School: 10.

B. Design: Parking lots and parking areas shall meet the following criteria:

1. *Aisle Widths*: Minimum parking aisle widths shall be as follows:
  - a. Sixty-one degree (61°) to ninety degree (90°) angle spaces shall have a minimum eighteen (18) feet wide parking aisle for one-way traffic or minimum twenty-four (24) feet wide parking aisle for one- or two-way traffic.



- b. Forty-six degree (46°) to sixty degree (60°) angle spaces shall have a minimum of fifteen (15) feet wide parking aisle for one-way traffic.
- c. Up to forty-five degree (45°) angle spaces shall have a minimum twelve (12) feet wide parking aisle for one-way traffic.



2. *Aisle Exits*: All parking aisles shall have an outlet or turn around. Dead-end parking aisles shall not be permitted.
3. *Driving Lanes*: Driving lanes in parking lots that provide access to parking aisles shall be defined by striping, curbs, pavement markings, arrows, or parking spaces.
4. *Maneuvering*: Parking areas shall be designed to prevent vehicles from maneuvering in the right-of-way.
5. *Drainage*: Parking areas shall be constructed to prevent ninety-five percent (95%) of a parking lots area from ponding.

6. *Lighting:*
  - a. Parking lots shall be illuminated. Parking lot light fixtures and poles shall be consistent in color, size, height, and design.
  - b. Parking lot lights shall not exceed twenty-five (25) feet in height, measured from the bottom of the fixture to the ground.
  - c. Parking lot lights shall meet all standards in *Lighting Standards (LT)*.
7. *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.
  - b. Cross-access Easements:
    - i. Where parking lots connect or are laid out to be connected, a cross-access easement shall be established in accordance with the requirements of *Easement Standards (EA)*.
    - ii. Cross-access easements shall not be less than ten (10) feet in width per lane nor exceed twelve (12) feet in width per lane.
8. *Cart Corrals:* Cart corrals shall be required for all retail businesses with more than twenty-thousand (20,000) square feet of retail space that provide shopping carts or the like to customers. Cart corrals shall be made of permanent materials and be anchored to the parking lot surface to prevent them from moving in wind. Cart corrals shall not exceed ten (10) feet in width and thirty-six (36) feet in length. Cart corrals shall be maintained in good condition, shall be aligned with parking spaces, shall not block sidewalks, and shall not have commercial signs affixed to them.

# Parking Standards (PK)

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

Land Use	Parking Types	
	Employee and Tenant Parking	Visitor, Client, and Customer Parking
<b>Commercial and Service Uses</b>		
amusement park	1 space per employee on the largest shift	25 spaces per 100 persons of maximum occupancy
automobile oriented business	See Specific Uses Below	See Specific Uses Below
automobile accessory installation	1 space per employee on the largest shift	2 spaces per bay
automobile body shop	1 space per employee on the largest shift	2 spaces per bay
automobile gas station	1 space per employee on the largest shift	1 space per 400 sq. ft. of floor area
automobile oil change facility	1 space per employee on the largest shift	2 spaces per bay
automobile parts sales	1 space per employee on the largest shift	1 space per 300 sq. ft. of floor area
automobile rental	2 spaces per employee on the largest shift	-
automobile repair or service station	1 space per employee on the largest shift	2 spaces per bay
automobile wash	1 space per employee on the largest shift	-
banquet hall	-	1 space per 4 persons of maximum occupancy
bar or tavern	-	1 space per 3 seats
barber or beauty shop	-	3 spaces per chair
billiard or arcade room	-	1 space per 300 sq. ft. of floor area
bowling alley	-	3 spaces per lane
camp ground	-	1.5 spaces per camp site
club or lodge	-	1 space per 4 persons of maximum occupancy
coffee shop	-	1 space per 3 seats
coin laundry	-	1 space per 300 sq. ft. floor area
commercial training facility or school	-	1 space per student of maximum occupancy
country club	-	1 space per 4 persons of maximum occupancy
dance or night club	-	1 space per 4 persons of maximum occupancy
day care, adult	1 space per employee on the largest shift	1 space per 8 persons of licensed capacity
day care, child	1 space per employee on the largest shift	1 space per 8 persons of licensed capacity
delicatessen	-	1 space per 3 seats
driving range	-	2 spaces per 3 tee boxes
dry cleaner	-	3 spaces plus 1 space per 300 sq. ft. of floor area accessible to the public
fitness center or health club	-	1 space per 400 sq. ft. of floor area
funeral home or mortuary	-	1 space per 4 seats
golf course	-	20 spaces per 9 holes
health spa or day spa	-	3 spaces per spa suite
hotel or motel	1 space per employee on the largest shift	1 space per unit
ice cream shop	-	1 space per 3 seats
kennel	-	1 space per 5 pet accommodation spaces
marina	-	1 space per 300 sq. ft. of floor area
miniature golf	-	20 spaces per 18 hole course
movie theater	-	1 space per 4 seats
office, construction trade	1 space per employee on the largest shift	-
office, design services	-	1 space per 300 sq. ft. of floor area
office, general services	-	1 space per 300 sq. ft. of floor area
office, medical	-	4 spaces per treatment room
paintball facility	-	10 spaces per court or field
photographic studio	-	3 spaces per studio
race track	-	1 space per 4 seats

# Parking Standards (PK)

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

Land Use	Parking Types	
	Employee and Tenant Parking	Visitor, Client, and Customer Parking
<b>Commercial and Service Uses</b>		
recreation center or play center	-	1 space per 400 sq. ft. of floor area
restaurant	1 space per employee on the largest shift	1 space per 300 sq. ft. of floor area
shooting range	-	2 spaces per target
skating rink	-	1 space per 400 sq. ft. of floor area
sports complex	-	20 spaces per field of court
sports complex (indoor)	-	20 spaces per field of court
sports field	-	20 spaces per field or court
stable, commercial	-	2 spaces per stable
studio arts	-	1 space per 300 sq. ft. of floor area
swimming pool	-	1 space per 75 sq. ft. of water surface
tailor or pressing shop	-	1 space per 300 sq. ft. of floor area
tanning salon	-	1.5 spaces per bed
tattoo or piercing parlor	-	1.5 spaces per chair
type 1 retail, very low intensity	-	1 space per 400 sq. ft. of floor area
type 2 retail, low intensity	-	1 space per 400 sq. ft. of floor area
type 3 retail, medium intensity	-	1 space per 300 sq. ft. of floor area
type 4 retail, high intensity	-	1 space per 300 sq. ft. of floor area
type 5 retail, very high intensity	-	1 space per 300 sq. ft. of floor area
type 6 retail, special handling	See Specific Use Below	See Specific Use Below
<i>fireworks sales</i>	-	1 space per 300 sq. ft. of floor area
<i>gun sales</i>	-	1 space per 300 sq. ft. of floor area
<i>heavy equipment rental</i>	2 spaces per employee on the largest shift	-
<i>hunting store</i>	-	1 space per 300 sq. ft. of floor area
<i>manufactured home sales</i>	1 space per employee on the largest shift	1 space per 500 sq. ft. of showroom space
<i>recreational vehicle or watercraft sales</i>	1 space per employee on the largest shift	1 space per 500 sq. ft. of showroom space
<i>semi tractor-trailer sales</i>	1 space per employee on the largest shift	1 space per 500 sq. ft. of showroom space
watercraft rental	1 space per employee on the largest shift	1 spaces per every rentable watercraft
winery	1 space per employee on the largest shift	1 space per 300 sq. ft. of floor area accessible to the public
yacht club	-	1 space per 4 persons of maximum occupancy

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

Land Use	Parking Types	
	Employee and Tenant Parking	Visitor, Client, and Customer Parking
<b>Industrial Uses</b>		
assembly	1 space per employee on the largest shift	1 visitor space per 10 employees
construction demolition landfill	1 space per employee on the largest shift	1 visitor space per 10 employees
distribution facility	1.5 spaces per employee on the largest shift	1 visitor space per 10 employees
electrical generation plant	1 space per employee on the largest shift	1 visitor space per 10 employees
flex-space	1.5 spaces per employee on the largest shift	1 visitor space per 10 employees
food production or processing	1.5 spaces per employee on the largest shift	1 visitor space per 10 employees
gravel or sand mining	1 space per employee on the largest shift	1 visitor space per 10 employees
heavy equipment repair	1 space per employee on the largest shift	1 visitor space per 5 employees
heavy manufacturing	1.5 spaces per employee on the largest shift	1 visitor space per 10 employees
incinerator	1 space per employee on the largest shift	1 visitor space per 10 employees
junk yard	1 space per employee on the largest shift	1 visitor space per 10 employees
light manufacturing	1.5 spaces per employee on the largest shift	1 visitor space per 10 employees
liquid fertilizer storage or distribution	1 space per employee on the largest shift	1 visitor space per 10 employees
outdoor storage	1 space per employee on the largest shift	1 visitor space per 10 employees
radio or TV station	1 space per employee on the largest shift	1 visitor space per 5 employees
recycling processing	1 space per employee on the largest shift	1 visitor space per 10 employees
rendering plant	1 space per employee on the largest shift	1 visitor space per 10 employees
research center	1 space per employee on the largest shift	1 visitor space per 5 employees
sanitary landfill or refuse dump	1 space per employee on the largest shift	1 visitor space per 10 employees
scrap metal yard	1 space per employee on the largest shift	1 visitor space per 10 employees
sewage treatment plant	1 space per employee on the largest shift	1 visitor space per 10 employees
sign painting or fabrication	1 space per employee on the largest shift	1 visitor space per 5 employees
storage tank facility	1 space per employee on the largest shift	1 visitor space per 10 employees
telecommunication facility	2 spaces per facility	
testing lab	1 space per employee on the largest shift	1 visitor space per 5 employees
tool and dye shop	1 space per employee on the largest shift	1 visitor space per 10 employees
transfer station	1 space per employee on the largest shift	1 visitor space per 10 employees
utility facility, above ground		
electrical generator	1 space per facility	
pipeline pumping station	1 space per facility	
public well	1 space per facility	
telephone exchange	1 space per facility	
utility substation	1 space per facility	
warehouse	1.5 spaces per employee on the largest shift	1 visitor space per 10 employees
warehouse storage facility	1 space per employee on the largest shift	1 visitor space per 10 employees
water treatment plant	1 space per employee on the largest shift	1 visitor space per 10 employees
welding	1 space per employee on the largest shift	1 visitor space per 5 employees

# Parking Standards (PK)

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

Land Use	Parking Types	
	Employee and Tenant Parking	Visitor, Client, and Customer Parking
<b>Institutional Uses</b>		
bus station	-	8 spaces per bus bay
cemetery	-	-
child care institution	-	1 visitor space per 10 children
church, temple, or mosque	-	1 space per 4 seats
community center	-	1 space per 400 sq. ft. of floor area
crematory	1 space per employee on the largest shift	5 visitor spaces
government office	-	1 space per 400 sq. ft. of floor area
government operation (non-office)	1 space per employee on the largest shift	-
hospital	1 spaces per employee on the largest shift-	1 space per bed
jail	1 space per employee on the largest shift	1 space per 8 cells
juvenile detention facility	1 space per employee on the largest shift	1 space per 8 cells
library, public	-	1 space per 400 sq. ft. of floor area
municipal airport or heliport	1 space per employee on the largest shift	4 spaces per hanger
museum	-	1 space per 400 sq. ft. of floor area
nature center	-	1 space per 3 persons at maximum occupancy
park	-	1 space per acre; 20 spaces per sport court or field;
police, fire or rescue station	1 space per employee	-
pool, public	-	1 space per 75 sq. ft. of water surface
post office	1 space per employee on the largest shift	1 space per 150 sq. ft. accessible to the public
prison	1 space per employee on the largest shift	1 visitor space per 15 cells
recycling collection point	1 space per employee on the largest shift	-
school (P-12)	1 space per teacher, staff, administrator	3 spaces per elementary or junior high classroom; 1 space per 10 high school student enrollment capacity; and 1 space per 4 seats in the largest assembly space in the school (based on maximum occupancy)
skate park	-	1 space per 500 sq. ft. of skating surface
trade or business school	1 space per teacher, staff, administrator	1 space per 5 students of maximum occupancy
university or college	-	1 space per 5 students

Land Use	Parking Types	
	Employee and Tenant Parking	Visitor, Client, and Customer Parking
<b>Residential Uses</b>		
assisted living facility	1 space per employee on the largest shift	1 space per 3 beds
boarding house	1 space per room	1 space per 10 rooms
dwelling, upper floors in DC or C1	-	-
nursing home	1 space per employee on the largest shift	1 space per 3 beds

## 5.59 PF-01: General Performance Standards

This Performance Standards section applies to the following zoning districts:



The intent of the Performance Standards section is to protect the health, safety, and welfare of residents of the zoning jurisdiction of the City by establishing requirements for noise, vibration, odor, and other performance characteristics. The following standards apply:

### A. Cross Reference:

1. *Environmental Standards*: See *Environmental Standards (EN)* for standards relating to air quality, water quality, and soil quality.
2. *Noise*: See *Chapter 130 of Auburn Code of Ordinances Offenses Related to Public Peace*.

### B. Nuisance Characteristics: No use shall exhibit obnoxious characteristics to the extent that it constitutes a public nuisance. No use in existence on the effective date of this Unified Development Ordinance shall be so altered or modified to conflict with these standards.

1. *Electrical Disturbance*: No use shall cause electrical disturbance adversely affecting radio, television, or other equipment in the vicinity.
2. *Vibration*: No use shall cause vibrations or concussions detectable beyond the lot lines without the aid of instruments.
3. *Odor*: No use shall emit across the lot lines malodorous gas or odor in such quantity as to be detectable at any point along the lot lines.
4. *Heat and Glare*: No use shall produce heat or glare in such a manner as to be a nuisance or create a hazard noticeable from any point beyond the lot lines.

### C. Fire Protection: Fire fighting equipment and prevention measures acceptable to the Fire Department and any federal, State, County, City, and/or local authorities that may also have jurisdiction shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is conducted.

# Permanent Outdoor Display Standards (PD)

## 5.60 PD-01: Permanent Outdoor Display Standards

This Permanent Outdoor Display Standards section applies to the following zoning districts:



The intent of the Permanent Outdoor Display Standards is to permit the use of outdoor areas for display and sale of merchandise, but to ensure that such displays are sensitive to the character of the district and do not jeopardize the health, safety, and welfare of the residents of the zoning jurisdiction of the City. The following standards apply:

- A. **Project Applicability:** Outdoor areas that a business or institution wants to use on a regular basis for outdoor displays shall meet the Permanent Outdoor Display Standards. Examples include bullpen areas for sale of outdoor products, vehicle dealerships, sale of sheds/yard barns, etc.
- B. **Permits:** An Improvement Location Permit shall be required when a new permanent outdoor display area is proposed. Once a permit is issued for a permanent outdoor display area, a new permit is not required each time the merchandise changes. However, a new permit shall be required if the permanent outdoor display area changes.
- C. **Cross Reference:**
  - 1. *Temporary Outdoor Display Standards:* See *Temporary Use and Structure Standards (TU)* for standards relating to temporary outdoor displays.
- D. **Location:**
  - 1. *Accessibility:* A permanent outdoor display shall not be permitted in the right-of-way and shall not block any sidewalk, accessibility ramp, or driveway.
  - 2. *Setbacks:*
    - a. *Front Yard:* A permanent outdoor display shall meet the front yard setback for a parking lot identified in the applicable zoning district in *Article 02: Zoning Districts* and *Setback Standards (SB)*.
    - b. *Side and Rear Yards:* A permanent outdoor display shall meet the side yard and rear yard setbacks for a parking lot as identified in the applicable zoning district in *Article 02: Zoning Districts* and *Setback Standards (SB)*.
  - 3. *Canopies:* All vending machines, ice machines, propane tank displays, and other permanent fixtures that are part of a permanent outdoor display area shall be located under a permanent canopy or awning that is attached to the primary structure.
- E. **Design:**
  - 1. *Maximum Area:* The cumulative area of all permanent outdoor display areas shall not exceed twenty percent (20%) of the footprint of the primary structure or tenant space to which the permanent outdoor display area is associated.
  - 2. *Maximum Height:* Products displayed outside shall not exceed the height permitted for accessory structures.
  - 3. *Surface:* Outdoor displays, including vehicles and sheds, shall be parked/displayed on an asphalt or concrete surface. Grass or gravel are not acceptable surfaces for outdoor display areas.

## 5.61 PD-02: Downtown Commercial Permanent Outdoor Display Standards

This Permanent Outdoor Display Standards section applies to the following zoning district:



The intent of the Permanent Outdoor Display Standards is to permit the use of outdoor areas for display and sale of merchandise, but to ensure that such displays are sensitive to the character of the district and do not jeopardize the health, safety, and welfare of the residents of the zoning jurisdiction of the City. The following standards apply:

- A. Project Applicability: Permanent Outdoor Displays shall not be permitted. However, commercial uses may have products for sale outside the store provided that all of the following conditions are met:
  - 1. *Daily Cleanup*: Outdoor displays and products are brought inside at the close of business each day.
  - 2. *Accessibility*: Outdoor displays and products shall not interfere with the accessibility of travel along the sidewalk or into the store.
  - 3. *Location*: The outdoor display area and all products are to be located directly in front of the building facade where the front entrance is located and within three-feet from the facade.
- B. Permits: An Improvement Location Permit shall not be required for outdoor displays and products that are brought inside at the close of business each day.

# Public Improvement Standards (PI)

## 5.62 PI-01: General Public Improvement Standards

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



The intent of the Public Improvement Standards section is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by ensuring public facilities are adequate to serve development. The following standards apply:

- A. **Project Applicability:** Public improvements consistent with the requirements of this Unified Development Ordinance shall be required when one (1) of the following conditions is met:
  - 1. *New Primary Structure:* An Improvement Location Permit for a new primary structure is obtained.
  - 2. *Addition to Primary Structure:* An Improvement Location Permit for an addition to the primary structure that adds fifty percent (50%) or more square footage is obtained.
- B. **Adequate Public Facilities:** Development is permitted only if public streets, public sidewalks, drainage facilities, and public utilities are adequate to serve the proposed development.
  - 1. *Public Streets:*
    - a. The Routing Committee or the Plan Commission may require a traffic and street impact study to determine a proposed development's impact on public streets. If required, the City of Auburn shall conduct or procure services for a traffic and street impact study at the expense of the developer.
    - b. Based on the results of the study, the Routing Committee or the Plan Commission shall make a determination as to whether the public street(s) will sufficiently accommodate the increased traffic generated by the development.
      - i. If the public street(s) is (are) determined to be insufficient, the Plan Commission may deny the development; or
      - ii. The Plan Commission may approve the development with mitigating conditions. The Routing Committee or the Plan Commission may recommend off-site improvements such as acceleration lanes, deceleration lanes, passing blisters, wider shoulders or approaches, frontage streets, shared driveways or other improvements that will provide sufficient facilities for the increased traffic from the proposed development.
  - 2. *Public Pedestrian Facilities:* Public sidewalks, sidepaths, and/or trails shall be required along the edge of the right-of-way, except when the Zoning Administrator determines the development is agricultural in nature or it is unlikely the public sidewalk will provide connectivity to future trails or sidewalks. New public sidewalks shall closely align with existing sidewalks and be installed per the City of Auburn's Construction Standards.
  - 3. *Drainage Facilities:*
    - a. *Cross Reference:* Storm drainage collection, detention, and retention facilities shall comply with the City of Auburn's Stormwater Management Ordinances. (See *Title XV: Chapter 160 Illicit Discharge and Connection to the Stormwater Drains within the City of Auburn; Chapter 161 Construction Site Stormwater Runoff; and Chapter 162 Post Construction Stormwater Control.*)
    - b. Storm drainage collection, detention, and retention facilities shall have sufficient capacity to serve the development.
    - c. If existing storm drainage facilities are not sufficient to serve the development, the Plan Commission may deny the development or approve the development with mitigating conditions. The Plan Commission, Routing Committee, Director of Engineering, MS4 Coordinator, or County Surveyor may recommend off-site improvements that will provide sufficient facilities for the increased runoff from the proposed development.

4. *Public Utilities:*
  - a. Cross Reference: Requirements for when connection to municipal sanitary sewer and water systems are in *Sewer and Water Standards (SW)*.
  - b. Sanitary Sewer: The sanitary sewer collection system and water pollution control facility shall have sufficient capacity to serve the development. If the existing sanitary sewer collection system or wastewater treatment facility does not have sufficient capacity to serve the development, the Plan commission may deny the development or approve the development with mitigating conditions. The Plan Commission, Routing Committee, or appropriate utility representative may recommend off-site improvements that will provide sufficient facilities for the increased demand in service from the proposed development.
  - c. Water: The public water supply and distribution system shall have sufficient capacity to serve the development. If the public water supply and distribution system does not have sufficient capacity to serve the development, improvements that will provide sufficient facilities for the increased demand in service from the proposed development shall be required prior to approval of the development. The Plan Commission, Routing Committee, or appropriate utility representative may recommend improvements.
- C. Guarantees: When mitigating conditions are required, the developer may be required to post performance and maintenance guarantees for such improvements.

## Recreational Vehicle Standards (RV)

### 5.63 RV-01: Recreational Vehicle Standards

This Recreational Vehicle Standards section applies to the following zoning districts:

**ER R1 R2 R3 TR M1 MF**

The intent of the Recreational Vehicle Standards is to protect the health, safety, and welfare of the residents and ensure neighborliness and aesthetic quality for residents. The following standards apply:

A. Cross Reference:

1. *Setback Standards*: See *Setback Standards (SB)* for setback standards.
2. *Outdoor Storage*: See standards in *Outdoor Storage (OS)*.

B. Exclusion: Boats and watercraft shall be excluded from the Recreational Vehicle Standards in this section.

C. Types: The following type of recreational vehicles are permitted.

1. *Stored RV*: Stored Recreational Vehicle (i.e. not being used, cleaned or prepared; as defined)
2. *Parked RV*: Parked Recreational Vehicle (i.e. being used, cleaned, or prepared; as defined)

D. Quantity: No more than one (1) recreational vehicle shall be stored or parked on a lot at any one (1) time.

E. Restrictions:

1. *Use*: A recreational vehicle shall not be used as a dwelling unit, temporary residence, or for living, cooking, or home business purposes.
2. *Waste Disposal*: A recreational vehicle shall not be connected to the municipal sewer system or an on-site sewer system, including a dump station.
3. *Power Source*: Generators shall not be used as a power supply for a parked or stored recreational vehicle.

F. Stored Recreational Vehicles: A recreational vehicle shall be stored in a side yard or rear yard of a lot such that no part of the recreational vehicle projects into the required front yard setback. Additionally, the recreational vehicle shall be setback at least five (5) feet from the side property line and rear property line. Recreational vehicles shall be stored on concrete, asphalt, pavers or grass.

G. Parked Recreational Vehicle:

1. *Location*: A recreational vehicle shall be parked in a side yard, rear yard, or on a driveway but shall be at least ten (10) feet from the edge of the street's pavement and shall not block the sidewalk or public pedestrian facility.
2. *Duration*: A parked recreational vehicle shall not be used for camping, sleeping purposes, or loading/unloading purposes for more than fourteen (14) days in any ninety (90) day period.

## 5.64 RW-01: Retaining Wall Standards

This Retaining Wall Standards section applies to the following zoning districts:

**PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**

The intent of the Retaining Wall Standards Section is to protect the health, safety and welfare of the residents by ensuring retaining walls are constructed safely and such to avoid inadvertent injury from falls. The following standards apply:

### A. Retaining Walls (not sea walls):

1. *Retaining Walls Parallel to Side or Rear Property Lines, or Rights-of-way:*
  - a. Proximity to Property Line or Right-of-way: A retaining wall parallel to or relatively parallel to the side or rear property line or right-of way shall not be permitted within two (2) feet of a side property line or street right-of-way.
  - b. Maximum Height: The maximum height of retaining walls parallel or relatively parallel to the side or rear property lines, or rights-of-way shall not exceed a height equal to the distance it is located from the side or rear property line, or right-of-way.
2. *Retaining Walls Perpendicular to Side or Rear Property Lines:*
  - a. Proximity to Property Line: A retaining wall perpendicular or relatively perpendicular to the side or rear property line shall be permitted up to the side or rear property line if it does not exceed four (4) feet in height and if it connects to an existing or proposed retaining wall.
  - b. Maximum Height: The maximum height of retaining walls perpendicular or relatively perpendicular to the side or rear property lines, or rights-of-way shall not exceed a height equal to the distance it is located from the side or rear property line, or right-of-way, excluding retaining walls that are permitted under *Section 5.69(A)(2)(a): Proximity to Property Line.*
3. *Maximum Height:* Retaining walls shall not exceed twelve (12) feet in height. It is strongly encouraged to tier steep slopes with retaining walls four (4) feet in height or less, rather than installing taller retaining walls.

# Setback Standards (SB)

## 5.65 SB-01: Setback Standards

This setback standards section applies to the following zoning districts:



The intent of the Setback Standards is to protect the health, safety, and welfare of residents of the zoning jurisdiction of the City by requiring structures to meet certain setbacks. 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.
  - 1. *Minimum Dwelling Site Front Setback:* The minimum dwelling site front setback shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 2. *Minimum Dwelling Site Side Setback:* The minimum dwelling site side setback shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 3. *Minimum Dwelling Site Rear Setback:* The minimum dwelling site rear setback shall be per each two-page layout in *Article 02: Zoning Districts*.
  - 4. *Minimum Front Setback:*
    - a. The minimum front setback shall be as per each two-page layout in *Article 02: Zoning Districts*.
    - b. Where a subdivision has been platted and substantially built-out utilizing a front setback less than that required by *Article 02: Zoning Districts*, an infill lot may utilize the established building setback as defined in *Article 11: Definitions*.
  - 5. *Minimum Side Setback:*
    - a. The minimum side setback shall be as per each two-page layout in *Article 02: Zoning Districts*.
    - b. Where a subdivision has been platted and substantially built-out utilizing a side setback less than that required by *Article 02: Zoning Districts*, an infill lot may utilize the established building setback as defined in *Article 11: Definitions*.
  - 6. *Minimum Rear Setback:*
    - a. The minimum rear setback shall be as per each two-page layout in *Article 02: Zoning Districts*.
    - b. Where a subdivision has been platted and substantially built-out utilizing a rear setback less than that required by *Article 02: Zoning Districts*, an infill lot may utilize the established building setback as defined in *Article 11: Definitions*.
- B. **Measurements:**
  - 1. *Front Yard:* All setbacks shall be measured from the property line, edge of right-of-way, or edge of pavement, whichever results in a greater setback.
  - 2. *Side Yard:* All setbacks shall be measured perpendicularly from the side property line.
  - 3. *Rear Yard:* All setbacks shall be measured perpendicularly from the rear property line.

- C. **Exceptions:** The following types of structures or features are exempt or partially exempt from the setback standard as stated:
1. **Signs:** Signs are exempt from the setbacks in this section, but shall abide by the location standards in *Sign Standards (SI)*.
  2. **Telecommunication Towers:** Telecommunication towers are exempt from the setbacks in this section, but shall abide by the *Telecommunication Facility Standards (TC)*.
  3. **Architectural Features:** Cornices, eaves, sills, canopies, or similar features shall be permitted to encroach into a required front, side, and/or rear setback not more than three (3) feet. However, these items shall never be closer than three (3) feet to the property line.
  4. **Awnings:** Awnings shall be permitted to encroach into a required front, side, and/or rear setback not more than four (4) feet, but shall not be closer than three (3) feet to the property line except in the DC District. (See *Sign Standards (SI)* for standards relating to the projection of awnings in DC Districts.)
  5. **Chimneys:** Chimneys shall be permitted to extend into a required setback not more than two (2) feet. However, chimneys shall never be closer than three (3) feet to the property line.
  6. **Fences and Walls:** Fences and walls shall be exempt from the setbacks in this section, but shall abide by the fence and wall standards in *Fence and Wall Standards (FW)*.
  7. **Driveways:** Driveways are exempt from setbacks in this section, but shall abide by the side yard setbacks established in *Driveway Standards (DW)*.
  8. **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 shall be set back ten (10) feet from the property line or right-of-way.
    - b. **Side Yards:** Parking lots shall be set back ten (10) feet from the property line.
    - c. **Rear Yards:** Parking lots shall be set back ten (10) feet from the property line.
  9. **Utility Poles, Lines, and Junction Boxes:** Utility poles, lines, and junction boxes shall be exempt from the setbacks in this section.
  10. **Trash Receptacles:** Trash receptacles shall meet the setback standards in *Trash Receptacle Standards (TR)*.
  11. **Stairs or Open Platform:** Stairs or an open platform or landing which does not extend above the level of the floor elevation of the first floor of the structure shall be permitted to extend into a required front, side, and/or rear setback not more than four (4) feet. However, these items shall never be closer than three (3) feet to the side property line or ten (10) feet to the front or rear property line.
  12. **Storage Tanks:** Storage tanks shall be exempt from the setbacks in this section, but shall comply with the setbacks established in *Storage Tank (SR)*.
- D. **Environmental Features:** A twenty-five (25) foot setback shall be maintained between structures and environmental features listed in *Environmental Standards (EN)*

# Sewer and Water Standards (SW)

## 5.66 SW-01: General Sewer and Water Standards

This sewer and water standards section applies to the following zoning districts:



The intent of the Sewer and Water Standards is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by specifying the type of utility connections required. The following standards apply:

- A. **Applicability:** If the below listed sewer and water standard does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.
  - 1. *Sewer:*
    - a. Connection to a sanitary sewer utility shall be per each two-page layout in *Article 02: Zoning Districts*. Details about the terminology on the two-page layouts is as follows.
      - i. Required: Connection to the City of Auburn municipal sanitary sewer system shall be required.
      - ii. Required Where Available: Connection to the City of Auburn municipal sanitary sewer system shall be required when access to the municipal sanitary sewer system is available within 300 feet or less of the property line.
      - iii. Municipal or Privately-owned Sewer Utility Required: A connection to either the City of Auburn municipal sanitary sewer system or a privately-owned sanitary sewer system shall be required.
    - b. Cross Reference: Service and connections to the City of Auburn municipal sanitary sewer systems shall comply with Title V: Chapter 50 Sewers of the Auburn Code of Ordinances.
  - 2. *Water:*
    - a. Connection to a water utility shall be per each two-page layout in *Article 02: Zoning Districts*. Details about the terminology on the two-page layouts is as follows.
      - i. Required: Connection to the City of Auburn municipal water system shall be required.
      - ii. Required Where Available: Connection to the City of Auburn municipal water system shall be required when the property is located within the city limits, and for properties located outside the city limits shall be encouraged when the municipal water system is available within 300 feet or less of the primary structure
    - b. Cross Reference: Service and connections to the City of Auburn municipal water utility shall comply with *Chapter 53 Water of the Auburn Code of Ordinances*.

## 5.67 SX-01: General Sexually Oriented Business Standards

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



The intent of the Sexually Oriented Business Standards is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by regulating the proximity of sexually oriented businesses to certain other current and future land uses. The following standards apply:

- A. Permits: A sexually oriented business shall obtain an Improvement Location Permit prior to establishing the business.
- B. Cross Reference: For business regulations regarding sexually oriented businesses, see *Title XI: Business Regulations; Chapter 117 Sexually Oriented Businesses* in the Auburn City Code
- C. Measurement Rules: Separation distances shall be measured in a straight line from the closest points between property lines, without regard to intervening structures or objects.
- D. Separation: Sexually oriented businesses shall have the following separation requirements:
  - 1. *Similar Businesses*: Sexually oriented businesses shall be separated from other sexually oriented businesses by at least 1,000 feet.
  - 2. *Residential Districts and Uses*: Sexually oriented businesses shall be separated from residential zoning districts by at least 1,000 feet and residential uses by 1,000 feet.
  - 3. *Public Gathering Places*: Sexually oriented businesses shall be separated from public gathering places such as schools, parks, trails, playgrounds, police stations, fire stations, libraries, religious institutions, day-care centers, preschools, and public structures by at least 1,000 feet.
  - 4. *Family Oriented Facilities*: Sexually oriented businesses shall be separated from family entertainment facilities and family oriented restaurants by at least 1,000 feet.
- E. Design:
  - 1. *Parking*:
    - a. Parking lots shall not accommodate semi tractor trailers.
    - b. Overnight parking shall not be permitted.

# Sign Standards (SI)

## 5.68 SI-01: General Sign Standards

This Sign Standards section applies to the following zoning districts:



The intent of the Sign Standards is to accomplish the goals of the Auburn Comprehensive Plan; to regulate time, place, and manner characteristics of signs; to avoid the unnecessary proliferation of signs; to provide businesses with appropriate identification; to create a consistent streetscape; to maintain and enhance the aesthetics of the City; to eliminate potential hazards to motorists and pedestrians resulting from sign location, excessive distraction and clutter; and to promote the health, safety, and welfare of the residents of the zoning jurisdiction of the City of Auburn. The following standards apply:

- A. **Freedom of Speech:** Any permanent sign or standard temporary sign permitted by the Sign Standards may be used for freedom of speech purposes for any length of time.
- B. **Permits:**
  - 1. *Improvement Location Permit:* An Improvement Location Permit shall be required for all permanent signs located, erected, constructed, reconstructed, moved, or altered unless otherwise specified in this section.
  - 2. *Temporary Improvement Location Permit:* A Temporary Improvement Location Permit shall be required for all temporary signs located, erected, constructed, reconstructed, moved, or altered unless otherwise specified in this section.
  - 3. *Easement Holder Approval:* All signs proposed to be located within an easement shall obtain written approval from the Auburn Board of Public Works and Safety or easement holder for the proposed sign prior to seeking an Improvement Location Permit. For example, a sign proposed within a utility and drainage easement shall obtain approval from the Auburn Board of Public Works and Safety before applying for an Improvement Location Permit.
- C. **Cross Reference:**
  - 1. *Election Signs:* Election signs shall be exempt from quantity, size, and duration regulations in the Sign Standards section, but shall comply with the standards in *Indiana Code 36-1-3-11*. These standards may be amended from time to time.
    - a. Election signs shall not exceed thirty two (32) square feet in area with only one side of the sign counting.
    - b. Election signs may be installed sixty (60) days prior to an election, and shall be removed six (6) days after the election.
    - c. Election signs shall comply with the location standards for Standard Temporary Signs for the district in which they are located.
  - 2. *Home Businesses:* Signs associated with a home business shall be exempt from the Sign Standards section, but shall comply with the standards in *Home Businesses (HB)*.
  - 3. *Lighting Standards:* When illumination of signs is permitted by the Sign Standards, all illumination and lighting associated with signs shall meet the glare, light trespass, and other standards in *Lighting Standards (LT)*.
  - 4. *Address Ordinance:* Address signs shall be posted in accordance with *Chapter 95 of the Auburn Code of Ordinances*.
- D. **Exempt Items:** The following items shall be exempt from the Sign Standards because they are not considered signs and/or are not considered a commercial message (freedom of speech). Therefore, these items are exempt from obtaining an Improvement Location Permit as a sign, unless otherwise specified in this section.
  - 1. *Flags:* A flag, pennant, or insignia of any nation, state, city, or other political unit. However, when a flag, pennant, or insignia of any nation, state, city, or other political unit is used as an integral component of a commercial message, it shall comply with the sign standards for the applicable zoning district. (For example an American Flag integrated into a corporation's brand or logo.)
  - 2. *Outdoor Scoreboard:* An outdoor scoreboard used in conjunction with a legally-established sport field. However, when the scoreboard is visible from a public street and contains a commercial message, it shall comply with the sign standards for the applicable zoning district.
  - 3. *Addresses:* Posting of a street address on a mailbox, building, or other prominent location to provide adequate property identification. However, when a street address is used as a commercial message or is disproportionately large, it shall comply with the sign standards for the applicable zoning district. (For example, the numbers in an address being illustrated with ladders and slides for a store selling children's playsets, or a commercial property that brand's itself by its address and wants its address displayed using numbers six (6) feet tall.)

4. *Public Safety Message*: Posting of a public safety or private property message provided that no individual posting exceeds the maximum area permitted for a standard temporary sign in the applicable zoning district or four (4) square feet whichever is greater. (Examples include, but are not limited to "Beware of Dog," "Private Property," "No Trespassing," "Gas Line," "Weight Limit," "Video Surveillance," and "No Turnaround.")
  5. *Operational Limitations or Information*: An outdoor posting of operational limitations and information provided the posting is no larger than necessary for the intended reader, with an absolute limit of four (4) square feet. (Examples include, but are not limited to hours of operation, admittance requirements, "Employees Only," "Men's Restroom," "Women's Restroom," "Visitor Parking," and "No deliveries.")
  6. *Required Postings*: Messages required by a local agency, state agency, state law, federal agency, federal law, public utility or utility regulated by the government, provided the area of the message and height of posting be the minimum size required by the agency or law. (Examples include, but are not limited to a gas pipeline marker)
  7. *Indoor Commercial Messages*: Commercial messages displayed inside a building that cannot be viewed legibly by pedestrians or drivers outside the building. (Examples include, but are not limited to a commercial message on a scoreboard inside a gymnasium or a large banner with an image of a product mounted on the wall of a retail store.)
  8. *Miniscule Commercial Messages*: Miniscule commercial messages displayed on or near a primary entrance provided that the area of each miniscule commercial message does not exceed thirty (30) square inches and the cumulative area of all miniscule commercial messages does not exceed 240 square inches per primary entrance. (Examples include, but are not limited to "Visa," "Master Card," "Diner's Club," "ATM," and corporate logos.)
  9. *Holiday decorations*: Decoration or display associated with a recognized holiday. However, when holiday decorations are used as an integral component of a commercial message, it shall comply with the sign standards for the applicable zoning district. (For example Christmas tree lights integrated on the facade of a retail store that sells artificial Christmas trees and decorations.)
  10. *Street Banners*: Street banners shall be approved at the Mayor's discretion, shall be installed by the City Street Department per the Mayor's instructions, and a Temporary Improvement Location Permit shall be required.
  11. *Entryway Feature Signs*: Entryway Feature Signs for subdivisions shall be exempt, but shall comply with [Article 7: Entryway Features](#).
- E. Prohibited Signs:
1. *Types*:
    - a. Signs that emit audible sound, odor, or visible matter.
    - b. Signs that have blinking, flashing, or fluttering lights; or changing light intensity, brightness, or color where the effect takes place more than two (2) times per second.
    - c. Signs that "shoot" laser light, "cast" intense or visible light beams, or cast laser or projector-created light images onto the ground, sidewalk, wall or other visible surface.
    - d. *Vehicle Signs*: Vehicles with signs greater than eight (8) square feet in cumulative area shall not be permitted to be parked for the primary purpose of displaying the sign. Prohibited vehicle signs shall not be construed to include vehicles with signs on them that:
      - i. Are lawfully parked overnight or during non-business hours in a discreet location.
      - ii. Are making deliveries, sales calls, transporting persons or property, or customary practices relating to operating the business.
      - iii. Are used in conjunction with customary construction operations on a construction site.
    - e. *Lights*: Strobe lights, search lights, beacons, or any light or lights that rapidly flash, project light in visible beams skyward, or project light horizontally in a circle shall not be permitted regardless if the light is part of or independent of a sign.
    - f. *Signs with Moving or Movable Parts*: Signs or devices with visibly moving parts, including humans holding or acting as signs, shall not be permitted.

F. Prohibited Location:

1. *Prohibited:* Signs regardless of type, shall not be permitted in any of the following locations:

- a. **Right-of-way:** Signs shall not be permitted in any right-of-way unless authorized by the Board of Public Works and Safety, except as specified in *Section 5.78 Downtown Commercial Sign Standards*. Signs located in right-of-way may be removed by the Zoning Administrator without notice to the sign owner and/or adjacent property owner.
- b. **Poles:** Signs shall not be permitted on any traffic control device, street sign, construction sign, or utility pole.
- c. **Fences:** Signs shall not be permitted on any fence, except sponsorship banners along playing fields.
- d. **Trees:** Signs shall not be permitted to be attached to any tree, shrub, or other natural object.
- e. **Towers:** Signs shall not be permitted to be attached to or integrated into any telecommunication antennae, telecommunication tower, television antennae, or similar towers.
- f. **Roofs and Chimneys:** Signs shall not be permitted to be attached to or be perceived to be attached to the roof or chimney of a structure, except as may be permitted in the DC (Downtown Commercial) Zoning District. This provision includes signs integrated into the roofing material.
- g. **Fire Safety Obstruction:** Signs shall not be permitted on a fire escape or in a manner that substantially blocks view from the right-of-way to a fire door.
- h. **Obstructs Circulation:** Signs that obstruct or interfere with internal or external safe movement of vehicular or pedestrian traffic shall not be permitted.
- i. **Artificial Elevation:** Artificially altering the elevation of the ground to improve the height or visibility of a sign shall not be permitted. Likewise, increasing the height of a wall or creating a parapet wall to improve the visibility of a sign shall not be permitted.
- j. **Vision Clearance:** Signs shall not be permitted in areas prohibited by *Vision Clearance Standards (VC)*.

G. Maintenance: All signs and sign components shall be kept in good repair and in safe, clean, and working condition. If landscaping is required or included around the base of a sign, it shall be maintained in living condition, consistent in character with the approval, and not overgrown.

H. Vacant Property: When a business permanently vacates a property, all associated signs shall be removed.

## 5.69 SI-02: Agricultural Sign Standards

This Sign Standards section applies to the following zoning district:

**AG**

The following standards apply:

### A. Permanent Signs:

1. *Wall Signs:* Wall signs shall be permitted provided the following conditions are met.
  - a. Quantity: One (1) wall sign shall be permitted.
  - b. Sign Area: The wall sign area shall not exceed twenty-five (25) square feet.
  - c. Projection: The wall sign shall not project more than four (4) inches from the face of the building to which it is attached.
  - d. Illumination: The wall sign shall not be illuminated.

### B. Temporary Signs:

1. *Permits:* A Temporary Improvement Location Permit shall be required prior to the installation of a temporary sign.
2. *Location:* Temporary signs shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
3. *Illumination:* Temporary signs shall not be illuminated.
4. *Standard Temporary Signs:* Standard temporary signs shall be permitted provided the following conditions are met.
  - a. Type: A standard temporary sign shall be a yard sign. (Examples of standard temporary signs include sale of property, garage sale, and supporting high school teams.)
  - b. Quantity: One (1) standard temporary sign shall be permitted for each street the lot fronts.
  - c. Sign Area: The sign area for a standard temporary sign shall not exceed six (6) square feet per side.
  - d. Height Above Ground: No part of a standard temporary sign shall be more than four (4) feet above the ground.
  - e. Duration: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs shall be taken down within seven (7) days after the standard temporary sign's purpose no longer exists.
5. *Special Temporary Signs:* Special temporary signs shall be permitted provided the following conditions are met.
  - a. Type: Special temporary signs shall include inflatables, banners, streamers, posters, pennants, and the like.
  - b. Quantity: One (1) special temporary sign shall be permitted per lot.
  - c. Height Above Ground: No part of a special temporary sign shall be more than fifteen (15) feet above the ground.
  - d. Duration: A special temporary sign may stay in place for ten (10) continuous days, but no lot shall have special temporary signs for more than fourteen (14) total days in any calendar year.
6. *Temporary Marker Signs:* Temporary marker signs shall only be permitted on a lot having 300 feet or more of street frontage, provided the following conditions are met.
  - a. Type: Temporary marker signs shall be yard signs. (An examples of a temporary marker sign include seed signs.)
  - b. Quantity: Up to thirty (30) temporary marker signs shall be permitted per lot.
  - c. Sign Area: A single temporary marker sign shall not exceed three (3) square feet in sign area per side.
  - d. Height Above Ground: No part of a temporary marker sign shall be more than eight (8) feet above the ground.
  - e. Duration: A temporary marker sign may stay in place for the duration of the temporary event (e.g. planting through harvest). All temporary marker signs shall be taken down within seven (7) days after the temporary marker sign's purpose no longer exists.

# Sign Standards (SI)

## 5.70 SI-03: Residential Sign Standards

This Sign Standards section applies to the following zoning districts:



The following standards apply:

- A. Permanent Signs: Permanent signs shall not be permitted.
- B. Temporary Signs: Temporary signs shall be permitted as follows:
  1. *Permits*: A Temporary Improvement Location Permit shall be required prior to the installation of a temporary sign.
  2. *Location*: Temporary signs shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
  3. *Illumination*: Temporary signs shall not be illuminated.
  4. *Standard Temporary Signs*: Standard temporary signs shall be permitted provided all of the following conditions are met.
    - a. *Type*: A standard temporary sign shall be a yard sign. (Examples of standard temporary signs include sale of property, garage sale, and supporting high school teams.)
    - b. *Quantity*: One (1) standard temporary sign shall be permitted for lots with frontage on one (1) street. Two (2) standard temporary signs shall be permitted for lots with frontage on two (2) or more streets if they have a minimum of 300 feet of combined street frontage. However, no two (2) standard temporary signs shall be closer than eighty (80) feet to one another.
    - c. *Sign Area*: The sign area for a standard temporary sign shall not exceed six (6) square feet per side.
    - d. *Height Above Ground*: No part of a standard temporary sign shall be more than four (4) feet above the ground.
    - e. *Duration*: A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs shall be taken down within seven (7) days after the standard temporary sign's purpose no longer exists.

## 5.71 SI-04: Multiple Family Residential Sign Standards

This Sign Standards section applies to the following zoning districts:



A. **Permanent Signs:** Permanent signs shall be permitted as follows:

1. *Entry Feature Signs:* Entry feature signs shall be permitted provided the following conditions are met.
  - a. An entry feature sign for a development with less than twenty (20) dwelling units or dwelling sites shall meet the following conditions:
    - i. **Type:** The entry feature sign shall be a ground sign and may be double-sided.
    - ii. **Quantity:** One (1) entry feature sign shall be permitted per development.
    - iii. **Sign Area:** The sign area of the entry feature sign shall not exceed eight (8) square feet.
    - iv. **Height Above Ground:** No part of an entry feature sign shall be more than four (4) feet above the ground.
    - v. **Location:** The entry feature sign shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
    - vi. **Illumination:** The entry feature sign may be illuminated. However, electronic readers, message boards and/or changeable copy shall not be permitted.
    - vii. **Materials:** The sign shall be wood, metal, masonry, or other durable materials, and both sides of the entry feature sign shall be finished using the same materials. Landscaping of the entry feature sign is encouraged.
    - viii. **Maintenance:** The entry feature sign shall be maintained by the property owner, an owners association, or similar legal entity.
  - b. An entry feature sign for a development with twenty (20) or more dwelling units or dwelling sites shall meet the following conditions.
    - i. **Type:** The entry feature sign shall be a ground sign and may be single-sided or double-sided.
    - ii. **Quantity:** One (1) entry feature sign shall be permitted at each vehicle entrance of the development.
    - iii. **Sign Area:** The sign area for a single entry feature sign shall not exceed twenty-five (25) square feet for developments with less than sixty (60) dwelling units or dwelling sites; or forty (40) square feet for developments with sixty (60) or more dwelling units.
    - iv. **Height Above Ground:** No part of an entry feature sign shall be more than six (6) feet above the ground.
    - v. **Location:** The entry feature sign shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
    - vi. **Illumination:** The entry feature sign may be illuminated by exterior ground lighting. However, electronic readers, message boards and/or changeable copy shall not be permitted.
    - vii. **Materials:** Supporting apparatuses of an entry feature sign shall be at least fifty percent (50%) brick, stone, or other masonry material. The back side of a single-sided entry feature signs shall also be finished using the same materials to match the front of the sign. Landscaping of entry feature signs is encouraged.
    - viii. **Maintenance:** Entry feature signs shall be maintained by the property owner, an owners association, or similar legal entity.

## B. Temporary Signs:

1. *Permits:* A Temporary Improvement Location Permit shall be required prior to the installation of a temporary sign.
2. *Location:* Temporary signs shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
3. *Illumination:* Temporary signs shall not be illuminated.
4. *Standard Temporary Signs:* Standard temporary signs shall be permitted provided the following conditions are met.
  - a. *Type:* Standard temporary signs shall be yard signs. (Examples of standard temporary signs include sale of property, garage sale, and supporting high school teams.)
  - b. *Quantity:*
    - i. *Per Development:* One (1) standard temporary sign shall be permitted for developments with frontage on one (1) street. Two (2) standard temporary signs shall be permitted for developments with frontage on two (2) or more streets and 300 feet or more of combined street frontage. However, no two (2) standard temporary signs shall be closer than eighty (80) feet to one another.
    - ii. *Per Dwelling Site:* One (1) standard temporary sign shall be permitted for each dwelling unit or dwelling site.
  - c. *Sign Area:* The sign area for a standard temporary sign shall not exceed six (6) square feet per side.
  - d. *Height Above Ground:* No part of a standard temporary sign shall be more than four (4) feet above the ground.
  - e. *Duration:* A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to five (5) days prior to the temporary event. All standard temporary signs shall be taken down within seven (7) days after the standard temporary sign's purpose no longer exists.
5. *Special Temporary Signs:* Special temporary signs shall be permitted provided the following conditions are met.
  - a. *Type:* Special temporary signs shall include banners, streamers, posters, pennants, and the like.
  - b. *Quantity:* One (1) special temporary sign shall be permitted per development.
  - c. *Height Above Ground:* No part of a special temporary sign shall be more than fifteen (15) feet above the ground.
  - d. *Duration:* A special temporary sign may stay in place for ten (10) continuous days, but no more than thirty (30) total days in any calendar year.

## 5.72 SI-05: Parks and Recreation, Agricultural Commercial and Institutional Sign Standards

This Sign Standards section applies to the following zoning districts:



The following standards shall apply:

- A. **Project Applicability:** Any new sign or change in an existing sign shall be consistent with the requirement of the Unified Development Ordinance. Changing panels or "skins" shall be permitted, provided there is no change to the sign's cabinet, structure or support.
- B. **Building Signs:**
  - 1. **Single-tenant Building:**
    - a. **Permanent Signs:** Wall, awning, and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent building signs does not exceed one (1) square foot of sign area per lineal foot of front facade, or 150 square feet, whichever is less.
    - b. **Temporary Signs:** Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
  - 2. **Multiple-tenant Building:**
    - a. **Permanent Signs:** Wall, awning, and display board signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met, and the cumulative square footage of all permanent building signs does not exceed one (1) square foot of sign area per lineal foot of front facade.
    - b. **Temporary Signs:** Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.
- C. **Permanent Building Signs:** Permanent building signs shall be permitted as follows:
  - 1. **Wall Signs:** Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent building signs.

Wall Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per side of building, not to exceed 2	1 per tenant space
Maximum Sign Area	1 square foot per lineal foot of front facade; maximum of 65 square feet	1 square foot per lineal foot of front facade; maximum of 50 square feet per tenant
Changeable Copy Ratio	50% of the sign area may be changeable copy	50% of the sign area may be changeable copy
Maximum Projection From Building	12 inches	12 inches

- a. **Changeable Copy:** If changeable copy is used, it shall be an integrated component of the sign and shall only include static messages, regardless if the sign includes manually or electronically changeable copy.
- b. **Illumination:** Wall signs on single-tenant buildings and multiple-tenant buildings may be illuminated internally or by externally-mounted lights.
- c. **Multiple-tenant Building Consistency:** The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.
- 2. **Awning Signs:** Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2	1 per tenant
Maximum Sign Area	20 square feet total	20 square feet per tenant
Maximum Projection From Building	6 feet	6 feet

- a. **Illumination:** Awning signs on single-tenant buildings and multiple-tenant buildings may be illuminated with externally-mounted lights, but shall not be illuminated with backlighting.
- b. **Location:** Awning signs shall be installed such that they coordinate with a building's entrance.

# Sign Standards (SI)

3. *Display Board Signs*: Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. (Examples of display board signs include permanently affixed bulletin boards; a designated window space; or encased display boards for posting of menus, specials, events, performances, and other temporary postings.) Display board signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	40 square feet	20 square feet per tenant
Height Above Ground	7 feet maximum	7 feet maximum

- a. *Design*: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated window on the building.
- b. *Postings*: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

D. *Permanent Site Signs*:

1. *Ground Signs*: Ground signs shall be permitted for single-tenant buildings provided the following conditions are met. (See *Subsection 5.77(D)(2) Gateway Signs* below for multiple-tenant buildings).

Ground Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1; or 2 for corner lots with a minimum of 200 feet of combined street frontage.	not permitted
Maximum Sign Area	24 square feet per sign for properties one-half (1/2) acre or less in size 40 square feet per sign for properties greater than one-half (1/2) acre, but less than three (3) acres in size 60 square feet per sign for properties three (3) acres or more in size	not permitted
Changeable Copy Ratio	80% of sign area may be changeable copy	not permitted
Height Above Ground	6 feet maximum	not permitted

- a. *Double-sided*: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum sign area.
- b. *Location*: A ground sign shall be located a minimum of ten (10) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a ground sign shall be setback five (5) feet from all property lines. However, under no circumstance shall a ground sign be closer than ten (10) feet to a residential district.
- c. *Sign Separation*: When two (2) ground signs are permitted on the same lot, they shall be seventy (70) feet or more from one another and located along different street frontages.
- d. *Changeable Copy*: If changeable copy is used, it shall be an integrated component of the sign.
- e. *Electronic Message Sign*: A ground sign may incorporate an electronic message component. Electronic message components shall be limited to a maximum of 5,000 nits during daylight hours and 500 nits from sunset to sunrise and include an ambient light sensor. If a sign incorporates an electronic message component, the sign shall be at least 100-feet from any residential district.
- f. *Illumination*: A ground sign may be illuminated internally or by externally-mounted ground lighting.

2. *Gateway Signs*: Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of six (6) tenants, a minimum of 12,000 square feet of main floor area, and provided the following conditions are met. (See *Subsection 5.77(D)(1) Ground Signs* above for single-tenant buildings).

Gateway Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	not permitted	1
Maximum Overall Sign Area	not permitted	24 square feet per sign for properties one-half (1/2) acre or less in size 40 square feet per sign for properties greater than one-half (1/2) acre, but less than three (3) acres in size 60 square feet per sign for properties three (3) acres or more in size
Maximum Tenant Sign Area	not permitted	20 square feet
Changeable Copy Ratio	not permitted	50% of sign area may be changeable copy
Height above Ground	not permitted	6 feet maximum

- a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum sign area.
  - b. Location: A gateway sign shall be located a minimum of ten (10) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.
  - c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign.
  - d. Electronic Message Sign: A ground sign may incorporate an electronic message component. Electronic message components shall be limited to a maximum of 5,000 nits during daylight hours and 500 nits from sunset to sunrise and include an ambient light sensor. If a sign incorporates an electronic message component, the sign shall be at least 100-feet from any residential district.
  - e. Illumination: A gateway sign may be illuminated internally or by exterior mounted ground lighting.
3. *Drive-up Menu Sign*: Drive-up menu signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the lot has a permitted, operable, and in-use drive-up window and provided the following conditions are met.

Drive-up Window Menu Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2	1 per tenant with a drive-up window
Maximum Sign Area	20 square feet total	20 square feet total
Height Above Ground	7 feet maximum	7 feet maximum

- a. Design: A drive-up menu sign shall be single-sided.
  - b. Location: A drive-up menu sign shall be located in the drive-up window lane, and the sign face shall not be conspicuously visible from the right-of-way, when possible.
  - c. Illumination: Drive-up menu signs may be illuminated internally or by externally-mounted lights.
4. *Directional Device Signs*: Directional device signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
- a. Directional device signs may only be used to indicate vehicular points of entry or exit.
  - b. Directional device signs shall not exceed three (3) square feet in area per side per entrance. Up to forty percent (40%) of the sign area may be a corporate logo.
  - c. Directional device signs shall not exceed thirty-six (36) inches in height.
  - d. Directional device signs may be internally illuminated, but shall not be illuminated with externally-mounted lights.
  - e. Directional device signs shall not interfere with safe vehicular or pedestrian traffic circulation, obstruct the view of drivers entering or exiting, or be placed within a right-of-way.
  - f. No more than two (2) directional device signs shall be used per street frontage, and no more than four (4) directional device signs shall be used per lot.

5. *Wayfinding System Signs:* Wayfinding systems may be permitted, in place of directional device signs, for large institutions that encompass multiple lots or many buildings, provided the following conditions are met.
  - a. Wayfinding systems shall be used to direct vehicular and pedestrian traffic to specific destinations.
  - b. Wayfinding systems shall be required to have signs of consistent size, scale, and appearance.
  - c. Proposals for wayfinding systems shall be reviewed and approved at the discretion of the Zoning Administrator. The Zoning Administrator may take into account the need for the wayfinding system, the size and complexity of the development, quantity and location of signs, number of entrances and exits, and the appearance of signs.
6. *Light Pole Banner Arms:* Light pole banner arms shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
  - a. **Qualification:** Light pole banner arms shall be permitted in parking lots on permanent, operable light poles.
  - b. **Maximum Quantity and Area:** Light pole banner arms shall accommodate no more than two (2) banners per pole with a maximum of sixteen (16) square feet of banner area per pole. Only one side counts toward maximum square feet if both sides are the same. No other signs shall be permitted on light poles.
  - c. **Location:** Light pole banner arms shall be set back five (5) feet from any public right-of-ways.
  - d. **Illumination:** Electronic message, changeable copy, or internally illuminated lighting shall not be permitted.
  - e. **Consistency:** Light pole banners shall be consistent and complementary in character.
  - f. **Maintenance:** Light pole banners shall be maintained in good condition or removed.
7. *Sandwich Board Signs:* Sandwich board signs shall be permitted for single-tenant and multi-tenant buildings provided the following conditions are met.

Sandwich Board Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	8 square feet	8 square feet
Height Above Ground	4 feet maximum	4 feet maximum

- a. **Double-sided:** If a sandwich board sign has two (2) identical sides, only one (1) side's area counts toward the maximum sign area.
- b. **Location:** A sandwich board sign shall be located within fifteen (15) feet of a tenant's entrance and in a manner that ensures four (4) feet of unobstructed sidewalk clearance for pedestrians.
- c. **Stability:** Sandwich board signs shall be weighted such they will remain in place despite outdoor conditions.
- d. **Removal:** Sandwich board signs shall be removed each night when the tenant closes.

- E. **Temporary Signs:** Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
1. **Permits:** A Temporary Improvement Location Permit shall be required prior to installation of a temporary sign.
  2. **Location:** Temporary signs shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
  3. **Illumination:** Temporary signs shall not be illuminated.
  4. **Standard Temporary Signs:** Standard temporary signs shall be permitted for single-tenant and multiple-tenant buildings that do not have changeable copy or electronic message signs, provided the following conditions are met.
    - a. **Type:** A standard temporary sign shall be a yard sign. (Examples of standard temporary signs include sale of property, special sale, and special offer signs.)
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** One (1) standard temporary sign shall be permitted for each street frontage. Two (2) standard temporary signs shall be permitted for corner lots that have 150 feet or more of combined street frontage. However, standard temporary signs shall be located at least eighty (80) feet from one another.
      - ii. **Multiple-tenant Buildings:** One (1) standard temporary sign shall be permitted for each tenant.
    - c. **Sign Area:** The sign area for a standard temporary sign shall not exceed twenty-four (24) square feet per side.
    - d. **Height Above Ground:** No part of a standard temporary sign shall be more than six (6) feet above the ground unless.
    - e. **Duration:** A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within three (3) days after the standard temporary sign's purpose no longer exists.
  5. **Special Temporary Signs:** Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings, multiple-tenant buildings, and properties without buildings, unless otherwise specified.
    - a. **Type:** Special temporary signs shall include inflatables, banners, streamers, posters, pennants, yard signs, self-standing signs, and the like. (Examples of special temporary signs include "now hiring" banner and "welcome home" sign.)
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** One (1) special temporary sign shall be permitted at any one (1) time for a lot.
      - ii. **Multiple-tenant Buildings:** One (1) special temporary sign shall be permitted for each tenant.
    - c. **Height Above Ground:** A special temporary sign shall not exceed fifteen (15) feet above the ground.
    - d. **Duration:** A special temporary sign may stay in place for ten (10) continuous days, no more than four (4) times in any calendar year.
    - e. **Exemptions:** Sponsorship banners around ball fields, courts, etc. shall be permitted during the local playing season, provided each banner is durable vinyl, not greater than thirty-two (32) square feet and is not visible from a public right-of-way.

# Sign Standards (SI)

## 5.73 SI-06: Neighborhood and Downtown Commercial Sign Standards

This Sign Standards section applies to the following zoning districts:



The following standards shall apply:

- A. **Project Applicability:** Any new sign or change in an existing sign shall be consistent with the requirement of the Unified Development Ordinance. Changing panels or "skins" shall be permitted, provided there is not change to the sign's cabinet, structure or support.
- B. **Building Signs:**
  - 1. *Single-tenant Building:*
    - a. Permanent Building Signs: Wall, projecting, awning, window, display board signs, and murals shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent building signs does not exceed two (2) square feet of sign area per lineal foot of front facade, or 150 square feet, whichever is less.
    - b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
  - 2. *Multiple-tenant Building:*
    - a. Permanent Building Signs: Wall, awning, window, display board signs, tenant listing signs, and murals shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met, and the cumulative square footage of all permanent building signs does not exceed two (2) square feet of sign area per lineal foot of front facade.
    - b. Temporary Signs: Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.
- C. **Permanent Building Signs:** Permanent building signs shall be permitted as follows:
  - 1. *Wall Signs:* Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent building signs.

Wall Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per side of building, not to exceed 3	1 per tenant space
Maximum Sign Area	2 square feet of sign area per lineal foot of front facade; maximum of 60 square feet on front facade and 25 square feet each on side or rear facades	2 square feet of sign area per lineal foot of front tenant facade; maximum of 60 square feet per tenant front facade and 25 square feet per tenant each on side or rear facades
Changeable Copy Ratio	40% maximum	40% maximum
Maximum Projection From Building	8 inches	8 inches

- a. **Changeable Copy:** If changeable copy is used, it shall be an integrated component of the sign.
- b. **Illumination:** Wall signs on single-tenant buildings and multiple-tenant buildings may be illuminated internally or by externally-mounted lights.
- c. **Electronic Message Signs:** Electronic message signs shall not be permitted.
- d. **Multiple-tenant Building Consistency:** The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.

2. *Projecting Signs:* Projecting signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. All projecting signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Projecting Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1; or 2 for corner buildings 1 per entrance per street	1; or 2 for corner buildings 1 per entrance per street
Maximum Overall Sign Area	20 square feet total	24 square feet per tenant sign
Maximum Tenant Sign Area	not permitted	6 square feet per tenant
Changeable Copy Ratio	not permitted	not permitted
Height Above Ground	9 feet minimum and not to exceed the roof	9 feet minimum and not to exceed the roof

- a. Double-sided: If a projecting sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum cumulative square footage.
  - b. Location: A projecting sign shall be located on the same facade as a customer entrance.
  - c. Projection: Projecting signs and all supporting apparatuses of projecting signs shall not project more than six (6) feet from the building facade. However, a projecting sign shall be at least two (2) feet from a curb or driving surface. A projecting sign may encroach in the right-of-way which is owned by the Board of Public Works and Safety. The Board of Public Works and Safety generally approves these encroachments, but reserves the right to deny any encroachment into the right-of-way.
  - d. Sign Separation: No two (2) projecting signs shall be within twenty (20) feet of one another.
  - e. Changeable Copy: Changeable copy shall not be permitted.
  - f. Electronic Message Signs: Electronic message signs shall not be permitted.
  - g. Illumination: A projecting sign may be illuminated internally or by externally-mounted lighting.
3. *Awning Signs:* Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2	1 per tenant
Maximum Sign Area	20 square feet total	20 square feet per tenant

- a. Illumination: Awning signs on single-tenant buildings and multiple-tenant buildings may be illuminated with externally-mounted lights, but shall not be illuminated with backlighting.
  - b. Projection: Awning signs and all parts of an awning shall not project more than six (6) feet from the building facade. However, an awning shall be at least two (2) feet, measured horizontally, from a curb or driving surface. An awning may encroach into the right-of-way which is controlled by the Board of Public Works and Safety. The Board of Public Works and Safety generally approves these encroachments, but reserves the right to deny any encroachment into the right-of-way.
4. *Window Signs:* Window signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All window signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Window Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	no limit	no limit
Maximum Sign Area	50% of window area or 50 square feet, whichever is greater	50% of window area or 50 square feet, whichever is greater
Height Above Ground	14 feet maximum	14 feet maximum

# Sign Standards (SI)

5. *Display Board Signs:* Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. (Examples of display board signs include permanently affixed bulletin boards, designated window, or encased display boards for posting of menus, specials, events, performances, and other temporary postings.) Display board signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Display Board Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	20 square feet	10 square feet per tenant
Height Above Ground	7 feet maximum	7 feet maximum

- a. *Design:* The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the building; or be a designated window on the building.
  - b. *Postings:* Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.
6. *Tenant Listing Sign:* A tenant listing sign shall be permitted for a multiple-tenant building that has tenant spaces and a common area provided the following conditions are met. Tenant listing signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Tenant Listing Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	not permitted	1 per common area
Maximum Sign Area	not permitted	10 square feet per sign
Height Above Ground	not permitted	8 feet maximum

- a. *Location:* The tenant listing sign shall be located within view of a customer entrance.
7. *Mural Sign:* A mural shall be permitted for a single-tenant or multiple-tenant building provided the following conditions are met. A mural shall not be counted toward the maximum cumulative square footage for permanent building signs.
- a. *Quantity:* One mural sign is permitted per building.
  - b. *Size:* A mural shall not exceed ninety percent (90%) of the wall area.

**D. Permanent Site Signs:**

1. *Ground Signs:* Ground signs shall be permitted on lots that have 150 square feet or more of area without building, parking lot or other hard surface.

Ground Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	not permitted
Maximum Sign Area	24 square feet	not permitted
Changeable Copy Ratio	50% of sign area may be changeable copy	not permitted
Height Above Ground	5 feet maximum	not permitted

- a. *Double-sided:* If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum sign area.
- b. *Location:* A ground sign shall be located a minimum of five (5) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a ground sign shall be setback five (5) feet from all property lines.
- c. *Changeable Copy:* If changeable copy is used, it shall be an integrated component of the sign.
- d. *Electronic Message Sign:* A ground sign shall not incorporate an electronic message component.
- e. *Illumination:* A ground sign may be illuminated internally or by externally-mounted ground lighting.

2. *Gateway Signs*: Gateway signs shall be permitted on lots that have 150 square feet or more of area without building, parking lot or other hard surface.

Gateway Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	not permitted	1
Maximum Overall Sign Area	not permitted	24 square feet per tenant sign
Maximum Tenant Sign Area	not permitted	6 square feet per tenant
Changeable Copy Ratio	not permitted	50% of sign area may be changeable copy
Height Above Ground	not permitted	5 feet maximum

- a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum sign area.
  - b. Location: A gateway sign shall be located a minimum of five (5) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a gateway sign shall be setback five (5) feet from all property lines.
  - c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign.
  - d. Electronic Message Sign: A gateway sign shall not incorporate an electronic message component.
  - e. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting.
3. *Directional Device Signs*: Directional device signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
- a. Directional device signs may only be used to indicate vehicular points of entry or exit.
  - b. Directional device signs shall not exceed three (3) square feet in area per side per entrance. Up to forty percent (40%) of the sign area may be a corporate logo.
  - c. Directional device signs shall not exceed thirty-six (36) inches in height.
  - d. Directional device signs may be internally illuminated, but shall not be illuminated by externally-mounted lights.
  - e. Directional device signs shall not interfere with safe vehicular or pedestrian traffic circulation, obstruct the view of drivers entering or exiting, or be placed within a right-of-way.
  - f. No more than two (2) directional device signs shall be used per lot.
4. *Light Pole Banner Arms*: Light pole banner arms shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
- a. Qualification: Light pole banner arms shall be permitted in parking lots on permanent, operable light poles.
  - b. Maximum Quantity and Area: Light pole banner arms shall accommodate no more than two (2) banners per pole with a maximum of sixteen (16) square feet of banner area per pole. Only one side of each banner counts toward maximum square feet if both sides are the same. No other signs shall be permitted on light poles.
  - c. Location: Light pole banner arms shall be set back five (5) feet from any public right-of-ways.
  - d. Illumination: Electronic message, changeable copy, or internally illuminated lighting shall not be permitted.
  - e. Consistency: Light pole banners shall be consistent and complementary in character.
  - f. Maintenance: Light pole banners shall be maintained in good condition or removed.
5. *Sandwich Board Signs*: Sandwich board signs shall be permitted for single-tenant and multi-tenant buildings provided the following conditions are met.

Sandwich Board Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	8 square feet	8 square feet
Height Above Ground	4 feet maximum	4 feet maximum

- a. Double-sided: If a sandwich board sign has two (2) identical sides, only one (1) side's area counts toward the maximum sign area.
- b. Location: A sandwich board sign shall be located within fifteen (15) feet of a tenant's entrance and in a manner that ensures four (4) feet of unobstructed sidewalk clearance for pedestrians.
- c. Stability: Sandwich board signs shall be weighted such they will remain in place despite outdoor conditions.
- d. Removal: Sandwich board signs shall be removed each night when the tenant closes.

- E. **Temporary Signs:** Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
1. **Permits:** A Temporary Improvement Location Permit shall be required prior to the installation of a temporary sign.
  2. **Location:** Temporary signs shall be located on private property. The placement of a temporary sign shall not constrain a sidewalk to less than four (4) feet of clear way for pedestrians, nor block views for vehicle or pedestrian travel.
  3. **Illumination:** Temporary signs shall not be illuminated.
  4. **Standard Temporary Signs:** Standard temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings that do not have changeable copy or electronic message signs, provided the following conditions are met.
    - a. **Type:** A standard temporary sign shall be a self-standing sign or window panel. (Examples of standard temporary signs include sale of property, special sale, and special offer signs.)
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** One (1) standard temporary sign shall be permitted for each lot, except for corner lots. Two (2) standard temporary signs shall be permitted for corner lots that have a customer entrance on each front facade.
      - ii. **Multiple-tenant Buildings:** One (1) standard temporary sign shall be permitted for each tenant.
    - c. **Sign Area:** The sign area for a standard temporary sign shall not exceed eight (8) square feet per side.
    - d. **Height Above Ground:** No part of a standard temporary sign shall be more than five (5) feet above the ground unless the standard temporary sign is in a first floor window.
    - e. **Duration:** A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within three (3) days after the standard temporary sign's purpose no longer exists.
  5. **Special Temporary Signs:** Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
    - a. **Type:** Special temporary signs shall include inflatables, banners, streamers, posters, pennants, window panels, self-standing signs, and the like.
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** One (1) special temporary sign shall be permitted per lot at any one time.
      - ii. **Multiple-tenant Buildings:** One (1) special temporary sign shall be permitted for each tenant.
    - c. **Height Above Ground:** A special temporary sign shall not exceed fifteen (15) feet above the ground.
    - d. **Duration:** A special temporary sign may stay in place for ten (10) continuous days, no more than four (4) times in any calendar year.

## 5.74 SI-07: General Commercial Sign Standards

This Sign Standards section applies to the following zoning districts:



The following standards shall apply:

- A. **Project Applicability:** Any new sign or change in an existing sign shall be consistent with the requirement of the Unified Development Ordinance. Changing panels or "skins" shall be permitted, provided there is not change to the sign's cabinet, structure or support.
- B. **Building Signs:**
  - 1. *Single-tenant Building:*
    - a. **Permanent Building Signs:** Wall, awning and display board signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met and the cumulative square footage of all permanent building signs does not exceed two and one-half (2.5) square foot of sign area per lineal foot of front facade.
    - b. **Temporary Signs:** Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
  - 2. *Multiple-tenant Building:*
    - a. **Permanent Building Signs:** Wall, awning and display board signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met and the cumulative square footage of all permanent signs does not exceed two and one-half (2.5) square foot of sign area per lineal foot of front facade.
    - b. **Temporary Signs:** Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.
- C. **Permanent Building Signs:** Permanent building signs shall be permitted as follows:
  - 1. *Wall Signs:* Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent building signs.

Wall Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2 per facade, not to exceed 4	1 per tenant space
Maximum Sign Area	2 square foot per lineal foot of front facade; maximum of 200 square feet on front facade and 70 square feet on each other facade	2 square foot per lineal foot of tenant front facade; maximum of 150 square feet on front facade and 50 square feet on each other facade
Changeable Copy Ratio	50% of the sign area may be changeable copy	50% of the sign area may be changeable copy
Maximum Projection From Building	12 inches	12 inches

- a. **Changeable Copy:** If changeable copy is used, it shall be an integrated component of the sign and shall only include static messages, regardless if the sign includes manually or electronically changeable copy.
- b. **Illumination:** Wall signs on single-tenant buildings and multiple-tenant buildings may be illuminated internally or by externally-mounted lights.
- c. **Multiple-tenant Building Consistency:** The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.
- 2. *Awning Signs:* Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2	1 per tenant
Maximum Sign Area	40 square feet total	30 square feet per tenant
Maximum Projection From Building	6 feet	6 feet

- a. **Illumination:** Awning signs on single-tenant buildings and multiple-tenant buildings may be illuminated with externally-mounted lights, but shall not be illuminated with backlighting.

# Sign Standards (SI)

3. *Display Board Signs*: Display board signs shall be permitted on single-tenant and multiple-tenant buildings provided the following conditions are met. (Examples of display board signs include permanently affixed bulletin boards; designated windows; or encased display boards for menus, specials, events, performances, and other temporary postings.) Display board signs shall be counted toward the maximum cumulative square footage for permanent building signs.

Display Board Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	50 square feet	20 square feet per tenant
Height Above Ground	6 feet maximum	6 feet maximum

- a. *Design*: The display board sign shall be framed with wood, metal, or other durable material and be permanently attached to the single-tenant or multiple-tenant building; be a designated window on the single-tenant building; or consist of hardware permanently affixed to the single-tenant or multiple-tenant building for display of a consistent size posting.
- b. *Postings*: Postings on the display board sign shall not exceed the size of the display board sign. Postings shall not be required to obtain any type of permit.

D. *Permanent Site Signs*:

1. *Ground Signs and Pole Signs*: Ground signs and pole signs shall be permitted for single-tenant buildings provided the following conditions are met. (See *Subsection 5.79(D)(2) Gateway Signs and Pole Signs* below for multiple-tenant buildings).

Ground Sign and Pole Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1; or 2 for corner lots with a minimum of 200 feet of combined street frontage	not permitted
Maximum Sign Area	50 square feet per sign for properties one-half (1/2) acre or less in size 100 square feet per sign for properties greater than one-half (1/2) acre, but less than three (3) acres in size 150 square feet per sign for properties three (3) acres or more in size	not permitted
Changeable Copy Ratio	70% of sign area may be changeable copy	not permitted
Height Above Ground	20 feet maximum for any portion of the sign or sign structure	not permitted

- a. *Double-sided*: A ground sign or pole sign may have two (2) identical sides, back-to-back.
- b. *Location*: A ground sign or pole sign shall be located a minimum of ten (10) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a ground sign shall be setback ten (10) feet from all property lines.
- c. *Sign Separation*: When two (2) ground signs or pole signs are permitted on the same lot, they shall be seventy (70) feet or more from one (1) another and located along different street frontages.
- d. *Changeable Copy*: If changeable copy is used, it shall be an integrated component of the sign.
- e. *Electronic Message Sign*: A ground sign may incorporate an electronic message component. Electronic message components shall be limited to a maximum of 5,000 nits during daylight hours and 500 nits from sunset to sunrise and include an ambient light sensor. If a sign incorporates an electronic message component, the sign shall be at least 100-feet from any residential district.
- f. *Illumination*: A ground sign may be illuminated internally or by externally-mounted ground lighting. A pole sign may be illuminated internally, but shall not be illuminated by externally mounted ground lights.

2. *Gateway Signs and Pole Signs:* Gateway signs and pole signs shall be permitted for multiple-tenant buildings that have a minimum of six (6) tenants, a minimum of 8,000 square feet of main floor area, and provided the following conditions are met. (See *Subsection 5.79(D)(1) Ground Signs and Pole Signs* above for single-tenant buildings).

Gateway Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	not permitted	1
Maximum Overall Sign Area	not permitted	50 square feet per sign for properties one-half (1/2) acre or less in size 100 square feet per sign for properties greater than one-half (1/2) acre, but less than three (3) acres in size 150 square feet per sign for properties three (3) acres or more in size
Maximum Tenant Sign Area	not permitted	50 square feet
Changeable Copy Ratio	not permitted	70% of sign area may be changeable copy
Height above Ground	not permitted	20 feet maximum for any portion of the sign or sign structure

- a. Double-sided: If a gateway sign or pole sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum overall sign area.
  - b. Location: A gateway sign or pole sign shall be located a minimum of ten (10) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a gateway sign or pole sign shall be setback ten (10) feet from all property lines.
  - c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign.
  - d. Electronic Message Sign: A gateway or pole sign may incorporate an electronic message component. Electronic message components shall be limited to a maximum of 5,000 nits during daylight hours and 500 nits from sunset to sunrise and include an ambient light sensor. If a sign incorporates an electronic message component, the sign shall be at least 100-feet from any residential district.
  - e. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting. A pole sign may be illuminated internally, but shall not be illuminated by externally mounted ground lights.
3. *Drive-up Menu Sign:* Drive-up menu signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the lot has a permitted, operable, and in-use drive-up window and provided the following conditions are met.

Drive-up Window Menu Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per drive-up lane	1 per tenant with drive-up
Maximum Sign Area	45 square feet per drive-up lane	45 square feet per drive-up
Height Above Ground	7 feet maximum	7 feet maximum

- a. Design: A drive-up menu sign shall be single-sided.
  - b. Location: A drive-up menu sign shall be located in the drive-up window lane and the sign face shall not be conspicuously visible from the right-of-way.
  - c. Illumination: Drive-up menu signs may be illuminated internally or by externally-mounted lights.
4. *Directional Device Signs:* Directional device signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
- a. Directional device signs may only be used to indicate vehicular points of entry or exit.
  - b. Directional device signs shall not exceed three (3) square feet in area per side per entrance. Up to forty percent (40%) of the sign area may be a corporate logo.
  - c. Directional device signs shall not exceed thirty-six (36) inches in height.
  - d. Directional device signs may be internally illuminated, but shall not be illuminated with externally-mounted lighting.
  - e. Directional device signs shall not interfere with safe vehicular or pedestrian traffic circulation, obstruct the view of drivers entering or exiting, or be placed within a right-of-way.
  - f. No more than two (2) directional device signs shall be used per street frontage, and no more than four (4) directional device signs shall be used per lot.

# Sign Standards (SI)

5. *Wayfinding System Signs:* Wayfinding systems may be permitted, in place of directional device signs, for large developments that encompass multiple lots or many buildings, provided the following conditions are met.
  - a. Wayfinding systems shall be used to direct vehicular and pedestrian traffic to specific destinations.
  - b. Wayfinding systems shall be required to have signs of consistent size, scale, and appearance.
  - c. Proposals for wayfinding systems shall be reviewed and approved at the discretion of the Zoning Administrator. The Zoning Administrator may take into account the need for the wayfinding system, the size and complexity of the development, quantity and location of signs, number of entrances and exits, and the appearance of signs.
6. *Light Pole Banner Arms:* Light pole banner arms shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
  - a. **Qualification:** Light pole banner arms shall be permitted in parking lots on permanent, operable light poles.
  - b. **Maximum Quantity and Area:** Light pole banner arms shall accommodate no more than two (2) banners per pole with a maximum of sixteen (16) square feet of banner area per pole. Only one side of each banner counts toward maximum square feet if both sides are the same. No other signs shall be permitted on light poles.
  - c. **Location:** Light pole banner arms shall be set back five (5) feet from any public right-of-ways.
  - d. **Illumination:** Electronic message, changeable copy, or internally illuminated lighting shall not be permitted.
  - e. **Consistency:** Light pole banners shall be consistent and complementary in character.
  - f. **Maintenance:** Light pole banners shall be maintained in good condition or removed.
7. *Sandwich Board Signs:* Sandwich board signs shall be permitted for single-tenant and multi-tenant buildings provided the following conditions are met.

Sandwich Board Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1	1 per tenant
Maximum Sign Area	8 square feet	8 square feet
Height Above Ground	4 feet maximum	4 feet maximum

- a. **Double-sided:** If a sandwich board sign has two (2) identical sides, only one (1) side’s area counts toward the maximum sign area.
- b. **Location:** A sandwich board sign shall be located within ten (10) feet of a tenant's entrance and in a manner that ensures four (4) feet of unobstructed sidewalk clearance for pedestrians.
- c. **Stability:** Sandwich board signs shall be weighted such they will remain in place despite outdoor conditions.
- d. **Removal:** Sandwich board signs shall be removed each night when the tenant closes.

- E. **Temporary Signs:** Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
1. **Permits:** A Temporary Improvement Location Permit shall be required prior to the installation of a temporary sign.
  2. **Location:** Temporary signs shall be located a minimum of five (5) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
  3. **Illumination:** Temporary signs shall not be illuminated.
  4. **Standard Temporary Signs:** Standard temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings that do not have changeable copy or electronic message signs, provided the following conditions are met.
    - a. **Type:** A standard temporary sign shall be a self-standing sign or yard sign. (Examples of standard temporary signs include sale of property, special sale, and special offer signs.)
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** One (1) standard temporary sign shall be permitted for each lot, except for corner lots. Two (2) standard temporary signs shall be permitted for corner lots that have 200 feet or more of combined street frontage. However, standard temporary signs shall be located at least eighty (80) feet from one another.
      - ii. **Multiple-tenant Buildings:** One (1) standard temporary sign shall be permitted for each tenant.
    - c. **Sign Area:** The sign area for a standard temporary sign shall not exceed twenty-four (24) square feet per side.
    - d. **Height Above Ground:** No part of a standard temporary sign shall be more than five (5) feet above the ground unless the standard temporary sign is in a first floor window.
    - e. **Duration:** A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within three (3) days after the standard temporary sign's purpose no longer exists.
  5. **Special Temporary Signs:** Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
    - a. **Type:** Special temporary signs shall include inflatables, banners, streamers, posters, pennants, yard signs, self-standing signs, and the like. (Examples of special temporary signs include "now hiring" banner and "welcome home" sign.)
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** Two (2) special temporary signs shall be permitted at any one (1) time for a lot.
      - ii. **Multiple-tenant Buildings:** One (1) special temporary sign shall be permitted for each tenant.
    - c. **Height Above Ground:** A special temporary sign shall not exceed fifteen (15) feet above the ground.
    - d. **Duration:** A special temporary sign may stay in place for ten (10) continuous days, no more than four (4) times in any calendar year.

# Sign Standards (SI)

## 5.75 SI-09: Industrial Sign Standards

This Sign Standards section applies to the following zoning districts:



The following standards shall apply:

- A. **Project Applicability:** Any new sign or change in an existing sign shall be consistent with the requirement of the Unified Development Ordinance. Changing panels or "skins" shall be permitted, provided there is not change to the sign's cabinet, structure or support.
- B. **Building Signs:**
  - 1. **Single-tenant Building:**
    - a. **Permanent Building Signs:** Wall and awning signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met, and the cumulative square footage of all permanent building signs does not exceed two (2) square foot of sign area per lineal foot of front facade, or 250 square feet, whichever is less.
    - b. **Temporary Signs:** Standard temporary and special temporary signs shall be permitted for single-tenant buildings provided the conditions specified for single-tenant buildings are met.
  - 2. **Multiple-tenant Building:**
    - a. **Permanent Building Signs:** Wall and awning signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met, and the cumulative square footage of all permanent building signs does not exceed two (2) square foot of sign area per lineal foot of front facade, but no single tenant shall have more than 250 square feet of sign area.
    - b. **Temporary Signs:** Standard temporary and special temporary signs shall be permitted for multiple-tenant buildings provided the conditions specified for multiple-tenant buildings are met.
- C. **Permanent Building Signs:** Permanent building signs shall be permitted as follows:
  - 1. **Wall Signs:** Wall signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All wall signs shall count toward the maximum cumulative square footage for permanent building signs.

Wall Signs	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1 per side of building; not to exceed 3	1 per tenant space
Maximum Sign Area	1.5 square foot per lineal foot of front facade; maximum of 200 square feet on front facade and 70 square feet on each other facade	1.5 square foot per lineal foot of front facade; maximum of 150 square feet on front facade and 50 square feet on each other facade
Changeable Copy Ratio	not permitted	not permitted
Maximum Projection From Building	12 inches	12 inches

- a. **Illumination:** Wall signs on single-tenant buildings and multiple-tenant buildings may be illuminated internally or by externally-mounted lights.
- b. **Multiple-tenant Building Consistency:** The sign envelope that tenants may use and the regulations to maintain consistent sign appearance shall be identified during the permitting process. The sign envelope shall not exceed 150% of the allowable wall sign area for each tenant space.
- 2. **Awning Signs:** Awning signs shall be permitted on single-tenant buildings and multiple-tenant buildings provided the following conditions are met. All awning signs shall be counted toward the maximum cumulative square footage for permanent signs.

Awning Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	2	1 per tenant
Maximum Sign Area	30 square feet per awning	30 square feet per tenant
Maximum Projection From Building	6 feet	6 feet

- a. **Illumination:** Awning signs on single-tenant buildings and multiple-tenant buildings may be illuminated with externally-mounted lights, but shall not be illuminated with backlighting.

D. Permanent Site Signs:

1. *Ground Signs:* Ground signs shall be permitted on single-tenant buildings provided the following conditions are met. (See *Subsection 5.80(D)(2). Gateway Signs* below for multiple-tenant buildings).

Ground Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	1; or 2 for corner lots with a minimum of 200 feet of combined street frontage	not permitted
Maximum Sign Area	24 square feet per sign for properties one-half (1/2) acre or less in size 50 square feet per sign for properties greater than one-half (1/2) acre, but less than three (3) acres in size 100 square feet per sign for properties three (3) acres or more in size	not permitted
Changeable Copy Ratio	50% of sign area may be changeable copy	not permitted
Height Above Ground	8 feet maximum	not permitted

- a. Double-sided: If a ground sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum sign area.
  - b. Location: A ground sign shall be located a minimum of ten (10) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a ground sign shall be setback ten (10) feet from all property lines.
  - c. Sign Separation: When two (2) ground signs are permitted on the same lot, they shall be seventy (70) feet or more from one another and located along different street frontages.
  - d. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign.
  - e. Electronic Message Sign: A ground sign may incorporate an electronic message component. Electronic message components shall be limited to a maximum of 5,000 nits during daylight hours and 500 nits from sunset to sunrise and include an ambient light sensor. If a sign incorporates an electronic message component, the sign shall be at least 100-feet from any residential district.
  - f. Illumination: A ground sign may be illuminated internally or by externally-mounted ground lighting.
2. *Gateway Signs:* Gateway signs shall be permitted for multiple-tenant buildings that have a minimum of four (4) tenants, a minimum of 12,000 square feet of main floor area, and provided the following conditions are met. (See *Subsection 5.80(D)(1) Ground Signs* above for single-tenant buildings).

Gateway Sign	Single-tenant Building	Multiple-tenant Building
Maximum Quantity	not permitted	1
Maximum Overall Sign Area	not permitted	24 square feet per sign for properties one-half (1/2) acre or less in size 50 square feet per sign for properties greater than one-half (1/2) acre, but less than three (3) acres in size 100 square feet per sign for properties three (3) acres or more in size
Maximum Tenant Sign Area	not permitted	24 square feet
Changeable Copy Ratio	not permitted	50% of sign area may be changeable copy
Height above Ground	not permitted	8 feet maximum

- a. Double-sided: If a gateway sign has two (2) identical sides, back-to-back, only one (1) side's area counts toward the maximum sign area.
- b. Location: A gateway sign shall be located a minimum of ten (10) feet from any existing or proposed right-of-way, edge of pavement, and curb associated with a street or driveway; and a gateway sign shall be setback ten (10) feet from all property lines.
- c. Changeable Copy: If changeable copy is used, it shall be an integrated component of the sign.
- d. Electronic Message Sign: A gateway sign may incorporate an electronic message component. Electronic message components shall be limited to a maximum of 5,000 nits during daylight hours and 500 nits from sunset to sunrise and include an ambient light sensor. If a sign incorporates an electronic message component, the sign shall be at least 100-feet from any residential district.
- e. Illumination: A gateway sign may be illuminated internally or by externally-mounted ground lighting.

3. *Directional Device Signs*: Directional device signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
  - a. Directional device signs may only be used to indicate vehicular points of entry or exit.
  - b. Directional device signs shall not exceed three (3) square feet in area per side per entrance. Up to forty percent (40%) of the sign area may be a corporate logo.
  - c. Directional device signs shall not exceed thirty-six (36) inches in height.
  - d. Directional device signs may be internally illuminated.
  - e. Directional device signs shall not interfere with safe vehicular or pedestrian traffic circulation, obstruct the view of drivers entering or exiting, or be placed within a right-of-way.
  - f. No more than two (2) directional device signs shall be used per street frontage, and no more than four (4) directional device signs shall be used per lot.
4. *Wayfinding System Signs*: Wayfinding systems may be permitted, in place of directional device signs, for large developments that encompass multiple lots or many buildings, provided the following conditions are met.
  - a. Wayfinding systems shall be used to direct vehicular and pedestrian traffic to specific destinations.
  - b. Wayfinding systems shall be required to have signs of consistent size, scale, and appearance.
  - c. Proposals for wayfinding systems shall be reviewed and approved at the discretion of the Zoning Administrator. The Zoning Administrator may take into account the need for the wayfinding system, the size and complexity of the development, quantity and location of signs, number of entrances and exits, and the appearance of signs.

- E. **Temporary Signs:** Any combination of standard temporary and special temporary signs shall be permitted for single-tenant buildings and multiple-tenant buildings provided the following conditions are met.
1. **Permits:** A Temporary Improvement Location Permit shall be required prior to installation of a temporary sign.
  2. **Location:** Temporary signs shall be located a minimum of ten (10) feet from any right-of-way, edge of pavement, and curb associated with a street or driveway.
  3. **Illumination:** Temporary signs shall not be illuminated.
  4. **Standard Temporary Signs:** Standard temporary signs shall be permitted for single-tenant buildings and multi-tenant buildings that do not have changeable copy or electronic message signs, provided the following conditions are met.
    - a. **Type:** A standard temporary sign shall be a sandwich board, self-standing sign, or a yard sign. (Examples of standard temporary signs include sale of property, special sale, and special offer signs.)
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** One (1) standard temporary sign shall be permitted for each lot, except for corner lots. Two (2) standard temporary signs shall be permitted for corner lots that have 200 feet or more of combined street frontage. However, standard temporary signs shall be located at least eighty (80) feet from one another.
      - ii. **Multiple-tenant Buildings:** One (1) standard temporary sign shall be permitted for each tenant.
    - c. **Sign Area:** The sign area for a standard temporary sign shall not exceed thirty-two (32) square feet per side.
    - d. **Height Above Ground:** No part of a standard temporary sign shall be more than five (5) feet above the ground unless the standard temporary sign is in a first floor window.
    - e. **Duration:** A standard temporary sign may stay in place for the duration of the temporary event. The standard temporary sign may be put in place up to seven (7) days prior to the temporary event. All standard temporary signs shall be taken down within three (3) days after the standard temporary sign's purpose no longer exists.
  5. **Special Temporary Signs:** Special temporary signs shall be permitted provided the following conditions are met. The following conditions apply to single-tenant buildings and multiple-tenant buildings unless otherwise specified.
    - a. **Type:** Special temporary signs shall include inflatables, banners, streamers, posters, pennants, yard signs, sandwich boards, self-standing signs, and the like. (Examples of special temporary signs include "now hiring" banner and "welcome home" sign.)
    - b. **Quantity:**
      - i. **Single-tenant Buildings:** Two (2) special temporary signs shall be permitted at any one (1) time for a lot.
      - ii. **Multiple-tenant Buildings:** One (1) special temporary sign shall be permitted for each tenant.
    - c. **Height Above Ground:** A special temporary sign shall not exceed fifteen (15) feet above the ground.
    - d. **Duration:** A special temporary sign may stay in place for ten (10) continuous days, no more than four (4) times in any calendar year.

# Solar and Alternate Energy Standards (SL)

## 5.76 SL-01: General Solar and Alternate Energy Standards

This Solar and Alternative Energy Standards section applies to the following zoning districts:

**PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**

The intent of the Solar and Alternate Energy Standards is to protect health, safety, and welfare of the residents and ensure neighborliness and aesthetic quality for residents while ensuring solar and alternate energy can be options when integrated appropriately.

- A. **Project Applicability:** Installation of any new solar or alternative energy device located outside of a structure shall meet the following standards:
- B. **Cross Reference:**
  1. Performance Standards: See *Performance Standards (PF)*.
  2. Architectural Standards: See *Architectural Standards (AR)*.
  3. Height Standards: See *Height Standards (HT)*.
  4. Fire Code Regulations: See regulations for solar photovoltaic power systems in the *International Fire Code 605.11* as amended from time to time.
- C. **Prohibited:** Solar or alternative energy devices located outside of a structure shall not be permitted in the MH Districts.
- D. **Permits:** An Improvement Location Permit shall be required for any new solar or alternative energy device.

## 5.77 SL-02: Agricultural and Estate Residential Solar and Alternate Energy Standards

This Solar and Alternative Energy Standards section applies to the following zoning districts:

**AG AC ER**

The following standards apply:

- A. **Scale:** Solar and alternative energy devices shall be of a scale to accommodate only the property on which it is located.
- B. **Location:**
  1. *Roof Top Installation:* Solar and alternative energy devices may be located on the roof of the primary structure or an accessory structure. Roof trusses shall have sufficient strength to accommodate weight of solar or alternative energy devices installed. Proof of load strength shall be provided with the Improvement Location Permit.
  2. *Ground Installation:* Solar and alternative energy devices may be located on the ground, but shall meet the setbacks for accessory structures and maximum accessory structure height as indicated in *Article 2: Zoning Districts* for the district. No portion of a solar or alternative energy device shall encroach into the required setbacks.

## 5.78 SL-03: Small Scale Solar and Alternate Energy Standards

This Solar and Alternative Energy Standards section applies to the following zoning districts:

**PR R1 R2 R3 TR M1 DC C1**

The following standards apply:

- A. **Scale:** Solar and alternative energy devices shall be of a scale to accommodate only the property on which it is located with minimal extra energy generation.
- B. **Location:**
  1. *Roof Top Installation:* Solar and alternative energy devices shall be located on the roof of the primary structure. Roof trusses shall have sufficient strength to accommodate weight of solar or alternative energy devices installed. Proof of load strength shall be provided with the Improvement Location Permit.

## 5.79 SL-04: Large Scale Solar and Alternate Energy Standards

This Solar and Alternative Energy Standards section applies to the following zoning districts:



The following standards apply:

- A. Scale: Solar and alternative energy devices shall be of a scale to accommodate only the property on which it is located with minimal extra energy generation.
- B. Location:
  - 1. *Roof Top Installation*: Solar and alternative energy devices may be located on the roof of the primary structure or an accessory structure. Roof trusses shall have sufficient strength to accommodate weight of solar or alternative energy devices installed. Proof of load strength shall be provided with the Improvement Location Permit.
  - 2. *Ground Installation*:
    - a. Solar and alternative energy devices may be located on the ground, but shall meet the setbacks for accessory structures and maximum accessory structure height as indicated in *Article 2: Zoning Districts* for the district. No portion of a solar or alternative energy device shall encroach into the required setbacks.
    - b. When installed on the ground, solar and alternative energy devices shall be screened from public right-of-way.

## 5.80 SL-05: Solar and Alternate Energy Farm Standards

This Solar and Alternative Energy Standards section applies to the following zoning districts:



- A. Scale: Solar and alternative energy farms are designed for re-sale of energy to commercial power companies.
- B. Location:
  - 1. *Ground Installation*: Solar and alternative energy farms shall be located on the ground, but shall meet the setbacks for primary structures and maximum primary structure height as indicated in *Article 2: Zoning Districts* for the district. No portion of a solar or alternative energy device shall encroach into the required setbacks.
  - 2. *Buffer Yard Required*: When installed on the ground, solar and alternative energy devices shall be screened from public right-of-way.

# Special Exception Standards (SE)

## 5.81 SE-01: General Special Exception Standards

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

**PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**

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 09: 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 05: 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.

## 5.82 SR-01: General Storage Tank Standards

This Storage Tank Standards section applies to the following zoning districts:

**PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**

The intent of the Storage Tank Standards section is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by requiring outdoor storage tanks to meet certain criteria. The following standards apply:

A. Cross Reference: See *Chapter 154: Fire Prevention Code of the Auburn Code of Ordinances*.

## 5.83 SR-02: Residential Storage Tank Standards

This Storage Tank Standards section applies to the following zoning districts:

**R1 R2 R3 TR M1 M2 MH DC C1**

A. Prohibited: Outdoor storage tanks or drums shall not be permitted.

## 5.84 SR-03: Parks and Recreation and Estate Residential Storage Tank Standards

This Storage Tank Standards section applies to the following zoning districts:

**PR ER**

The following standards apply:

- A. Project Applicability: Any new outdoor storage tanks or drums installed after the effective date of this Unified Development Ordinance shall be permitted if all of the following standards are met.
- B. Cross Reference: Outdoor storage tanks and drums shall meet all applicable State and federal regulations.
- C. Permits: An Improvement Location Permit shall be required prior to the installation of new outdoor storage tanks or drums.
- D. Prerequisite Criteria: No liquid or gas fuel shall be stored in bulk above ground, except tanks or drums connected directly to energy generating devices or heating appliances located and operated on the same lot as the tanks or drums.
- E. Setbacks
  - 1. *Front Yard*: Outdoor storage tanks and drums shall not be permitted in front yards.
  - 2. *Side and Rear Yard*: Outdoor storage tanks and drums shall be setback at least thirty (30) feet from side and rear property lines.
  - 3. *Structures*: Outdoor storage tanks and drums shall be setback at least thirty (30) feet from primary structures and fifteen (15) feet from accessory structures.
- F. Quantity: No lot shall have more than two (2) outdoor storage tanks or drums.

## 5.85 SR-04: Non-residential Storage Tank Standards

This Storage Tanks Standards section applies to the following zoning districts:

**AG AC IS C2 I1 I2 HI**

The following standards apply

- A. Project Applicability: Any new outdoor storage tanks or drums installed after the effective date of this Unified Development Ordinance shall be permitted if all of the following standards are met.
- B. Cross Reference: Outdoor storage tanks and drums shall meet all applicable State and federal regulations.
- C. Permits: An Improvement Location Permit shall be required prior to the installation of new outdoor storage tanks or drums.
- D. Setbacks
  - 1. *Front Yard*: Outdoor storage tanks and drums shall not be permitted in front yards.
  - 2. *Side and Rear Yard*: Outdoor storage tanks and drums shall be setback at least thirty (30) feet from side and rear property lines.
  - 3. *Structures*: Outdoor storage tanks and drums shall be setback at least thirty (30) feet from primary structures and fifteen (15) feet from accessory structures.
- E. Quantity: No lot shall have more than one (1) outdoor storage tanks or drum per two (2) acres.

# Structure Standards (ST)

## 5.86 ST-01: General Structure Standards

This Structure Standards section applies to the following zoning districts:

PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI

The intent of the Structure Standards section is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City and the character of each zoning district by regulating the quantity of primary structures on a lot. The following standards apply:

- A. Applicability: The maximum allowable number of primary structures shall be one (1) unless indicated otherwise on the applicable two-page layout in *Article 02: Zoning Districts*.

## 5.87 TC-01: General Telecommunication Facility Standards

This Telecommunication Facilities Standards section applies to the following zoning districts:



The intent of the Telecommunication Facility Standards section is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the city by allow for the provision of adequate and reliable public and private telecommunication service while minimizing the adverse, undesirable visual effects of such. The following standards apply:

- A. **Permits:** An Improvement Location Permit shall be required prior to the construction, erection, placement, modification, or alteration of a telecommunication facility. See *Article 09: Processes*.
- B. **Location:**
  - 1. *Accessory Utility Structures:* The accessory utility structures of telecommunication facilities shall meet the minimum front yard setback, minimum side yard setback, and minimum rear setback requirements in the appropriate two-page layouts in *Article 02: Zoning Districts*.
  - 2. *Towers:*
    - a. **Front Yard Setback:** Telecommunication towers shall be set back from any right-of-way a minimum distance equal to seventy-five percent (75%) of the tower height, including all antennas and attachments.
    - b. **Side and Rear Yard Setback:** Telecommunication towers shall be set back from the side and rear property lines a minimum distance equal to seventy-five percent (75%) of the tower height or sixty (60) feet, whichever is greater, including all antennas and attachments.
    - c. Telecommunication towers shall not be located between the primary structure and a public street.
    - d. Telecommunication towers shall not be located within the boundaries of any residential zoning district, and shall be set back from the boundaries of any residential zoning district a minimum distance equal to one hundred ten percent (110%) of the tower height.
- C. **Justification:** The applicant for a new telecommunication facility shall:
  - 1. Demonstrate the tower is reasonably necessary to serve the adjacent or nearby areas.
  - 2. Describe the purpose of the tower.
  - 3. List and show locations of nearby towers with documentation that co-location is not possible.
- D. **Design:**
  - 1. *Project Applicability:* Proposed or modified telecommunication towers and antennas shall meet the following design requirements:
  - 2. *Height:*
    - a. Telecommunication towers shall not exceed one hundred ninety-nine (199) feet in height.
    - b. All other utility structures and antennas shall meet the height standards in the appropriate two-page layouts in *Article 02: Zoning Districts* and in *Height Standards (HT)*.
  - 3. *Professional Engineer Certification:* A professional engineer's certification shall be provided for all telecommunication towers and communication equipment to document and verify design specifications, including, but not limited to: foundation of tower; strength of tower to withstand wind gusts of up to one hundred ten miles per hour (110 MPH) with one-half inch (1/2") of ice, and other natural forces such as ice loading and earth movement; conformance with Auburn Building Codes, International Building Code, Electrical Code; and Occupational Safety and Health Administration standards.
  - 4. *Standards Compliance:* All telecommunication towers and communication equipment shall meet or exceed current standards and regulations of the Federal Aviation Administration (FAA) and other regulatory authorities for telecommunication towers.
  - 5. *Appearance:* Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in an instance where the color is dictated by State or federal authorities such as the Federal Aviation Administration (FAA).
  - 6. *Monopole Design:* Towers shall be of a monopole design, unless the Board of Zoning Appeals determines an alternative design would better blend in with the surrounding environment. Towers shall be collapsible.
  - 7. *Collocation:* Any proposed telecommunication tower shall be designed structurally, electrically, and in all respects to accommodate both the applicant's antennas and comparable antennas for the following:
    - a. A minimum of one (1) additional user if the telecommunications tower is between sixty (60) and 100 feet in height.
    - b. A minimum of two (2) additional users if the telecommunications tower is 100 feet or more in height.

8. *Accessory Utility Structures*: All utility structures needed to support a telecommunications tower shall be architecturally designed to blend in with the surrounding environment.
  9. *Fence Enclosure*: Telecommunication facilities and all accessory utility structures shall be protected by a security fence that shall be at least six (6) feet tall.
  10. *Screening*: A live evergreen screen consisting of shrubs, planted three (3) feet on-center maximum or a row of evergreen trees planted a maximum of ten (10) feet on-center shall be planted around the entire telecommunication facility and each of the guy wires and anchors, if used. The height of all plants at the time of planting shall be no less than five (5) feet.
  11. *Lighting*: Telecommunication facilities shall not be illuminated by artificial means and shall not display strobe lights, except when it is dictated by State or federal authorities such as the Federal Aviation Administration (FAA).
  12. *Signs*: The use of any portion of a telecommunication facility for the posting of any signs or advertisements of any kind, other than warning or equipment information signs, shall not be permitted.
- E. **Construction Standards**: All telecommunication facilities shall be subject to inspection by the Building Commissioner and Zoning Administrator during the construction process.
1. *Easements*: If an easement is required for location of a telecommunication facility on the property, the easement shall be staked by a licensed and registered Indiana land surveyor so as to provide proof the facility has been constructed within the easement.
  2. *Footers*: Footing inspections shall be required by the Building Commissioner for all telecommunication facilities having footings.
  3. *Electrical Standards*: All telecommunication facilities containing electrical wiring shall be subject to the provisions of the Indiana Electric Code, as amended.
- F. **Inspection of Towers**: The following shall apply to the inspection of telecommunications facilities:
1. *Frequency*: Towers may be inspected at least once every five (5) years, or more often as needed to respond to complaints received, by the Zoning Administrator, Building Commissioner, and/or a registered, professional engineer to determine compliance with the original construction standards.
  2. *Investigation*: The Zoning Administrator and the Building Commissioner may enter onto the property to investigate the matter and may order the appropriate action to bring the facility into compliance.
  3. *Violations*: Notices of Violation will be sent in accordance with *Article 10: Enforcement and Penalties* for any known violation on the telecommunication facility.
- G. **Abandoned Tower Removal**: Any tower unused or left abandoned for six (6) months or greater shall be removed by the property owner at its expense. Should the property owner fail to remove the tower after thirty (30) days from the date a Notice of Violation is issued, the City may remove the tower and bill the property owner for the costs of removal and cleanup of the site. To ensure the removal of all improvements, a ten year performance bond or a letter of credit equal to 100% of the cost to remove the tower, the tower's foundation, and restoration of the tower site shall be provided to the City of Auburn, Department of Building, Planning and Development prior to permits for new towers or equipment being issued.

## 5.88 TC-02: Telecommunication Micro Tower Facility Standards

This Telecommunication Facilities Standards section applies to the following zoning districts:



The following telecommunication facility standards shall apply:

- A. **Permits:** An Improvement Location Permit shall be required for telecommunication micro tower.
- B. **Types:**
  - 1. *Permitted Micro Towers:* Telecommunication micro towers shall be permitted when the following standards are met.
    - a. The telecommunication micro tower shall be non-freestanding.
    - b. The telecommunication micro tower shall not exceed a volume of three (3) cubic feet.
    - c. The telecommunication micro tower shall be located in a functional, but inconspicuous place on an existing structure such as a water tower, utility pole, or roof. The owner/operator of the telecommunication micro tower shall obtain written permission from the owner of the existing structure. Ground level components or equipment are not permitted.
    - d. The telecommunication micro tower mounted on a roof shall not exceed the maximum structure height indicated in the appropriate two-page layout in *Article 02: Zoning Districts* by more than ten (10) feet.
    - e. The telecommunication micro tower mounted on poles and other structures shall not exceed the height of the existing pole or structure.
  - 2. *Prohibited Micro Towers:* Freestanding telecommunication towers, micro towers, and associated equipment shall not be permitted. Installation of a new pole to accommodate a micro tower shall not be permitted.
- C. **Abandoned Micro Tower:** Any micro tower unused or left abandoned for six (6) months or more shall be removed by the micro tower owner at its expense. Should the micro tower owner fail to remove the micro tower after thirty (30) days from the date a Notice of Violation is issued, the City may remove the micro tower and bill the owner/operator for the costs of removal and cleanup of the site.

## 5.89 TC-03: Telecommunication Antenna Standards

This Telecommunication Facility Standards section applies to the following zoning districts:



The following standards apply:

- A. **Permits:** An Improvement Location Permit shall not be required for telecommunication antenna.
- B. **Types:**
  - 1. *Permitted Antenna:* Telecommunication antennas shall be permitted when the following standards are met.
    - a. The telecommunication antennas shall be non-freestanding.
    - b. The telecommunication antennas shall be located in a functional, but inconspicuous place on an existing structure such as a water tower, utility pole, or roof. The owner/operator of the telecommunication antenna shall obtain written permission from the owner of the existing structure.
    - c. The telecommunication antennas mounted on a roof shall not exceed the maximum structure height indicated in the appropriate two-page layout in *Article 02: Zoning Districts* by more than ten (10) feet.
    - d. The telecommunication antennas mounted on poles and other structures shall not exceed one hundred ten percent (110%) of the existing pole or structure height.
  - 2. *Prohibited Antenna:* Freestanding telecommunication towers and all other telecommunication facilities, except telecommunication antennas and micro towers shall not be permitted.
- C. **Abandoned Antenna:** Any antenna unused or left abandoned for six (6) months or more shall be removed by the property owner at its expense. Should the property owner fail to remove the antenna after thirty (30) days from the date a Notice of Violation is issued, the City may remove the antenna and bill the property owner for the costs of removal and cleanup of the site.

# Temporary Use and Structure Standards (TU)

## 5.90 TU-01: General Temporary Use and Structure Standards

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



The intent of Temporary Use and Structure standards is to protect the public health, safety, and welfare of the residents of the zoning jurisdiction of the City by establishing standards for temporary uses and temporary structures. The following standards apply.

A. Cross Reference:

1. *Temporary Signs:* See *Sign Standards (SI)* for temporary sign standards.
2. *Farmers Market:* See *Chapter 116: Farmers Market, Auburn City Code.*
3. *Itinerant Vendors:* See *Chapter 112: Itinerant Vendors, Auburn City Code.*

B. Permits: A Temporary Improvement Location Permit shall be obtained prior to establishing the temporary use or structure except as indicated otherwise in this section.

C. Types:

1. *Fund-raising Events:* Fund-raising events such as chicken barbecues, fish fries, and car washes shall be permitted and shall be exempt from obtaining a Temporary Improvement Location Permit if the duration of the event is less than twenty-four (24) hours over a two (2) day period.
2. *Garage and Yard Sales:* Garage and yard sales shall be permitted and shall be exempt from obtaining a Temporary Improvement Location Permit, but shall not be more than three times (3X) per calendar year, three (3) days each time.
3. *Portable On Demand Storage:* Portable On Demand Storage (PODS) units shall be permitted and shall be exempt from obtaining a Temporary Improvement Location Permit, but shall not be located outdoors for more than fourteen (14) consecutive days, three (3) times per calendar year.
4. *Construction Trailer:* A Construction Trailer shall be permitted on the site where construction activity is taking place and shall be exempt from obtaining a Temporary Improvement Location Permit. A Construction trailer shall meet Accessory Structure Setbacks for the district in which it is located, and shall be removed from the site once construction is complete.

D. Termination: Temporary uses shall be terminated and structures removed at the end of the permitted event period.

E. Location: Setbacks for Accessory Structures shall apply to temporary structures.

## 5.91 TU-02: Agricultural and Estate Residential Temporary Use and Structure Standards

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



The following standards apply:

A. Roadside Sales of Produce: The roadside sale of farm produce shall be permitted if the following conditions are met:

1. *Grown On-site:* Eighty (80%) of the produce offered for sale shall be grown on the same lot the where the roadside sale is located.
2. *Duration:* The roadside sale of produce shall not exceed six (6) months per calendar year.
3. *Sales Stand:* The sales stand shall be portable or seasonal construction, shall comply with the provisions of *Vision Clearance Standards (VC)*, and shall be removed so as to observe the setback line for accessory structures when not in use.
4. *Parking:* The roadside sale of produce shall be arranged so that parking does not block any right-of-way.

## 5.92 TU-03: Residential Temporary Use and Structure Standards

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

**R1 R2 R3 TR M1 M2 MH**

The following standards apply:

- A. **Model Homes:** Model homes, apartments, and condominiums that contain a sales office shall be permitted with the following requirements:
1. *Duration:* The duration of a Temporary Improvement Location Permit for a model home, apartment, or condominium shall be three (3) years and may be renewed annually after the initial three-year period.
  2. *Location:* Model homes, apartments, and condominiums shall be on the site of the development for which the sales are taking place.
  3. *Parking:* The model home, apartment, or condominium shall provide the required parking in *Parking Standards (PK)* for the applicable district.
  4. *Signs:* The model home, apartment, or condominium may have a sign, but the sign shall meet the Temporary Sign Standards for the district in which it is located.

## 5.93 TU-04: Nonresidential Temporary Use and Structure Standards

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

**AC DC C2 I1**

The following standards apply:

- A. **Sale of Seasonal Items:** The sale of seasonal items such as Independence Day fireworks, Christmas trees, and Halloween pumpkins shall be permitted if the following standards are met:
1. *Duration:* The duration of a Temporary Improvement Location Permit for the sale of seasonal items shall be no more than forty-five (45) days. All unsold merchandise shall be removed within five (5) days after the expiration of the Temporary Improvement Location Permit.
  2. *Location:*
    - a. The sale of seasonal items shall be on a lot that fronts a collector or arterial street, but shall meet Setbacks for Accessory Structures in the district in which it is located.
    - b. The sale of seasonal items shall be at least fifty (50) feet from residential zoning districts.
    - c. The sale of seasonal items may be in a parking lot, but shall not displace parking such that the property is not compliant with the minimum number of parking spaces.
  3. *Additional Requirements:* The sale of seasonal items must comply with all requirements of applicable State laws.

# Trash Receptacle Standards (TR)

## 5.94 TR-01: General Trash Receptacle Standards

This Trash Receptacle Standards section applies to the following zoning districts:



The intent of the Trash Receptacle Standards section is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by requiring outdoor trash receptacles to meet certain standards and to enhance the aesthetic environment of the City. The following standards apply:

- A. Project Applicability: Any new outdoor trash receptacle, dumpster, compactor, or similar container placed after the effective date of this Unified Development Ordinance shall be permitted if all of the following standards are met.
  - 1. *Exemptions*: Outdoor trash receptacles, dumpsters, compactors, or similar containers temporarily placed (i.e. construction projects) shall be exempt from the standards in this section.
- B. Design:
  - 1. *Screening*:
    - a. Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be screened on all sides by a fence or wall that is constructed with wood, brick, vinyl or stone.
    - b. Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be accessible by gates which aesthetically coordinates with screening.
    - c. The screening of outdoor trash receptacles, dumpsters, compactors, or similar containers shall meet the location and setback requirements in *Fence and Wall Standards (FW)*.
  - 2. *Surface Materials*: Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be placed on a paved surface.
- C. Setbacks:
  - 1. *Front Yard*: Trash receptacles shall not be located in a front yard.
  - 2. *Side Yard*: Trash receptacles shall meet the setbacks for Parking Lots for the district in which they are located.
  - 3. *Rear Yard*: Trash receptacles shall meet the setbacks for Parking Lots for the district in which they are located.
- D. Maintenance: All trash receptacles and screening associated with trash receptacles shall be properly maintained and kept in good condition.

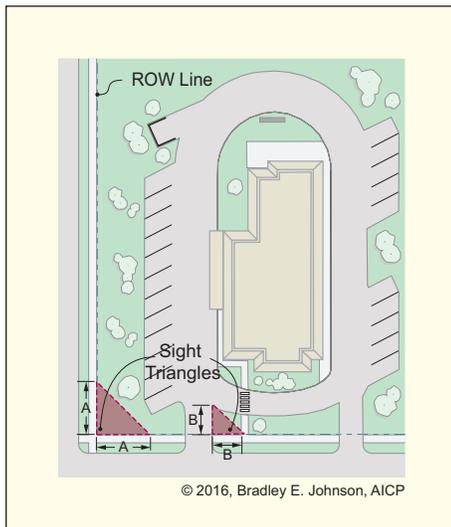
## 5.95 VC-01: General Vision Clearance Standards

This Vision Clearance Standards section applies to the following zoning districts:



The intent of the Vision Clearance Standards section is to protect the health, safety, and welfare of the residents of the zoning jurisdiction of the City by eliminating visual obstructions at intersections. The following standards apply:

- A. **Vision Clearance Triangle:** A vision clearance or sight 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.
  - 1. **Horizontal Area:**
    - a. **Arterial Streets:** The vision clearance triangle leg lengths shall be twenty-five (25) feet as measured from the edge of right-of-way (see "A" in the illustration below) when one (1) or more of the intersecting streets is an arterial street
    - b. **Other Streets:** The vision clearance triangle leg lengths shall be fifteen (15) feet as measured from the edge of right-of-way (see "A" in the illustration below) when one (1) or more of the intersecting streets is a collector or local street.



- 2. **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 (2.5) feet and nine (9) feet above the crown of the adjacent roadway.
- 3. **Exemptions:** Public street signs and utility poles shall be exempt from the vision clearance standards.

**Article**

**06**

**Subdivision Types**

---

**AUBURN**

**Unified Development Ordinance**

## 6.01 Residential Subdivision Intent

**The Standard Subdivision type is intended to provide a development option with the following features:**

**Land Use**

- 100% residential

**Applicability**

- Residential subdivisions of all sizes that may or may not require new streets

**Pedestrian Network**

- Safe and efficient pedestrian circulation within the subdivision
- Safe and efficient pedestrian accessibility to perimeter streets

**Vehicular Network**

- Connectivity to adjacent development, adjacent undeveloped parcels, and the existing street network
- Large radius corners and curves

**Site Feature Preservation**

- Strive to save existing quality tree stands

**Incentives**

- Density bonus for anti-monotony
- Density bonus for added open space

## 6.02 Residential Subdivision Prerequisites

**Base Zoning**

- AG, ER, R1, R2, R3, TR, M1 or M2

**Minimum Parent Tract:**

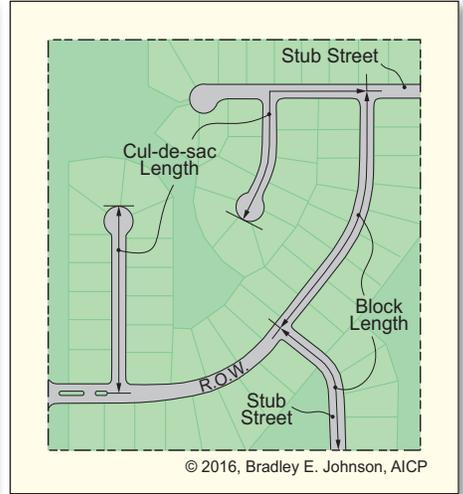
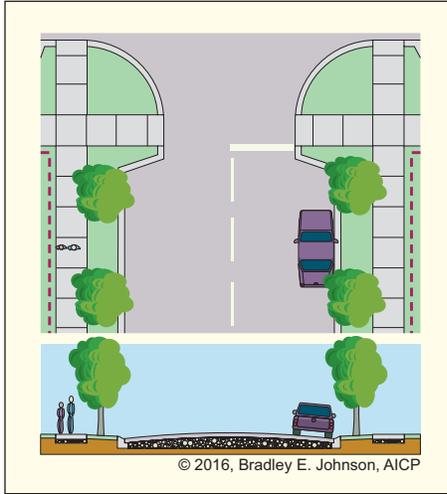
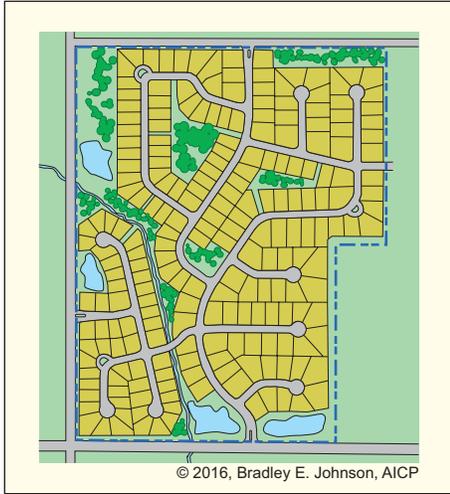
- No minimum

**Maximum Parent Tract:**

- No maximum

# Residential Subdivision (RS)

## 6.03 Residential Subdivision Standards



**Required Open Space**

- 15%

**Minimum Perimeter Landscaping**

- 25 feet along perimeter streets for entire depth of entry lots

**Minimum Block Length**

- 140 feet

**Maximum Block Length**

- 1,000 feet

**Minimum Cul-de-sac Length**

- 140 feet

**Maximum Cul-de-sac Length**

- 600 feet; or maximum of 20 lots

**Minimum ROW on Local Streets**

- 60 feet

**Design Speed**

- 20 to 30 mph

**Minimum Pavement Width**

- 32 feet

**Curb**

- Rolled or vertical curb required

**On-street Parking**

- Required on at least one side

**Minimum Tree Plot Width**

- 5 feet

**Minimum Sidewalk/Sidepath Width**

- 5 feet sidewalks along both sides of internal streets
- 6 feet sidepaths or sidewalks along perimeter streets
- 8 feet trail if along a proposed trail route

**Additional Design Standards that Apply**

<b>Development Name (DN)</b>	<b>Pedestrian Network (PN)</b>
• DN-01 ..... Page 7-4	• PN-01 ..... Page 7-18
<b>Dedication of Public Improvement (DD)</b>	<b>Perimeter Landscaping (PL)</b>
• DD-01 ..... Page 7-5	• PL-01 ..... Page 7-19
<b>Easement (EA)</b>	<b>Prerequisite Standards (PQ)</b>
• EA-01 ..... Page 7-6	• PQ-01 ..... Page 7-20
<b>Entryway Feature (EF)</b>	<b>Storm Water Standards (SM)</b>
• EF-01 ..... Page 7-8	• SM-01 ..... Page 7-21
<b>Erosion Control (EC)</b>	<b>Street and Access (SA)</b>
• EC-01 ..... Page 7-9	• SA-01 ..... Page 7-23
<b>Floodplain (FP)</b>	• SA-02 ..... Page 7-27
• FP-01 ..... Page 7-10	• SA-04 ..... Page 7-28
<b>Lot Establishment (LT)</b>	• SA-06 ..... Page 7-30
• LT-01 ..... Page 7-11	<b>Street Lighting (SL)</b>
<b>Monument and Marker (MM)</b>	• SL-01 ..... Page 7-31
• MM-01 ..... Page 7-14	<b>Surety (SY)</b>
<b>Open Space (OP)</b>	• SY-01 ..... Page 7-32
• OP-01 ..... Page 7-15	<b>Utility Standards (UT)</b>
<b>Owners' Association (OA)</b>	• UT-01 ..... Page 7-34
• OA-01 ..... Page 7-16	

## 6.04 Commercial District Subdivision Intent

**The Commercial District Subdivision type is intended to provide a development option with the following features:**

**Land Use**

- At least 90% non-residential

**Applicability**

- Commercial subdivisions regardless of the number of lots and regardless if new infrastructure improvements are required

**Pedestrian Network**

- Safe movement to primary structures from streets
- Safe movement between primary structures
- Safe accessibility to perimeter streets

**Vehicular Network**

- Connectivity to adjacent development, adjacent undeveloped parcels, and the existing street network
- Adequate accessibility for deliveries
- Use of frontage roads when necessary
- Minimal curb cuts

**Site Feature Preservation**

- Strive to save quality existing tree stands

## 6.05 Commercial District Subdivision Prerequisites

**Base Zoning**

- AC, IS, DC, C1 or C2

**Minimum Parent Tract**

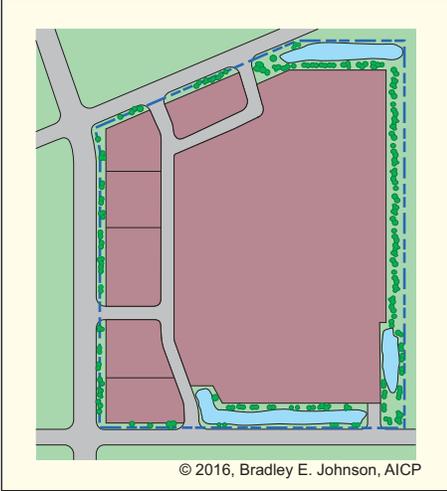
- 2 acres (87,120 square feet)

**Maximum Parent Tract**

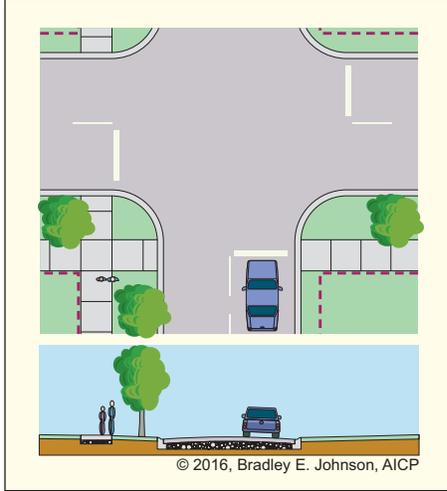
- No maximum

# Commercial District Subdivision (CD)

## 6.06 Commercial District Subdivision Standards



**Required Open Space**  
• 10%



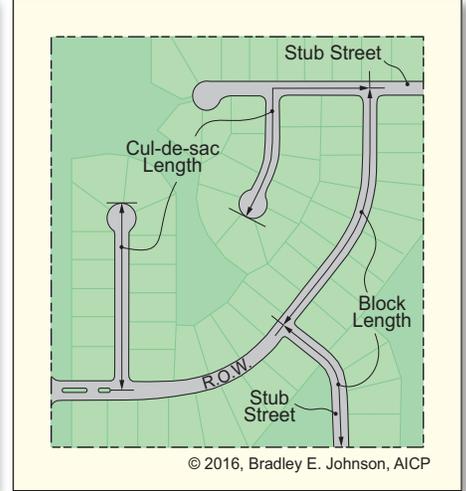
**Minimum Block Length**  
• 140 feet

**Maximum Block Length**  
• 1,000 feet

**Minimum Cul-de-sac Length**  
• 140 feet

**Maximum Cul-de-sac Length**  
• 600 feet

**Minimum ROW on Local Streets**  
• 60 feet



**Design Speed**  
• 20 to 35 mph

**Minimum Pavement Width**  
• 32 feet

**Curb**  
• Rolled or vertical curb required

**On-street Parking**  
• Not permitted

**Minimum Tree Plot Width**  
• 5 feet

**Minimum Sidewalk/Sidepath Width**  
• 5 feet sidewalks along both sides of internal streets  
• 6 feet sidepaths or sidewalks along perimeter streets  
• 8 feet trail if along a proposed trail route

### Additional Design Standards that Apply

<b>Development Name (DN)</b> • DN-01 ..... Page 7-4	<b>Pedestrian Network (PN)</b> • PN-01 ..... Page 7-18
<b>Dedication of Public Improvement (DD)</b> • DD-01 ..... Page 7-5	<b>Perimeter Landscaping (PL)</b> • PL-01 ..... Page 7-19
<b>Easement (EA)</b> • EA-01 ..... Page 7-6	<b>Prerequisite Standards (PQ)</b> • PQ-01 ..... Page 7-20
<b>Entryway Feature (EF)</b> • EF-01 ..... Page 7-8	<b>Storm Water Standards (SM)</b> • SM-01 ..... Page 7-21
<b>Erosion Control (EC)</b> • EC-01 ..... Page 7-9	<b>Street and Access (SA)</b> • SA-01 ..... Page 7-23 • SA-02 ..... Page 7-27 • SA-05 ..... Page 7-29 • SA-06 ..... Page 7-30
<b>Floodplain (FP)</b> • FP-01 ..... Page 7-10	<b>Street Lighting (SL)</b> • SL-02 ..... Page 7-31
<b>Lot Establishment (LT)</b> • LT-02 ..... Page 7-12	<b>Surety (SY)</b> • SY-01 ..... Page 7-32
<b>Monument and Marker (MM)</b> • MM-01 ..... Page 7-14	<b>Utility Standards (UT)</b> • UT-01 ..... Page 7-34
<b>Open Space (OP)</b> • OP-01 ..... Page 7-15	
<b>Owners' Association (OA)</b> • OA-01 ..... Page 7-16	

## 6.07 Industrial Park Subdivision Intent

**The Industrial Park Subdivision type is intended to provide a development option with the following features:**

**Land Use**

- 100% nonresidential
- At least 60% industrial uses

**Applicability**

- Industrial subdivisions of all sizes that may or may not require new streets

**Pedestrian Network**

- Safe movement to primary structures from streets
- Safe movement between primary structures
- Safe accessibility to perimeter streets

**Vehicular Network**

- Connectivity to adjacent lots
- Use of frontage streets when necessary
- Safe and efficient integration of vehicular and truck traffic
- Minimal curb cuts

**Site Feature Preservation**

- Strive to save quality existing tree stands

## 6.08 Industrial Park Subdivision Prerequisites

**Base Zoning**

- I1, I2, or HI

**Minimum Parent Tract**

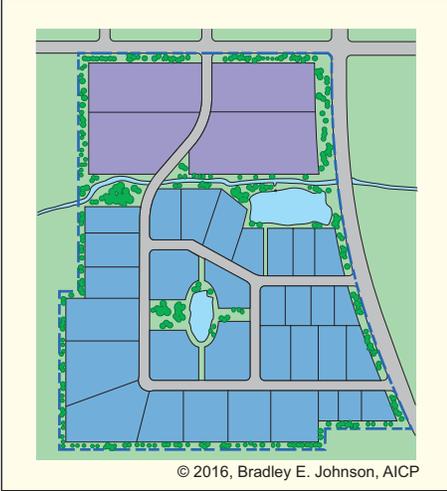
- No minimum

**Maximum Parent Tract**

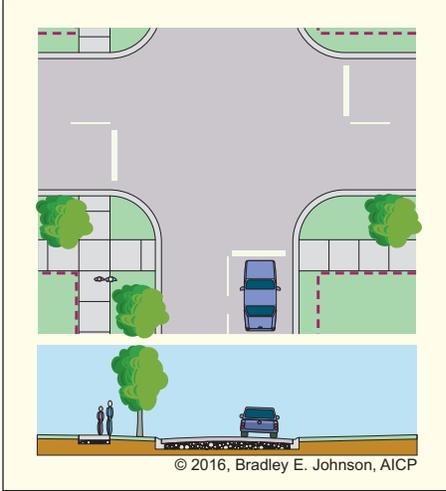
- No maximum

# Industrial Park Subdivision (IP)

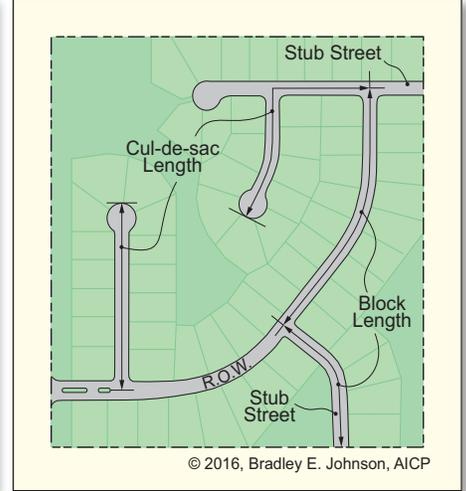
## 6.09 Industrial Park Subdivision Standards



- Minimum Open Space**
- 10%



- Minimum Block Length**
- No minimum
- Maximum Block Length**
- No maximum
- Cul-de-sac Length**
- Cul-de-sacs not permitted
- Minimum ROW on Local Streets**
- 60 feet



- Design Speed**
- 20 to 35 mph
- Minimum Pavement Width**
- 28 feet
- Curb**
- Rolled or vertical curb required
- On-street Parking**
- Not permitted
- Minimum Tree Plot Width**
- 5 feet
- Minimum Sidewalk/Sidepath Width**
- 5 feet sidewalks along both sides of internal streets
  - 6 feet sidepaths or sidewalks along perimeter streets
  - 8 feet trail if along a proposed trail route

### Additional Design Standards that Apply

<b>Development Name (DN)</b>	<b>Pedestrian Network (PN)</b>
• DN-01 ..... Page 7-4	• PN-01 ..... Page 7-18
<b>Dedication of Public Improvement (DD)</b>	<b>Perimeter Landscaping (PL)</b>
• DD-01 ..... Page 7-5	• PL-01 ..... Page 7-19
<b>Easement (EA)</b>	<b>Prerequisite Standards (PQ)</b>
• EA-01 ..... Page 7-6	• PQ-01 ..... Page 7-20
<b>Entryway Feature (EF)</b>	<b>Storm Water Standards (SM)</b>
• EF-01 ..... Page 7-8	• SM-01 ..... Page 7-21
<b>Erosion Control (EC)</b>	<b>Street and Access (SA)</b>
• EC-01 ..... Page 7-9	• SA-01 ..... Page 7-23
<b>Floodplain (FP)</b>	• SA-02 ..... Page 7-27
• FP-01 ..... Page 7-10	• SA-05 ..... Page 7-29
<b>Lot Establishment (LT)</b>	• SA-06 ..... Page 7-30
• LT-02 ..... Page 7-12	<b>Street Lighting (SL)</b>
<b>Monument and Marker (MM)</b>	• SL-02 ..... Page 7-31
• MM-01 ..... Page 7-14	<b>Surety (SY)</b>
<b>Open Space (OP)</b>	• SY-01 ..... Page 7-32
• OP-01 ..... Page 7-15	<b>Utility Standards (UT)</b>
<b>Owners' Association (OA)</b>	• UT-01 ..... Page 7-34
• OA-01 ..... Page 7-16	



**Article**

**07**

**Design Standards**

---

**AUBURN**

**Unified Development Ordinance**

## 7.01 Using This Section

The following pages contain the design standards for site and infrastructure improvements associated with subdivisions, Planned Developments, and development plan approval. These requirements shall also apply to planned developments associated with subdivision approval. Each section represents the regulations for a specific category. There are two ways to determine which design standards apply to a specific type of petition. They are:

- A. Using Two-Page Layouts: Refer to the two-page layouts in *Article 06: Subdivision Types* for a specific subdivision type. Applicable design standards for that specific subdivision type are identified by four-digit codes in the "Additional Design Standards that Apply." Only the four-digit codes noted in the "Additional Design Standards that Apply" section apply to that subdivision type.
- B. Using Icons: Refer to the project icons used at the top of each design standards section in *Article 07: Design Standards*. Each design standard section begins with a four-digit code and introductory sentence followed by square icons that stand for subdivision or project type. These project icons note that the design standards written in that section applies to that type of application.

## 7.02 Purpose of Design Standards

- A. Intent: It is the purpose of *Article 07: Design Standards* to establish and define design standards that shall be required by the City for any subdivision of land, development plan approval, and Planned Development.

# Icon Key

---

## 7.03 Icon Key

-  - Residential Subdivision
-  - Commercial District Subdivision
-  - Industrial Park Subdivision
-  - Development Plan
-  - Planned Development

## 7.04 DN-01: General Development Name Standards

This Development Name Standards section applies to the following types of development:



- A. Proposed Development Name: The applicant shall propose a unique name for the development.
  - 1. *Root Name*: The proposed root name of the development shall not duplicate, or closely approximate phonetically, the name of any other development within the zoning jurisdiction of the City.
  - 2. *Suffix Name*: Deviations in suffix names (e.g. Place, Woods, or Glen) shall not constitute a unique name (for example, if Preston Place exists, the name Preston Woods shall not be permitted).
  - 3. *Large Developments*: Unique subareas within a large development or separate developments within close proximity may be authorized to use the same root name by the Plan Commission.
- B. Approval Authority: While the development name proposed by the applicant shall be considered, the Plan Commission has authority to approve or deny the proposed name.
- C. Renaming Authority:
  - 1. *Existing Development Names*: Existing development names and development names that have been approved by the Plan Commission shall not be changed without Plan Commission approval.
  - 2. *Proposed Development Names*: The Plan Commission shall have authority to require a new unique name for a development if the name proposed by the applicant is unacceptable. If an acceptable and unique development name is not proposed by the applicant, the Plan Commission shall rename the development prior to final approval.

## Dedication of Public Improvement Standards (DD)

### 7.05 DD-01: General Dedication of Public Improvement Standards

This Dedication of Public Improvement Standards section applies to the following types of development:



#### A. Project Applicability:

1. *Right-of-way:* Any right-of-way shown on an approved secondary plat (subdivisions), approved final plan (planned developments), or on an approved development plan shall be considered dedicated upon approval of the as-built plans by the Board of Public Works and Safety. In the City's Extra-Territorial Jurisdiction, right-of-way shall be considered dedicated upon approval of the as-built plans by the DeKalb County Commissioners.
2. *Streets and Sidewalks:* The intent of the City is to take ownership of streets and sidewalks located within a right-of-way and that have been constructed to meet or exceed the City of Auburn's Construction Standards. In the City's Extra-Territorial Jurisdiction, it is the intent of the County to take ownership of streets and sidewalks located within a right-of-way and that have been constructed to meet or exceed the City of Auburn's Construction Standards. However, the City or County may choose not to take ownership of specialty access improvements, including but not limited to alleys, driveway aprons, driving aisles, unusual on-street parking, or eyebrows.
3. *Electric and Essential Services:* Projects within Auburn Electric's service territory and/or Auburn Essential Services Service Area shall coordinate with the utility. Agreements for in aid construction assistance for new infrastructure shall be executed prior to the installation of the utility infrastructure.
4. *Other Facilities:* Other infrastructure or facilities may, at the election of the Board of Public Works and Safety, be dedicated to the City. A developer's intentions for dedicating infrastructure and/or public facilities shall be identified upon filing the primary plat or development plan. These facilities may include parks, open space, retention ponds, drainage facilities, utilities, street lighting, or other facilities in which the City may have interest.

- B. Maintenance Surety: A maintenance surety may be required by the City at the time of dedication. See *Surety Standards (SY)*.

## 7.06 EA-01: Easement Standards

This Easement Standards section applies to the following types of development:



### A. Cross-Reference:

1. *Private Street Easements*: For details concerning private street easements, see *Street and Access Standards (SA)*.
2. *Temporary Turnaround Easements*: For details concerning temporary turnaround easements, see *Street and Access Standards (SA)*.
3. *Utility Easements*: For details concerning utility easements, see *Utility Standards (UT)*.
4. *Drainage Easements*: For details concerning drainage easements, see *Storm Water Standards (SM)*.
5. *Pedestrian Easements*: For details concerning pedestrian easements, see *Pedestrian Network Standards (PN)*.

### B. Cross-access Easements:

1. *Instrument Specifications*: When required by this Unified Development Ordinance, each property owner of record shall execute a cross-access easement instrument in favor of the adjoining property owner. The cross-access easement instrument shall be signed by the owner or an authorized representative of the owner of all associated properties. The cross-access easement instrument shall include the following language:
  - a. Identify the development with which the cross-access easement is associated.
  - b. The cross-access easement shall grant the general public the right to utilize the easement for purpose of accessing adjoining parking lots.
  - c. The cross-access easement shall prohibit any person from parking vehicles within the easement.
  - d. The cross-access easement shall prohibit any person, including the property owner, from placing any obstruction within the easement.
  - e. The cross-access easement shall be binding on all heirs, successors, and assigns to the property on which the cross-access easement is located.
  - f. The cross-access easement shall be enforceable by the owners of each associated property, the City, and any other specially affected persons identified in the cross-access easement.
  - g. The cross-access easement shall provide for modification or termination in a manner specified in this Unified Development Ordinance.
  - h. The cross-access easement shall be cross-referenced to the most recently recorded deeds of the associated properties.
  - i. The cross-access easement shall include a metes and bounds description of the easement.
2. *Cross-access Easement Certificate*:
  - a. When a secondary plat (subdivision), development plan, or final plan (planned development) is being recorded, the applicant may forego a separate cross-access easement instrument in favor of printing the following Cross-access Easement Certificate on the recordable instrument: “Areas on these plans designated as a Cross-access Easement are established in favor of the adjoining property owner, and grant the public the right to enter the easement for purposes of accessing adjoining lots. These easements prohibit any person from parking vehicles within the easement, and prohibit the property owners or any other person from placing any obstruction within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee or the City may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in this Unified Development Ordinance, or its successor ordinance.”
  - b. The dedication and acceptance of any cross-access easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the appropriate property owners, or their agents.
  - c. If the Declaration of Covenants is included on the recordable instrument, the Cross-access Easement Certificate clearly shall be separate from the Declaration of Covenants.

C. General Easements:

1. *Instrument Specifications:* When an easement is required by this Unified Development Ordinance or an easement is required per a commitment or condition of approval, but the standards for the easement type are not specified, the property owner of record shall execute the easement instrument in favor of the appropriate parties (for example, the general public, City, specific abutting property owner, etc.). The easement instrument shall include the following language:
  - a. Identify the project or development with which the easement is associated.
  - b. Identify the size of the easement, a minimum of 10-feet on each side of a property line, unless otherwise specified by this Unified Development Ordinance or the Plan Commission.
  - c. Specify those activities the appropriate parties are authorized to perform in the easement.
  - d. Specify those activities the property owner of record is prohibited from performing in the easement.
  - e. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
  - f. Be enforceable by the property owner of record, any appropriate parties, and the City.
  - g. Provide for modification in the manner stipulated in this Unified Development Ordinance.
  - h. Be cross-referenced to the most recently recorded deed to the property on which the easement is to be established.
  - i. Include a metes and bounds description of the easement.
  - j. Be signed by an authorized representative of the property owner of record granting the easement and by an authorized representative of the grantee accepting the easement.
2. *Easement Certificate:*
  - a. When a secondary plat, development plan, or final plan of a planned development is being recorded, the applicant may forego a separate easement instrument in favor of printing an easement certificate, the content of which has been approved by the Plan Commission Attorney, on the recordable instrument.
  - b. The dedication and acceptance of any easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the appropriate property owners, or their agents.
  - c. If the Declaration of Covenants is included on the recordable instrument, the easement certificate clearly be shall separate from the Declaration of Covenants.

## 7.07 EF-01: General Entryway Feature Standards

This Entryway Feature Standards section applies to the following types of development:



A. Applicability:

1. *Residential*: Residential developments may establish an entryway feature.
2. *Non-residential*: Non-residential developments may establish an entryway feature.

B. Location: Entryway features shall be located at vehicular entrances to a development, but shall not be located within any right-of-way without approval from the Board of Public Works and Safety.

C. Quantity and Size: The quantity and size of entryway features shall depend on the number of entrances and classification of the street where the entrance is located.

1. *Residential*:

- a. Residential developments with less than twenty (20) lots or units shall be permitted one (1) entryway feature. The identification portion of the entryway feature shall not exceed twenty (20) square feet in area.
- b. Residential developments with twenty (20) or more lots or units shall be permitted one (1) entryway feature. The identification portion of the entryway feature shall not exceed forty (40) square feet in area.
- c. Residential developments with 100 or more lots or units shall be permitted one (1) entryway feature for the primary entrance, and one (1) entryway feature for one (1) secondary entrance. The identification portion of the primary entrance's entryway feature shall not exceed forty (40) square feet; the identification portion of the secondary entrance's entryway feature shall not exceed twenty (20) square feet.

2. *Non-residential*:

- a. Non-residential developments with four (4) or less lots or that do not have private streets shall be permitted one (1) entryway feature. The identification portion of the entryway feature shall not exceed twenty (20) square feet in area.
- b. Non-residential developments with more than four (4) lots and private streets shall be permitted one (1) entryway feature. The identification portion of the entryway feature shall not exceed forty (40) square feet in area.

D. Landscaping: The identification portion of the entryway feature shall be significantly subordinate to the landscaping.

# Erosion Control Standards (EC)

## 7.08 EC-01: General Erosion Control Standards

This Erosion Control Standards section applies to the following types of development:



- A. **Cross Reference:** All proposed subdivisions, planned developments, and development plans shall be in compliance with *Chapter 160: Rules Related to the Illicit Discharge and Connection to Stormwater Drains Within the City of Auburn, IN*; and *Chapter 161: Storm Water Runoff Control*.
- B. **Permits:**
  1. *MS4 Permit:* No changes shall be made in the contour of the land, nor shall grading, or excavating begin until an Erosion and Sedimentation Control Plan has been reviewed and approved by the City's MS4 Coordinator; and an MS4 Permit is obtained (when required).
  2. *Rule 5 Permit:* Any development over one (1) acre shall obtain a Rule 5 Permit through DeKalb County Soil and Water. Any development one (1) acre or less shall be exempt from obtaining a Rule 5 Permit, but shall comply with Indiana's Rules.
- C. **Off-site Sedimentation:** Whenever sedimentation is caused by stripping of vegetation, regrading, or other development activities, it shall be the responsibility of the applicant to remove sedimentation from all adjoining surfaces, drainage systems, and watercourses, and to repair any damage. This work shall be done at the applicant's expense.
- D. **Fill Material:** All fill material shall be compacted to meet the specifications in the City of Auburn's Construction Standards.
  1. *Off-site Fill Material:* Off-site fill material shall be free of environmentally hazardous materials. The applicant shall ensure that fill material hauled from an off-site location is free of environmental contaminants. The source of fill material shall be identified prior to application for a MS4 Permit. The MS4 Coordinator or Zoning Administrator may request the applicant have testing performed on representative samples of the fill material to determine if environmentally hazardous materials are present.
  2. *Organic Material:* Detrimental amounts of organic material shall not be permitted in fill material.
  3. *Irreducible Material:* No rock or similar irreducible material with a maximum dimension greater than twelve (12) inches shall be buried or placed in fills unless included and approved as part of the MS4 Permit.
- E. **Health, Safety and Welfare:** If the MS4 Coordinator, Director of Engineering, or Zoning Administrator determines that any existing excavation or embankment or fill is hazardous, the property owner or the owner's agent shall be notified in writing and shall, within the period specified, repair or eliminate the hazard or be subject to *Article 10: Enforcement and Penalties*.
- F. **Disturbance of Protected Areas:** If any "no disturb" area is driven over, altered, disturbed, or damaged in any way, the applicant or property owner shall be subject to *Article 10: Enforcement and Penalties*.

## 7.09 FP-01: General Hazard Reduction Floodplain Standards

This Floodplain Standards section applies to the following types of development:



A. Cross-Reference: *Appendix B: Flood Hazard Area Ordinance.*

# Lot Establishment Standards (LT)

## 7.10 LT-01: Residential Lot Establishment Standards

This Lot Establishment Standards section applies to the following types of development:



- A. **Project Applicability:** The shape, location, and orientation of lots within a residential subdivision, residential planned development, or residential development plan shall be appropriate for the uses proposed and be consistent with the intent of the subdivision as indicated in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. Lot sizes shall also be consistent with those indicated for the appropriate zoning district in *Article 02: Zoning Districts*.
- B. **Lot Design:** Lots shall meet the following conditions.
1. **Interior Street Frontage:** Residential lots shall be laid out to front interior streets, which may include frontage streets. Subdivisions shall be designed such that residential lots shall not front onto a perimeter street.
  2. **Side Lot Lines:** Residential lots shall have side lot lines that are within fifteen degrees (15°) of a right angle if the street the lot fronts is straight. Side lot lines shall be radial if the street lot fronts is curved.
  3. **Corner Lots:** Residential corner lots smaller than 20,000 square feet shall be twenty-five percent (25%) larger than the minimum lot area. This shall include lots at the corner of a development entrance and a perimeter street, even if common areas exist.
  4. **Through Lots:** Through lots are discouraged, and shall only be permitted if the lot does not establish access to both frontages.
  5. **Special Lots:** Residential lots abutting a watercourse, drainage way, channel, or stream shall be twenty-five percent (25%) larger than the minimum lot area. This space shall be allocated on the side of the lot that abuts the water feature as a “no-build” zone.
  6. **Property Line Corners:** At intersections of streets, property line corners shall be rounded by arcs of at least twenty (20) feet in radius or by chords of such arcs.
  7. **Pond Lots:** Finished grade of residential lots abutting a pond (wet detention basin) shall be such that the lot is usable without additional fill.
- C. **Lot Width:** Lot width shall be determined by the distance between the two (2) side property lines, measured at the minimum front setback line.

## 7.11 LT-02: Non-residential Lot Establishment Standards

This Lot Establishment Standards section applies to the following types of development:



- A. **Project Applicability:** The shape, location, and orientation of lots within a non-residential subdivision, non-residential planned development, or non-residential development plan shall be appropriate for the uses proposed and be consistent with the intent of the subdivision as indicated in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. Lot sizes shall also be consistent with those indicated for the appropriate zoning district in *Article 02: Zoning Districts*.
- B. **Lot Design:** Lots shall meet the following conditions.
  1. *Interior Street Frontage:* Non-residential lots shall be laid out to front interior streets, which may include frontage streets. Individual lots shall only be laid out to have access onto perimeter streets if expressly permitted by the Plan Commission.
  2. *Side Lot Lines:* Non-residential lots shall have side lot lines that are within fifteen degrees (15°) of a right angle if the street the lot fronts is straight. Side lot lines shall be radial if the street the lot fronts is curved. Side lot lines shall extend in a straight line from the street for at least twenty percent (20%) of the property's depth.
  3. *Corner Lots:* Non-residential corner lots shall be fifteen percent (15%) larger than the minimum lot area indicated for the zoning district. If there is a maximum lot area, that maximum may also be increased by fifteen percent (15%).
  4. *Special Lots:* Non-residential lots abutting a watercourse, drainage way, channel, or stream shall be twenty-five percent (25%) larger than the minimum lot area indicated for the zoning district. This space shall be allocated on the side of the property that abuts the water feature as a "no-build" zone and may serve as the Environmental Feature Protective Setback established in *Environmental Standards (EN)*.
  5. *Cohesive Design:* Non-residential developments (e.g. shopping centers, commercial areas, and office parks) shall be designed holistically as a single project no matter how many lots are generated. Cross-access easements to allow access between parking lots shall be included where appropriate. See *Easement Standards (EA)* for details on Cross-access Easements.
  6. *Sensitivity to Context:* Non-residential developments shall be laid out to be sensitive to neighboring residential developments, if built, or residential zoning districts if undeveloped.
  7. *Property Line Corners:* At intersections of streets, property line corners shall be rounded by arcs of at least twenty (20) feet in radius or by chords of such arcs.

# Mixed-use Development Standards (MX)

## 7.12 MX-01: General Mixed-use Development Standards

This Mixed Use Development Standards section applies to the following types of development:



- A. Project Applicability: Any development that incorporates a mix of uses, either as a development plan or a planned development, shall meet the standards in this section. A mix of uses may be proposed within the same building and/or on the same parent tract.
- B. Development Plan:
  - 1. *Minimizing On-site Conflicts*: Mixed uses shall be arranged on the site to minimize conflicts between other uses on-site or off-site.
- C. Planned Development:
  - 1. *Minimizing On-site Conflicts*: Mixed uses shall be arranged on the site to minimize conflicts between other uses on-site or off-site.
  - 2. *Buffering Adjacent Properties*: Any land use within the development that borders a differing land use outside the development shall be reviewed to determine if a buffer yard is necessary. If a buffer yard is required, the planned development shall install the buffer yard to specifications approved by the Plan Commission.

## 7.13 MM-01: General Monument and Marker Standards

This Monument and Marker Standards section applies to the following types of development:



- A. Installation of Monuments and Markers: All monument and marker improvements shall be installed per *865 IAC 1-12-18* and the City of Auburn's Construction Standards, as amended. The standards call for twenty-four inch (24") long five-eighths inch (5/8") rebar with a plastic identification cap with the survey/engineering firm's name and number with eighteen inches (18") set below grade.
- B. Centerline Monuments: Monuments conforming to *865 IAC 1-12-18(a)(2)* shall be set on street center lines at the beginning and end of curves and at the intersection of center lines. When it is not practical to set a centerline monument in accordance with *865 IAC 1-12-18(a)(2)*, a centerline monument conforming to *865 IAC 1-12-18(a)(3)* shall be set.
- C. Reporting: Upon completion of the infrastructure, as-built drawings shall be submitted showing where monuments and markers were placed.

# Open Space Standards (OP)

## 7.14 OP-01: General Open Space Standards

This Open Space Standards section applies to the following types of development:



### A. Applicability:

1. *Residential:* The minimum open space requirements indicated on the two page layouts in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Development* for planned developments shall apply to residential subdivisions that include a new public right-of-way and/or ten (10) or more lots.
2. *Non-residential:* The minimum open space requirements indicated on the two page layouts in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Development* for planned developments shall apply to non-residential subdivisions that include a new public right-of-way and/or five (5) or more lots.
3. *Partial Exemptions:* The minimum open space requirements indicated on the two page layouts in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Development* for planned developments shall be reduced by fifty percent (50%) if the proposed development provides connectivity to an existing trail, park, or recreational facility.

### B. Ownership: Open space areas shall retain private ownership whether that be a single land owner or an owners' association.

### C. Qualifying Areas: The following features count toward the minimum open space requirements:

1. *Conservation Areas:* Any required preservation or conservation area.
2. *Man-made Water Features:* Any man-made water feature, including a retention facility, if it supports aquatic life and provides native habitat that meets the following conditions:
  - a. A surface area at normal pool elevation of at least 32,670 square feet (¾ acre); and
  - b. A buffer area around the perimeter of the water feature that is at least twenty-five (25) feet in width that is open space and not part of a platted lot. The buffer area shall be planted and maintained as wildlife habitat.
3. *Man-made Dry Detention Facilities:* Any man-made storm water dry detention facility that meets the following conditions:
  - a. At least 10,890 square feet (¼ acre) of flat bottom area.
  - b. Depth of the detention facility shall not exceed four (4) feet from top of bank.
  - c. Slopes within the detention facility shall not exceed a 4:1 ratio.
  - d. A buffer area around the perimeter of the facility that is at least twenty-five (25) feet from the top of bank that is open space and is not part of a platted lot. The buffer area (and facility) shall be planted and maintained as usable area. This includes use of prairie grasses, native species, native ground cover, or lawn grass. Tree planting shall not be within the basin area or on the slopes of the bank.
4. *Regulated Floodplain:* The regulated floodplain of any stream, regulated drain, or river.
5. *Required Perimeter Landscaping:* Fifty percent (50%) of the perimeter landscaping areas required in *Perimeter Landscaping (PL)*.
6. *Other:* Other common areas set aside to meet open space requirements.

## 7.15 OA-01: Owners' Association Standards

This Owners' Association Standards section applies to the following types of development:



- A. **Project Applicability:** Any subdivision or development with common area, private streets, shared parking, amenity centers, shared or private utilities, community retention pond, and the like shall meet the Owners' Association Standards.
- B. **Establishment of Owners' Association:**
  1. *Perpetuity:* An owners' association shall be created in perpetuity to make decisions about and to maintain all common property and/or common facilities.
  2. *Organization:* An owners' association shall be a legally incorporated entity or shall be created by other legal mechanisms which provides shared ownership or shared responsibility of common property and/or common facilities. A board of directors or other means for representation in decision-making shall be established.
  3. *Recording of Legal Mechanism:* The legal mechanism binding all property owners or vested parties shall be recorded in the Office of the DeKalb County Recorder, and shall be cross referenced to each applicable lot or property.
  4. *Declaration of Covenants:* The owners' association shall be responsible for the administration of any covenants utilized to further restrict improvements and uses in the development. The "Declaration of Covenants" shall be recorded in the Office of the DeKalb County Recorder following secondary plat approval (subdivisions) or Final Development Plan approval (planned developments or development plans) and prior to selling a lot or unit.
  5. *Commitments or Conditions of Approval:* Any covenant language that resulted as a commitment or condition of approval shall be included in the covenants or other legal document, and shall be clearly denoted as non-amendable by the owners' association.
  6. *Association Fee:* An association fee or other financial mechanism shall be included in the legal mechanism and be equal to the financial needs of the owners' association to maintain common property and/or common facilities, and to accumulate a reserve account for long-term large expenditures, emergencies, and contingencies.
- C. **Required Language:** The following language shall be required in the legal mechanism establishing the owners' association:
  1. *Street Lighting:* Should the City not accept the street lights, the City shall bear no financial responsibility for operation or maintenance costs associated with street lighting. The owners' association shall bear the cost of operation and maintenance. In the event the owners' association fails to maintain street lighting, the City may make the improvements and assess each property for the project cost plus administration costs.
  2. *Retention Pond and Drainage Systems:* When a retention pond and/or other drainage systems are required or installed, the City shall not, now or in the future, be obligated to accept them as public infrastructure or to maintain those facilities. The owners' association shall bear the cost of such maintenance. In the event the owners' association fails to maintain the retention pond and/or other drainage facilities, the City may make the improvements and assess each property for the project cost plus administration costs.
  3. *Private Streets:* When private streets are installed, the City shall not, now or in the future, be obligated to accept private streets as public property. The City shall bear no financial responsibility for maintenance or replacement costs associated with private streets. The owners' association shall bear the cost of maintenance and replacement. In the event the owners' association fails to maintain private streets, the City may make the improvements and assess each property for the project cost plus administration costs.
  4. *Sidewalks:* When sidewalks are installed outside of a right-of-way, the City shall not, now or in the future, be obligated to accept the sidewalks as public property. The City shall bear no financial responsibility for maintenance or replacement costs. The owners' association shall bear the cost of maintenance and replacement. In the event the owners' association fails to maintain the sidewalks, the City may make the improvements and assess each property for the project cost plus administration costs.

## Owners' Association Standards (OA)

5. *Landscaping*: When landscaping installed in common areas or easements, the owners' association shall be responsible for maintaining the plant material in healthy condition, removal of dead or diseased vegetation, and/or replacement of landscaping, as necessary.
  6. *Right-of-way*: Once rights-of-way are platted, the City obtains ownership of the area within the right-of-way and retains the right to reasonably remove any tree or shrub impeding necessary work to be performed by the City and/or all public utilities, or other properly authorized users, regardless if the owners association is assigned financial, maintenance, or replacement responsibility. However, City action shall not result in an unnecessary or unfair financial burden to the owners' association.
  7. *Improvements Within Easements*: Improvements, such as sheds, fences, and extensive retaining walls or landscaping shall obtain approval from the Board of Public Works and Safety through a Utility Service Agreement.
  8. *Defunct Clause*: Language to be added.
- D. Contractual Obligations: Prior to the transition from the developer being responsible for common property and/or common facilities to the owner's association being responsible for common property and/or common facilities, the developer shall not enter into any contractual obligation on behalf of the owners' association that exceeds one (1) year. Once the owners' association is responsible, the renewal of such a contract shall be at the discretion of the owners' association.
- E. Transition from Developer to Owners: The developer shall begin transitioning the responsibility for the owner's association to the lot owners when sixty percent (60%) of the lots are developed. Responsibility shall be shared between the developer and lot owners until ninety percent (90%) of the lots are developed. Once ninety percent of the lots are developed, the owner's association responsibility shall fall to the lot owners.
- F. Enforcement: Failure of the developer and/or owners' association to maintain an effective legal mechanism or failure of the developer and/or owners' association to fulfill its responsibilities within that legal mechanism shall be deemed a violation of this Unified Development Ordinances and may be subject to *Article 10: Enforcement and Penalties*.

## 7.16 PN-01: General Pedestrian Network Standards

This Pedestrian Network Standards section applies to the following types of development:



- A. **Applicability:** Developments shall integrate an interior and exterior pedestrian network comprised of concrete sidewalks and/or asphalt sidepaths for pedestrian transportation and recreation. This network shall consist of sidewalks along street frontages and sidepaths between developments and public destinations (e.g. schools, parks, hospitals), nearby trails, other developments, and undeveloped properties.
1. **Required:** Details about when and where sidewalks are required shall be as indicated on the two-page layout for each subdivision type in *Article 06: Subdivision Types*, as indicated in *Article 04: Planned Developments* for planned developments, or as indicated in *Public Improvement Standards (PI)* for development plans. If not indicated, the Plan Commission shall determine the appropriate sidewalk or sidepath requirements if a development is heard by the Plan Commission. If a development is not heard by the Plan Commission, the Zoning Administrator shall determine the appropriate sidewalk and/or sidepath requirement.
    - a. **Location:** To the extent possible, sidewalks or sidepaths shall be located one (1) foot inside the right-of-way to be dedicated to the City. If utility poles, trees, or other features complicate installation, then the sidewalk or sidepath may extend into common areas or private property if a pedestrian easement is created and executed.
    - b. Sidewalks shall be spaced away from the curb to create a tree plot and to provide pedestrian separation from vehicles. The minimum tree plot width shall be as indicated on the two-page layout for each subdivision type in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments.
  2. **Width:** The minimum sidewalk or sidepath width shall be as indicated on the two-page layout for each subdivision type in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If not indicated, the Plan Commission and/or Zoning Administrator shall determine the appropriate sidewalk or sidepath width.
- B. **Cross Reference:** Sidewalks and sidepath improvements shall be constructed to meet or exceed the City of Auburn's Construction Standards.
- C. **Pedestrian Easement:** A pedestrian easement shall be required if a sidewalk or sidepath extends into a common area or private property. There is no minimum width for a pedestrian easement; the pedestrian easement can be for whatever portion of the sidewalk or sidepath is in common area or on private property. A pedestrian easement shall be binding on all heirs, successors, and assigns to the property on which the easement is located; be cross-referenced to the most recently recorded deed to the property on which the easement is to be established; and be signed by an authorized representative of the property owner of record granting the easement and by an authorized representative of the grantee accepting the easement.
- D. **Up-sizing:** Up-sizing pedestrian infrastructure shall be considered by the City and the developer depending on future development of adjacent parcels. Agreements concerning up-sizing utility infrastructure shall be in accordance with appropriate Indiana Statutes and executed prior to the installation of the pedestrian infrastructure.

## Perimeter Landscaping Standards (PL)

### 7.17 PL-01: General Perimeter Landscaping Standards

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



- A. Applicability: Perimeter landscaping shall be installed as indicated in the minimum perimeter landscaping standards on the two-page layout for each subdivision type in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If not indicated, the Plan Commission or Zoning Administrator shall determine the appropriate perimeter landscaping requirements for the development.
- B. Ownership: Perimeter landscaping areas shall retain private ownership whether that be a single land owner or an owners' association.
- C. Landscaping Design:
  1. *Size*: Perimeter landscape areas shall extend the entire depth of the lots located at the development's entrance right-of-way.
  2. *Plantings and Features*: Perimeter landscaping shall be sufficient to create an aesthetically pleasing entrance and provide privacy to lots along the perimeter. Perimeter landscaping may include existing, natural vegetation, deciduous, evergreen, shrubbery, trees, mounding and/or fencing. Fencing shall be high quality materials: wood, natural stone or metal, and not exceed six (6) feet in height.
- D. Qualifying as Required Open Space: Fifty percent (50%) of the perimeter landscaping areas may count towards open space required in *Open Space Standards (OP)*.

## 7.18 PQ-01: General Prerequisite Standards

This Prerequisite Standards section applies to the following types of development:



- A. **Applicability:** If any the of the prerequisite do not appear for a particular type of subdivision (in *Article 06: Subdivision Types*) or for a planned development (in *Article 04: Planned Developments*), then that prerequisite does not exist for that particular subdivision type or planned development.
1. **Base Zoning:** The base zoning of the parent tract for a subdivision shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* prior to consideration of the subdivision by the Plan Commission. If a parent tract is in multiple zoning districts, each of those zoning districts must be listed. Likewise, the base zoning of a property proposed for a planned development shall be as indicated in *Article 04: Planned Developments* for planned developments prior to consideration of the planned development by the Plan Commission.
  2. **Minimum Parent Tract:** The minimum parent tract area shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments.
  3. **Maximum Parent Tract:** The maximum parent tract area shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments.
  4. **Special Qualifications:** All special qualifications indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments shall be met prior to consideration of the subdivision or planned development by the Plan Commission.

# Storm Water Standards (SM)

## 7.19 SM-01 General Storm Water Standards

This Storm Water Standards section applies to the following types of development



- A. Applicability: Subdivisions, planned developments, and development plans shall provide for the collection and management of all storm and surface water drainage.
- B. Cross Reference:
  - 1. *City Standards*: Developments within the zoning jurisdiction of the City shall meet or exceed the City of Auburn's Stormwater Management Ordinance. (See *Chapter 160*, *Chapter 161* and *Chapter 162 of the City of Auburn's Code of Ordinances*). All developments within the City's zoning jurisdiction shall meet or exceed the requirements of the DeKalb County Drainage Board and/or Surveyor.
  - 2. *DeKalb County Drainage*: Developments of the City's limits and developments accessing a county legal drain shall meet or exceed the standards of DeKalb County per the DeKalb County Surveyor's Office.
  - 3. *Construction*: Drainage facilities shall be constructed to meet or exceed the City of Auburn's Construction Standards.
- C. Existing Drainage Facilities:
  - 1. *Protection*: If any stream or surface drainage course is located in the area to be developed, an easement shall be established along the stream or surface drainage course that extends a minimum of twenty (20) feet per side or as required by the DeKalb County Surveyor. The applicant may propose re-routing the surface drainage course, but shall obtain approval from the MS4 Coordinator, Director of Engineering, DeKalb County Drainage Board, Indiana Department of Natural Resources, Indiana Department of Environmental Management, and/or Army Corps of Engineers, whichever entities have jurisdiction.
  - 2. *Obstruction*: The applicant shall not block, impede the flow of, alter, construct any structure, deposit any material or object, or commit any act which will affect normal or flood flow in any ditch, stream, or watercourse without having obtained prior approval from the MS4 Coordinator, Director of Engineering, DeKalb County Drainage Board, Indiana Department of Natural Resources, Indiana Department of Environmental Management, and/or Army Corps of Engineers, whichever entity has jurisdiction.
  - 3. *Restoration*: The applicant shall restore any stream, watercourse, swale, tile, floodplain, or floodway that is disturbed during development and return these areas or facilities to their original or equal condition.
- D. Proposed Drainage Facilities: All developments shall be required to provide drainage facilities separate and independent of sanitary sewers, for stormwater runoff. Drainage facilities shall meet the following conditions.
  - 1. *Location*: Drainage facilities shall be located in common areas or on private property if the necessary drainage easements (or utility and drainage easements) are created and executed.
  - 2. *Design*:
    - a. Drainage facilities shall be designed to accommodate a 10-year storm event.
    - b. Drainage facilities shall be durable, easily maintained, retard sedimentation, and retard erosion.
    - c. Drainage facilities shall not endanger the public health and safety, or cause significant damage to property.
    - d. Drainage facilities shall have sufficient capacity to accept the current water runoff from areas upstream and accept the water runoff from the site after it is developed.
    - e. Drainage facilities shall be designed such that there will be no increase in the peak discharge runoff rate as a result of the proposed development unless the existing downstream drainage facilities are adequate to accept the increased runoff.
    - f. Surface water shall be conveyed in drainage facilities located in a right-of-way or in a storm drainage easement. Drainage facilities shall be provided under driveways so that the flow of water in ditches is not impeded.
    - g. When the municipal storm sewer system is accessible, drainage inlets and pipe shall connect to said system. When the municipal storm sewer system is not accessible, runoff shall be collected on-site. There shall be adequate capacity to retain and/or retain that stormwater or approval from the Director of Engineering or DeKalb County Surveyor to outlet to an off-site drainage facility.

3. *Storm Drainage Easements:*
  - a. When a subdivision is traversed by a watercourse, drainage way, channel or stream, a storm drainage easement which conforms to the lines of the water course shall be required.
  - b. An open drainage easement shall be a minimum of twenty (20) feet in width unless the Director of Engineering or DeKalb County Surveyor require it to be wider.
  - c. Public utility infrastructure and/or permanent structures shall not be permitted in a storm drainage easement. If the easement is established as a "Utility and Storm Drain Easement" utility infrastructure shall be permitted.
- E. As-built Drawings and Maintenance Surety: As-built drawings of all drainage facilities associated with a development and a maintenance surety in accordance with *Surety Standards (SY)* shall be submitted to the Zoning Administrator and Director of Engineering upon completion of construction.

# Street and Access Standards (SA)

## 7.20 SA-01: General Street and Access Standards

This Street and Access Standards section applies to the following types of development:



- A. **General:** All developments shall provide adequate access to the existing street network and allocate adequate areas for new streets that is consistent with the Auburn Comprehensive Plan.
- B. **Cross Reference:** All street improvements, private or public, shall be designed, constructed, and installed to meet or exceed the City of Auburn's Construction Standards. This includes cul-de-sacs, passing blisters, acceleration lanes, and deceleration lanes.
- C. **Design Principles:** Streets shall create conditions favorable to health, safety, convenience, and the harmonious development of the community; shall give consideration to connectivity to adjacent parcels; shall provide access to the City's existing street network. All public streets and associated rights-of-way and all private streets and associated easements shall meet the following design criteria.
  1. **Applicability:**
    - a. **Block Length:** The maximum block length shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If not indicated, the Zoning Administrator shall determine the appropriate maximum block length.
    - b. **Cul-de-sac Length:** The minimum cul-de-sac length and maximum cul-de-sac length shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If not indicated, cul-de-sacs shall not be permitted in that type of development.
    - c. **Right-of-way:** The minimum right-of-way on local streets shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If not indicated, the Zoning Administrator shall utilize the Auburn Comprehensive Plan to determine an appropriate width.
    - d. **Street Width:** The minimum street width shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If a minimum street width is not indicated, the Zoning Administrator shall utilize the Auburn Comprehensive Plan to determine the appropriate street width. Street width shall be determined by measuring from back of curb to back of curb or, when curb does not exist, from edge of pavement to edge of pavement.
    - e. **Curb:** Curb requirements shall be as indicated on the two-page layout for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If curb requirements are not indicated, the Zoning Administrator shall determine which type of curb is required, if any.
    - f. **On-street Parking:** On-street parking shall be as indicated on the two-page layouts for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If on-street parking requirements are not indicated, the Zoning Administrator shall determine appropriate on-street parking requirements for the development.
      - i. On-street parking shall meet the following criteria when it is included in a development.
        - [1] On-street parking installed on arterial streets shall be striped to indicate each parking space.
        - [2] On-street parking spaces shall be at least thirty (30) feet from an intersection unless the Director of Engineering determines a greater distance is necessary.
        - [3] On-street parking shall not be permitted at street intersections.
    - g. **Tree Plots:** Tree plots shall be provided to meet or exceed the minimum tree plot width as indicated on the two-page layouts for each type of subdivision in *Article 06: Subdivision Types* or as indicated in *Article 04: Planned Developments* for planned developments. If a minimum tree plot width is not indicated, the Zoning Administrator shall determine appropriate minimum tree plot width for the development.

2. *Prohibited Street Designs:*
  - a. Permanent dead end streets shall not be permitted. Cul-de-sacs and stub streets are not considered dead end streets.
3. *Grades:* Streets shall be adjusted to the contour of the land to produce reasonable grades and produce usable lots.
4. *Connectivity:* All developments shall provide stub streets to connect to adjacent properties that meet the following criteria:
  - a. Where the development abuts land that has established stub streets, built or platted, the applicant shall design the street system to connect to those stub streets.
  - b. Where the development abuts undeveloped land, stub streets may be proposed by the applicant. Generally, each side of the development that does not border a public street shall have at least one (1) stub street. In large developments, additional stub streets may be necessary to provide adequate connectivity to adjacent properties. Ultimately, the final number and location of stub streets shall be recommended by the Zoning Administrator and the Director of Engineering, with the Plan Commission making the final determination.
  - c. Regard shall be given to the Auburn Comprehensive Plan.
5. *Stub Streets:* Stub streets shall be constructed when other streets are built within the development.

6. *Temporary Turnarounds:* A temporary turnaround shall be established for each stub street, and a temporary turnaround easement shall be recorded as part of the plat.
  - a. *Temporary Turnaround Easements:* When a temporary turnaround is required, the applicant shall execute a temporary turnaround easement instrument in favor of the general public by including the following information, "a temporary turnaround easement certificate," on the plat that is to be recorded.
    - i. Identify the development with which the temporary turnaround easement is associated.
    - ii. The temporary turnaround easement shall grant the general public the right to access the easement for purpose of maneuvering vehicles.
    - iii. The temporary turnaround easement shall grant the City the right to alter, repair, maintain, or remove the improvements.
    - iv. The temporary turnaround easement shall prohibit any person from parking vehicles within the easement.
    - v. The temporary turnaround easement shall prohibit any person, including the property owner, from placing any obstruction within the easement.
    - vi. The temporary turnaround easement shall be binding on all heirs, successors, and assigns to the property on which the temporary turnaround easement is located.
    - vii. The temporary turnaround easement shall be enforceable by the Common Council, the Director of Engineering, the Plan Commission, the Zoning Administrator, the City Attorney.
    - viii. The temporary turnaround easement shall automatically terminate upon the City's acceptance of a connecting street. Otherwise, the temporary turnaround easement shall only be modified or terminated in a manner specified in this Unified Development Ordinance.
7. *Boulevard Entrances:* Developments may have a boulevard entrance, but the boulevard entrance shall extend at least fifty (50) feet from the perimeter street's right-of-way. The width of the center planting strip shall be at least ten (10) feet. Boulevard entrances shall be privately maintained.
8. *Intersections:*
  - a. All intersections of two (2) streets shall be within fifteen degrees (15°) of right angles to each other as measured at the street center lines.
  - b. Intersections of more than two (2) streets at one (1) point shall not be permitted.
  - c. Where ever possible, new local streets shall be aligned with existing local streets. Local street intersections with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted.
  - d. Radii shall be a minimum of twenty (20) feet.

- D. Naming and Addressing Principles: All streets, public and private, shall meet the following street name criteria.
1. *Proposed Street Name*: The applicant shall propose a unique name for each street within the development at the time of initial application. The proposed street names shall meet the following criteria.
    - a. *Extensions*: Streets which are extensions, continuations, or in alignment with any existing street, platted right-of-way, or recorded access easement, shall bear the name of the existing street.
    - b. *Root Name*: The root street name (e.g. Maple) shall not duplicate or be phonetically similar to any existing street name.
    - c. *Suffix Name*: Deviations in suffix names (e.g. Street, Court, or Avenue) shall not constitute a unique name (for example, if Maple Street existed, the name Maple Court would not be permissible).
    - d. *Large Developments*: Streets within a large development or separate developments within close proximity may be authorized to use the same root name by the Plan Commission.
  2. *Proposed Address Numbers*: Street address numbers for all lots that are consistent with the City's existing address scheme shall be required and provided by the Zoning Administrator.
  3. *Approval Authority*: While street names and address numbers proposed by the applicant shall be considered, the Plan Commission has authority to approve or deny any proposed street name or address number.
  4. *Renaming Authority*:
    - a. *Existing Street Names and Address Numbers*: Existing street names and address numbers that have been approved by the Plan Commission shall not be changed without Plan Commission approval.
    - b. *Proposed Street Names and Address Numbers*: The Plan Commission shall have authority to require a new unique name for any street if the name proposed by the applicant is unacceptable. If an acceptable and unique street name is not proposed by the applicant, the Plan Commission shall rename the street prior to final approval.
- E. Additional Rights-of-way Required: When developments abut or include existing streets that do not meet the minimum right-of-way widths established in the Auburn Comprehensive Plan, the applicant shall dedicate additional width along either one (1) or both sides of such streets sufficient to meet the requirements of the Auburn Comprehensive Plan. If the applicant only controls property on one (1) side of the street, sufficient right-of-way shall be dedicated to bring the half right-of-way up to the width required.
1. *Off-site Street Improvements*: When a development requires off-site street improvements, such as a passing blister, acceleration lane, or deceleration lane, and inadequate right-of-way exists to install the off-site street improvement, the applicant shall make a good faith effort to acquire property sufficient for the installation of the off-site improvement. If the owner of the property on which the off-site improvement is to be installed refuses to sell the property to the applicant, the applicant shall provide the Zoning Administrator with copies of all surveys; appraisals; written offers made by the applicant; and correspondence from the property owner.
  2. *Eminent Domain*: When the installation of off-site street improvements is required, it is because those off-site street improvements are vital to the health, safety, and welfare of the motoring public. As a result, the City may begin eminent domain proceedings in accordance with *IC 32-24: Eminent Domain* for the acquisition of public right-of-way sufficient for the installation of the off-site street improvement upon receipt of the aforementioned documentation illustrating the applicants failure to acquire the needed property. Upon completion of the eminent domain proceedings, the applicant shall reimburse the City in an amount equal to the cost of the land, cost for any condemnation on that land, and the cost to relocated any features.
  3. *Installation of Improvements*: The applicant shall then install the off-site street improvement to meet or exceed the City of Auburn's Construction Standards.

## 7.21 SA-02: Private Street and Access Standards

This Street and Access Standards section applies to the following types of development:



- A. **Project Applicability:** Private streets shall be permitted, but shall meet or exceed the standards for public streets established within this Unified Development Ordinance and the construction standards for public streets within the City of Auburn's Construction Standards.
- B. **Required Language:** When a private street easement appears on a plat, the following language shall be printed on the plat, "The developer of this real estate covenants and warrants on behalf of itself and all future owners of lots within this subdivision or development that because the streets are private, all maintenance, repairs, and replacement, now and forever, shall be undertaken at the expense of the lot owners (or unit owners) in accordance with the terms and conditions set forth in the owners' association by-law and articles. No governmental entity has any duty or responsibility to maintain, repair, or replace any private street."
- C. **Location:** Private streets shall be located within private street easements, rather than rights-of-way. All private street easements shall meet or exceed all the standards for rights-of-way established within this Unified Development Ordinance, the Auburn Comprehensive Plan, and the City of Auburn's Construction Standards.
  1. **Private Street Easement Instrument Specifications:** The applicant shall execute a private street easement instrument in favor of the future lot owners or unit owners to which the private street provides access. The following language shall be included on the private street easement instrument.
    - a. Identify the development with which the private street easement is associated.
    - b. Grant future lot or unit owners the right to access the easement for purposes of accessing their lot or unit.
    - c. Specify the financial responsibilities of the future lot or unit owners with respect to the alteration, repair, maintenance, and removal of the improvements.
    - d. Prohibit future lot or unit owners or any other person from placing any obstruction within the easement.
    - e. Require that the private street be built to the City of Auburn's Construction Standards.
    - f. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
    - g. Be enforceable by the future lot or unit owners, the City, and any other specially affected persons entitled to enforce the easement.
    - h. Provide for modification or termination in the manner stipulated in this Unified Development Ordinance.
    - i. Be cross-referenced to the most recently recorded deeds to the properties on which the easement is to be established.
    - j. Include a metes and bounds description of the easement.
    - k. Be signed by a each property owner granting the easement and by an authorized representative of future lot or unit owners accepting the easement.
  2. **Private Street Easement Certificate:**
    - a. When a plan (e.g. secondary plat, development plan, etc.) is being recorded, the applicant may forego a separate easement instrument in favor of printing the following private street easement certificate on the recordable instrument: "Areas show on this plan that are designated as a "Private Street Easement" (PSE) shall be established in favor of the adjoining property owners that are hereby granted the right to enter the easement for purposes of accessing their lot. The easement prohibits the property owners or any other person from placing any obstruction within the easement. The easements are binding on all heirs, successors, and assigns to the property on which they are located. The adjoining property owners or the City may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in this Unified Development Ordinance."
    - b. If a Declaration of Covenants is included on the recordable instrument, the Private Street Easement Certificate shall be clearly separate from the Declaration of Covenants.

## 7.22 SA-03: Other Residential Street and Access (Alley) Standards

This Street and Access Standards section applies to the following types of development:



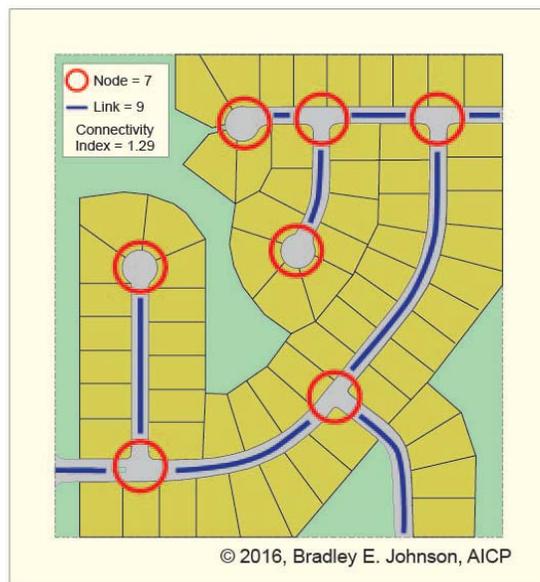
- A. **General:** In order to better allow diversity in residential planned developments, alleys may be used to provide access to up to fifty percent (50%) of all lots intended for single-family dwelling units to accommodate side-loading garages, rear-loading garages, or detached garages.
- B. **Design Principles:**
  - 1. *Associated Right-of-way or Easement:* Alleys shall be located in a right-of-way or easement that is at least sixteen (16) feet in width.
  - 2. *Pavement Width:* Alleys shall have pavement that is at least twelve (12) feet in width.
  - 3. *Curb:* Alleys shall not be required to have curb except when the alley is within a right-of-way or private street easement where the associated street is required to have curb. In cases where an alley and curbed street intersect, the minimum curb radius shall be eight (8) feet.
  - 4. *Intersections:* Alley intersections with streets shall not exceed fifteen degrees (15°) from perpendicular to said streets.
- C. **Construction Standards:** Alleys, public or private, shall be constructed to meet or exceed the City of Auburn's Construction Standards.

## 7.23 SA-04: Residential Street and Access Standards

This Street and Access Standards section applies to the following types of development:



- A. **Connectivity Index:** The connectivity index is the ratio of linkages to nodes. The connectivity index supports the creation of a highly-connected transportation system to enhance traffic circulation and efficiency, connect neighborhoods, reduce emergency response times, and is typically considered during the primary plat phase.
  - 1. *Minimum Required:* Residential subdivisions shall have a connectivity index of 1.25 or greater.
  - 2. *Calculations:* The connectivity index is determined by taking the number of links (street segments) within the primary plat divided by the number of nodes within the primary plat. Links include street segments between intersections, street segments between cul-de-sacs and intersections, stub streets, and entrances from perimeter streets. Nodes shall include intersections, cul-de-sacs, and eyebrows. An intersection with a perimeter street (or the subdivision entrance) is not counted as a node.
  - 3. *Discretion:* The Plan Commission may use discretion in situations where topography, existing development, and/or natural features impede connectivity. The Plan Commission may also consider pedestrian connectivity.
  - 4. *Exempt:* Subdivisions that do not involve new streets shall be exempt from connectivity index.



## 7.24 SA-05: Nonresidential Access Standards

A. This Access Streets Standards section applies to the following types of development:



- B. Quantity: An applicant shall propose the minimal quantity of ingress/egress points to provide safe, efficient, and adequate access for the various types of vehicular traffic that will access the development. The Plan Commission shall make the final determination.
- C. Specialty Access:
1. *Access Streets and Rear Access Streets:* Any non-residential development that fronts an arterial street and has two (2) or more lots or a multiple tenant building shall provide an access street or rear access street as the primary access. Commonly, an access street is perpendicular to the arterial street and accesses lots that front the arterial street. An access street may also lead or turn into a rear access street, which is generally parallel to the arterial street. A rear access street is generally located behind the first tier of commercial lots, but in front of the second tier of commercial lots (often the anchor lots), but provides access to both. The Plan Commission shall have discretion in requiring rear access streets in other circumstances to ensure a safe and efficient future transportation network. Access streets and rear access streets shall meet the following conditions.
    - a. Design:
      - i. Access streets shall generally run perpendicular to the arterial street.
      - ii. Rear access streets shall generally run parallel to the arterial street and be at least one hundred fifty (150) feet from the arterial street (measured from the edge of pavement to the edge of pavement). Frontage streets shall not be permitted.
      - iii. Access streets and rear access streets shall accommodate two-way traffic.
      - iv. Right-of-way or private street easement for an access street or a rear access street shall be at least forty (40) feet in width.
      - v. Pavement width for an access street or rear access street shall be a minimum of thirty (30) feet.
      - vi. Parking shall not be permitted on rear access streets.
      - vii. Sidewalks shall be on one side of access streets and rear access streets and be integrated into the overall pedestrian network of the development.
    - b. Points of Ingress/Egress: An access street or rear access streets serving developments less than fifteen (15) acres shall be permitted two ingress/egress points onto a perimeter street. Developments with fifteen (15) acres or more shall have a maximum of three (3) ingress/egress points onto a perimeter street.

## 7.25 SA-06: Street and Access (Signs) Standards

This Street and Access (Signs) Standards section applies to the following types of development:



- A. **General:** All streets, public or private, shall have signs necessary to provide a safe environment for drivers and pedestrians and provide information for located streets, addresses, or development amenities.
- B. **Cross Reference:** The City's policies and the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways (current version adopted by the Indiana Department of Transportation) shall be used to determine the type, size, height, and location of each of these signs.
- C. **Public Safety Signs:** The developer shall coordinate with the Street Superintendent before purchasing and installing any public safety related street sign. The Street Superintendent shall make the final determination regarding the final location and height of each sign. All public safety related street signs shall be installed prior to any street being open to the public.
- D. **Street Name Signs:** The developer shall coordinate with the Street Superintendent before purchasing and installing any street name sign. One (1) street name sign shall be required for each intersection within the development and on all perimeter intersections. The Street Superintendent shall make the final determination regarding the final location and height of each sign. All street name signs shall be installed prior to any street being open to the public.
- E. **Wayfinding System Signs:** The applicant may propose a wayfinding system of signs.
  1. *Purpose:* Wayfinding system signs shall be used to direct vehicular and pedestrian traffic to specific destinations.
  2. *Appearance:* Wayfinding systems shall be required to have signs of consistent size, scale and appearance.
  3. *Location:* Wayfinding system signs shall be located on primarily on private property and not block view of traffic. Should it become necessary to locate wayfinding system signs in public right-of-way, approval for said signs shall be granted by the Board of Public Works and Safety prior to installation.
  4. *Review and Approval:* Proposals for wayfinding systems shall be reviewed and approved at the discretion of the Zoning Administrator. The Zoning Administrator may take into account the need for the wayfinding system, the size and complexity of the development, quantity and location of signs, number of entrances and exists and the appearance of signs.

# Street Lighting Standards (SL)

## 7.26 SL-01: Residential Street Lighting Standards

This Street Lighting Standards section applies to the following types of development:



- A. **Project Applicability:** Street lights shall be installed at all intersections, entrances, and along internal streets within residential developments whether approved as a subdivision, development plan, or planned development.
- B. **Ownership:** A developer's intention for maintenance and ownership of street lights shall be identified in the application. Should the developer desire for the City to take control of street lights, that intention shall be stated in the application and on the plans.
- C. **Street Light System Design:** The proposed street light system shall meet the following conditions:
  - 1. *Glare:* Street lights shall be shielded to prevent glare on neighboring properties.
  - 2. *Continuity:* Street lights shall be a consistent style throughout the entire development.
  - 3. *Height:* Street lights shall not exceed twenty-five (25) feet in height.
  - 4. *Intersections:* One or more street lights shall be installed at all major intersections, including entrances, and shall provide the minimum amount of light necessary for vehicular and pedestrian safety at those major intersections.
  - 5. *Between Intersections:* Street lights shall be installed between intersections at intervals no greater than every 400 feet on one side of the street.
  - 6. *Energy Conservation:* Street lights, if applicable, shall be turned on by a photo cell that detects darkness, preventing the lights from being turned on too early or staying on too long.

## 7.27 SL-02: Non-residential Street Lighting Standards

This Street Lighting Standards section applies to the following type of development:



- A. **Project Applicability:** Street lights shall be installed at all intersections, entrances, and along internal streets within non-residential developments whether approved as a subdivision, development plan, or planned development.
- B. **Ownership:** A developers intention for maintenance and ownership of street lights shall be identified in the application. Should the developer desire for the City to take control of street lights, that intention shall be stated in the application and on the plans.
- C. **Street Light System Design:** The proposed street light system shall meet the following conditions:
  - 1. *Glare:* Street lights shall be shielded to prevent glare on neighboring properties.
  - 2. *Continuity:* Street lights shall be a consistent style throughout the entire development.
  - 3. *Height:* Street lights shall not exceed thirty-five (35) feet in height.
  - 4. *Intersections:* One or more street lights shall be installed at all intersections, including entrances, and shall provide the minimum amount of light necessary for vehicular and pedestrian safety at those intersections.
  - 5. *Between Intersections:* Street lights shall be installed between intersections at intervals no greater than every 400 feet on one side of the street.

## 7.28 SY-01: General Surety Standards

This Surety Standards section applies to the following types of development:



- A. **Construction and Performance Surety:** A developer shall provide a Performance Surety to the City for any street, sidewalk, path, utility, drainage facility, or any other facility that is intended to be dedicated to the City, but will not be completed prior to final approval of the development. All such facilities, any off-site improvements committed to by the developer, and any off-site improvements required as a condition of approval shall be included in the performance surety.
1. **Timing:** Generally, the Performance Surety shall be accepted by the Board of Public Works and Safety prior to final approval of the development by the Plan Commission and/or prior to issuance of building permits. Plan Commission may grant conditional approval prior to the Performance Surety being accepted, but building permits shall not be issued.
  2. **Requirements:** The surety shall:
    - a. Be in an amount equal to 125% of an engineer's estimated cost for the project.
    - b. Be submitted on contractor or engineer's letterhead and approved by the City's Director of Engineering.
    - c. Run to and be in favor of the City if the improvement is inside the city limits or ultimately accepted by the City. An additional surety shall run to and be in favor of the County if the improvement is outside the city limits or ultimately accepted by the County.
    - d. Specify the date that the improvements are required to be completed by, both on- and off-site.
    - e. Be approved by the Board of Public Works and Safety (e.g. bond or letter of credit).
    - f. Be valid for two (2) years with one (1) year extension.
  3. **Phasing of Development:** In the event a development is intended to be built-out in phases, either of the following options may be approved by the Board of Public Works and Safety.
    - a. The developer shall propose a phase plan prior to final approval by the Plan Commission. If the proposal is accepted, the developer shall provide a Performance Surety for the first phase of the development and shall sign a binding agreement with the Board of Public Works and Safety stating that the developer shall maintain ownership of all lots or land outside of each phase that has been approved for development. Absolutely no lot or property shall be sold or committed in phases of the development that have not been approved for commencement and that are not subject to a performance surety. Additionally, the developer shall sign a contract with the Board of Public Works and Safety stating that it will support and not interfere with the vacation of plat, vacation of right-of-way, and/or reversion of approval granted to the applicant for any phases of the development yet to be authorized in the event that the developer defaults on any authorized phase of the project requiring the Board of Public Works and Safety to claim the surety for its completion. Once default has occurred, at the request of the Board of Public Works and Safety or at the discretion of the Plan Commission, the Plan Commission may vacate the plat, vacate the right-of-way, and/or revert any approval granted to the developer for phases left undeveloped in order to protect the City of Auburn from having to pay for improvements to any phases that were left without a performance surety.
  4. **Duration of Surety:** All Performance Sureties shall be effective from the date of the Plan Commission's approval of the secondary plat or development plan, and shall not terminate until:
    - a. As-built drawings, stamped by an engineer have been submitted to the Director of Engineering,
    - b. The final construction has been inspected and certified by the Director of Engineering,
    - c. The as-built drawings and infrastructure have been approved and accepted by the Board of Public Works and Safety,
    - d. The infrastructure has been formally dedicated to the City, and
    - e. A maintenance surety has been approved and accepted by the Board of Public Works and Safety.

- B. Maintenance Surety: Maintenance Surety shall be required as part of approval and acceptance of as-built plans and infrastructure. The developer shall provide a maintenance surety to the City for any improvement that will be dedicated to and accepted by the City.
1. *Requirements*: The maintenance surety shall:
    - a. Be for ten percent (10%) of the total cost to complete the improvements. The costs shall be documented on contractor letterhead and approved by the Director of Engineering.
    - b. Be a type satisfactory to the Board of Public Works and Safety (e.g. bond or letter of credit).
    - c. Run to and be in favor of the City if the improvement is inside the city limits or ultimately accepted by the City. An additional surety shall run to and be in favor of the County if the improvement is outside the city limits or ultimately accepted by the County.
    - d. Specify that it shall expire after three (3) years from the date the improvement was approved and dedicated.
    - e. Be submitted in a form approved or provided by the Board of Public Works and Safety.
    - f. Warrant the workmanship and all materials used in the construction, installation, and completion of said improvements and that the installations are of good quality and have been constructed and completed in a workmanlike manner in accordance with standards, specifications and requirements of this Unified Development Ordinance and the City of Auburn's Construction Standards.
  2. *Release of Surety*: The maintenance surety shall be released upon its expiration date without formal action by the City, unless a claim has been filed against the maintenance surety prior to the expiration date. Once all claims have been settled, the maintenance surety shall be released by the City.

## 7.29 UT-01: General Utility Standards

This Utility Standards section applies to the following types of development:



### A. Project Applicability:

1. *Sanitary Sewer:* Sanitary sewer utility infrastructure shall be provided for subdivisions, developments subject to development plan review, and planned developments by the developer. Connection to the City of Auburn sanitary sewer utility and collection system shall be required for each lot and/or primary structure.
2. *Water:* Water utility infrastructure shall be provided for subdivisions, developments subject to development plan review, and planned developments by the developer. Connection to the City of Auburn municipal water system shall be required for each lot and/or primary structure. In addition to a potable water distribution systems fire hydrants for fire protection shall also be provided by the developer.
  - a. A private well may be permitted within the City's extra-territorial jurisdiction (i.e. outside the city limits) if:
    - i. The nearest accessible water line is over 300 feet from the edge of the new development, and
    - ii. The cost of connecting to the water system is three times (3X) the cost of the installation of all private wells necessary to provide water to all lots, primary structures and future phases of the project, and
    - iii. The private well is approved by the DeKalb County Health Department.
3. *Wells:* Wells within the City limits shall be in accordance with *Chapter 53: Water*.

B. Location: Sanitary sewer utility infrastructure and water utility infrastructure shall be located in a right-of-way or within an area designated as a utility easement (or a utility and drainage easement). The location of proposed utilities and any utility easements shall be approved by the Director of Engineering and the appropriate utility department prior to the final approval of any plan and prior to any installation.

C. Utility Easements: Utility easements shall extend ten (10) feet on each side of a property line.

### D. Construction:

1. *City Standards:* All utility improvements and utility infrastructure intended to be dedicated to and accepted by the City shall be designed and installed to meet or exceed the City of Auburn's Construction Standards and each component (hydrants, valves, etc.) shall be approved by the City.
2. *Sanitary Sewer Standards:* Service and connections to the City of Auburn municipal sanitary sewer system shall comply with *Chapter 50 Sewer Service* of the Auburn Code of Ordinances and any other City standards applicable to the sanitary sewer systems and connections.
3. *Water System Construction Standards:*
  - a. Service and connections to the City of Auburn municipal water utility shall comply with *Chapter 53 Water* of the City of Auburn Code of Ordinances and any other City standards applicable to water utility systems and connections.
  - b. A water line shall be a minimum eight-inch (8") diameter, except a residential street where a water line deadends. In this case, a water line shall be a minimum be six-inch (6") diameter for no more than 300 feet.
  - c. Fire hydrants shall be located at every street intersection; at intervals that do not exceed 500 feet in residential areas; at intervals that do not exceed 300 feet in non-residential areas; no more than 500 feet from the furthest point of any habitable structure; and approved by the Auburn Fire Department.
4. *State Approval:* The Indiana Department of Environmental Management shall approve plans via a Notice of Intent (NOI) for the water and sanitary sewer utility infrastructure after Primary Plat approval, but prior to any installation or Secondary Plat approval.
5. *Coordination:* The developer shall be responsible for coordinating the installation of the utilities. Conflicts with prior constructed utilities and damage to them shall be repaired before allowing any work to continue.

E. Up-sizing: Up-sizing sanitary sewer utility infrastructure and/or water utility infrastructure shall be considered by the City and the developer depending on future development of adjacent parcels. Agreements concerning up-sizing utility infrastructure shall be in accordance with appropriate Indiana Statutes and executed prior to the installation of the utility infrastructure.

**Article**

**08**

**Nonconformances**

---

**AUBURN**

**Unified Development Ordinance**

## 8.01 Intent

As new zoning regulations are adopted or zoning map changes are made, lots, structures, and uses that were previously compliant with zoning regulation are sometimes made noncompliant. *Article 08: Nonconformance* specifies the provisions that apply to these legal nonconforming (informally referred to as “grandfathered”) lots, structures, and uses.

## 8.02 Distinction Between Conforming, Illegal Nonconforming, and Legal Nonconforming

Each structure, use, and lot is either "conforming" or "nonconforming." Conforming is used to describe a structure, use, or lot as being in full compliance with the current Unified Development Ordinance. Nonconforming is used to describe a structure, use, or lot that is in violation of the current Unified Development Ordinance. Nonconforming structures, uses, and lots are either "illegal nonconforming" or "legal nonconforming." The following sections determine the nonconforming status of a structure, use, or lot:

### A. Illegal Nonconforming:

1. *Structure:* A structure constructed in violation of the zoning ordinance that was in effect when the structure was constructed and which remains in violation of the current Unified Development Ordinance is an illegal nonconforming structure.
2. *Use:* A use that was in violation of the zoning ordinance that was in effect when the use was initiated and which remains in violation of the current Unified Development Ordinance is an illegal nonconforming use. In addition, a use that was legally established and is not permitted under the current Unified Development Ordinance, but has been abandoned or discontinued for a period of at least one (1) year, is an illegal nonconforming use.
3. *Lot:* A lot established in violation of the zoning or subdivision control ordinance that was in effect at the time of establishment and which remains in violation of the current Unified Development Ordinance is an illegal nonconforming lot.

### B. Legal Nonconforming

1. *Structure:* A structure that does not meet one (1) or more development standards of this Unified Development Ordinance, but was legally established prior to the effective date of this Unified Development Ordinance shall be deemed a legal nonconforming structure. Generally, a structure is rendered legal nonconforming by an amendment to the zoning regulations or a zoning map change. However, a legal nonconformity may be a result of government use of eminent domain or right-of-way acquisition.
2. *Use:* The use of a structure or land (or a structure and land in combination) that was legally established and has since been continuously operated, that is no longer permitted by this Unified Development Ordinance in the zoning district in which it is located, shall be deemed a legal nonconforming use. Generally, a use is rendered legal nonconforming by an amendment to the zoning regulations or a zoning map change.
3. *Lot:* A lot that does not meet one (1) or more lot standards of this Unified Development Ordinance, but was legally established and recorded prior to the effective date of this Unified Development Ordinance shall be deemed a legal nonconforming lot of record. Generally, a lot is rendered legal nonconforming by an amendment to the zoning regulations or a zoning map change. However, a legal nonconformity may be a result of government use of eminent domain or right-of-way acquisition.

## 8.03 Illegal Nonconforming Structures, Uses, and Lots

An illegal structure, use, or lot is subject to the enforcement procedures and penalties of this Unified Development Ordinance as amended. The enforcement and penalties of the zoning ordinance in place at the time the violation occurred shall no longer be in effect.

# Nonconforming Structures

## 8.04 Legal Nonconforming Structures

The following provisions apply to legal nonconforming structures, structures associated with legal nonconforming uses, and structures associated with legal nonconforming lots.

- A. Legal Nonconforming Building Provisions: The provisions for legal nonconforming buildings, a subcategory of structures, are as follows:
1. *Building Expansion*: A legal nonconforming building shall be permitted to expand in area and height as long as the nonconformity is not increased and the expansion otherwise meets the current Unified Development Ordinance. For example, if a building is in violation of the maximum height standard, it can be expanded in area as long as the new addition does not exceed the maximum height standard and is otherwise in compliance with current Unified Development Ordinance.
  2. *Building Exterior Alteration*: The exterior walls of a building shall not be moved except as provided in the previous clause. Otherwise, the roof and exterior walls may be maintained, repaired, re-faced, and modified, resulting in the original aesthetic character or an altered exterior character, as long as the building's nonconformity is not increased and the alteration otherwise meets the current Unified Development Ordinance.
  3. *Building Interior Alteration*: Ordinary repair and replacement of interior finishes, heating systems, fixtures, electrical systems, or plumbing systems; and interior wall modifications are not regulated by this Unified Development Ordinance.
  4. *Building Relocating*: A legal nonconforming building may be relocated if, by moving the building, it decreases the legal nonconformity and the relocation otherwise meets the current Unified Development Ordinance.
- B. Legal Nonconforming Structure Provisions: The provisions for legal nonconforming structures, excluding the subcategories of buildings, signs, and driveways are as follows:
1. *Structure Alteration*: A legal nonconforming structure shall be permitted to be altered in height, area, mass, and time as long as the nonconformity is not increased and the alteration otherwise meets the current Unified Development Ordinance.
  2. *Structure Relocating*: A legal nonconforming structure may be relocated if, by moving the structure, it decreases the legal nonconformity and the relocation otherwise meets the current Unified Development Ordinance.
  3. *Conversion for Longevity*: Converting a structural component of a legal nonconforming structure to a more permanent material in order to prolong legal nonconformity shall not be permitted.
- C. Legal Non-Conforming Sign Provisions: The provisions for legal nonconforming signs are as follows:
1. *Sign Alteration*: A legal nonconforming sign shall not be permitted to be altered in height, area, mass (e.g. cabinet shape or size), or time unless the alteration brings the sign into full compliance with the current Unified Development Ordinance.
  2. *Sign Relocating*: A legal nonconforming sign shall not be relocated unless, by moving the sign, it brings the sign into full compliance with the current Unified Development Ordinance.
  3. *Conversion for Longevity*: Converting a structural component of a legal nonconforming sign to a more permanent material in order to prolong legal nonconformity shall not be permitted. For example, a legal nonconforming permanent pole sign would not be permitted to replace its existing wood posts with metal posts even if dimensionally the same size.
- D. Legal Nonconforming Driveway Provisions: A legal nonconforming driveway shall be permitted to be expanded in width and/or length as long as the nonconformity is not increased and the new portion of the driveway otherwise meets the current Unified Development Ordinance.
- E. Loss of Legal Nonconforming Structure Status: The following provisions apply to all types of structures:
1. *Condemned Structures*: If a structure, through lack of maintenance, is declared by an authorized official to be condemned due to its physical or unsafe condition, it shall lose its legal nonconforming status and become illegal nonconforming; unless the structure is restored or repaired within three (3) months of the declaration. The Zoning Administrator may grant an appropriate extension of time if work was started within the initial three (3) month period and reasonable attempts are being made by the owner to remedy the condemnation.
  2. *Removal of Permanent Structures*: If a permanent structure is fully or significantly removed or razed (i.e. eighty percent (80%) or more of the structure), the remaining permanent structure shall lose its legal nonconforming status and become illegal nonconforming; unless by significantly removing or razing the permanent structure the remaining permanent structure is in compliance or more in compliance with the current Unified Development Ordinance.

3. *Removal of Temporary Structures*: If a temporary structure is removed (e.g. moved inside, taken off-site, or replaced by a new temporary structure), the temporary structure shall lose its legal nonconforming status and become illegal nonconforming.
  4. *Flood*:
    - a. If a structure is severely damaged from a flood, resulting in a loss of either fifty percent (50%) of its market value or fifty percent (50%) of its structure, all reconstruction shall be required to meet the current Unified Development Ordinance. All other flood damaged structures shall be allowed to rebuild the structure that previously existed.
    - b. If a structure is in the floodplain, see also *Appendix B: Flood Hazard Areas*.
  5. *Acts of God*: If a structure is severely damaged from an act of God, excluding flooding, resulting in a loss of either seventy percent (70%) of its market value or seventy percent (70%) of its structure, all reconstruction shall be required to meet the current Unified Development Ordinance. All other structures damaged by an act of God shall be allowed to rebuild the structure that previously existed.
- F. Maintenance and Repair: Nothing in this section shall be deemed to prevent the maintenance or repair of a structure to keep it in a safe, aesthetic, and functional condition.

# Nonconforming Lots

## 8.05 Legal Nonconforming Lots

The following provisions apply to legal nonconforming lots:

- A. Legal Nonconforming Lot Provisions: A legal nonconforming lot shall be permitted to be developed as long as the desired structure(s) and use(s) meets the current Unified Development Ordinance. If the application of the current Unified Development Ordinance renders the lot undevelopable (e.g. the current setbacks do not permit a developable building envelope), the owner shall apply for reasonable variances from the Board of Zoning Appeals, and the City shall waive fees associated with said application.
- B. Loss of Legal Nonconforming Lot Status:
  1. *Combining Lots Results in Conformity*: If a legal nonconforming lot is combined with an adjacent lot resulting in conformity with the current Unified Development Ordinance, it shall lose its legal nonconforming status. Therefore, future division of the combined lot shall conform to the current Unified Development Ordinance.
  2. *Lots in Combination*: If a legal nonconforming lot is owned by the same person as the adjacent lot, and the owner uses both lots in combination for a duration of more than five (5) years, the legal nonconforming lot shall lose its legal nonconforming status; provided the two (2) or more lots in combination would constitute a single conforming lot.
  3. *Permanent Structure Across Property Lines*: If a legal nonconforming lot is owned by the same person as the adjacent lot, and the owner constructs a permanent structure across the property line, thus permanently using two (2) lots in combination, the legal nonconforming lot shall lose its legal nonconforming status; provided the two (2) lots in combination would constitute a single conforming lot.

## 8.06 Legal Nonconforming Use

The following provisions apply to legal nonconforming uses:

### A. Cross Reference:

1. *Agricultural:* With respect to agricultural legal nonconforming uses, nothing in this section shall be interpreted in a manner that is inconsistent with *IC 36-7-4-616: Zoning ordinance; agricultural nonconforming use.*

### B. Legal Nonconforming Use Provisions: The provisions for legal nonconforming uses are as follows:

1. *Utilizing Existing or Expanded Building:* A legal nonconforming use shall be permitted to occupy or use an existing building, expand an existing building one time, not to exceed twenty-five percent (25%) of the building's footprint, provided the building meets the current Unified Development Ordinance.
2. *Utilizing Existing or Altered Structures:* A legal nonconforming use shall be permitted to utilize an existing structure or an altered existing structure, provided the structure meets the current Unified Development Ordinance.
3. *Utilizing Land:* Any legal nonconforming use shall be permitted to utilize its lot, or lots owned in combination upon the effective date of this Unified Development Ordinance, provided the utilization of land meets the current Unified Development Ordinance.
4. *Increase in Nonconformity:* No legal nonconforming use shall be permitted to increase its nonconformity. The size of operation, number of employees, increase to vehicular traffic and similar increases in size does not increase nonconformity of a use. For example, a five (5) acre legal nonconforming junkyard that expands its operations onto five (5) more acres of land it previously owned, does not qualify as an increase in nonconformity, it's still a junkyard. However, if the same junkyard adds a compactor facility which previously did not exist, that would qualify as an increase in nonconformity.

### C. Loss of Legal Nonconforming Use Status:

1. *Abandonment of Use:* If a legal nonconforming use is abandoned or is discontinued for six (6) or more months, except when a government action impedes access to the premises, it shall lose its legal nonconforming status. Any subsequent use shall conform to the provisions of the current Unified Development Ordinance.
2. *Change of Use:* When a legal nonconforming use is changed, altered, or evolves to be in compliance or more in compliance with the current Unified Development Ordinance, the legal nonconforming use status is lost or partially lost. The current use cannot revert back to the original legal nonconforming use or increments thereof.

**Article**

**09**

**Processes**

---

**AUBURN**

**Unified Development Ordinance**

## 9.01 Introduction to Processes

The following permits and processes are detailed in *Article 9: Processes*.

- A. Improvement Location Permit
- B. Temporary Improvement Location Permit
- C. Administrative Appeal
- D. Development Plan
- E. Planned Development
- F. Special Exception
- G. Subdivision of Land
- H. Variance from Development Standards
- I. Zoning Map Amendment (Rezoning)

# Improvement Location Permit

## 9.02 Improvement Location Permit

- A. Applicability: An Improvement Location Permit shall be required prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a new land use or change an existing land use in all the following zoning districts.



The following are examples of projects necessitating an Improvement Location Permit:

- Constructing or modifying off-street parking
  - Constructing or altering a fence
  - Installing a swimming pool
  - Constructing a deck
  - Installing or modifying a permanent sign
  - Modifying a structure's height
  - Constructing a recreation pond
  - Installation of solar panels or exterior alternative energy devices
  - Installation of a mini-barn, shed or pergola
- B. Exemption from Improvement Location Permit: This exemption is only from having to obtain an Improvement Location Permit. It is not an exemption from having to meet all applicable regulations in this Unified Development Ordinance. Any project exempt from having to acquire an Improvement Location Permit that is in violation of this Unified Development Ordinance is subject to *Article 10: Enforcement and Penalties*. The following projects are exempt from having to obtain an Improvement Location Permit.
1. *Driveways and Patios*: Installing a new driveway, adding to an existing driveway, installing a patio, or any other impervious surface is exempt from obtaining an Improvement Location Permit as long as there is no adverse affect to drainage.
  2. *Softscaping and Hardscaping*: Installing trees, shrubs, plants, and flowers; applying mulch or soil enhancers; raising of planting beds around foundations; and installing accent hardscaping (e.g. stone steps, stone edging, and small retaining walls) is exempt from obtaining an Improvement Location Permit as long as there is no adverse affect to drainage.
  3. *Sign Content Change*: Sign content may be changed without having to receive an Improvement Location Permit.
  4. *Flag Pole*: Flag poles may be installed without obtaining an Improvement Location Permit.
  5. *Play Set*: Play sets that do not project more than ten (10) feet above the ground and with a footprint less than 120 square feet may be installed without obtaining an Improvement Location Permit.
  6. *Type 1 Home Based Business*: Type 1 home businesses may commence without obtaining an Improvement Location Permit.
  7. *Property Maintenance*: Maintenance and repairs to the existing structure or site features may commence without obtaining an Improvement Location Permit.
  8. *Adding or Changing Light Fixtures*: Light fixtures may be added or changed without obtaining an Improvement Location Permit.

C. Cross Reference:

1. *Building Permit:* Concurrent to having a project reviewed for compliance with this Unified Development Ordinance, most projects with any type of building shall be reviewed for compliance with the Building Code. The Zoning Administrator shall coordinate with the Building Official and confirm compliance with this Unified Development Ordinance on the Building Permit. In these cases, the review for compliance with the Building Code is conducted by the Building Official. See the *Chapter 151: Building Code* of City of Auburn Code of Ordinances for information regarding Building Permits and Certificates of Occupancy.
2. *MS4 Permit:* Concurrent to having a project reviewed for compliance with this Unified Development Ordinance some projects will also have to be reviewed for compliance with the Stormwater Management Ordinance. The review for compliance with the Stormwater Management Ordinance is conducted by the MS4 Coordinator during the Routing Process. See *Chapter 160 and Chapter 161 Stormwater Management* of the City of Auburn Code of Ordinances for information regarding the MS4 Permit.
3. *Other Permits:* An Improvement Location Permit does not authorize compliance with any local, State or federal Permits. It is the responsibility of the property owner to acquire any other required permits prior to making any improvement. Other applicable permits may include:
  - a. Excavation Permit
  - b. Floodplain Development Permit
  - c. State Design Release
  - d. Utility Connection and Taps
  - e. Well Permit

D. Filing Requirements:

1. *Application:* Application for an Improvement Location Permit shall be made on a form provided by the Zoning Administrator. The following information shall be provided on the application form.
  - a. Property owner's name, mailing address, phone number and/or email address.
  - b. Applicant's name, mailing address, phone number, and/or email address, if different than owner.
  - c. Written detailed description of the proposed project.
  - d. Date submitted and signed.
  - e. Signature of the applicant, testifying that they are authorized to represent the property.
  - f. Any other information requested on the application form.
2. *For Permanent Construction, Installation, Addition, Alteration, or Relocation of a Structure:* The following supporting information, as applicable, shall be provided on a site plan, application form, or as an attachment.
  - a. Projects involving non-inhabitable structures not mounted on a permanent foundation.
    - i. A drawing of the parcel with dimensions.
    - ii. The location of existing structures (e.g. home, garage, sidewalk, driveway, etc.).
    - iii. The location of the proposed structure, with distance to adjacent property lines.
    - iv. A calculation of the existing lot coverage, expressed in a percentage.
    - v. A calculation of the lot coverage as it would be upon completing the project, expressed in a percentage.
  - b. Projects involving non-inhabitable structures mounted on a permanent foundation.
    - i. A scale drawing of the parcel with dimensions.
    - ii. The location of existing structures (e.g. home, garage, sidewalk, driveway, etc.).
    - iii. The location of the proposed structure, with distance to adjacent property lines.
    - iv. A calculation of the existing lot coverage, expressed in a percentage.
    - v. A calculation of the lot coverage as it would be upon completing the project, expressed in a percentage.
    - vi. Existing adjacent right-of-ways and the name of the street or alley if applicable.
    - vii. Easements on the parcel or adjacent to the parcel.

- c. Projects involving inhabitable buildings.
    - i. All requirements of *Section 9.02(D)(2)(b)*.
    - ii. Location of existing or proposed drainage tile (when applicable).
    - iii. Denotation of where utilities lines will be run to the building and whether they are above or below grade.
    - iv. Location of a septic system, reserve area for a replacement septic system, well, geothermal loop, or other on-site utility system.
  - d. Complex or Unique Projects: The Zoning Administrator may require any additional information if reasonably necessary to determine if a complex or unique project complies with the provisions of this Unified Development Ordinance. This may include the supporting information listed in *Subsection 9.08(D)(9)* for projects within the WH-O District and *Subsection 9.08(D)(10)* for projects within the AC-O District.
3. *For Permanent Alteration to the Land*: The following supporting information, as applicable, shall be provided on a site plan, application form, or as an attachment.
- a. Projects that involve disturbing more than 5% of a parcel's area on a parcel less than 5 acres in area, or disturbing any portion of a site greater than 5 acres, or results in more than 9,000 cubic feet of soil being disturbed (cumulative of soil added from one area and soil removed from another, not the net of soil added and removed).
    - i. A scale drawing of the parcel with dimensions.
    - ii. The location of existing structures (e.g. building, sidewalk, driveway, etc.).
    - iii. Denotation of existing mature trees, greater than 9 inches in DBH.
    - iv. Denotation of floodplains, wetlands, rock formations, karst, natural lakes, streams, regulated drains, retention ponds, detention ponds, known drainage tile, inlets, outlets, monuments or markers, and drainage swales on the parcel and within 75 feet of the parcel's property lines.
    - v. Two-foot contour lines of the existing parcel.
    - vi. Two-foot contours showing the parcel's contours as it would be upon completing the proposed project.
    - vii. Erosion control methodology, devices, locations, and maintenance strategy.
    - viii. Drainage evaluation of the existing parcel and as it would be upon completion of the proposed project with a characterization of the change to drainage onto adjacent properties, into drainage tile, or into surface water ways.
    - ix. Design cross-section of recreational ponds.
4. *For Establishment of a New Land Use or Change to an Existing Land Use*: The following supporting information shall be provided on a site plan, application form, or as an attachment.
- a. Description of the proposed new land use or change to an existing land use.
  - b. Detailed description of how the new or changed in land use will affect parking, average daily trips, courier service, building alterations inside and outside, use of outdoor areas, use of accessory structures, and number of employees.
5. *Deadline*: Applications for an Improvement Location Permit may be filed any time.
6. *Fees*: The applicable fee from the City's fee schedule shall be paid at the time the application for Improvement Location Permit is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review an Improvement Location Permit application that the City of Auburn does not have adequate proficiency may constitute hiring a professional to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

E. Permit Procedure:

1. *Substantially Complete Application:* An application for an Improvement Location Permit shall not be reviewed for approval until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator must first verify that the application form and required supplemental information has been submitted correctly, and the applicable application fee is paid.
2. *Review the Project's Compliance:* After the application is verified as being substantially complete, the Zoning Administrator shall review the project to determine whether it complies with this Unified Development Ordinance. The Zoning Administrator may consult with the Routing Committee, or any other person, department, or group to determine if the project complies with all of the provisions of this Unified Development Ordinance. During the review process, the Zoning Administrator may:
  - a. *Request Additional Information:* During the process of rendering a decision, the Zoning Administrator may request additional information to be added to the site plan, application form, or attachments.
  - b. *Exercise Discretion:* Some provisions within this Unified Development Ordinance allow the Zoning Administrator to apply discretion to a decision. If such discretion is exercised, the Zoning Administrator shall describe the decision.
  - c. *Interpret this Unified Development Ordinance:* Because this Unified Development Ordinance cannot address every possible unique situation, project features, or land use, the Zoning Administrator shall interpret the intent of this Unified Development Ordinance when not specifically addressed.
3. *Render a Decision:* The Zoning Administrator shall render a "decision to deny" or "decision to approve" based on the information submitted, project review, discretion exercised, and interpretations made.
4. *Issuing an Improvement Location Permit:* If the proposed project complies with this Unified Development Ordinance, the Zoning Administrator shall render a decision to approve, document the terms of the approval on the permit, and then issue an Improvement Location Permit.
5. *Decision to Deny:* If the proposed project does not comply with this Unified Development Ordinance, the Zoning Administrator shall not issue an Improvement Location Permit. The Zoning Administrator shall internally document the reasons for not issuing an Improvement Location Permit and send that information to the applicant by email or U.S. Mail, or by telephone. If an email is used to communicate denial, documentation that the email was received shall be included in the file. Similarly, if a phone call is used to communicate denial, documentation of the phone call shall be included in the file. If a proposed project does not comply with this Unified Development Ordinance, the applicant may promptly revise the application or pursue relief from this Unified Development Ordinance.

F. Duration:

1. *Procedural Expiration:* An application shall expire and be void after the applicant is notified of a decision to deny unless the applicant makes revisions to the application or pursues relief from the Board of Zoning Appeals within thirty (30) days from notification.
2. *Commencement:* After an Improvement Location Permit is issued, the project shall commence within twelve (12) months of the issuance date or shall become null and void.
3. *Expiration:* After an Improvement Location Permit is issued, the project shall be completed within thirty-six (36) months of the issuance date or shall become null and void.
4. *Extensions:* Upon request by the applicant, an Improvement Location Permit may be extended one (1) time for up to six (6) months. The Zoning Administrator may grant the requested extension. Both the request for the extension and the Zoning Administrator's decision concerning the extension shall be made part of the Improvement Location Permit file.

# Improvement Location Permit

- G. Modification After Issuance of an Improvement Location Permit: At the discretion of the Zoning Administrator, an Improvement Location Permit may be modified if:
1. *Warranted and Requested Prior to Initiation*: Warranted due to discoveries during construction or other significant finding, and requested prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a new land or change an existing land use; or if:
  2. *Warranted and Component is Not Completed*: Warranted due to discoveries during construction or other significant finding, and requested prior to the applicable component of the project has been completed.

If a modification is allowed, the Zoning Administrator shall request any necessary information, shall review the modification for its compliance to this Unified Development Ordinance, and then render a decision. If the proposed modification meets the provisions of this Unified Development Ordinance the Improvement Location Permit may be amended and filed. If denied to be considered or denied for non-compliance, the modification shall not be permitted.

## 9.03 Temporary Improvement Location Permit

- A. Applicability: A Temporary Improvement Location Permit shall be required prior to establishment of a temporary use of land or a temporary structure in all districts.



- B. The following are examples of projects necessitating a Temporary Improvement Location Permit process:

- Temporary sign
- Tent sale
- Construction trailer
- Model home
- Fireworks Stand
- Carnival/Entertainment Stage (not associated with a Board of Public Works and Safety approved event)

- C. Exemptions From A Temporary Improvement Location Permit: Temporary signs that meet one of the following criteria shall be exempt from obtaining an Improvement Location Permit:

1. *Residential*: The sign is less than six (6) square feet in area, in a residential zoning district, and is located on-premise;
2. *Real Estate*: The sign is a real estate sign located on-premise and advertising the property for sale or lease; or
3. *Political*: The sign is for a political campaign.

- D. Filing Requirements:

1. *Application*: Application for a Temporary Improvement Location Permit shall be made on a form provided by the Zoning Administrator. Supporting information shall be submitted as per all applicable requirements described below.
2. *Establishment of a Temporary Use of Land or Structure*: The following application and supporting information, when applicable, shall be provided on a site plan, application form, or as an attachment.
  - a. Property owner's name, mailing address, phone number and/or email address.
  - b. Applicant's name, mailing address, phone number, and/or email address, if different than owner.
  - c. Written detailed description of the proposed project.
  - d. Date submitted and signed.
  - e. Signature of the applicant, and documentation of property owner's permission.
  - f. Any other information requested on the application form.
  - g. A drawing of the parcel with dimensions.
  - h. The location of existing structures (e.g. building, parking lot, sidewalk, driveway, etc.).
  - i. The location of the proposed temporary structure
  - j. The applicable setbacks shown on the parcel drawing.
  - k. Description of the proposed temporary land use.
  - l. Description of the desired duration of the temporary structure and/or land use.
3. *Deadline*: Applications for a Temporary Improvement Location Permit may be filed any time.
4. *Fees*: The applicable fee from the City's fee schedule shall be paid at the time the application for Temporary Improvement Location Permit is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Temporary Improvement Location Permit application that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

# Temporary Improvement Location Permit

## E. Permit Procedure:

1. *Substantially Complete Application:* An application for a Temporary Improvement Location Permit shall not be reviewed for approval until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator shall first verify that the application form and required supplemental information has been submitted correctly, and the applicable application fee is paid.
2. *Review the Project's Compliance:* After the application is verified as being substantially complete, the Zoning Administrator shall review the project to determine whether it complies with this Unified Development Ordinance. The Zoning Administrator may consult with the Routing Committee, or any other person, department, or group to determine if the project complies with all of the provisions of this Unified Development Ordinance. During the review process, the Zoning Administrator may:
  - a. *Request Additional Information:* During the process of rendering a decision, the Zoning Administrator may request additional information to be added to the site plan, application form, or attachments.
  - b. *Exercise Discretion:* Some provisions within this Unified Development Ordinance allow the Zoning Administrator to apply discretion to a decision. If such discretion is exercised, the Zoning Administrator shall describe the decision.
  - c. *Interpret this Unified Development Ordinance:* Because this Unified Development Ordinance cannot address every possible unique situation, project features, or land use, the Zoning Administrator shall interpret the intent of this Unified Development Ordinance when not specifically addressed
3. *Render a Decision:* The Zoning Administrator shall render a "decision to deny" or "decision to approve" based on the information submitted, project review, discretion exercised, and interpretations made.
4. *Issuing a Temporary Improvement Location Permit:* If the proposed project complies with this Unified Development Ordinance, the Zoning Administrator shall render a decision to approve, document the terms of the approval on the permit, and then issue a Temporary Improvement Location Permit.
5. *Decision to Deny:* If the proposed project does not comply with this Unified Development Ordinance, the Zoning Administrator shall not issue a Temporary Improvement Location Permit. The Zoning Administrator shall internally document the reasons for not issuing a Temporary Improvement Location Permit and send that information to the applicant by email or U.S. Mail, or by telephone. If an email is used to communicate denial, documentation that the email was received shall be included in the file. Similarly, if a phone call is used to communicate denial, documentation of the phone call shall be included in the file. If a proposed project does not comply with this Unified Development Ordinance, the applicant may revise the application or may pursue relief from this Unified Development Ordinance.

## F. Duration:

1. *Procedural Expiration:* An application shall expire and be void after the applicant is notified of a decision to deny unless the applicant makes revisions to the application or pursues relief from the Board of Zoning Appeals within thirty (30) days from notification.
2. *Commencement:* After a Temporary Improvement Location Permit is issued, the permit shall expire after the last approved date for the temporary use and/or structure.
3. *Permit Expiration:* A Temporary Improvement Location Permit shall be issued for the dates requested by the applicant and within the ordinance limits as described in *Temporary Use and Structure Standards (TU)*. The permitted dates shall be displayed on the Temporary Improvement Location Permit.
4. *Extensions:* As permitted by this Unified Development Ordinance.

## G. Modification After Issuance of a Temporary Improvement Location Permit: As permitted by the Unified Development Ordinance.

## 9.04 Administrative Appeal

- A. Applicability: An Administrative Appeal applies to an applicant or interested party that wants a decision, interpretation, order determination, or action of the Zoning Administrator and/or enforcement officer to be overturned or corrected by the Board of Zoning Appeals. Any decision, interpretation, order determination, or action of the Plan Commission shall not be the subject of an Administrative Appeal in all districts.



B. Filing Requirements:

1. *Petition*: Petition for Administrative Appeal shall be made on a form provided by the Zoning Administrator. Supporting information shall be submitted as per the requirements described below.
2. *Information to be Submitted*: The following information shall be provided on the petition form.
  - a. Petitioner's name, mailing address, phone number, and/or email address.
  - b. Petitioner's standing (i.e. legal right to initiate a petition).
  - c. The Zoning Administrator or Enforcement Official that rendered the decision, interpretation, order determination, or action.
  - d. Written statement describing the administrative decision, interpretation, order determination, or action; and the reason and facts supporting action by the Board of Zoning Appeals.
  - e. Date submitted and signed.
  - f. Signature of the applicant.
  - g. Any other information requested on the application form.
3. *Deadline*: A petition for an Administrative Appeal shall be filed with the Board of Zoning Appeals within thirty (30) days of the decision, interpretation, order determination, or action that is the subject of the appeal.
4. *Suspension of Work*: Work related to the decision, interpretation, order determination, or action being appealed shall be suspended until the Administrative Appeal is complete, or until the Board of Zoning Appeals authorizes full or partial work to resume prior to a Board of Zoning Appeals decision.
5. *Fees*: The applicable fee, per the fee schedule, shall be paid at the time the petition for Administrative Appeal is filed.

C. Appeal Procedure:

1. *Substantially Complete Petition*: A petition for an Administrative Appeal shall not be issued a docket number or be scheduled for hearing by the Board of Zoning Appeals until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator shall verify that the petition form and required supplemental information has been submitted correctly, and the applicable petition fee is paid.
2. *Assignment*: Once a petition for an Administrative Appeal has been determined substantially complete, the Zoning Administrator shall assign a case number and place the appeal on the agenda of the Board of Zoning Appeals. The Zoning Administrator shall inform the petitioner, in writing, of the date and time of the Board of Zoning Appeals meeting at which the appeal is to be heard.
3. *Public and Interested Party Notice*: The petitioner shall be responsible for providing public notice in accordance with the Board of Zoning Appeals Rules and Procedures. The applicant shall also be responsible for returning proof of public notice to the Zoning Administrator at least three (3) business days before the meeting at which the appeal is to be heard. Failure to submit proof of notice may result in the Administrative Appeal being continued to the following month's Board of Zoning Appeals meeting.
4. *Transfer of Information*:
  - a. The Zoning Administrator or Enforcement Official that is the subject of the appeal shall transmit the documents, plans, and papers constituting the record regarding the case to the Board of Zoning Appeals.
  - b. The Zoning Administrator or the Enforcement Official that is the subject of the appeal may provide a report explaining the final decision or action on the case.
5. *Review*: The Board of Zoning Appeals shall hear the Administrative Appeal at a regularly scheduled public meeting according to their Rules and Procedures. The Board of Zoning Appeals may consider information conveyed to them in writing and testimony during the hearing in making a decision.

6. *Decision:* Following the hearing and review, the Board of Zoning Appeals may reverse, affirm, or modify the decision, interpretation, order determination, or action from which the appeal stems. The Board of Zoning Appeals may also add conditions to its decision when warranted.
  - a. *Findings of Fact:* The Board of Zoning Appeals shall make written findings of fact and take action or continue the Administrative Appeal to a defined future meeting date. Approval of the Findings of Fact may be in the form of a general statement. Disapproval of findings shall be specific. The findings of fact shall be case-specific.
7. *Appeal:* Any person aggrieved by the decision of the Board of Zoning Appeals may appeal such decision to the Circuit or Superior Court of DeKalb County.

## 9.05 Development Plan

A. Applicability: This process applies to the following zoning districts:



1. *General:* Development Plan approval shall be required prior to an Improvement Location Permit being issued for projects involving any of the following improvements:
  - a. Any new primary structure.
  - b. Any addition to a primary structure that exceeds fifty percent (50%) of the footprint of the existing primary structure,
  - c. Any addition to a primary structure that is 10,000 square feet or greater in size.
  - d. Any new or expanded accessory structure that exceeds fifty percent (50%) of the footprint of the primary structure.
  - e. Any new or expanded accessory structure that exceeds 5,000 square feet or greater in size.
  - f. Addition of curb cuts and/or changes in site circulation.
  - g. Any new parking lot.
  - h. Any expansion of a parking lot that adds twenty-five percent (25%) more spaces.
  - i. Any project the Zoning Administrator determines its complexity warrants Development Plan approval.
2. *Subdivisions:* For residential subdivisions, Development Plan approval shall be reviewed concurrently with the final subdivision plat.

B. Exemptions from Development Plan:

1. *Single-family detached residential:* Any lot being developed for a single-family detached residence or its accessory structures shall be exempt from Development Plan approval.
2. *Multiple-Family Development:* Any M1 district development that includes one (1) primary structure with three dwelling units or less on the lot shall be exempt from Development Plan approval.
3. *Agriculture Sites and Buildings:* Any lot being solely used for agricultural purposes shall be exempt from Development Plan approval.
4. *Temporary Use of Land or Structure:* Any temporary use of land or structure shall be exempt from Development Plan approval.
5. *Establish a New Land Use or Change an Existing Land Use:* Establishing a new land use or changing an existing land use shall be exempt from Development Plan approval.

C. Filing Requirements: The following information shall be submitted for the Development Plan review process

1. *Application:* Application for Development Plan approval shall be made on a form provided by the Zoning Administrator. The following information shall be provided on the application form.
  - a. Property owner's name, mailing address, phone number and/or email address.
  - b. Applicant's name, mailing address, phone number, and/or email address, if different than owner.
  - c. Written detailed description of the proposed project.
  - d. Date submitted and signed.
  - e. Signature of the applicant, testifying that they are authorized to represent the property.
  - f. Any other information requested on the application form.
2. *Deed:* The recorded deed(s) for the property:
3. *Site Plan:* A site plan, drawn to scale, that includes the following items:
  - a. North arrow.
  - b. Graphic scale.
  - c. Address of the site.
  - d. Proposed name of the development.
  - e. Engineer's name, contact information and stamp.
  - f. Owner's and developer's name and contact information.
  - g. Area map insert showing the general location of the site referenced to major streets.
  - h. Boundary lines of the site including all dimensions of the site.
  - i. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
  - j. Layout, number, dimension, and area of all lots.
  - k. Location and dimensions of all existing and proposed structures, including paved areas, entryway features, and signs.

- l. Floodplain certification statement and location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
- m. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - number of parking spaces provided; office - floor area).
- n. Distance of all structures from front, rear, and side lot lines.
- o. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
- p. Proposed landscaping buffers or landscaped areas.
- q. Dumpster and trash receptacle details, if applicable.
- r.
- s. Denotation of any existing structure on adjacent parcels if within twenty (20) feet of subject parcel's property line.
- t. Plan Commission certification signature block.
- u. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
4. *Building Elevations*: Representative building elevations for facades of primary structures with sufficient detail to illustrate the character of the development.
5. *Access and Circulation*: A Site Access and Circulation Plan shall be required, but may be incorporated into the required Site Plan or may be submitted as a separate plan. It shall be drawn to scale.
  - a. North arrow.
  - b. Graphic scale.
  - c. Address of site.
  - d. Proposed name of the development.
  - e. Names, center lines, and right-of-way widths of all existing and proposed streets, alleys, and easements within 100 feet of the site.
  - f. Location of any proposed or existing driveways onto a street or alley and its width at the lot line.
  - g. All improvements to the street system on-site and off-site.
  - h. Measurement of curb radius and/or flares.
  - i. Location of proposed and existing sidewalk or sidepath.
  - j. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
6. *Utility Plan*: A Utility Plan shall be drawn to scale and shall include the following items:
  - a. Location of all existing and proposed utility easements.
  - b. Location and size of all existing and proposed utility components including, but not limited to sanitary sewer components, water components and storm water components. Electric, gas, telephone, and cable as requested.
  - c. Details of light and light fixtures, and photometric plan illustrating illumination capacity.
  - d. Names of legal ditches and streams in or adjacent to the site.
  - e. Contours sufficient to illustrate storm water runoff.
  - f. Storm water drainage plan including estimated runoff.
  - g. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
7. *Traffic Impact Study*:
  - a. A Traffic Impact Study may be required when a proposed development meets or exceeds the warrants of the Indiana Department of Transportation Traffic Impact Study Guidelines (150 or more dwelling units; 15,000 square feet or more of retail space; 35,000 or more square feet of office space; 70,000 square feet or more square feet of industrial space; 30,000 square feet or more of educational space; 120 or more occupied rooms; 46,000 or more square feet of medical space; or any mixed use development which generates 100 or more peak hour trips in the peak direction).
  - b. A registered professional engineer shall prepare and certify the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, the applicant shall meet with the Zoning Administrator and Director of Engineering to determine an appropriate scope for the Traffic Impact Study.

8. *Statement of Development Build-out:* The applicant shall indicate, either on the required Site Plan or in writing, a statement of:
    - a. The order of development of the major infrastructure elements of the project.
    - b. Project phase boundaries, if any.
    - c. The order and content of each phase.
    - d. An estimate of the time frame for build-out of the project.
  9. *Landscape Plan:* The applicant shall indicate, either on the required Site Plan or on a separate landscape plan, existing and proposed green space and landscaping on the site showing how the proposed landscaping meets or exceeds the standards detailed in *Article 07: Perimeter Landscaping (PL)* and *Article 05: Landscape Standards (LA)*.
  10. *WH-O District Requirements:* If the proposed development is in the WH-O District, the applicant shall submit the following:
    - a. A narrative description of the site including any existing uses, setbacks, available sewage disposal facilities, and a brief history of the site (including any former uses, historical environmental concerns, abandoned wells, underground storage tanks, septic systems, etc.).
    - b. Description of the proposed operations, including chemical or products used or generated, chemical or product storage area descriptions, waste generation quantities, equipment cleaning or maintenance procedures.
    - c. Methods and locations of receiving, handling, storing and shipping chemicals or products and wastes.
    - d. Spill or release response measures and reporting.
    - e. Description of slopes near containment vessels and waste storage areas.
    - f. The following information shall also be included on the required Site Plan or an additional plan: all paved and non-paved areas; floor drain locations and outlets; chemical or product storage locations; waste storage locations; liquid transfer areas; underground storage tanks and associated piping; above ground storage tanks and associated piping; slope and contours of finished grade at two-foot intervals; and proposed containment area detail drawings, including area, heights, materials, specifications, if applicable.
  11. *AC-O District Requirements:* If the development is within in the AC-O District, the Development Plan shall include a Noise Sensitivity Statement stating owners of land within the subdivision agree to recognize the existing airport use near the subdivision, and further agree to not object to noise associated with the airport and its normal operations.
- D. **Deadline:** One (1) hard copy of the application for Development Plan approval; seven (7) hard copies of all supporting information; and one (1) digital copy of the application for Development Plan approval and supporting information in .pdf (portable document format) by the deadline established in the Plan Commission Rules and Procedures. Hard copies are preferred in 24-inch by 36-inch format.
- E. **Fees:** The applicable fee from the City's fee schedule shall be paid at the time the application for Development Plan approval is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Development Plan that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

F. Review Procedure:

1. *Assignment:* Development Plans which are determined to be substantially complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing of the date of the meeting and provide the applicant with a legal notice.
2. *Internal Review:* Upon assignment of a case number and hearing date, the Routing Committee and other applicable agencies will be notified of the proposed Development Plan and asked to review and comment. The Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Development Plan, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Development Plan and information from the Routing Committee and/or other agencies that have reviewed the Development Plan. A copy of such report shall be made available to the applicant and to anyone who requests a copy.
3. *Public Notice:* Public notice shall be provided in accordance with the Plan Commission Rules and Procedures. All costs associated with providing public notice shall be borne by the applicant.
4. *Attendance:* The applicant shall be present at the Plan Commission meeting to address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the application for Development Plan approval.
5. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.
6. *Review:* At their regularly scheduled public meeting, the Plan Commission shall review:
  - a. The application for Development Plan approval.
  - b. All supporting information including the site plan, site access and circulation plan, elevations, etc.
  - c. The testimony of the applicant.
  - d. Information presented in writing or verbally by the Zoning Administrator, the Routing Committee, and/or other applicable department or agency.
  - e. Input from the public during the public hearing.
  - f. Any applicable provisions of this Unified Development Ordinance.
  - g. Any applicable requirements of the City of Auburn's Construction Standards.
  - h. Any other information as may be required by the Plan Commission to evaluate the application.
7. *Decision:* The Plan Commission shall make findings of fact and take final action or continue the application for Development Plan approval to a defined future meeting date.
  - a. Findings of Fact: The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the portion of this Unified Development Ordinance or City of Auburn's Construction Standards with which there is not compliance.
    - i. The Development Plan is consistent with the *City of Auburn Comprehensive Plan*.
    - ii. The Development Plan satisfies the development requirements of Article 02: Zoning Districts.
    - iii. The Development Plan satisfies the development requirements of Article 05: Development Standards.
    - iv. The Development Plan satisfies any other applicable requirement of the Unified Development Ordinance.
    - v. The Development Plan satisfies the construction requirements of the *City of Auburn Construction Standards*.
  - b. Final Action: Based on the findings of fact, the Plan Commission shall approve, approve with conditions, or deny the application for Development Plan approval.
  - c. The findings of fact and final action shall be signed by the Zoning Administrator.
  - d. The Zoning Administrator shall provide the applicant a final determination letter documenting the Plan Commission's decision.

- G. Duration: An approved Development Plan shall be valid for one (1) year from the date the Plan Commission granted approval unless otherwise specified. The Zoning Administrator may grant two (2) one-year extension for cause. The applicant shall submit the request for extension in writing, and the Zoning Administrator shall make a written determination regarding the decision. Both the request and the determination shall be made part of the Development Plan record. If development of the project has not begun by the end of the one-year period, or by the end of the first one-year extension, the approval expires and a new application for Development Plan approval shall be submitted.
- H. Modification:
1. *Minor Amendments*: Minor amendments to approved Development Plans which do not involve an increase in height, area, bulk or intensity of land uses; the designation of additional land uses; a reduction in yards; the addition of driveways or access points; or a reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendments comply with the Unified Development Ordinance do not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Zoning Administrator shall be reported to the Plan Commission at the next regular meeting of the Plan Commission.
  2. *Major Amendments*: If the Zoning Administrator determines that the proposed modification may adversely impact the purpose or intent of the overall development; or if the proposed modification includes an increase in intensity of any land use; or if the proposed modification includes the designation of an additional land use, the applicant shall be required to file a new application for Development Plan approval.

# Planned Development: General

## 9.06 General Planned Development

A. Applicability: Planned Developments shall be permitted in the following districts:



B. Purpose and Intent:

1. *Generally*: A Planned Development zoning district may be used to provide for:
  - a. Greater flexibility in applying the ordinances to mixed zoning classifications.
  - b. Innovative approaches to meet the demands of the housing, commercial, and business markets.
  - c. The recognition of the interdependency of the housing, commercial, and business markets.
  - d. The establishment of creative and unique developments that would not otherwise be able to be developed under the provisions of the City’s standard zoning district regulations.
  - e. The planning and development of mixed zoning classifications to be consistent with the best interest of the jurisdictional area of the Plan Commission, and the applicable ordinances.
2. *Process Outline*: The three (3) steps of the Planned Development process are listed below and explained in detail in the following sections.
  - a. The Planned Development District Ordinance.
  - b. The Planned Development Detailed Development Plan.
  - c. The Planned Development Final Development Plan.

## 9.07 Planned Development: District Ordinance

### A. Purpose and Intent:

1. *Planned Development District Ordinance:* The purpose of the Planned Development District Ordinance is to:
  - a. Designate, or rezone, a parcel of land as a Planned Development zoning district.
  - b. Specify uses or a range of uses permitted in the Planned Development zoning district.
  - c. Specify development requirements in the Planned Development zoning district.
  - d. Specify the plan documentation and supporting documentation that may be required.
  - e. Specify any limitation applicable to the Planned Development zoning district.
  - f. Meet the requirements of *Indiana Code 36-7-4-1500 et seq.*
2. *Detailed Development Plan:* The process for the Detailed Development Plan can occur concurrent to the District Ordinance.

### B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.

### C. Prerequisites:

1. *Ownership:* Planned Developments shall be initiated by the owners of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from all owners shall accompany the application.
2. *Pre-application Meeting:* Prior to submitting an application for a Planned Development, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, review regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property.

### D. Filing Requirements:

1. *Application:* Application for a Planned Development shall be made on a form provided by the Zoning Administrator.
2. *Supporting Information:* The application for a Planned Development shall be accompanied by the following information.
  - a. Recorded deed(s) for the property.
  - b. Survey and legal description of the proposed site of the Planned Development.
  - c. A draft of the Planned Development District Ordinance that includes proposed development standards for all land uses within the Planned Development.
  - d. Any other information requested by the Plan Commission or Zoning Administrator.
3. *Deadline:* One (1) hard copy of the application for a Planned Development; seven (7) hard copies of all supporting information; one (1) digital copy of the application for a Planned Development and all supporting information in .pdf (portable document format); shall be submitted by the deadline established in the Plan Commission Rules and Procedures.
4. *Fees:* The applicable fee from the City's fee schedule shall be paid at the time the application for a Planned Development District Ordinance is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Planned Development District Ordinance that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

# Planned Development: District Ordinance

## E. Formal Procedure:

1. *Assignment:* An application for a Planned Development, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing of the date of the meeting.
2. *Internal Review:* Upon assignment of a case number and hearing date, the Zoning Administrator shall review the application for a Planned Development and all supporting information. While the District Ordinance is in draft format, the Zoning Administrator may forward the District Ordinance and any other relevant information to the Routing Committee, Plan Commission's legal counsel, or other applicable agencies. The Zoning Administrator may submit a written report to the Plan Commission stating facts concerning the physical characteristics of the area involved in the Planned Development, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Planned Development and information from any other agencies that reviewed the District Ordinance. A copy of such report shall be made available to the applicant and anyone who requests it.
3. *Public Notice:* Public notice shall be provided in accordance with the Plan Commission Rules and Procedures. All costs associated with providing public notice shall be borne by the applicant.
4. *Attendance:* The applicant shall be present at the Plan Commission meeting to explain the proposed Planned Development and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the application for a Planned Development.
5. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.
6. *Review:* At their regularly scheduled public meeting, the Plan Commission shall review:
  - a. Application for a Planned Development.
  - b. Planned Development District Ordinance draft.
  - c. Establishment Plan.
  - d. The Auburn Comprehensive Plan.
  - e. Current conditions and the character of current structures and uses in the area.
  - f. The most desirable use for which the land in the area is adapted.
  - g. The conservation of property values throughout the jurisdiction.
  - h. Responsible development and growth.
  - i. The testimony of the applicant.
  - j. Relevant evidence presented by other persons.
  - k. The limitations, standards, and requirements of *Article 04: Planned Developments*.
  - l. Any applicable provisions of this Unified Development Ordinance.
  - m. The Zoning Administrator's report or any other documents provided by other departments or agencies.
  - n. Any other additional information as may be required by the Plan Commission to evaluate the application.

7. *Decision*: The Plan Commission shall take final action or continue the application for a Planned Development to a defined future meeting date.
  - a. *Final Action*: The Plan Commission shall certify and forward the application for a Planned Development to the Common Council with:
    - i. A favorable recommendation.
    - ii. A favorable recommendation and with recommendations for commitments and/or conditions.
    - iii. An unfavorable recommendation.
    - iv. No recommendation.
  - b. *Revisions*: If the certified version of the Planned Development District Ordinance was revised during the process of Plan Commission review, the applicant shall make the revisions to the Planned Development District Ordinance so the Common Council receives the certified version of the Planned Development District Ordinance.
8. *Commitments and Conditions*: In conjunction with its recommendation to the Common Council, the Plan Commission may recommend written commitments and/or conditions for approval. Commitments and/or conditions shall be recorded in the Office of the DeKalb County Recorder before any portion of the Final Development Plan is approved. The applicant shall deliver a copy of the recorded commitments and/or conditions to the Zoning Administrator.
- F. Duration: If a Planned Development Detailed Development Plan, has not been filed within one (1) year of the date the Common Council approved the Planned Development District Ordinance, the approval expires and a new application for a Planned Development shall be submitted.
- G. Modification:
  1. *Planned Development District Ordinance*: An amendment to the text of the Planned Development District Ordinance shall follow the process in *Unified Development Ordinance: Text Amendment*.
  2. *Commitments and Conditions*: Commitments and conditions associated with a Planned Development District Ordinance and Establishment Plan shall only be modified or terminated by a decision of the Common Council made after a public hearing.

# Planned Development: Detailed Development Plan

## 9.08 Planned Development: Detailed Development Plan

- A. Purpose and Intent: The Planned Development Detailed Development Plan shall provide the Plan Commission with the opportunity to review the details of the site plan and determine compliance with the Planned Development District Ordinance. If the Planned Development involves the subdivision of land, this step also serves as the Primary Plat.
- B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.
- C. Prerequisites:
  1. *Planned Development District Ordinance*: The Planned Development District Ordinance shall be filed with the Plan Commission for consideration. Any approval of a Detailed Development Plan shall be contingent on commitments and/or conditions being recorded in the Office of the DeKalb County Recorder.
- D. Filing Requirements: The following information shall be submitted for the Planned Development Detailed Development Plan review process.
  1. *Application*: Application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance.
  2. *Site Plan*: A site plan, drawn to scale, that includes the following items:
    - a. North arrow.
    - b. Graphic scale.
    - c. Address of the site.
    - d. Proposed name of the development.
    - e. Engineer's name, contact information and stamp.
    - f. Owner's and developer's name and contact information.
    - g. Area map insert showing the general location of the site referenced to major streets.
    - h. Boundary lines of the site including all dimensions of the site.
    - i. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
    - j. Layout, number, dimension, and area of all lots.
    - k. Location and dimensions of all existing and proposed structures, including paved areas, entryway features, and signs.
    - l. Floodplain certification statement and location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
    - m. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - number of parking spaces provided; office - floor area).
    - n. Distance of all structures from front, rear, and side lot lines.
    - o. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
    - p. Proposed landscaping buffers or landscaped areas.
    - q. Dumpster and trash receptacle details, if applicable.
    - r. Denotation of any existing structure on adjacent parcels if within twenty (20) feet of subject parcel's property line.
    - s. Plan Commission certification signature block.
    - t. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
  3. *Building Elevations*: Representative building elevations for facades of residential and non-residential primary structures with sufficient detail to illustrate the character of the development.

4. *Access and Circulation:* A Site Access and Circulation Plan shall be required, but may be incorporated into the required Site Plan or may be submitted as a separate plan. It shall be drawn to scale.
  - a. North arrow.
  - b. Graphic scale.
  - c. Address of site.
  - d. Proposed name of the development.
  - e. Names, center lines, and right-of-way widths of all existing and proposed streets, alleys, and easements within 100 feet of the site.
  - f. Location of any proposed or existing driveways onto a street or alley and its width at the lot line.
  - g. All improvements to the street system on-site and off-site.
  - h. Measurement of curb radius and/or flares.
  - i. Location of proposed and existing sidewalk or sidepath.
  - j. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
5. *Utility Plan:* A Utility Plan shall be drawn to scale and shall include the following items:
  - a. Location of all existing and proposed utility easements.
  - b. Location and size of all existing and proposed utility components including, but not limited to sanitary sewer components, water components and storm water components. Electric, gas, telephone and cable as requested.
  - c. Details of lights and light fixtures and photometric plan illustrating illumination capacity.
  - d. Names of legal ditches and streams in or adjacent to the site.
  - e. Contours sufficient to illustrate storm water runoff.
  - f. Storm water drainage plan including estimated runoff.
  - g. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
6. *Traffic Impact Study:*
  - a. A Traffic Impact Study may be required when a proposed development meets or exceeds the warrants of the Indiana Department of Transportation Traffic Impact Study Guidelines (150 or more dwelling units; 15,000 square feet or more of retail space; 35,000 or more square feet of office space; 70,000 square feet or more square feet of industrial space; 30,000 square feet or more of educational space; 120 or more occupied rooms; 46,000 or more square feet of medical space; or any mixed use development which generates 100 or more peak hour trips in the peak direction).
  - b. A registered professional engineer shall prepare and certify the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, the applicant shall meet with the Zoning Administrator and Director of Engineering to determine an appropriate scope for the Traffic Impact Study.
7. *Statement of Development Build-out:* The applicant shall indicate, either on the required Site Plan or in writing, a statement of:
  - a. The order of development of the major infrastructure elements of the project.
  - b. Project phase boundaries, if any.
  - c. The order and content of each phase.
  - d. An estimate of the time frame for build-out of the project.
8. *Landscape Plan:* The applicant shall indicate, either on the required Site Plan or on a separate landscape plan, existing and proposed green space and landscaping on the site showing how the proposed landscaping meets or exceeds the standards detailed in *Article 07: Perimeter Landscaping (PL)* and *Article 05: Landscape Standards (LA)*.

# Planned Development: Detailed Development Plan

9. *WH-O District Requirements:* If the proposed development is in the WH-O District, the applicant shall submit the following:
  - a. A narrative description of the site including any existing uses, setbacks, available sewage disposal facilities, and a brief history of the site (including any former uses, historical environmental concerns, abandoned wells, underground storage tanks, septic systems, etc.).
  - b. Description of the proposed operations, including chemical or products used or generated, chemical or product storage area descriptions, waste generation quantities, equipment cleaning or maintenance procedures.
  - c. Methods and locations of receiving, handling, storing and shipping chemicals or products and wastes.
  - d. Spill or release response measures and reporting.
  - e. Description of slopes near containment vessels and waste storage areas.
  - f. The following information shall also be included on the required Site Plan or an additional plan: all paved and non-paved areas; floor drain locations and outlets; chemical or product storage locations; waste storage locations; liquid transfer areas; underground storage tanks and associated piping; above ground storage tanks and associated piping; slope and contours of finished grade at two-foot intervals; and proposed containment area detail drawings, including area, heights, materials, specifications, if applicable.
10. *AC-O District Requirements:* If the development is within in the AC-O District, the Development Plan shall include a Noise Sensitivity Statement stating owners of land within the subdivision agree to recognize the existing airport use near the subdivision, and further agree to not object to noise associated with the airport and its normal operations.
- E. Deadline: One (1) hard copies of the application for a Planned Development; seven (7) hard copies of all supporting information; one (1) digital copy of the application for a Planned Development and all supporting information in .pdf (portable document format) shall be submitted by the deadline established in the Plan Commission Rules and Procedures.
- F. Fees: The applicable fee from the City's fee schedule shall be paid at the time the application for a Planned Development Detailed Development Plan is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Planned Development Detailed Development Plan that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.
- G. Formal Procedure:
  1. *Assignment:* A Planned Development Detailed Development Plan, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing of the meeting date.
  2. *Internal Review:* The Routing Committee and other applicable agencies shall be notified of the proposed Planned Development Detailed Development Plan and asked to review and comment. The Zoning Administrator may request a formal meeting of the Routing Committee and request the applicant's presence at that meeting. Following a thorough review, the Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Planned Development Detailed Development Plan, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Planned Development Detailed Development Plan and information from the Routing Committee and/or other agencies that have reviewed the Planned Development Detailed Development Plan. A copy of such report shall be made available to the applicant and anyone who requests a copy.
  3. *Public Notice:* Public notice shall be provided in accordance with the Plan Commission Rules and Procedures. All costs associated with providing public notice shall be borne by the applicant.
  4. *Attendance:* The applicant shall be present at the Plan Commission meeting to address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the Planned Development.
  5. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.

6. *Review*: At its regularly scheduled public meeting, the Plan Commission shall review:
  - a. The original application for a Planned Development.
  - b. Approved Planned Development District Ordinance.
  - c. All supporting information including the site plan, site access and circulation plan, elevations, utility plan, statement of development build-out, landscape plan, and, if applicable, traffic impact study and WH-O district requirements.
  - d. The testimony of the applicant.
  - e. Information presented in writing or verbally by the Zoning Administrator, the Routing Committee, or other applicable department or agency.
  - f. Input from the public during the public hearing.
  - g. Any applicable requirements of the City of Auburn's Construction Standards.
  - h. The limitations, standards, and requirements of *Article 04: Planned Developments*.
  - i. Any applicable provisions of this Unified Development Ordinance.
  - j. The Zoning Administrator's report or any other documents provided by other departments or agencies.
  - k. Any other additional information as may be required by the Plan Commission to evaluate the application.
7. *Decision*: The Plan Commission shall make findings of fact and take final action or continue the Planned Development Detailed Development Plan to a defined future meeting date.
  - a. *Findings of Fact*: The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the portion of the Planned Development District Ordinance, this Unified Development Ordinance, or City of Auburn's Construction Standards with which there is not compliance.
    - i. The Planned Development Detailed Development Plan is consistent with the City of Auburn Comprehensive Plan.
    - ii. The Planned Development Detailed Development Plan is consistent with *Article 04: Planned Developments*.
    - iii. The Planned Development Detailed Development Plan satisfies the development standards of the approved Planned Development District Ordinance.
    - iv. The Planned Development Detailed Development Plan satisfies the construction requirements of the City of Auburn's Construction Standards.
  - b. *Final Action*: Based on the findings of fact, the Plan Commission shall approve, approve with conditions, or deny the Planned Development Detailed Development Plan. If conditions are required, the conditions shall be recorded in the Office of the DeKalb County Recorder within ninety (90) days of the Plan Commission's approval of the Planned Development Detailed Development Plan. The applicant shall deliver a copy of the recorded conditions to the Zoning Administrator before filing a Planned Development Final Development Plan.
  - c. The findings and final decision shall be signed by the Zoning Administrator.
  - d. The Zoning Administrator shall provide the applicant a final determination letter documenting the Plan Commission's decision.
- H. Duration: An approved Planned Development Detailed Development Plan shall be valid for two (2) years from the date the Plan Commission granted approval. The Zoning Administrator may grant one (1) six-month extension. The applicant shall submit the request for extension in writing, and the Zoning Administrator shall make a written determination regarding the decision. Both the request and the determination shall be made part of the Planned Development record. If development of the project has not commenced by the end of the two (2) year period (or by the end of the six-month extension), the approval expires and an application for a Planned Development (District Ordinance and Detailed Development Plan) shall be required.

I. Modification:

1. *Minor Amendments:* A minor amendment to an approved Planned Development Detailed Development Plan which does not involve an increase in height, area, bulk or intensity of land uses; the designation of additional land uses; a reduction in yards; the addition of driveways or access points; or a reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendment does not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.
2. *Major Amendments:* If the Zoning Administrator determines that the proposed modification may adversely impact the purpose or intent of the overall development; or if the proposed modification includes an increase in intensity of any land use; or if the proposed modification includes the designation of an additional land use, the applicant shall be required to file an amended Planned Development Detailed Development Plan.

## 9.09 Planned Development: Final Development Plan

- A. Purpose and Intent: The Planned Development Final Development Plan shall clearly define all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording. If the Planned Development involves the subdivision of land, this step also serves as the Secondary Plat approval.
- B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.
- C. Prerequisites:
  1. *Planned Development Detailed Development Plan*: The Planned Development Detailed Development Plan shall be approved by the Plan Commission prior to submitting a Planned Development Final Development Plan. If Planned Development Detailed Development Plan approval included conditions, those conditions shall be recorded in the Office of the DeKalb County Recorder.
  2. *Infrastructure*: A Planned Development shall have all of the infrastructure improvements proposed in the Planned Development Detailed Development Plan approved by the Board of Public Works and Safety that are intended to be dedicated to the City or the applicant shall have financial security for the cost of the infrastructure improvements in compliance with *Article 07: Surety*.
- D. Filing Requirements:
  1. *Application*: The applicant shall submit a letter stating the status of infrastructure improvements and requesting Planned Development Final Development Plan approval. The original application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance and the Detailed Development Plan
  2. *Supporting Information*: The following information shall accompany the applicant's letter requesting Planned Development Final Development Plan approval
    - a. Accurate location of all survey monuments and markers, if applicable.
    - b. If infrastructure improvements are complete, the supporting information shall include as-built drawings stamped by a certified engineer for each infrastructure system, and copies of any required inspections or certifications.
    - c. If infrastructure improvements intended to be dedicated to the City are not complete, the supporting information shall include detailed descriptions and locations of infrastructure to be installed, estimates from contractors for all infrastructure improvements, and a performance surety in accordance with *Article 07: Surety*.
    - d. Any other information necessary to support a thorough review of the project that is requested, in writing, by the Zoning Administrator or Plan Commission.
  3. *Deadline*: Planned Development Final Development Plan approval for all or a portion of the development shall be requested within two (2) years of the approval of Planned Development Detailed Development Plan by the Plan Commission.
  4. *Fees*: The applicable fee from the City's fee schedule shall be paid at the time the application for a Planned Development Final Development approval is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Planned Development Final Development approval that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

- E. Formal Procedure:
1. *Assignment*: The Zoning Administrator shall review the letter requesting Planned Development Final Development Plan approval and all supporting information. Based on the history and the complexity of the project, the Zoning Administrator shall determine if the Planned Development Final Development Plan should be presented to the Plan Commission. Should the Zoning Administrator determine Plan Commission review is necessary, the Zoning Administrator shall assign the Planned Development Final Development Plan a case number and place it on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing if Plan Commission review is necessary and the date of the meeting, if applicable.
  2. *Review*: The Zoning Administrator shall provide the letter requesting Planned Development Final Development Plan approval, the supporting information, and a comment sheet to all applicable departments and agencies. Each department shall determine if the infrastructure improvements installed or proposed to be installed meet the City of Auburn's Construction Standards and establish adequate connection to the existing and future systems. If applicable, each department shall also review applicable cost estimates for reasonableness. Each department shall return the comment sheet with any comments or concerns for the Zoning Administrator to convey to the Plan Commission.
  3. *Public Notice*: Public Notice shall be provided in accordance with the Plan Commission Rules and Procedures. All costs associated with providing public notice shall be borne by the applicant.
  4. *Decision*: Based on comments from departments, the Zoning Administrator or the Plan Commission shall approve, approve with conditions, or deny Planned Development Final Development Plan.
- F. Duration: An approved Planned Development Final Development Plan and any conditions shall be recorded in the Office of the DeKalb County Recorder within ninety (90) days of the date of approval or become null and void.

## 9.10 Special Exception

- A. Purpose and Intent: A special exception use is a use for which certain conditions must be met before it can be established at a specific location. The use shall be permitted by the Board of Zoning Appeals if certain conditions are met.
- B. Project Applicability: Only uses listed as "special exceptions" in the two-page layouts in *Article 02: Zoning Districts* shall be considered for approval by the Board of Zoning Appeals. Special Exceptions are applicable to the following zoning districts when listed Special Exceptions exist:
- PR AG AC ER R1 R2 R3 TR M1 M2 MH IS DC C1 C2 I1 I2 HI**
- C. Prerequisites: An application for a Special Exception shall be filed by the owner, the owner's agent, or any person having a legal or equitable interest in the subject property. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.
- D. Filing Requirements:
1. *Application*: An Application for a Special Exception shall be made on forms provided by the Zoning Administrator.
  2. *Deed*: Recorded deed(s) for the property.
  3. *Use Details*: A description of existing conditions, existing use, and proposed use. Include hours of operation and number of employees.
  4. *Site Plan*: A site plan, drawn to scale, that includes the following information.
    - a. North arrow.
    - b. Graphic scale.
    - c. Address of the site.
    - d. Legal description of the site.
    - e. Boundary lines of the site including all dimensions.
    - f. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
    - g. Location and dimensions of all existing and proposed structures, including paved areas and signs
    - h. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
    - i. Distance of all structures from front, rear, and side lot lines.
    - j. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
    - k. Proposed landscaping buffers or landscaped areas.
    - l. Any other information necessary to support a thorough review of the project and as requested in writing by the Board of Zoning Appeals or the Zoning Administrator. This may include the supporting information listed in *Subsection 9.11(D)(2)(i)* for projects within the WH-O District.
- E. Deadline: An application for a Special Exception shall be filed by the deadline established in the Board of Zoning Appeals Rules and Procedures.
- F. Fees: The applicable fee from the City's fee schedule shall be paid at the time the application for a Special Exception is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Special Exception that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

G. Formal Procedure:

1. *Assignment:* An application for a Special Exception, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the first Board of Zoning Appeals agenda that occurs twenty-eight (28) days after the application for a Special Exception was submitted in its entirety. The Zoning Administrator shall notify the applicant in writing of the meeting date.
2. *Internal Review:* Upon assignment of a number and hearing date, the Zoning Administrator may ask applicable departments to review and comment. The Zoning Administrator may submit a written report to the Board of Zoning Appeals stating any facts concerning the physical characteristics of the area involved, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the application for a Special Exception and/or information from other departments that have reviewed the application for a Special Exception. A copy of such report shall be made available to the applicant and others that request a copy.
3. *Public Notice:* Public notice shall be provided in accordance with the Board of Zoning Appeals Rules and Procedures. All costs associated with providing public notice shall be borne by the applicant.
4. *Attendance:* The applicant shall be present at the Board of Zoning Appeals meeting to present the application for a Special Exception and to address and discuss comments and concerns. Failure to appear may result in the dismissal of the application for a Special Exception.
5. *Public Hearing:* A public hearing shall be held in accordance with the Board of Zoning Appeals Rules and Procedures.
6. *Review:* At its regularly scheduled public meeting, the Board of Zoning Appeals shall review
  - a. The application for a Special Exception.
  - b. Supporting information.
  - c. Information presented in writing or verbally by the Zoning Administrator or other applicable department or agency.
  - d. Presentation by the applicant.
  - e. Input from the public during the public hearing.
  - f. Applicable provisions of this Unified Development Ordinance.
  - g. The Board of Zoning Appeals may take into consideration the following items as they relate to the proposed use:
    - i. Topography and other natural site features.
    - ii. Zoning of the site and surrounding properties.
    - iii. Driveway locations, street access and vehicular and pedestrian traffic.
    - iv. Parking amount, location, design.
    - v. Landscaping, screening, buffering.
    - vi. Open space and other site amenities.
    - vii. Noise production and hours of operation.
    - viii. Design, placement, architecture, and material of the structure.
    - ix. Placement, design, intensity, height, and shielding of lights.
    - x. Traffic generation.
    - xi. General site layout as it relates to its surroundings.

7. *Decision:* The Board of Zoning Appeals shall make findings of fact and take final action or continue the application for a Special Exception to a defined future meeting date.
  - a. *Findings of Fact:* The Board of Zoning Appeals shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the reason for non-compliance.
    - i. The proposed special exception is consistent with the purpose of the zoning district and the Auburn Comprehensive Plan.
    - ii. The proposed special exception will not be injurious to the public health, safety, morals and general welfare of the community.
    - iii. The proposed special exception is in harmony with all adjacent land uses.
    - iv. The proposed special exception will not alter the character of the district.
    - v. The proposed special exception will not substantially impact property value in an adverse manner.
  - b. *Final Action:*
    - i. If the Board of Zoning Appeals finds all of the findings of fact in the affirmative, it shall approve or approve with conditions and/or commitments the application for a Special Exception.
    - ii. If the Board of Zoning Appeals does not find all of the findings of fact in the affirmative, it shall deny the application for a Special Exception.
  - c. *Commitments and Conditions:*
    - i. *Commitments:* The Board of Zoning Appeals may require the owner to make a written commitment. Commitments shall be recorded in the Office of the DeKalb County Recorder. A recorded commitment is binding on the owner of the land, any subsequent owner of the land, and any person who acquires interested in the land.
    - ii. *Conditions:* The Board of Zoning Appeals may require certain conditions for approval.
    - iii. *Final Determination Letter:* The Zoning Administrator shall provide the applicant a final determination letter document the Board of Zoning Appeal's decision.
- H. *Duration:* The granting of a special exception authorizes the use to run with the land unless conditions to the contrary are placed on the approval. If construction of structures or occupancy of existing structures has not commenced within one (1) years of the date the Special Exception was granted by the Board of Zoning Appeals, the approval shall be null and void.
- I. *Modification:* If the Zoning Administrator determines a proposed modification or intensification represents an alteration in the essential character of the original special exception use as approved by the Board of Zoning Appeals, a new approval of the special exception use shall be required. The operator of the special exception use shall provide the Zoning Administrator with all the necessary information to render this determination.

# Subdivision of Land: Primary Plat

## 9.11 Subdivision of Land: Primary Plat

- A. Purpose and Intent: A Primary Plat shall provide the Plan Commission with the opportunity to review the details of a subdivision of land to determine compliance with the provisions of this Unified Development Ordinance. A Primary Plat shall also ensure the statutory requirements established in Indiana Code for the subdivision of land are met.
- B. Project Applicability: A Primary Plat shall be prepared in conjunction with any proposal to subdivide or plat property within the jurisdictional area of the Plan Commission.
1. Applicable Districts: The subdivision of land shall occur only in the following zoning districts:  

  2. Amended Plats: Plats shall be amended using the Primary Plat process in this section and the Secondary Plat process in [Section 9.12](#).
  3. Exemptions: Condominiums regulated by [IC 32-35](#) are exempt from this subdivision process outlined in this Unified Development Ordinance.
- C. Prerequisites:
1. Eligible Applicants: An application for Primary Plat shall be initiated by the owner of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.
  2. Pre-application Meeting: Prior to submitting an application for Primary Plat, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, review regulatory ordinances and materials, review the procedures, and examine the proposed use and development of the site.
- D. Filing Requirements:
1. Application: An application for Primary Plat shall be made on forms provided by the Zoning Administrator.
  2. Deed: Recorded deed(s) for the property.
  3. Site Plan: A Site Plan, drawn to a scale, that includes the following items:
    - a. North arrow.
    - b. Graphic scale.
    - c. Proposed name of the subdivision.
    - d. Engineer's name, contact information, and stamp.
    - e. Owner's and developer's name and contact information.
    - f. Area map insert showing the general location of the site referenced to major streets.
    - g. Legal description of the site.
    - h. Boundary lines of the site including all dimensions of the site.
    - i. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
    - j. Layout, number, dimension, area, building setback lines on all lots.
    - k. Location and dimensions of any existing structures.
    - l. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
    - m. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
    - n. Proposed perimeter landscaping areas.
    - o. Proposed entryway feature signs.
    - p. Plan Commission signature block.
    - q. Adjacent property owners sufficient to determine title.
    - r. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator. This may include the supporting information listed in [Subsection 9.08\(D\)\(9\)](#) for projects within the WH-O District and [Subsection 9.08\(D\)\(10\)](#) for projects within the AC-O District.

4. *Access and Circulation:* A Site Access and Circulation Plan shall be required, but may be incorporated into the required Site Plan or may be submitted as a separate plan. It shall be drawn to scale and shall include the following items:
  - a. North arrow.
  - b. Graphic scale.
  - c. Proposed name of the subdivision.
  - d. Names, center lines, and right-of-way widths of all existing and proposed streets, alleys, and easements within 100 feet of the site.
  - e. All improvements to the street system on-site and off-site.
  - f. Measurement of curb radius and/or flares.
  - g. Location of proposed and existing sidewalk and sidepaths with widths.
  - h. Location and details of all proposed wayfinding signs.
  - i. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
5. *Utility Plan:* A Utility Plan, drawn to scale, including the following items:
  - a. Location of all existing and proposed utility easements.
  - b. Location and size of all existing and proposed utility components including, but not limited to sanitary sewer components including inverts, water components including hydrants, storm water components, electric, gas, telephone, and cable.
  - c. Location, specifications and illumination capacity of all lights.
  - d. Names of legal ditches and streams in or adjacent to the site.
  - e. Contours sufficient to illustrate storm water runoff.
  - f. Storm sewer drainage plan including all infrastructure (manholes, catch basins, detention basins, etc.) estimated runoff and surface drainage patterns.
  - g. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
6. *Traffic Impact Study:*
  - a. A Traffic Impact Study may be required when a proposed development meets or exceeds the warrants of the Indiana Department of Transportation Traffic Impact Study Guidelines (150 or more dwelling units; 15,000 square feet or more of retail space; 35,000 or more square feet of office space; 70,000 square feet or more square feet of industrial space; 30,000 square feet or more of educational space; 120 or more occupied rooms; 46,000 or more square feet of medical space; or any mixed use development which generates 100 or more peak hour trips in the peak direction).
  - b. A registered professional engineer shall prepare and certify the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, the applicant shall meet with the Zoning Administrator and Director of Engineering to determine an appropriate scope for the Traffic Impact Study.
7. *Statement of Development Build-out:* The applicant shall indicate, either on the required Site Plan or in writing, a statement of:
  - a. The order of development of the major infrastructure elements of the project.
  - b. Future section boundaries, if any.
  - c. The order and content of each section.
  - d. An estimate of the time frame for build-out of each section.
8. *Landscape Plan:* The applicant shall indicate, either on the required Site Plan or on a separate landscape plan, existing and proposed perimeter landscaping and other landscaping that meet or exceeds the standards detailed in *Article 05: Landscape Standards (LA)* and *Article 07: Perimeter Landscaping (PL)*.
9. *Requested Waivers:* An applicant may request up to two waivers for standards in Article 7: Design Standards.

## Subdivision of Land: Primary Plat

- E. **Deadline:** One (1) hard copy of the application for Primary Plat; seven (7) hard copies of all supporting information; one (1) digital copy of the application for Primary Plat and all supporting information in .pdf (portable document format) shall be submitted by the deadline established by the Plan Commission Rules and Procedures.
- F. **Fees:** The applicable fee from the City's fee schedule shall be paid at the time the application for a Primary Plat is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Primary Plat that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.
- G. **Formal Procedure:**
1. **Assignment:** An application for Primary Plat, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda in accordance with Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing of the meeting date.
  2. **Internal Review:** Upon assignment of a case number and hearing date, the Routing Committee and other applicable agencies will be notified of the proposed subdivision of land and asked to review and comment. The Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the subdivision of land, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the subdivision of land and information from the Routing Committee and/or other agencies that have reviewed the subdivision of land. A copy of such report shall be made available to the applicant and others that request a copy.
  3. **Public Notice:** Public Notice shall be provided in accordance with Plan Commission Rules and Procedures. The costs associated with providing public notice shall be borne by the applicant.
  4. **Attendance:** The applicant shall be present at the Plan Commission meeting to present and explain the application for Primary Plat and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the application for Primary Plat.
  5. **Public Hearing:** A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.
  6. **Review:** At their regularly scheduled public meeting, the Plan Commission shall review:
    - a. The application for Primary Plat.
    - b. All supporting information including the site plan, site access and circulation plan, elevations, etc.
    - c. Information presented in writing or verbally by the Zoning Administrator, the Routing Committee, or other applicable department.
    - d. The testimony of the applicant.
    - e. Input from the public during the public hearing.
    - f. Any applicable provisions of this Unified Development Ordinance.
    - g. Any applicable requirements of the City of Auburn's Construction Standards.
    - h. Any other information as may be required by the Plan Commission to evaluate the application.

7. *Decision:*
  - a. The Plan Commission shall make findings of fact and take final action or continue the application for Primary Plat to a defined future meeting date.
  - b. Findings of Fact: The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the provision of this Unified Development Ordinance or City of Auburn's Construction Standards with which there is not compliance or the manner in which the project is not consistent with the Auburn Comprehensive Plan.
    - i. The subdivision of land is consistent with the Auburn Comprehensive Plan.
    - ii. The subdivision of land satisfies the development requirements of *Article 06: Subdivision Types*.
    - iii. The subdivision of land satisfies the standards of *Article 07: Design Standards*.
    - iv. The subdivision of land satisfies any other applicable provisions of this Unified Development Ordinance;
    - v. The subdivision of land satisfies the construction requirements of the City of Auburn's Construction Standards.
  - c. Final Action
    - i. If the Plan Commission finds all of the findings of fact in the affirmative, it shall approve or approve with commitments the application for Primary Plat.
    - ii. If the Plan Commission does not find all of the findings of fact in the affirmative, it shall deny the application for Primary Plat.
  - d. Commitments: The Plan Commission may require the applicant to make a written commitment concerning the Primary Plat. Any written commitments shall be recorded in the Office of the DeKalb County Recorder within ninety (90) days of the Plan Commission's final action.
  - e. The Zoning Administrator shall provide the applicant a final determination letter documenting the Plan Commission's decision.
- H. Duration: An approved Primary Plat shall be valid for two (2) years from the date the Plan Commission granted approval. If a Secondary Plat for all or a portion of the Primary Plat is not filed within two (2) years, the Primary Plat approval becomes null and void. The Zoning Administrator may grant one (1) six-month extension.
- I. Modification:
  1. *Minor Amendments*: Minor amendment to an approved Primary Plat which does not involve an increase in the number of lots or intensity of land uses; the designation of additional land uses; the reduction in perimeter yards; changes to circulation; the addition of driveways or access points; or reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendments do not adversely impact the purpose or intent of the overall development. An example of a minor amendment could be the relocation of an easement. A minor amendment authorized by the Zoning Administrator shall be reported to the Plan Commission at the next regular meeting of the Plan Commission.
  2. *Major Amendments*: If the Zoning Administrator or Director of Engineering determines that the proposed modification may adversely impact the purpose or intent of the overall development; or if the proposed modification includes an increase in the number of lots, or intensity of any land use; or if the proposed modification includes the designation of an additional land use, the applicant shall be required to file a new application for Primary Plat.

## Subdivision of Land: Secondary Plat

### 9.12 Subdivision of Land: Secondary Plat

- A. Purpose and Intent: The Secondary Plat shall clearly define all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording.
- B. Project Applicability: Proposals for new subdivisions of land shall meet the standards of this section.
- C. Prerequisites:
  1. *Primary Plat*: The application for Primary Plat shall be approved by the Plan Commission. If the Primary Plat approval included commitments, those commitments shall be recorded in the Office of the DeKalb County Recorder.
  2. *Infrastructure*: A subdivision that is the subject of a Secondary Plat shall have all of the infrastructure improvements proposed in the Primary Plat installed to meet the City of Auburn's Construction Standards and accepted by the Board of Public Works and Safety, or the applicant shall have posted a performance surety for the cost of the infrastructure improvements that complies with *Surety Standards (SY)*.
- D. Filing Requirements:
  1. *Application*: The applicant shall submit a letter stating the status of infrastructure improvements and requesting Secondary Plat. The original application for Primary Plat should be on file with the Zoning Administrator.
  2. *Plat for Recording*: The applicant shall provide a plat for recording purposes that includes the following:
    - a. North arrow.
    - b. Graphic scale.
    - c. Proposed name of the subdivision.
    - d. Engineer's name, contact information, and stamp.
    - e. Owner's and developer's name and contact information.
    - f. Address for each lot, as approved by the Plan Commission.
    - g. Area map insert showing the general location of the site referenced to major streets.
    - h. Legal description of the site.
    - i. Boundary lines of the site including all dimensions of the site.
    - j. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
    - k. Location of all survey monuments and markers identifying lots.
    - l. Lot number, dimension, area, and building setback lines for each lot.
    - m. Identification and dimensions of any existing structures.
    - n. Floodplain Certification Statement referencing the appropriate FEMA Map Panel.
    - o. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
    - p. Areas identified as Block Areas or Common Areas.
    - q. Any other applicable statements including Annexation Non-remonstrance, Agricultural Non-objection; AC-O District Noise Sensitivity Statement; etc.
    - r. Adjacent property owners sufficient to determine title.
    - s. Reference to a recorded survey completed in compliance with Rule 12.
    - t. Plan Commission signature block.
- E. Deadline: One (1) hard copy of the letter requesting Secondary Plat; seven (7) hard copies of all supporting information; one (1) digital copy of the letter requesting Secondary Plat and all supporting information in .pdf (portable document format) shall be filed.
- F. Fees: The applicable fee from the City's fee schedule shall be paid at the time the application for a Secondary Plat is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Secondary Plat that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

G. Formal Procedure:

1. *Assignment:* The Zoning Administrator shall review the letter requesting Secondary Plat and all supporting information. Should the Zoning Administrator determine Plan Commission approval is necessary, the Zoning Administrator shall assign the Secondary Plat a case number and place it on the Plan Commission agenda in accordance with Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant, in writing, if Plan Commission approval is necessary and the date of the meeting. If the Secondary Plat includes any of the following modifications from the Primary Plat, the Secondary Plat shall be presented to the Plan Commission for approval.
  - a. The Secondary Plat includes additional buildable lots not contained in the Primary Plat.
  - b. The Secondary Plat includes changes in access or circulation from the Primary Plat.
  - c. The Secondary Plat includes reduction of any lot size by more than ten percent (10%) from the Primary Plat.
  - d. The Secondary Plat includes other changes that necessitate Plan Commission approval as determined by the Zoning Administrator.
2. *Review:* The Zoning Administrator shall provide the letter requesting Secondary Plat, the supporting information, and a comment sheet to all applicable departments and agencies. Each department shall determine if the infrastructure improvements installed or proposed to be installed meet the City of Auburn's Construction Standards and if the improvements include adequate connection to existing and future systems. If applicable, each department shall also review applicable cost estimates for reasonableness. Each department shall return the comment sheet with any comments or concerns concerning the infrastructure or the project to the Zoning Administrator. If it has been determined that Plan Commission review is required, the Zoning Administrator shall forward the comments to the Plan Commission for review at the meeting.
3. *Public Notice:* Public Notice shall be provided in accordance with Plan Commission Rules and Procedures. All costs associated with providing public notice shall be borne by the applicant.
4. *Review and Decision:* The Zoning Administrator shall, based on comments from departments, approve, approve with conditions, or deny Secondary Plat. In cases where the Secondary Plat is being heard by the Plan Commission, the Plan Commission shall review the comments from departments at a regularly scheduled public meeting and approve, approve with conditions, or deny Secondary Plat.

- H. Duration: An approved Secondary Plat and any conditions shall be recorded in the Office of the DeKalb County Recorder within six (6) months of the date of approval or become null and void.

# Unified Development Ordinance: Text Amendment

## 9.13 Unified Development Ordinance: Text Amendment

- A. Purpose and Intent: It may become necessary to amend the text of this Unified Development Ordinance from time to time. The Plan Commission has the authority to hear a proposal to amend the text of this Unified Development Ordinance. The Plan Commission shall make a recommendation to the Common Council concerning a proposal to amend the text of this Unified Development Ordinance. The Common Council has the power to approve or reject a proposal to amend the text of this Unified Development Ordinance.
- B. Project Applicability: Any proposal to add, remove, or alter a provision of this Unified Development Ordinance shall follow the process outlined in this section.
- C. Prerequisites:
  1. *Eligible Applicants*: Members of the Common Council or members of the Plan Commission shall initiate a proposal to amend the text of this Unified Development Ordinance. Persons who wish to propose an amendment to the text of this Unified Development Ordinance and who are not members of the Common Council or Plan Commission shall find a sponsor among the Common Council or the Plan Commission to introduce the proposal.
- D. Filing Requirements:
  1. *Application*: A proposal for an amendment to the text of this Unified Development Ordinance shall be prepared by the Zoning Administrator upon the direction of either the Common Council or the Plan Commission.
  2. *Deadline*: A proposal for an amendment to the text of this Unified Development Ordinance may be filed any time.
- E. Formal Procedure:
  1. *Assignment*: The Zoning Administrator shall assign a case number and place the proposed amendment to the text of this Unified Development Ordinance on the Plan Commission agenda in accordance with Plan Commission Rules and Procedures.
  2. *Internal Review*: The Zoning Administrator shall be responsible for introducing the proposed amendment to the text of this Unified Development Ordinance to the Routing Committee and other applicable departments and agencies that may have an interest in the proposed amendment. The Zoning Administrator shall also notify the Routing Committee and other applicable departments and agencies of the date of the Plan Commission meeting where the proposed amendment to the text of this Unified Development Ordinance will be heard.
  3. *Public Notice*: Public notice shall be provided in accordance with Plan Commission Rules and Procedures.
  4. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.
  5. *Review*: In preparing and considering proposals to amend the text of this Unified Development Ordinance, the Plan Commission and the Common Council shall pay reasonable regard to:
    - a. The Auburn Comprehensive Plan.
    - b. Current conditions and the character of current structures and uses in each district.
    - c. The most desirable use for which the land in each district is adapted.
    - d. The conservation of property values throughout the jurisdiction.
    - e. Responsible development and growth.
- F. Decision:
  1. *Final Action*: The Plan Commission shall certify the amendment to the text of this Unified Development Ordinance and forward the proposal to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation.
  2. *Effective Date*:
    - a. Unless an amendment to the text of this Unified Development Ordinance provides for a later effective date, the amendment shall be effective when it is adopted under *IC 36-7-4-607*.
    - b. When a provision prescribing a penalty or forfeiture for a violation is approved, it may not take effect until fourteen (14) days after the final day on which notice of its adoption is published; or the day on which it is filed in the Office of the Clerk Treasurer, whichever is later.

## 9.14 Variance

- A. Purpose and Intent: The Board of Zoning Appeals may vary the regulations of this Unified Development Ordinance for projects that meet the findings of fact set forth in this section. Variances may be a "development standards variance" granting relief from a development standard such as height, bulk, or area; or a "use variance" allowing a use that is not listed as a permitted or special exception use in a district.
- B. Project Applicability:
1. *Jurisdiction*: Projects within the jurisdictional area of the Plan Commission that are unable to meet the provisions of this Unified Development Ordinance may apply for a variance.
  2. *Previously Denied Applications*: The Zoning Administrator shall refuse to accept an application for a Variance that has been denied by the Board of Zoning Appeals within the last twelve (12) months. However, the Zoning Administrator shall have the authority and discretion to determine that an application for a Variance containing major changes may justify re-filing within the aforementioned twelve (12) month period.
- C. Prerequisites
1. *Eligible Applicants*: An application for a Variance may be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property. If an authorized agent files an application, signed and notarized consent form from the owner shall accompany the application.
  2. *Pre-application Meeting*: Prior to submitting an application for a Variance, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, ordinance provisions, the application packet, and the procedure involved.
- D. Filing Requirements.
1. *Application*: Application for a Variance shall be made on a form provided by the Zoning Administrator.
  2. *Deed*: Recorded deed(s) for the property.
  3. *Project Details*: A description of existing conditions, existing use, and proposed use.
  4. *Site Plan*: A site plan, drawn to scale, that includes the following information.
    - a. North arrow.
    - b. Graphic scale.
    - c. Address of the site.
    - d. Boundary lines of the site including all dimensions.
    - e. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
    - f. Location and dimensions of all existing and proposed structures, including paved areas and signs
    - g. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
    - h. Distance of all structures from front, rear, and side lot lines.
    - i. Any other information necessary to support a thorough review of the project and as requested by the Board of Zoning Appeals or the Zoning Administrator.
  5. *Survey*: A survey of the property if required by the Zoning Administrator (typically required for setback variances).
- E. Deadline: An application for a Variance and seven (7) copies of plans and one electronic copy of the plans shall be filed by the deadline in the Board of Zoning Appeals Rules and Procedures.
- F. Fees: The applicable fee from the City's fee schedule shall be paid at the time the application for a Variance is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Variance that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

G. Formal Procedure:

1. *Assignment:* An application for a Variance, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Board of Zoning Appeals agenda in accordance with the Board of Zoning Appeals Rules and Procedures. The Zoning Administrator shall notify the applicant, in writing, of the date of the meeting.
2. *Internal Review:* Upon assignment of a number and hearing date, the Zoning Administrator may ask applicable departments to review and comment on the proposed project. The Zoning Administrator may submit a written report to the Board of Zoning Appeals stating any facts concerning the physical characteristics of the area involved, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the application for a Variance and/or information from other departments that have reviewed the application for a Variance. A copy of such report shall be made available to the applicant and anyone that requests a copy.
3. *Public Notice:* Public Notice shall be provided in accordance with the Board of Zoning Appeals Rules and Procedures. All costs associated with providing notice shall be borne by the applicant.
4. *Attendance:* The applicant shall be present at the Board of Zoning Appeals meeting to present the application for a Variance and address and discuss comments and concerns. Failure to appear may result in the dismissal of the application for a Variance.
5. *Public Hearing:* A public hearing shall be held in accordance with the Board of Zoning Appeals Rules and Procedures.
6. *Review:* At its regularly scheduled public meeting, the Board of Zoning Appeals shall review
  - a. The application for a Variance.
  - b. Supporting information.
  - c. Information presented in writing or verbally by the Zoning Administrator or other applicable department or agency.
  - d. Presentation by the applicant.
  - e. Input from the public during the public hearing.
  - f. Applicable provisions of this Unified Development Ordinance.
  - g. Any other additional information as may be required by the Board of Zoning Appeals to evaluate the application.

7. *Decision*: The Board of Zoning Appeals shall make findings of fact and take final action or continue the application for a Variance to a defined future meeting date.
  - a. *Development Standards Variance Findings of Fact*: The Board of Zoning Appeals shall make the following findings of fact for Development Standards Variances. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the reason for non-compliance.
    - i. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community.
    - ii. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
    - iii. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property.
  - b. *Use Variance Findings of Fact*: The Board of Zoning Appeals shall make the following findings of fact for Use Variances. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the reason for non-compliance.
    - i. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community.
    - ii. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
    - iii. That the need for the use variance arises from some condition peculiar to the property involved.
    - iv. The strict application of the terms of the ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.
    - v. The approval does not interfere substantially with the Auburn Comprehensive Plan.
  - c. *Final Action*:
    - i. If the Board of Zoning Appeals finds all of the findings of fact in the affirmative, it shall approve or approve with conditions and/or commitments the application for a Variance.
    - ii. If the Board of Zoning Appeals does not find all of the findings of fact in the affirmative, it shall deny the application for a Variance.
    - iii. The Zoning Administrator shall provide the applicant a Final Determination Letter documenting the decision of the Board of Zoning Appeals.
  - d. *Commitments and Conditions*:
    - i. *Commitments*: The Board of Zoning Appeals may require the owner to make a written commitment. Commitments shall be recorded in the Office of the DeKalb County Recorder. A recorded commitment is binding to the owner of the land, any subsequent owner of the land, and any person who acquires interested in the land.
    - ii. *Conditions*: The Board of Zoning Appeals may require certain conditions for approval.
- H. Duration:
  1. *Development Standards Variance*: A Development Standards Variance granted by the Board of Zoning Appeals shall run with the land until such time as the property conforms with this Unified Development Ordinance.
  2. *Use Variance*: The granting of a Use Variance authorizes the use to run with the land unless conditions to the contrary are placed on the approval. If construction of structures or occupancy of existing structures has not commenced within one (1) year of the date the Use Variance was approved by the Board of Zoning Appeals, the approval shall become null and void.
- I. Modification: Modifications authorized by the Zoning Administrator shall be reported to the Board of Zoning Appeals at the next regular meeting of the Board of Zoning Appeals.
  1. *Development Standards Variance*: Modification of a development standards variance that makes a project more compliant with the provisions of this Unified Development Ordinance may be authorized by the Zoning Administrator. Modification of a development standards variance that makes a project less compliant with the provisions of this Unified Development Ordinance shall re-file an application for a Variance or other appropriate application.
  2. *Use Variance*: Modification of use variance shall not be permitted. Any modification of an approved use variance shall meet all of the provisions of this Unified Development Ordinance or re-file an application for a Variance or other appropriate application.

## Zoning Map Amendment (Rezoning)

### 9.15 Zoning Map Amendment (Rezoning)

- A. Purpose and Intent: It may become necessary to change the zoning of parcel, lot or area, thereby amending the Official Zoning Map. The Plan Commission has the authority to hear a proposal to amend the Official Zoning Map. This process is typically known as a "rezoning" of land. The Plan Commission shall make a recommendation to the Common Council concerning a proposal to amend the Official Zoning Map. The Common Council has the power to approve or deny a proposal to amend the Official Zoning Map.
- B. Project Applicability:
1. *Jurisdiction*: Areas or lots shall be located within the jurisdictional area of the Plan Commission.
  2. *Previously Denied Applications*: The Zoning Administrator shall refuse to accept an application for a Rezoning that has been denied by the Common Council within the last twelve (12) months. However, the Zoning Administrator shall have the authority and discretion to determine that an application for a Rezoning containing major changes may justify re-filing within the aforementioned (12) month period.
- C. Prerequisites
1. *Eligible Applicants*:
    - a. The Plan Commission may act as an applicant and initiate a zoning map amendment.
    - b. Unless the Plan Commission has initiated a zoning map amendment, an application for a Rezoning shall be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.
  2. *Pre-application Meeting*: Prior to submitting an application for a Rezoning the applicant shall meet with the Zoning Administrator to review the current zoning district, the proposed zoning district, adjacent zoning districts and land uses, applicable ordinance provisions, the application packet, and the procedure involved.
- D. Filing Requirements.
1. *Application*: An application for a Rezoning shall be made on a form provided by the Zoning Administrator.
  2. *Deed*: Recorded deed(s) for the property.
  3. *Project Details*: A description of existing conditions, existing use, and proposed use.
  4. *Site Plan*: A site plan, drawn to scale, that includes the following information.
    - a. North arrow.
    - b. Graphic scale.
    - c. Address of the site.
    - d. Legal description of the site.
    - e. Boundary lines of the site including all dimensions.
    - f. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
    - g. Location and dimensions of all existing and proposed structures, including paved areas and signs
    - h. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
    - i. Distance of all structures from front, rear, and side lot lines.
    - j. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
    - k. Proposed landscaping buffers or landscaped areas.
    - l. Any other information necessary to support a thorough review of the project and as requested by the Plan Commission or the Zoning Administrator.
  5. *Survey*: A survey of the property if required by the Zoning Administrator.
- E. Deadline: An application for a Rezoning, seven (7) copies of the plans and one (1) electronic copy of the plans shall be filed by the deadline established in the Plan Commission Rules and Procedures.
- F. Fees: The applicable fee from the City's fee schedule shall be paid at the time the application for a Rezoning is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Rezoning that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

G. Formal Procedure:

1. *Assignment*: An application for a Rezoning, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant, in writing, of the date of the meeting and provide the applicant with a legal notice.
2. *Internal Review*: Upon assignment of a case number and hearing date, the Zoning Administrator shall review the application for a Rezoning and all supporting information. The Zoning Administrator may forward the application for a Rezoning and any other relevant information to the Routing Committee and/or other applicable agencies. The Zoning Administrator may submit a written report to the Plan Commission stating facts concerning the physical characteristics of the area involved in the application for a Rezoning, adjacent zoning, the surrounding land use, facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the application for a Rezoning and information from any other agency that reviewed the application for a Rezoning. A copy of such report shall be made available to the applicant and anyone that requests a copy.
3. *Public Notice*: Public Notice shall be provided in accordance with Plan Commission Rules and Procedures.
4. *Attendance*: The applicant shall be present at the Plan Commission meeting to explain the application for a Rezoning and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the application for a Rezoning.
5. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules and Procedures. All costs associated with providing notice shall be borne by the applicant.
6. *Review*: At their regularly scheduled public meeting, the Plan Commission shall review:
  - a. The application for Rezoning.
  - b. All supporting information.
  - c. Information presented in writing or verbally by the Zoning Administrator or other applicable department.
  - d. Presentation by applicant.
  - e. Input from the public during the public hearing.
  - f. Any applicable provisions of this Unified Development Ordinance;
  - g. Any other information as may be required by the Plan Commission to evaluate the application.
7. *Decision*:
  - a. The Plan Commission shall take final action or continue the application for a Rezoning to a defined future meeting date. The Plan Commission shall pay reasonable regard to the following factors before taking final action.
    - i. The Auburn Comprehensive Plan.
    - ii. Current conditions and the character of current structures and uses in each district.
    - iii. The most desirable use for which the land in each district is adapted.
    - iv. The conservation of property values throughout the jurisdiction.
    - v. Responsible development and growth.
  - b. *Final Action*: The Plan Commission shall certify the amendment to the Official Zoning Map and forward the application to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation. The Plan Commission may also recommend commitments concerning the use and/or development of the land in connection with the application for Rezoning. The Common Council makes the final determination regarding an application for Rezoning and any recommended commitments by ordinance.

H. Duration: A rezoning shall be effective from the date of its final approval by the Common Council.

I. Modification: A modification to an approved Zoning Map Amendment shall not be permitted.

**Article**

**10**

## Enforcement and Penalties

---

**AUBURN**

**Unified Development Ordinance**

## 10.01 Authority

The Plan Commission, Board of Zoning Appeals, Common Council, City Attorney, Building Commissioner, or the Zoning Administrator shall be designated to enforce the provisions of this Unified Development Ordinance.

## 10.02 Violations

- A. **Identification:** Reports made to the Department of Building, Planning and Development about potential violations of this Unified Development Ordinance may be investigated by the Plan Commission, Board of Zoning Appeals, Common Council, City Attorney, Building Commissioner, or Zoning Administrator. Action may or may not be taken depending on the findings. If a violation is identified, the degree of action will be at the discretion of the investigating person and should reflect what is warranted by the violation.
- B. **Responsibility:** The owner, tenant, and/or occupant of any property or structure, or a part of any property or structure, shall be responsible for the violation. Architects, engineers, builders, developers, or agents may also be found responsible for the violation if evidence of their involvement or negligence is found. Ultimately, if fault is not clearly found in whole or in part in persons other than the owner, the owner shall be held fully responsible.
- C. **Liability:** A structure that is erected or converted, or land used in violation of this Unified Development Ordinance may be deemed a common nuisance and the owner of the structure or land shall be held liable for the nuisance.
- D. **Types:** The following items shall be deemed zoning violations, enforceable by the Plan Commission, Board of Zoning Appeals, Common Council, City Attorney, Building Commissioner, or Zoning Administrator. Penalties may be imposed based on the provisions set forth in this Article.
  - 1. *Permits:* Failure to obtain an Improvement Location Permit or any other required permit under this Unified Development Ordinance when required prior to the initiation of improvements, change of land use, or other modifications regulated under this Unified Development Ordinance.
  - 2. *Improper Placement:* The placement or erection of a primary structure, accessory structure, sign, landscaping, fences, structures or any other element that does not conform with the provisions or explicit intent of this Unified Development Ordinance as determined by the Zoning Administrator.
  - 3. *Maintenance:* Failure to maintain a property, primary structure, accessory structure, sign, or any other element as determined by the Zoning Administrator.
  - 4. *Occupancy:* Failure to obtain a Certificate of Occupancy prior to the utilization of a structure.
  - 5. *Use:* Conducting a use or uses that do not comply with the provisions or explicit intent of this Unified Development Ordinance.
  - 6. *Other:* Failure to comply with any regulations of this Unified Development Ordinance, including, but not limited to development standards, design standards, development plan, planned development, or conditions of approval imposed.
  - 7. *Stop Work:* Proceeding with work under a Stop Work Order.
  - 8. *Commitments:* Any failure to comply with commitments made in connection with a rezoning, approval of a development plan, special exception, variance, or other similar or documentable commitment, including verbal agreements during official Plan Commission, Common Council, or Board of Zoning Appeals meetings.
  - 9. *Address Numerals:* Failure to place and maintain city-assigned address numbers on applicable structures.
- E. **Duration:** Each day a zoning violation remains uncorrected constitutes a separate violation.

F. Inspection:

1. *Standard*: Inspections of property may be conducted by the Zoning Administrator or the Building Commissioner from the property suspected of the violation with permission from that property owner, tenant, or occupant at the time of the inspection; from a right-of-way; or from an adjacent property with permission from that property owner.
2. *Warrant*: In the event the inspector is denied access and unable to adequately inspect from adjacent property or right-of-way, and providing there is evidence of violation of this Unified Development Ordinance, the Plan Commission, Board of Zoning Appeals, Common Council, Building Commissioner, or Zoning Administrator may apply to the court of jurisdiction to invoke legal, equitable, or special remedy for the enforcement of this Unified Development Ordinance or any applicable ordinances adopted under Indiana Code. If the court determines the evidence is sufficient, the warrant issued shall order the owner, tenant, and/or occupant to permit entry by the Zoning Administrator or the Building Commissioner for the purposes documented in the application for the warrant.
3. *Emergency Remedy*:
  - a. When, in the opinion of the Zoning Administrator or Building Commissioner, the condition of the site causes serious danger to the health, safety, or welfare of the public, the City may enter the site to remedy the dangerous condition without notice to the property owner.
  - b. Signs located within the right-of-way shall be deemed a violation requiring an emergency remedy. Signs located within the right-of-way may be removed at the discretion of the Zoning Administrator or Building Commissioner without notice.

### 10.03 Procedure for Violations

- A. Stop Work Order: The Zoning Administrator or Building Commissioner may place a stop work order on any violation discovered during the construction process, including construction occurring without all of the necessary permits. Stop work orders shall be issued by written notice which describe the violation and orders the immediate cessation of work or illegal activity until the matter is resolved. The stop work order shall be posted in a conspicuous place on the property where the violation exists. A copy of the stop work order and a first Notice of Violation letter shall be mailed to the property owner and/or the person who is responsible, in part or in whole, for the violation if that person is not the property owner.
- B. Notice of Violation: The Zoning Administrator or Building Commissioner may issue a Notice of Violation letter to the property owner and/or the person who is responsible, in part or in whole, for the violation if that person is not the property owner. The Notice of Violation letter shall state that a violation exists and must be corrected.
  1. *Corrected*: If the violation is corrected no further action shall be taken.
  2. *Arrangements*: If arrangements are made to have the violation corrected within a reasonable time period that is agreed to and signed by the person responsible for the violation and the Zoning Administrator or Building Commissioner, no further action shall be taken. If the property owner has not been party to the violation, the property owner shall be notified of the arrangement to correct the violation.
- C. Signs in Right-of-Way: The Zoning Administrator may remove signs located in rights-of-way without notice to the sign owner and/or adjacent property owner. Signs removed from rights-of-way may be retrieved from the Department of Building, Planning & Development within two weeks of the date of the sign's removal.

### 10.04 Appeals or Trials

- A. Initiating an Appeal: Any aggrieved person may appeal to the Board of Zoning Appeals or to the court of jurisdiction. A written statement from the property owner and/or person responsible for the violation shall be submitted to the Zoning Administrator within thirty (30) days of the date of the notice of violation letter to initiate the appeal of the violation.

## 10.05 Enforcement, Remedies, and Injunctive Relief

- A. Enforcement: All remedies and enforcement shall comply with the powers set forth in *IC 36-7-4-1000 et seq.* and all other applicable State Laws.
1. *Legal Action*: The Plan Commission, Board of Zoning Appeals, Common Council, City Attorney, Building Commissioner, or Zoning Administrator may bring an action in the Circuit or Superior Court of DeKalb County for the following reasons:
    - a. To invoke any legal, equitable, or special remedy, for the enforcement of any ordinance or regulation created under *Indiana Code 36-7-4 et seq.* This includes but is not limited to this Unified Development Ordinance.
    - b. To enforce agreements between the Plan Commission which have been recorded as covenants in connection with a subdivision plat, a development plan, or a planned development.
    - c. To enforce commitments made in accordance with *Indiana Code 36-7-4 et seq.*
    - d. To enforce conditions imposed in accordance with *Indiana Code 36-7-4 et seq.*
    - e. To restrain a person violating *Indiana Code 36-7-4 et seq.* or any ordinance adopted under *Indiana Code 36-7-4 et seq.* which includes but is not limited to this Unified Development Ordinance.
    - f. For an injunction from violating State law or local ordinance.
    - g. For a fine as per *Section 10.99 in Chapter 10 of the Auburn Code of Ordinances* for a fine. This section establishes a fine of not more than \$2,500 for each offense. For zoning violations each day of the existence of the violation shall be a separate offense.
  2. *Enforcing a Commitment*: An action to enforce a commitment made in accordance with *Indiana Code 36-7-4 et seq.* may be brought in the Circuit or Superior Court of DeKalb County by:
    - a. Any person who is entitled to enforce a commitment made in accordance with *Indiana Code 36-7-4 et seq.* under the rules of the Plan Commission or the Board of Zoning Appeals in force at the time the commitment was made; or
    - b. Any other specially affected person who was designated in the commitment.

**Article**

**11**

**Definitions**

---

**AUBURN**

**Unified Development Ordinance**

## 11.01 General

The definitions contained in Article 11 shall be observed and applied in the interpretation of all Articles in this Unified Development Ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future; words used in the singular number shall include the plural and the plural the singular; words used in the masculine gender shall include the feminine.

## 11.02 Defined Words

The following terms shall have the following meanings:

**Abandoned:** The relinquishment of property or a cessation of the use of the property for a continuous period of one (1) year by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

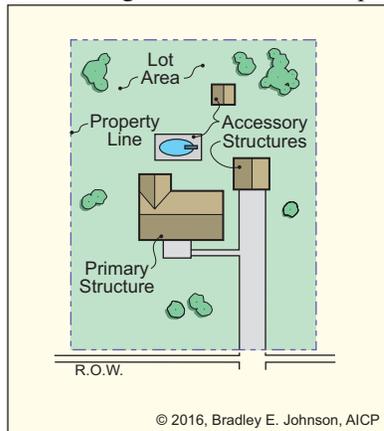
**Above Ground Utility Facility:** Permanently located and installed electrical generators, pipeline pumping stations, public wells, telephone exchanges, utility substations, and the like.

**Access Street:** See "Street, Access"

**Accessory Dwelling (or Dwelling Unit):** A dwelling subordinate to a primary dwelling on the same lot. This use is typically referred to as a "Granny Flat" or "In-law Apartment."

**Accessory Structure:** Any structure which:

1. Is subordinate to a primary structure in area, intent, and/or purpose;
2. Contributes to the comfort, convenience, or necessity of occupants of the primary structure or primary use;
3. Does not alter or change the character of the premises;
4. Is located on the same lot as the primary structure or use; and
5. Is not designed for human occupancy as a dwelling or commercial use.



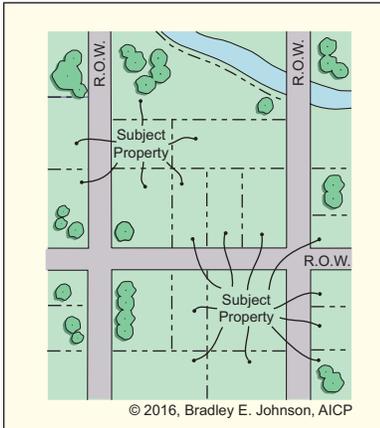
**Accessory Structure, Recreation-based:** An accessory structure placed on a lot and used for recreation, entertainment and lounging. Examples of recreation-based accessory structures include decks, docks, gazebos, hot tubs, ground-mounted satellite dishes, piers, sport courts, swimming pools

**Accessory Structure, Storage-based:** An accessory structure placed on a lot and used to store, keep, shelter or contain material items. Examples of storage-based accessory structures include barns, boat houses, carports, detached garages, greenhouses, mini-barns, pole structures, pool houses, and sheds.

**Accessory Structure, Support-based:** An accessory structure placed on a lot and used to provide essential services to a primary structure, primary land use, or another accessory structure. Examples of support-based accessory structures include maintenance facility, mechanical structure, freestanding canopy, stand-alone restroom facilities, storage building, enclosed vending, kiosk, or structures used in support of the primary structure.

**ADA:** The Americans with Disabilities Act.

**Adjacent Property:** Any property adjacent to or directly diagonal to the subject property. Properties across a public right-of-way (ROW) are also considered adjacent. The illustration below notes the properties that would be considered adjacent to two (2) different subject properties.



**Administrator:** The officer appointed by and/or delegated the responsibility for the administration of the Auburn Unified Development Ordinance's regulations by the Plan Commission. The term "Administrator" includes his/her authorized representative.

**Advisory Plan Commission:** See "Plan Commission."

**Agricultural District:** Refers to the AG and AC districts.

**Agriculture:** The use of land for agriculture purposes, including farming, dairying, pasturage, apiculture, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any accessory uses shall be secondary to that of the normal agricultural activities. "Agriculture" does not include feed lots, stock yards, or the commercial feeding of garbage or offal to swine or other animals.

**Agricultural Tourism:** Permanent or temporary uses integrated with an agricultural operation offering agriculture education, agricultural experiences, agricultural products primarily grown or produced on-site, and the like. Examples, include "you-pick" blueberries, pumpkin festival, cider mill, observing a dairy operation, retail sales of cheese produced on site, and feeding farm animals. Agricultural tourism shall not include private or public stables.

**Airport:** Any area which is used or intended to be used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or intended to be used for airport structures or facilities, including open spaces, taxiways, and tie-down areas.

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

**Amusement Park:** A commercial enterprise with three (3) or more of the following: rides (e.g. roller coasters), entertainment, experiences, attractions, performances, and/or themed experiences. Ancillary to the core components listed in the previous sentence, lodging, restaurants, vending, shopping and personal services. Generally, amusement parks are family oriented enterprises and accommodate very large assembly of persons.

**Antenna:** A device for directional or non-directional sending or receiving of electromagnetic waves (e.g. radio waves).

**Applicant:** The owner, owners, subdivider, developer, or legal representative of real estate who makes application to the Zoning Administrator, Plan Commission, and/or Board of Zoning Appeals for action by the Zoning Administrator, Plan Commission, Board of Zoning Appeals or Common Council affecting the real estate owned or represented by the applicant.

**Arterial Street:** See "Street, Arterial."

**Assisted Living Facility:** A residential facility where assistance with daily activities, such as taking medicine, dressing, grooming, and bathing are provided for the aged or infirm, or any other reasonably independent person in need of nursing care; and which does not contain equipment for surgical care or for treatment of disease or injury, and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction. Assisted living facilities have private rooms that are not shared by non-related persons.

**ATM:** See "Automated Teller Machine."

**Attached Structure:** A structure that is structurally connected to another structure by a foundation, wall, bridge, or roof line, or appears to be connected.

# Automobile Oriented Business

**Automobile Oriented Business:** A business that includes services rendered directly on, to, or for vehicles. Automobile Oriented Businesses include automobile accessory installation, automobile body shop, automobile gas station, automobile oil change facility, automobile parts sales, automobile rental, automobile repair or service station, and automobile wash; not including automobile sales.

**Automated Teller Machine (ATM):** An electronically operated device used to conduct financial transactions on site, by means of direct computerized access.

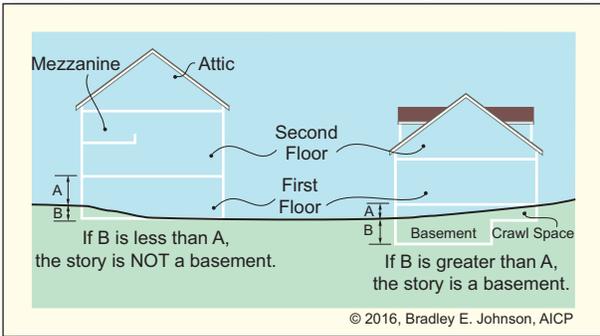
**Automobile Repair or Service Station:** Any building or premises used for the dispensing, sale or offering for sale to the public, automobile fuels stored only in underground tanks and located wholly within the lot lines; lubricating oil or grease for the operation of automobiles; and the sale and installation of tires, batteries, other minor accessories, and minor auto repair, but not including a bulk plant, conducting of major auto repairs, automobile wrecking, automobile sales, or car washes; provided, however, that the washing of individual automobiles where no chain conveyor is employed may be included.

**Average Setback:** See "Setback, Average."

**Base Flood Elevation:** The calculated elevation of floodwater that represents a one-percent (1%) annual chance flood. A base flood elevation is commonly referred to as a 100-year flood elevation.

**Base Zoning District:** See "Underlying Zoning District."

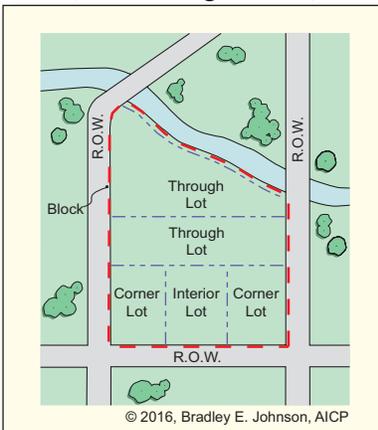
**Basement:** That portion of a structure below the first or ground floor level and having less than four (4) feet of clearance from its ceiling to the average finished grade of the structure perimeter. A basement shall not be considered a story for the purposes of determining structure height, except when it is used or suitable for habitation.



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

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

**Block:** Property abutting on one (1) side of a street and lying between the two (2) nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway, or the end of a dead end street.



**Board:** See "Board of Zoning Appeals."

**Board of Zoning Appeals:** The City of Auburn Board of Zoning Appeals or any division thereof.

**Boarding House:** A structure, not available to transients, in which lodging and meals are regularly provided for compensation for at least three (3) but not more than ten (10) persons.

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

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

**Buildable Lot:** See "Lot, Improved."

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

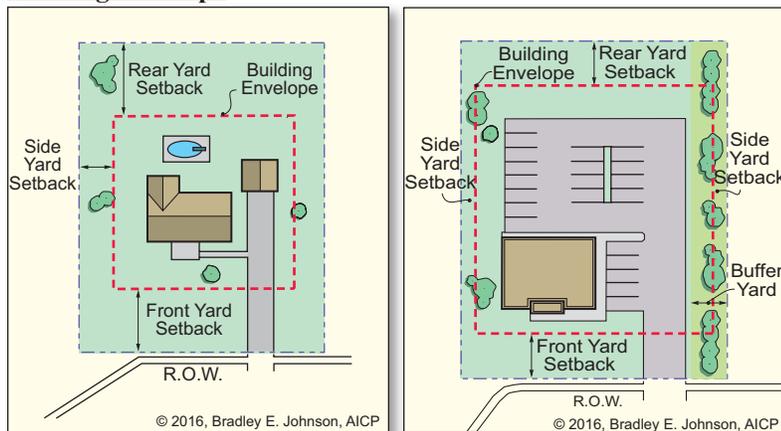
**Building Area:** The horizontal area of the buildings on a lot, measured from the outside exterior walls, excluding open areas or terraces, unenclosed porches or decks, and architectural features that project no more than two (2) feet.

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

**Building, Detached:** See "Detached Structure."

**Building Height:** See "Structure Height."

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



**Building, Multiple-tenant:** A building that contains more than one (1) business, organization and/or institution.

**Building, Single-tenant:** A building that contains only one (1) business, organization and/or institution.

**Bumpout:** An extension of a street curb toward the centerline of a street creating a narrowed street, either for the purpose of defining parking spaces, shortening a crosswalk, adding landscaping area along a street, or the like.

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

**BZA:** See "Board of Zoning Appeals."

**Cabaret:** A nightclub, theater, or other establishment which is licensed to serve food and/or alcoholic beverages which feature live performances by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on sexual conduct or specified anatomical areas.

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

**Canopy Tree:** Deciduous trees that grow to at least thirty (30) feet in height and have a canopy that is round or oval in shape. Conical or tubular shaped trees are not canopy trees.

**Car Wash:** A structure, or portion of a structure, containing facilities for washing one (1) or more automobiles at any one (1) time, using production line methods such as a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment, or soap for the complete or partial cleaning of such automobiles, whether by operator or by customer.

**Cellular Communication Equipment:** Antennas and other transmitting and/or receiving devices or other associated devices used in the provision of telecommunications service.

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

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

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

**Certificate of Occupancy:** A certificate stating that the occupancy and use of a structure complies with all applicable Unified Development Ordinance provisions.

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

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

**Child Care Institution:**

1. A residential facility that provides child care on a twenty-four (24) hour basis for more than ten (10) children; or
2. A residential facility with a capacity of not more than ten (10) children that does not meet the residential structure requirements of a group home; or
3. Operates under a license issued under *IC 12-17.4*; provides for delivery of mental health services that are appropriate to the needs of the individual; and complies with the rules adopted under *IC 4-22-2* by the Division of Family and Children. A child care institution does not include a juvenile detention facility.

**Children's Home:** See "Child Care Institution."

**Church:** See "Places of Worship."

**City:** City of Auburn, Indiana.

**City Official:** A member of the Common Council, Board of Public Works and Safety, Plan Commission, Plan Commission staff, Board of Zoning Appeals, or an employee of the City.

**Classroom:** A space used by a teacher, professor or instructor to educate or train students.

**Clinic:** An establishment in which human patients are admitted for medical or dental study or treatment and in which the services of at least two (2) physicians or dentists are provided.

**Club House:** A structure used in association with a golf course, in which may be locker rooms, golf course administration offices, golf cart storage and maintenance, rest rooms, lounges, meeting space, snack bar, banquet facilities, and retail sales of golf related products. Retail sales shall constitute no more than twenty-five percent (25%) of the space accessible to the public of the club house.

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

**Commercial Districts:** Refers to the C1, DC, and C2 Districts.

**Commercial Wireless Communications Service:** A licensed commercial wireless telecommunications service, including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar devices that are marketed to the general public.

**Commission:** See "Plan Commission."

**Community Center:** A structure available to the public for community activities, meetings, banquets, projects, gatherings, and the like. A community center may be able to be reserved by the public for private parties and events.

**Comprehensive Plan:** Refers to the Auburn Comprehensive Plan. The plan includes goals, objectives, and implementation measures for land use, growth management, transportation, public services, the environment, image and identity, economic development, parks and recreation, and inter-jurisdictional cooperation. The Comprehensive Plan was developed and adopted by the Plan Commission pursuant to the *IC 36-7-4-500 Series* and includes any part and/or policies separately adopted and any amendment to the plan and/or the policies.

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

**Condominium:** Real estate lawfully subject to *IC 32-25, et seq.* (the Condominium Law), by the recording of condominium instruments, in which undivided interests in the common areas and facilities are vested in the condominium unit owners.

**Confined Feeding:** The raising of animals for food, fur, or recreation in lots, pens, ponds, sheds, or buildings, where they are confined, fed, and maintained for at least forty-five (45) days during any year, and where there is no ground cover or vegetation present over at least half of the animals' confinement area.

**Confined Feeding Operation (large):** Any livestock operation engaged in the confined feeding of at least 1,000 cattle, or 1,000 swine, or 10,000 sheep, or 30,000 hens or ducks. All thresholds are defined by the Indiana Department of Environmental Management (IDEM).

**Confined Feeding Operation (medium):** Any livestock operation engaged in the confined feeding of between 300-999 cattle, or 750-999 swine, or 3,000-9,999 sheep, or 9,000-29,999 hens, or 10,000-29,999 ducks. All thresholds are defined by the Indiana Department of Environmental Management (IDEM).

**Confined Feeding Operation (small):** Any livestock operation engaged in the confined feeding of less than 300 cattle, or 750 swine, or 3,000 sheep, or 9,000 hens or 10,000 ducks. All thresholds are defined by the Indiana Department of Environmental Management (IDEM).

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

**Continuous Mound:** A landscape feature used for screening in which a continuous raised section of earth is used to block or partially block visibility from one side to the other. In particular, continuous mounds are linear with a top elevation (crest) relatively consistent from one end to the other.

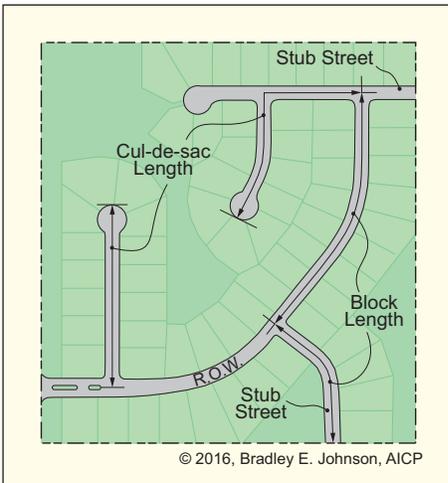
**Corner Lot:** See "Lot, Corner."

**County:** DeKalb County, Indiana.

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

# Cul-de-sac

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



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

**Day Care Center:** See "Child Care Center."

**DBH:** Diameter-at-breast-height is a tree trunk diameter measured in inches at a height of four and one-half feet (4' 6") above the ground. If a tree splits into multiple trunks below four and one-half feet (4' 6"), the trunk is measured at its most narrow point beneath the split.

**Deck:** An accessory structure which is on the ground or is elevated from ground level and is open to the sky.

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

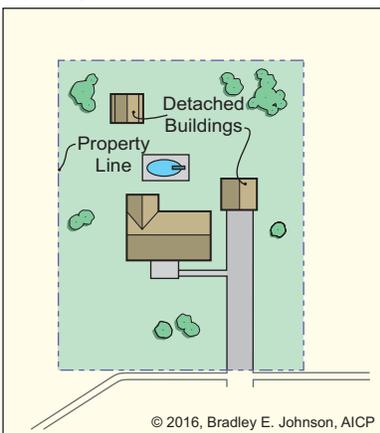
**Demolition:** The complete removal or destruction of any structure excluding its foundation.

**Design Services Office:** See "Office, Design Services."

**Designed Fail Area:** The area surrounding a tower in which the tower could fall should it fail as structurally designed. The designed fail area is quantified in terms of linear distance from the tower to the perimeter of the designed fail area. The designed fail area shall be certified by a structural engineer.

**Detached Building:** See "Detached Structure."

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



**Developed Lot:** See "Lot, Developed."

**Developer:** The owner or legal representative of land proposed to be subdivided or used for agricultural, residential, commercial, institutional, mixed-used, industrial or the like purposes.

**Development:** The act of modifying a lot, parcel or property developing as a plan or method, or an image upon a photographic plate; gradual advancement or growth through a series of progressive changes; also, the result of developing, or a developed state.

**Development Standards:** Height, bulk, density, environmental performance standards, and other standards for development as set forth in this Unified Development Ordinance, including landscaping, parking, and other required improvements, excluding those provisions which specifically regulate the use, per se, of property.

**Development Standards Variance:** See "Variance, Development Standards."

**Diameter-at-breast-height:** See "DBH."

**District:** See "Zoning District."

**District Intent:** A zoning district's purpose to ensure that all development is consistent with the goals, objectives, and policies identified in the Comprehensive Plan.

**DNR:** Indiana Department of Natural Resources.

**Domestic Pets:** Animals commonly used as household pets, protection, companions, and for assistance to disabled persons. Domestic pets shall include animals that are cared for and treated in a manner acceptable for pet dogs, cats, and birds. Domestic pets shall include, but not be limited to, dogs, cats, parakeets, parrots, finches, lizards, spiders, guinea pigs, hamsters, gerbils, rats, mice, rabbits, aquarium fish, ferrets, and snakes if cared for in the manner described above.

**Drive, Private:** See "Street, Private."

**Drive-Through Establishment:** A place of business, being operated for the sale and purchase at retail of food and other goods, services, or entertainment, which is laid out and equipped so as to allow its patrons to be served or accommodated while remaining in their automobiles.

**Driveway:** A surface improvement installed on a lot and used to convey vehicles to public streets.

**Duplex:** See "Dwelling, Single-family Attached."

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

**Dwelling, HUD:** See "Dwelling, Mobile Home."

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

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

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

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

# Dwelling, Modular Home

**Dwelling, Modular Home:** A dwelling unit designed and built in a factory that meets state and local building codes. A modular home is installed and assembled as a permanent residence on a permanent foundation.

**Dwelling, Multiple-family:** A residential structure designed to be occupied by four (4) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

**Dwelling, Single-family:** See "Dwelling, Single-family Detached."

**Dwelling, Single-family Attached:** An attached residential dwelling unit designed to be occupied by two (2) or three (3) families, with the number of families in residence not exceeding the number of dwelling units provided.

**Dwelling, Single-family Detached:** A detached residential dwelling unit designed to be occupied by one (1) family. A single family dwelling shall be at least twenty-three (23) feet wide for sixty percent (60%) of its length.

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

**Dwelling Size:** The overall square footage of a dwelling unit. The dwelling size does not include a garage, carport, deck, unfinished storage, patio or open porch.

**Dwelling, Two-Family:** See "Dwelling, Single-family Attached."

**Dwelling Unit:** A single unit for owner occupancy or for rent or lease, physically separated from any other dwelling units which may be in the same structure, and providing complete and independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, cooking, and sanitation. Examples of a dwelling unit include a single-family dwelling, multiple-family dwelling, mobile home dwelling, manufactured home dwelling, and farmstead.

**Easement:** A grant by a property owner ("grantor") to specific persons, the general public, corporations, utilities, or others ("grantee" or "easement holder") for the purpose of providing services or access to the property.

**Entryway Feature:** A means to identify the entrance to a subdivision, typically installed in common area and inclusive of hardscape, landscape, and other built features that portray the character for the subdivision.

**EPA:** United States Environmental Protection Agency.

**Erosion:** The wearing away of the land surface by water, wind, ice, gravity, or other geological agents.

**Established Building Setback Line:** See "Setback, Established."

**Existing Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the City of Auburn's first floodplain management regulations.

**Exotic Animals:** Animals not normally considered to be household pets or farm animals and which may or may not be potentially dangerous.

**Expansion to an Existing Manufactured Home Park or Subdivision:** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Eyebrow:** A semi-circular extension of a curb on one (1) side of a street designed to provide more street frontage for a small number of lots.

**FAA:** Federal Aviation Administration.

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

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

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

1. Group homes for children in need of service under *IC 31-34-1* or children who have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*; and specifically a facility that houses not more than ten (10) children.
2. Residential Facility for the Developmentally Disabled which provides residential services for eight (8) developmentally disabled individuals or less as described in *IC 12-28-4*.
3. Residential Facility for the Mentally Ill which provides residential services for mentally ill individuals as described in *IC 12-28-4*. No two (2) Residential Facilities for the Mentally Ill shall be within 3,000 feet of one another in the planning jurisdiction as stated in Indiana Code.

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

**Farmer's Market:** The assembly of local producers and providers of fruit, vegetables, meat, bread, dairy, herbs, spices, eggs, wine, and other products of local and regional farms; at an interior or exterior location for the public to purchase such products. Ancillary to farm products, non-farm products and products manufactured from farm products may be sold.

**FCC:** United States Federal Communications Commission.

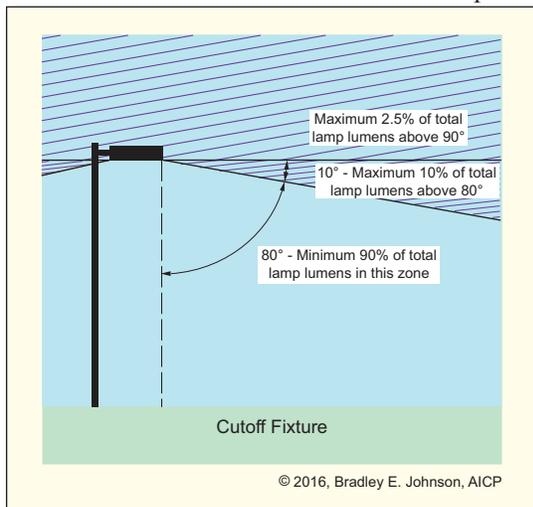
**FEMA:** United States Federal Emergency Management Agency.

**Fence:** A vertical structure, solid or otherwise, used for containment, security, aesthetics, a landscape feature, and the like. Fences are inclusive of permanently affixed structures, temporarily affixed structures, and living material (a dense hedge row).

**Financial Services Office:** See "Office, Financial Services."

**Fixture, Cutoff:** A luminaire that:

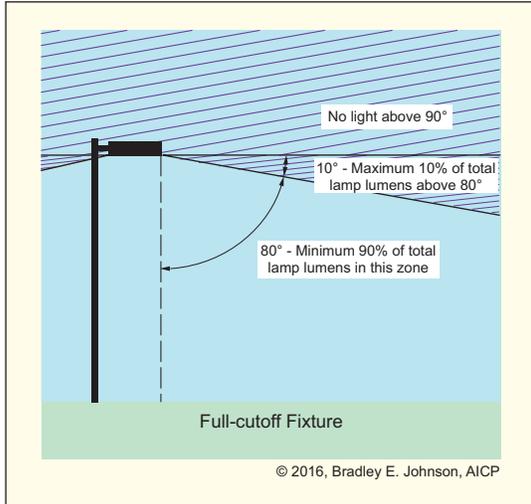
1. Projects at least ninety percent (90%) of the total lamp lumens below eighty degrees (80°) from vertical;
2. Does not allow more than ten percent (10%) of the total lamp lumens above eighty degrees (80°) from vertical; and
3. Does not allow more than two and one-half percent (2.5%) of the total lamp lumens above ninety (90°) from vertical.



# Fixture, Full-cutoff

**Fixture, Full-cutoff:** A luminaire that:

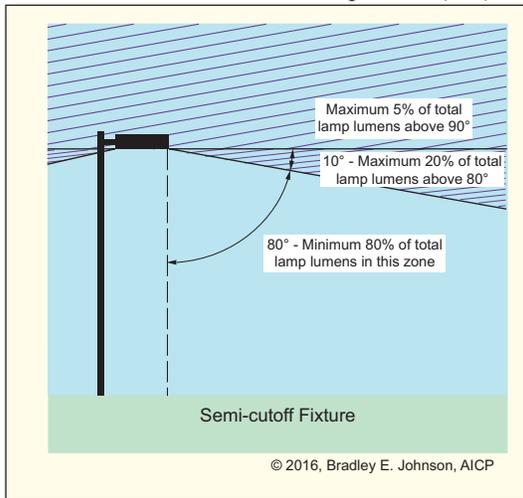
1. Projects at least ninety percent (90%) of the total lamp lumens below eighty degrees (80°) from vertical;
2. Does not allow more than ten percent (10%) of the total lamp lumens above eighty degrees (80°) from vertical; and
3. Does not allow any lamp lumens above ninety degrees (90°) from vertical.



**Fixture, Non-cutoff:** A luminaire with no control of the horizontal distribution of luminance.

**Fixture, Semi-cutoff:** A luminaire that:

1. Projects at least eighty percent (80%) of the total lamp lumens below eighty degrees (80°) from vertical;
2. Does not allow more than twenty percent (20%) of the total lamp lumens above eighty degrees (80°) from vertical; and
3. Does not allow more than five percent (5%) of the total lamp lumens above ninety degrees (90°) from vertical.



**Flex Space:** A commercial or industrial building that has been designed to accommodate multiple tenants each able to utilize one (1) or more of the pre-designed tenant spaces.

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

**Floor Area, Main:** That portion of floor area constructed, completed, and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, working, entertainment, common space linking rooms, areas for personal hygiene, or combination of those areas located on the first (or nearest ground level) floor of the structure. The Main Floor Area of a primary structure does not include a garage, carport, deck, unfinished storage, patio, or open porch.

**Foundation:** The supporting member of a wall or structure.

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

**Front Lot Line:** See "Lot Line, Front."

**Front Yard:** See "Yard, Front."

**Frontage:** See "Lot Frontage."

**Frontage Street:** See "Street, Frontage."

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

**General Services Office:** See "Office, General Services."

**Geographic Information System (GIS):** A computer system that stores and links non-graphic attributes or geographically referenced data with graphic map features to allow a wide range of information processing and display operations, as well as map production, analysis, and modeling.

**Gift Shop:** A retail store offering a variety of small gift items, as opposed to stores offering primarily specific lines of merchandise such as toys, clothing, or sporting goods.

**GIS:** See "Geographic Information System (GIS)."

**Golf Course:** An area of terrain on which the game of golf is played during daylight hours. A golf course includes greens, fairways, and natural areas. A golf course may also include a driving range when integrated with the golf course operations and hours.

**Grade, Finished:** The average elevation of the finished surface of the ground within ten (10) feet of the structure after final grading.

**Grantee:** A person to whom an interest in property is granted.

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

**Ground Floor Area:** See "Floor Area, Main."

**Group Home:** A facility that houses not more than ten (10) children that are either:

1. In need of service under *IC 31-34-1*; or
2. Children who have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*.

Group homes are not subject to covenants, deeds, or other instruments pertaining to the transfer, sale, lease, or use of property that would permit the residential use of property but prohibit the use of that property as a group home as a matter of State public policy reasons. Group homes cannot be prohibited on the grounds that they are a business, the persons living in a group home are not related, or any other reason. All group homes must abide by *IC 12-17.4-5* and shall be a licensed facility with the State, meeting fire codes, building codes, and specific group home regulations.

**Habitable Space:** Any space in a structure suitable for living, sleeping, eating or cooking purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

**Hardship:** A difficulty with regard to one's ability to improve land stemming from the application of the development standards of this Unified Development Ordinance, which may or may not be subject to relief by means of variance. In and of themselves, self-imposed situations and claims based on a perceived reduction of or restriction on economic gain shall not be considered hardships.

Self-imposed situations include: the purchase of land with actual or constructive knowledge that, for reasons other than physical characteristics of the property, the development standards herein will inhibit the desired improvement; any improvement initiated in violation of the standards of this Unified Development Ordinance; any result of land division requiring variance from the development standards of this Unified Development Ordinance in order to render that site buildable.

**Height:** See "Structure Height."

**High Impact District:** Refers to the HI district.

**Historic Structure:** A building that is recognized for its age or significance, or as a cultural resource. Generally buildings or structures greater than 50 years in age.

**Hobby Farming:** The use of land for purposes, including: dairying, pasturage, apiculture, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry. Processing and storage of harvested produce or other end products shall not be allowed on site. The hobby farming use(s) shall not exceed forty percent (40%) of the land area of the lot and shall abide by all setback regulations. Hobby farming cannot be the primary income source for the owner, operator or household on site. Hobby farming shall not include feed lots, stock yards, or the commercial feeding of garbage or offal to swine or other animals.

**Home Based Business, Type 1:** A very low impact business being operated out of a residence.

**Home Based Business, Type 2:** A low impact business being operated out of a residence.

**Home Based Business, Type 3:** A moderately intense business being operated from an accessory building on a lot with a residence.

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

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

**IAC:** Indiana Administrative Code.

**IC:** Indiana Code.

**IDEM:** Indiana Department of Environmental Management.

**Illuminance:** The total amount of visible light illuminating (incident upon) a point on a surface from all directions above the surface (i.e. how brightly a surface is illuminated). Illuminance is measured in lux or footcandles.

**Impervious Surface:** Any material that prevents absorption of stormwater into the ground such as concrete or asphalt. This does not include gravel, rock, or stone.

**Impervious Surface Coverage:** The area of a lot occupied by the primary structure, any accessory structures, and impervious surface.

**Improved Lot:** See "Lot, Improved."

**Improvement:** Any permanent structure that becomes part of, placed upon, or is affixed to real estate, or any alteration to the land.

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

**Improvement, Off-site:** Any premises not located within the area of the property to be subdivided, used, or built upon whether or not in the same ownership of the applicant for subdivision approval.

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

**INDOT:** Indiana Department of Transportation.

**Industry, Light:** See "Manufacturing, Light."

**Industry, Heavy:** See "Manufacturing, Heavy."

**Industrial District:** Refers to the I1 and I2 districts.

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

**Institutional District:** Refers to the IS district.

**Interested Party:** See definition listed in Plan Commission and/or Board of Zoning Appeals Rules and Procedures.

**Interested Parties:** See definition listed in Plan Commission and/or Board of Zoning Appeals Rules and Procedures.

**Interior Lot:** See "Lot, Interior."

**Interstate:** Any street that operates at a high service level, consists of limited access, is divided and carries region-wide traffic.

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

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

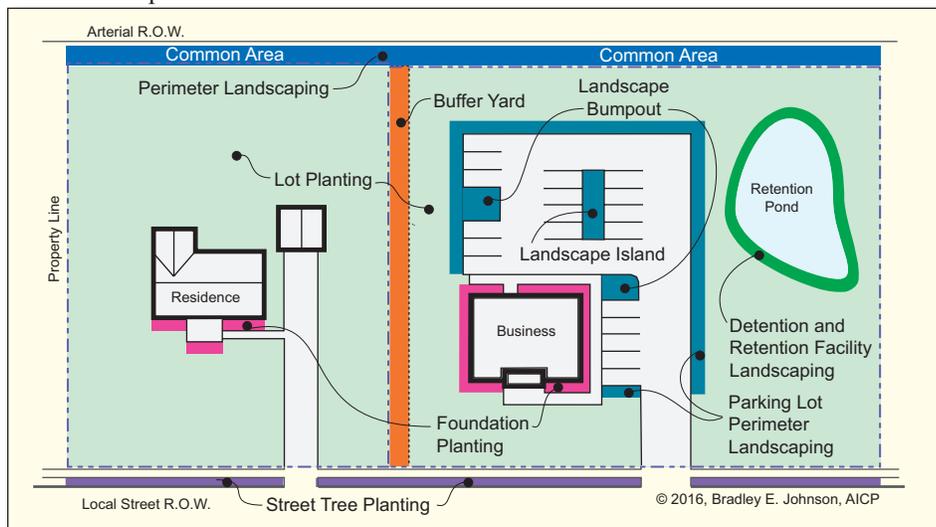
**Jurisdiction:** See "Planning Jurisdiction."

**Juvenile Detention Facility:** A facility that holds children or minors (typically under eighteen (18) years of age) for punishment and/or counseling as a result of sentencing by a court of jurisdiction for criminal or antisocial behavior.

**Kennel (Commercial):** A place primarily for keeping more than five (5) adult dogs or other small animals that are ordinarily bred for sale as pets, including temporary care facilities for animals for compensation.

**Kennel (Private):** A place for keeping up to five (5) adult dogs or other small animals for personal use and enjoyment which is subordinate to the primary use.

**Landscape Areas:** Areas on a lot or abutting right-of-way that are identified for application of landscaping regulations. Landscape areas include: street tree planting areas, parking lot planting areas, foundation planting areas, bufferyard areas, and perimeter planting areas. The image below conceptually demonstrates the general location of each landscape area.



**Landscape Buffer:** A continuous landscaped area designed, maintained and used for screening and separation of uses, lots, or structures.

**Landscape Material:** Trees, shrubs, plants, decorative fences, retaining walls, walls, earthen mounds, irrigation systems, flower beds, decorative rocks, edging, mulch, stakes, and the like. Artificial trees, shrubs, ground cover, and flowers are not considered landscape material.

# Landscape Structure

**Landscape Structure:** Decorative fences, walls, retaining walls, edging, and the like.

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

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

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

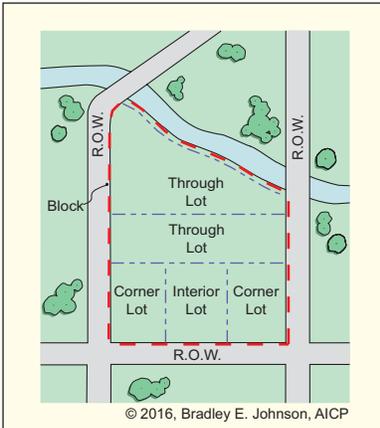
**Legal Nonconforming Structure:** Any continuously occupied, lawfully established structure prior to the effective date of this Unified Development Ordinance, or its subsequent amendments, that no longer meets the development standards.

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

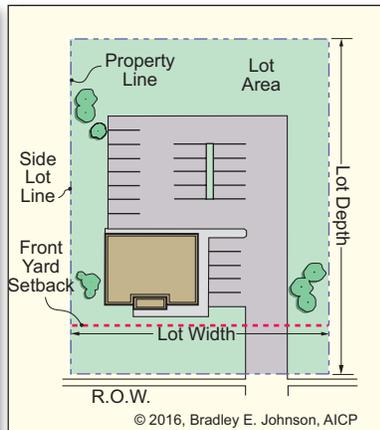
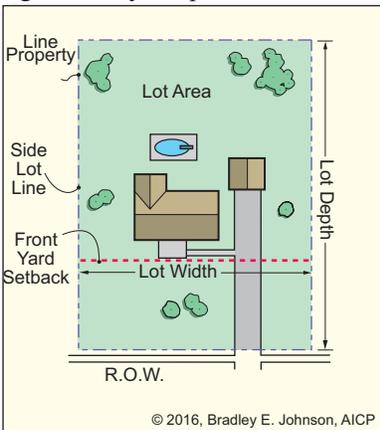
**Loading Space:** An off-street space for temporary parking of delivery and pickup vehicles.

**Local Street:** See "Street, Local."

**Lot:** A piece, parcel, or tract of land designated by its owner or developer to be used, developed, or built upon as a unit under single or multiple ownership or control. There are generally three (3) types of lots identified in this Unified Development Ordinance: interior lots, corner lots, and through lots.

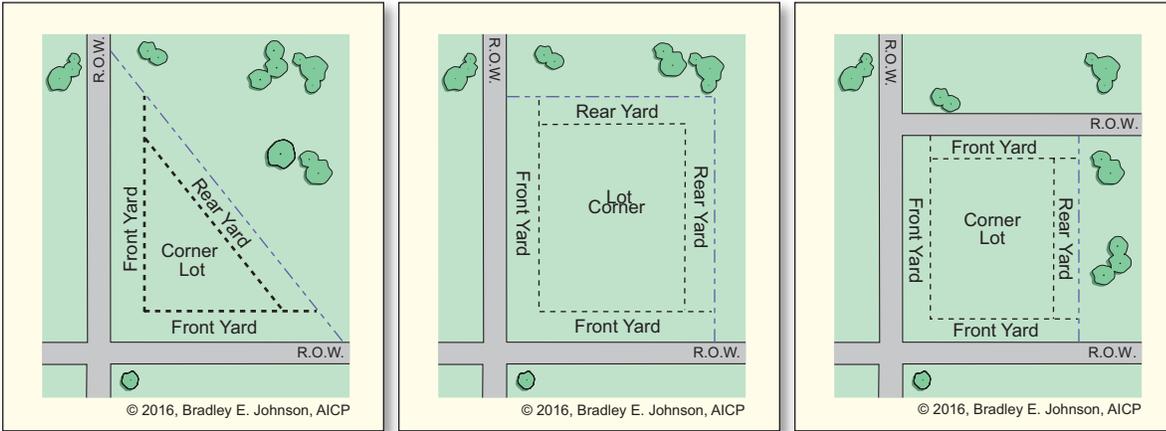


**Lot Area:** The area of a horizontal plane bounded by the front, side, and rear lot lines, excepting any easement or right-of-way for public streets.



**Lot, Buildable:** See "Lot, Improved."

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



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

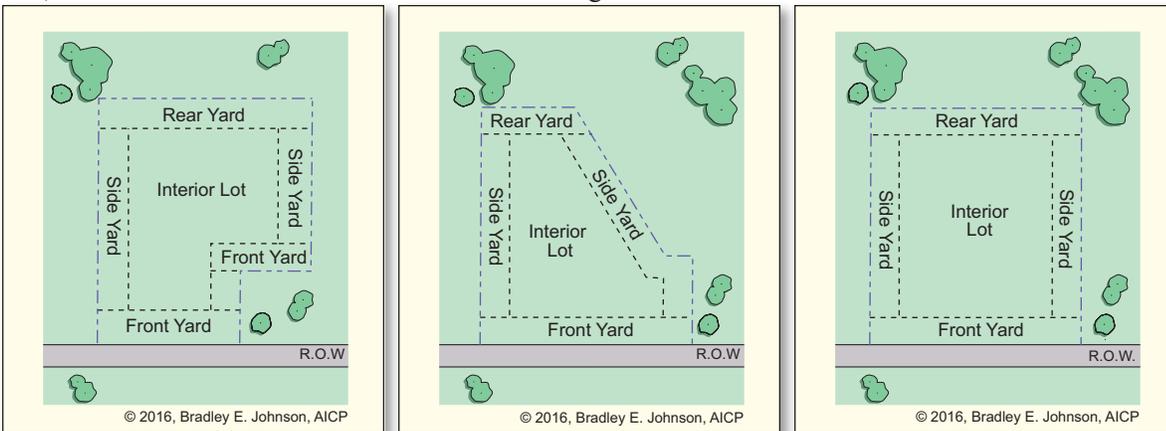
**Lot Depth:** The horizontal distance between the front and rear lot lines. (See Graphics for "Lot Area")

**Lot, Developed:** A lot with structures situated thereon.

**Lot Frontage:** The length of the front lot line bordering upon a public right-of-way. The lot frontage is determined by measuring the total distance in which the front lot line touches a public right-of-way. Lot frontage requirement for a cul-de-sac lot is one-half (0.5) the distance required for standard lots.

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

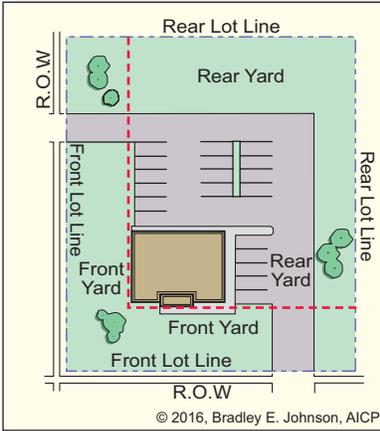
**Lot, Interior:** A lot other than a corner lot or a through lot.



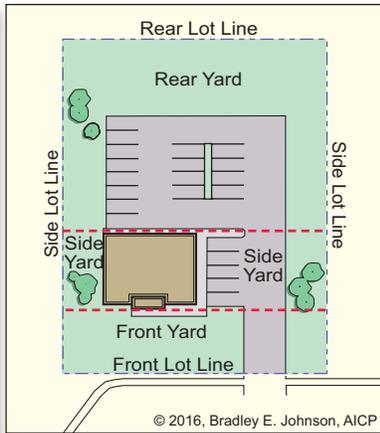
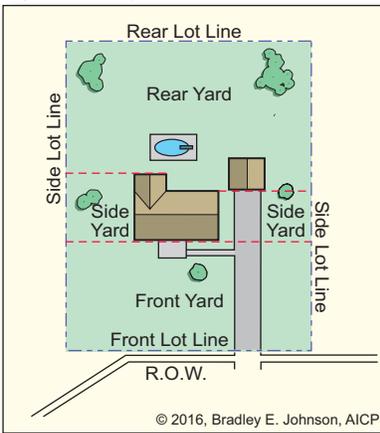
**Lot, Lake Front:** A lot fronting on a lake and a street. May also be referred to as a "lake front through lot" when the street and watercourse abut property lines that are relatively parallel.

# Lot Line, Front (corner lot)

**Lot Line, Front (corner lot):** The line marking the boundary between the lot and each of the abutting streets.



**Lot Line, Front (interior or through lot):** The line marking the boundary between the lot and the abutting street, right-of-way or a lake or watercourse

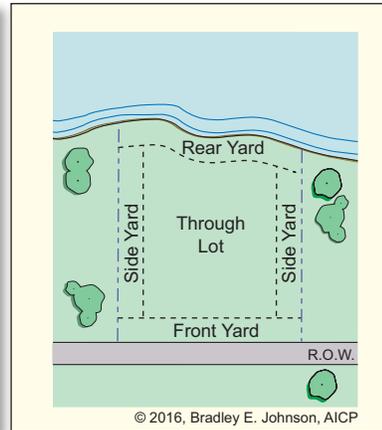
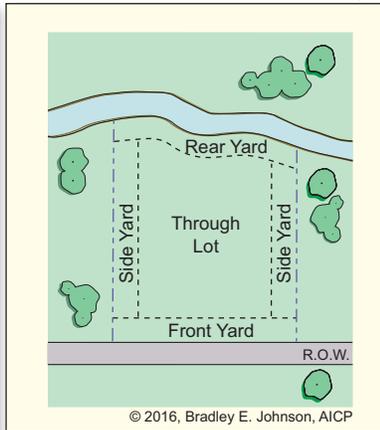
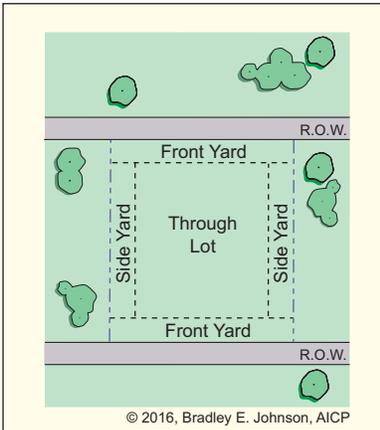


**Lot Line, Rear:** The lot line that is opposite the front lot line and farthest from it, except that for a triangular or other irregularly-shaped lot, the line ten feet (10') long, parallel to the front lot line, and wholly within the lot, that is farthest from the lot line. (See Graphic for "Lot Line, Front")

**Lot Line, Side:** A lot boundary line other than a front or rear lot line. (See Graphic for "Lot Line, Front")

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

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



**Lot Width:** The distance between the side lot lines as measured on the front setback line. Cul-de-sac and irregular shaped lots shall measure their front lot widths along the front setback line from one (1) side lot line to the other. (See Graphic for "Lot Area")

**Luces:** The plural of Lux.

**Lumens:** Unit of luminous flux in the International System of Units (SI) equal to one (1) candela per steradian. Used to measure the amount of light emitted by lamps.

**Lux:** Unit of illuminance in the International System of Units (SI) equal to one (1) lumen per square meter.

**Main Floor Area:** see "Floor Area, Main."

**Maintenance Surety:** A bond, letter of credit, or other security provided by the applicant that assures that the City of Auburn would be provided the money necessary to repair or rebuild any public improvements associated with a project in the event the installed public improvements fail over the duration of the maintenance surety. Once established, a maintenance surety is irrevocable by the applicant until the established maintenance period has expired or the City of Auburn releases the surety.

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

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

**Manufactured Home:** See "Dwelling, Manufactured Home."

**Manufactured Home Park:** A parcel of land containing two (2) or more dwelling sites, with required improvements and utilities, that are leased for the long term placement of Mobile Home Dwellings and/or Manufactured Home Dwellings, and shall include any street used or intended for use as part of the facilities of such Manufactured Home Park. A Manufactured Home Park does not involve the sales of Mobile Home Dwellings or Manufactured Home Dwellings in which unoccupied units are parked for inspection or sale.

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

**Manufacturing, Light:** The assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fume, odors, glare, or health or safety hazards outside of the structure or lot where such assembly, fabrication, or processing of goods are housed entirely within an enclosed building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials. Light manufacturing shall not include any use that is otherwise listed specifically in any zoning district as a permitted use or special exception.

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

**Market Value:** The price at which a structure, building, parcel or combination thereof would be sold for at present day.

**Massage Parlor:** Any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with sexual conduct; or where any person providing such treatment, manipulation or service related thereto exposes specified anatomical areas.

**Master Plan:** See "Comprehensive Plan."

**Maximum Lot Coverage:** The highest amount of impervious surface coverage permitted by this Unified Development Ordinance.

**Medical Office:** See "Office, Medical."

**Metes and Bounds:** Boundaries of a property described from known points, angles (i.e. compass direction) and lengths of boundary lines.

**Mini Warehouse:** See "Warehouse Storage Facility."

**Mobile Home:** See "Dwelling, Mobile Home."

**Mobile Home Park:** See "Manufactured Home Park."

**Modular Home:** See "Dwelling, Modular Home."

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

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

**Motor Home:** See "Recreational Vehicle."

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

**Mound:** A landscape feature used for screening in which earth is piled up in irregular, round or oblong shapes. Particularly, mounds do not have consistent crest elevations, but are irregular in form and overlapping such to emulate a more natural landscape feature. Mounds in combination with other landscape material are used to block or partially block visibility from one (1) side to the other.

**MS4 Coordinator:** The person assigned the role of administering and managing stormwater systems and activities pursuant to the provisions of *IC 35-9-25 et seq.*

**Multiple-family District:** Refers to the M1 and M2 districts.

**Mural:** See "Sign, Mural."

**Noise Sensitive Use:** The use of a structure for a purpose that would be adversely impacted by noise associated with nearby aircraft operations including aircraft overflights. Noise Sensitive Uses include but are not limited to residences, schools, churches, child care facilities, medical facilities, retirement homes, and nursing homes.

**Nonconforming Building:** See "Nonconforming Structure."

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

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

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

**Nonconforming Use:** A use which does not conform with the use regulations of the district in which it is located.

**Nursing Home:** A private home for the care of the aged or infirm, or any other person in need of nursing care; and which does not contain equipment for surgical care or for treatment of disease or injury, and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction.

**Observatory:** A structure, building, or lot containing telescopes and other instruments for observing astronomical objects, meteorological events, and other atmospheric and space phenomena.

**Office:** A place in which business, professional and/or clerical activities are conducted. Offices shall include medical offices, government offices, and office functions which serve other off-site land uses.

**Office, Construction Trade:** Electrical contractor, general contractor, heating and cooling contractor, landscaping contractor, plumbing contractor office, and the like.

**Office, Design Services:** Architecture firm, engineering firm, graphic design firm, planning firm, and the like.

**Office, Financial Services:** Accounting office, bank or credit union, investment firm, and the like.

**Office, General Services:** Employment service, insurance office, law office, membership association, publishing corporate office, reading clinic, real estate office, secretarial service, service organization, temporary service agency, title company, trade office, travel agency, and the like.

**Office, Medical:** Emergency medical clinic, dental clinic, medical clinic, optical clinic, rehabilitation clinic, veterinarian clinic or hospital, and the like.

**Office, Professional:** An office used by members of a recognized profession such as architects, artists, dentists, engineers, lawyers, physicians, surgeons, pharmacists, realtors, insurance agents, or brokers.

**Official Zoning Map:** A map of the City of Auburn, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the planning jurisdiction. There is only one Official Zoning Map, and it is kept up to date by the Plan Commission and the Zoning Administrator.

**Official Zoning Map Copies:** A map of the City of Auburn, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the planning jurisdiction. These maps may be out of date.

**Off-Site Improvement:** See "Improvement, Off-Site."

**Open Space:** An area of land not covered by structures, parking structures, or accessory structures except for recreational structures. Open space may include nature areas, streams, flood plains, meadows or open fields containing baseball fields, football fields, soccer fields, golf courses, swimming pools, bicycle paths, etc. Open space does not include street rights-of-way, platted lot area, private yard, patio areas, or land where future development is proposed.

**Ornamental Tree:** A deciduous tree that does not grow to over thirty (30) feet in height at maturity. Ornamental trees typically are flowering trees.

**OSHA:** Occupational Safety and Health Administration.

**Outdoor Display:** An outdoor area used to display merchandise that can be picked and purchased or viewed and rented by customers. Outdoor display include areas partially or fully enclosed by walls and/or fences, and open sided areas with a canopy or roof structure, and the like. Outdoor display does not include merchandise stored outdoors when located in an area that is not accessible to customers, or that is packaged or stacked in a manner that makes it difficult or dangerous for customers to pick the product, or that is packaged or stacked in a manner consistent with warehousing.

**Outdoor Storage:** See "Storage, Outdoor."

**Owner:** Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations, or their legal representative.

**Parcel:** See "Lot."

**Parent Tract:** In regards to a subdivision of land, a parcel of land intended to be split into smaller lots.

**Park and Recreation District:** Refers to the PR district.

**Park, Public:** A parcel of land available to the public for passive and active recreation and is maintained and governed by the City of Auburn.

**Parking, Required:** The minimum number of off-street parking spaces specified for a particular use or uses by this Unified Development Ordinance.

**Parking Space, Automobile:** Space within a public or private parking area for the storage of one (1) passenger automobile or commercial vehicle under a one and one-half (1.5) ton capacity

**Parking Structure:** A parking garage.

**Passing Blister:** An extension of a road's width allowing vehicles to pass to the right of a car that is stopped and waiting to turn left.

**Paved Surface:** A durable surface for parking, driving, riding, or similar activities that utilizes asphalt, concrete, brick, paving blocks, or similar material. Crushed gravel, stone, rock, dirt, sand, or grass are not permitted as a paved surface.

**Performance Surety:** A bond, letter of credit, or other security provided by the applicant that assures that the City of Auburn would be provided the money necessary to finish or fix any public improvements associated with a project in the event the applicant cannot, does not, or otherwise defaults on making the required or committed public improvements. Once established, a performance surety is irrevocable by the applicant until the project is finished, inspected, and released by the City of Auburn.

**Performing Arts Center:** A building which is used for dance, musical, and acting performances to audiences. Ancillary uses may include rehearsal and training studios, ticket sales, vending, and administrative offices.

**Permanent Foundation:** A structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

**Permitted Use:** See "Use, Permitted."

**Person:** A corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit, as well as a natural person.

**Personal Service:** An establishment, other than an office, in which services other than health care are rendered to consumers on an individual basis, such as barber shops and beauty parlors.

**Places of Worship:** Structures and outdoor or indoor facilities used for public worship and accessory educational, cultural, and social activities.

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

**Planned Development (PD):** Referred to as a Planned Unit Development in Indiana Code. A large-scale unified development meeting the requirements for zoning approval under the provisions of Article 4 of this Unified Development Ordinance. Generally a planned development consists of a parcel or parcels of land, controlled by a single landowner, to be developed as a single entity which does not correspond in size of lots, bulk or type of structures, density, lot coverage, and required open space to the regulations established in any district of this Unified Development Ordinance. This may result in more attractive and affordable development than conventional developments would allow. Clustered housing (dwellings built in innovative lot arrangements around common open space) and zero lot line housing (dwellings built immediately adjacent to lot lines) are possible as part of planned developments. A planned development requires approval through a zoning map amendment.

**Planning Director:** See "Administrator."

**Planning Jurisdiction:** The City of Auburn, Indiana city limits and the contiguous unincorporated extra-territorial jurisdictional area over which the City exercises planning and zoning authority.

**Planning Staff:** The Administrator and all employees of the Plan Commission of the City under the supervision of the Administrator and subject to the authority of the Administrator.

**Plat:** A drawing, map or plan that shows a division of land and/or the layout for subdivisions that is intended to be filed for record.

**Plat, Amended:** A change in a recorded subdivision, if such change affects any street layout or area reserved for public use, or any lot line or easement; or if it affects any map or plan legally recorded.

**Plat, Primary:** The primary plat, pursuant to the *IC 36-7-4-700 Series*, is the plat and plans upon which the approval of a proposed subdivision are based. (Under former state statutes, the primary plat was referred to as a "preliminary" plat.)

**Plat, Secondary:** The secondary plat, pursuant to *IC 36-7-4-700 Series*, is the final plat document in recordable form. A secondary plat shall substantially conform with the preceding primary plat, or section thereof.

**Pool, Swimming:** See "Swimming Pool."

**Porch:** A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

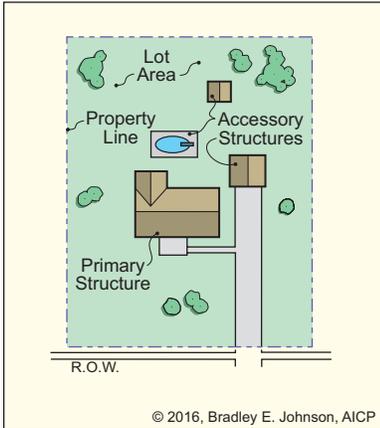
**Power Generation Facility:** A facility used to generate electrical power such as a wind power facility or solar power facility.

**Practical Difficulty:** A difficulty with regard to one's ability to improve land stemming from regulations of this Unified Development Ordinance. A practical difficulty is not a "hardship," rather it is a situation where the owner could comply with the regulations within this Unified Development Ordinance, but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

**Primary Arterial:** See "Street, Primary Arterial."

**Primary Plat:** See "Plat, Primary."

**Primary Structure:** The structure in which the use of the lot or premises is located or conducted, with respect to residential uses, the primary structure shall be the main dwelling.



**Primary Use:** See "Use, Primary."

**Principal Use:** See "Use, Primary."

**Private Street:** See "Street, Private."

**Professional Office:** See "Office, Professional."

**Prohibited Use:** A use that is not permitted under any circumstances.

**Public Improvements:** Any storm drainage facility, street, highway, parkway, sidewalk, pedestrian-way, tree, lawn, off-street parking area, lot improvement, utility, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

**Public or Private Parking Area:** A group of parking spaces in an open area not including any part of a street or alley, designed or used for temporary parking of motor vehicles.

**Public Safety and Nuisance:** Anything that is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**Public Street:** See "Street, Public."

**Public Utility:** See "Utility, Public."

**Public Way:** Highways, streets, avenues, boulevards, roads, lanes, alleys, trails or sidewalks.

**Radio or TV Station:** The broadcast structure for the production of radio and television programming, not to include any telecommunication towers.

**Raising of Farm Animals:** Any livestock operation that falls below the thresholds of a Confined Feeding Operation as defined by the Indiana Department of Environmental Management.

**Rear Lot Line:** See "Lot Line, Rear."

**Rear Yard:** See "Yard, Rear."

**Recreation Center or Play Center:** An enclosed structure containing recreational facilities, such as a tennis court, swimming pool, and/or gymnasium. This shall not include outdoor amphitheaters, tennis courts, or swimming pools.

**Recreational Vehicle (RV):** A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping, and travel use and including but not limited to, travel trailers, truck campers, camping trailers, boats, and self-propelled motor homes. A recreational vehicle shall not be used as living quarters.

**Recreational Vehicle Park:** A facility designed for short term occupancy for recreational vehicles only.

**Recreational Vehicle, Parked:** A recreational vehicle that is in the process of being loaded or unloaded; or a recreational vehicle that is set up for sleeping purposes, camping, or use.

**Recreational Vehicle, Stored:** A recreational vehicle that is not set up for sleeping purposes, camping, or use.

**Registered Land Surveyor:** A land surveyor properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

**Registered Professional Engineer:** An engineer properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

**Residential District:** Refers to the ER, R1, R2, R3, TR, M1, M2 and MH districts.

**Residential Facility for the Developmentally Disabled (large):** A residential facility which provides residential services for more than eight (8) developmentally disabled individuals as described in *IC 12-28-4*.

**Residential Facility for the Developmentally Disabled (small):** A residential facility which provides residential services for eight (8) developmentally disabled individuals or less as described in *IC 12-28-4*.

**Residential Facility for the Mentally Ill:** A residential facility which provides residential services for mentally ill individuals as described in *IC 12-28-4*. No two (2) Residential Facilities for the Mentally Ill shall be within 3,000 feet of one another in the planning jurisdiction as stated in Indiana Code.

**Responsible Party:** For purposes of issuing notice of violation, the following persons shall be considered responsible parties, with liability for fines and responsibility for remedy of the violation: the property owner(s); persons with any possessory interest in the property, and/or any persons and/or their agents who have caused the violation. Any owner, tenant, builder, developer, possessor of interest, architect, designer, property manager, equipment operator known or suspected to be responsible in part or in whole for a violation of this Unified Development Ordinance.

**Restaurant:** An establishment whose use is the selling of food in a ready-to-consume state, in individual servings, in which the customer consumes these foods while seated at tables or counters located in or immediately adjacent to the building in which the use is located, and which may include carry-out service. "Restaurant" shall include that portion of any establishment which sells prepared food, such as a bakery or a delicatessen, and which is used for seating for the consumption of food on the premises. (See also "Drive-Through Establishment.")

**Re-Plat:** See "Plat, Amended."

**Retail, High Intensity:** See "Type 4 Retail, High Intensity."

**Retail, Low Intensity:** See "Type 2 Retail, Low Intensity."

**Retail, Medium Intensity:** See "Type 3 Retail, Medium Intensity."

**Retail, Special Handling:** See "Type 6 Retail, Special Handling."

**Retail, Very High Intensity:** See "Type 5 Retail, Very High Intensity."

**Retail, Very Low Intensity:** See "Type 1 Retail, Very Low Intensity."

**Retirement Community:** An age-restricted development, which may include detached and attached dwelling units and apartments.

**Right-of-way:** A strip of land occupied or intended to be occupied by transportation facilities, public utilities, or other special public uses. Rights-of-way intended for any use involving maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right-of-way is established.

**Road:** See "Street."

**Roadside Sales:** Sale of produce grown on the lot where the sales takes place or locally on neighboring farms.

**Root Protection Zone:** Generally, eighteen (18) to twenty-four (24) inches deep and a distance from the trunk of a tree equal to one-half (0.5) its height or its drip line, whichever is greater.

**ROW:** See "Right-of-way."

**Satellite Dish or Antenna:** An apparatus capable of receiving communications from a transmitter relay located in a planetary orbit or broadcasted signals from transmitting towers.

**School:** A public or private institution which offers instruction in any of the branches of learning and study comparable to that taught in the public schools under the Indiana School Laws, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business, or commercial schools.

**School, Trade, Business or Commercial:** An educational facility which offers instruction specific to a trade, business, or commercial practice.

**Scrap Metal Yard:** A general industrial use established independent or ancillary to and connected with another general industrial use, which is concerned exclusively in new and salvaged metal pipes, wire, beams, angles, rods, machinery, parts, filings, clippings, and/or all other metal items of every type, and which acquires such items incidental to its connection with the other general industrial use or by purchase, consignment or bailment which stores, grades, processes, melts, cuts, dismantles, compresses, cleans, or in any way prepares said items for reuse by the connected other general industrial use or for storage, sale or shipment and/or use in other industries or businesses including open hearth, electric furnaces and foundry operations. Such an establishment shall not include junk yards, dumps, or automobile or other vehicle graveyards.

**Secondary Plat:** See "Plat, Secondary."

**Setback:** The minimum horizontal distance between the building line and a lot line or right-of-way, or edge of pavement if no right-of-way is established.

**Setback, Established Building:** The average setback distance of all structures on the side of a street between two (2) intersecting streets. Such line shall be redetermined as each successive vacant lot is proposed to be improved with a structure.

**Sexually Oriented Business:** A sexually oriented business includes sexually oriented entertainment businesses, sexually oriented retail businesses, and accessory sexually oriented retail businesses as defined below.

**Sexually Oriented Entertainment Business:** An establishment which regularly offers live entertainment, lingerie or nude modeling, or presentation of motion pictures or publications by any photographic, electronic, digital, magnetic, or other media which are distinguished or characterized by their emphasis on matter depicting, describing, or relating "Specified Sexual Activities" or "Specific Anatomical Areas;" or and establishment which offers massage therapy or body work except when performed by a massage therapist licensed by the State of Indiana, certified by the National Certification Board for Therapeutic Massage and Bodywork or the American Massage Therapy Association, or under the direct supervision of a licensed physician; or, advertises or holds itself in any forum as "XXX," "adult," or "sex."

**Sexually Oriented Materials:** Materials including still or motion pictures, books, magazines, other periodicals, or other depiction recorded on paper, electronic, digital, video, magnetic or other media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating "Specified Sexual Activities" or "Specific Anatomical Areas;" or, instruments, devices, or paraphernalia either designed as a representation of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.

**Sexually Oriented Retail Business:** An establishment which advertises or holds itself in any forum as "XXX", "adult" or "sex", or which has stock in trade or floor area devoted to the sale, rental, or display of sexually oriented materials.

**Sexually Oriented Retail Business, Accessory:** An establishment with at least ten percent (10%) but less than forty percent (40%) of its stock in trade or gross floor area devoted to the sale, rental, or display of sexually oriented materials.

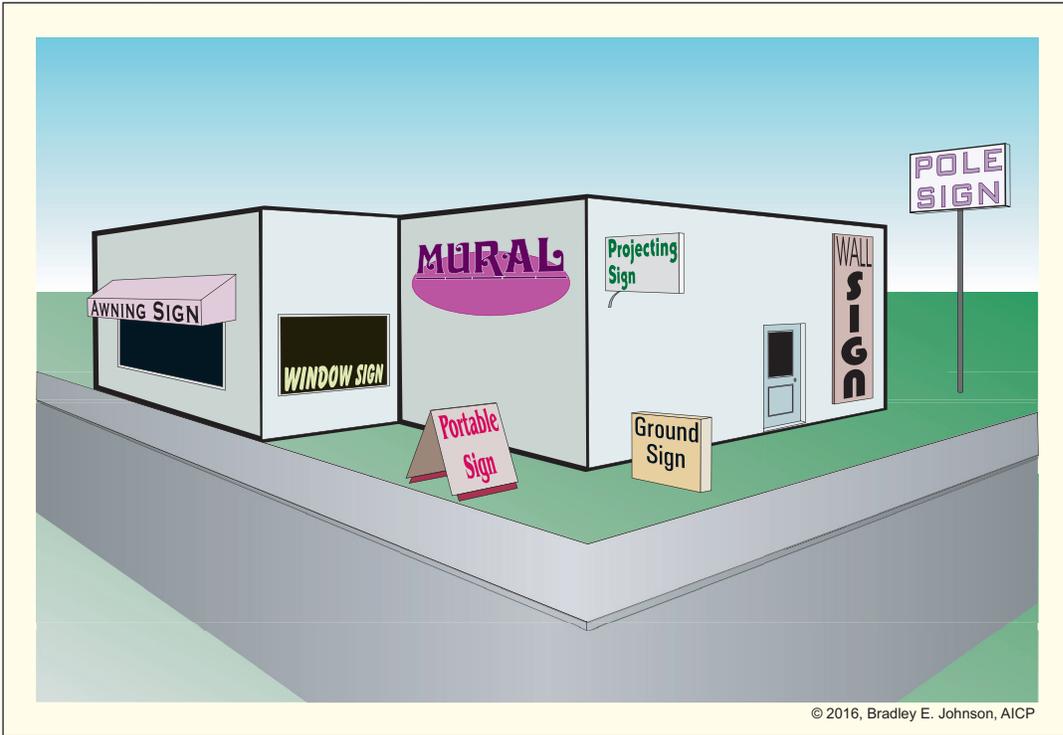
**Side Lot Line:** See "Lot Line, Side."

**Side Yard:** See "Yard, Side."

**Sidepath:** An pedestrian facility similar to a sidewalk, but wider to accommodate walkers, joggers, cyclists and strollers; usually constructed of asphalt or concrete.

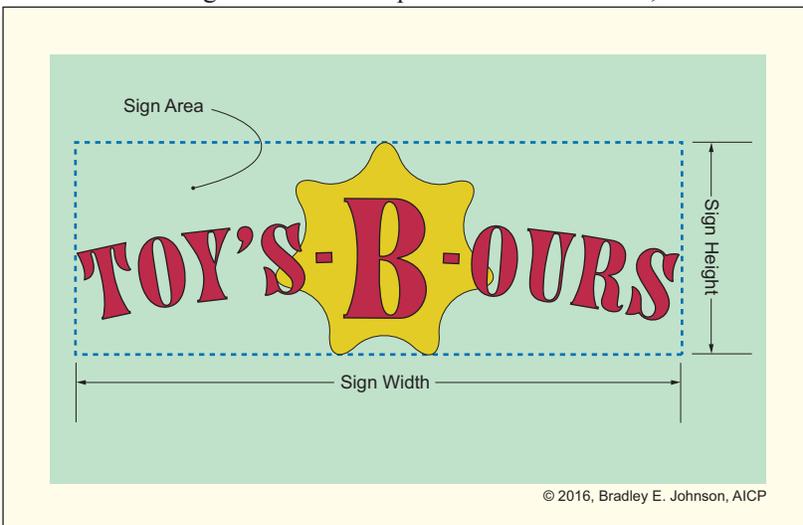
# Sign

**Sign:** Any name, identification, description, display, or illustration which is affixed to, painted on, or is represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization, or business. Address numbers are not considered a sign.



© 2016, Bradley E. Johnson, AICP

**Sign Area:** The entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction or symbolism of the sign.



© 2016, Bradley E. Johnson, AICP

**Sign, Construction:** A sign directing attention to construction upon the property where the sign is displayed, and bearing the name, address, subplot number, or other identifier of the contractor, subcontractor, and/or architect.

**Sign, Directional Device:** A sign intending to direct the safe flow of vehicular and pedestrian traffic and includes “enter,” “exit,” and “arrow” signs.

**Sign, Display Board:** A permanent device used to post temporary signs (e.g. a permanently installed bulletin board).

**Sign, Election:** A temporary sign used to advertise for an election as described in *Indiana Code 3-5-1-2* or a candidate for said election.

**Sign, Electronic:** A sign capable of displaying words, symbols, figures, or images in a format such as LED (Light Emitting Diode) that can be electronically or mechanically changed by remote or automatic means.

**Sign, Entryway Feature:** A ground sign that identifies the entrance to a subdivision installed in common area and typically inclusive of hardscape, landscape, and other built features that portray the character of the subdivision.

**Sign, Envelope:** An area on a sign in which the message is placed.

**Sign Face:** See "Sign Area."

**Sign, Flashing:** A sign that flashes or appears to flash by a powered light source more than two (2) times per second.

**Sign, Gateway:** A ground sign that identifies a non-subdivided, commercial development, multifamily development or mobile home community.

**Sign, Ground:** A sign in which the bottom edge of the sign is permanently affixed to the ground. A monument sign is another name for a Ground Sign. (See Graphic for "Sign")

**Sign, Height above Ground:** The vertical distance measured from the ground elevation to the highest point of the sign structure.

**Sign, Illuminated:** A sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign, or which is illuminated by reflectors.

**Sign, Monument:** See "Sign, Ground."

**Sign, Mural:** A sign painted onto the side of a wall or structure that displays a non-commercial message.

**Sign, Nonconforming:** See "Nonconforming Sign."

**Sign, Permanent:** A sign that is designed or intended to be used indefinitely, or used indefinitely without change in the same state or place, including, but not limited to business signs, directional signs, residential complex or subdivision signs, and illuminated signs.

**Sign, Pole:** A sign that is supported by one or more poles, posts, or braces upon the ground, not attached to or supported by any structure, with a clear space in excess of six (6) feet from the finished grade to the bottom of the sign face. (See Graphic for "Sign")

**Sign, Portable:** A sign not permanently affixed to the ground or a building, but which is designed to be used on a daily basis. A portable sign is designed to be relocated and reused with the majority of the sign meant to be changeable copy. Sandwich board signs and a-frame signs are considered permanent portable signs.

**Sign, Projecting:** Any sign other than a wall sign affixed to any structure or wall whose leading edge extends beyond such structure or wall. (See Graphic for "Sign")

**Sign, Real Estate:** A sign announcing the sale, rental, or lease of the lot where the sign is displayed, or announcing the sale, rental, or lease of one or more structures, or a portion thereof, located on such lot, and identifying the owner, realty agent, telephone numbers, or "open house" information.

**Sign, Roof:** A sign which is erected, constructed, and maintained above any portion of the roof. (See Graphic for "Sign")

**Sign, Temporary:** An advertising device not fixed to a permanent foundation.

**Sign, Tenant Listing:** A sign identifying businesses within that development.

**Sign, Wall:** A sign attached to and/or integral with exterior wall or window surface of a structure, the face of which is parallel to the surface, no part of which extends above the eaves on the structure. (See Graphic for "Sign")

**Sign, Wayfinding System:** A series of signs to identify a destination within a large development.

**Sign, Window:** A device attached to and/or integral with the window surface of a building that is visible outside, the face of which is parallel to the window surface.

**Sign, Yard:** An advertising device comprised of a metal frame and one or more legs that are pressed into the ground.

**Site Plan:** A map of a site, drawn accurately to scale, showing existing and proposed features of the site including but not limited to structures, circulation, grading, trees, and landscaping, sufficient for review. A site plan shall serve as the development plan regulated by *IC 36-7-4-1400*.

**Solar Farm:** A collection of photovoltaic panels on a utility scale with intent to sell power to a utility company for commercial gain. (This does not include selling “excess” through net metering.)

**Solar Field:** A collection of photovoltaic panels on a site scale with intent to power facilities located on the same property.

**Special Exception:** The authorization of a use that is designated as such by this ordinance as being permitted in the district concerned if it meets special conditions, is found to be appropriate and upon application, is specifically authorized by the Board of Zoning Appeals.

**Sports Complex:** An indoor or outdoor facility that is designed for sport activities, training, competition, games and spectating that is open to the public or open to members. Sport facilities may include ice skating rink, roller skating rink, football field, baseball diamond, soccer fields, volleyball courts, swimming pool, skate park, bicycle park, velodrome, tennis court or combinations thereof.

**State:** When capitalized, The State of Indiana.

**Storage Facility, Warehouse:** A structure or group of structures containing individual storage units of 400 square feet or less with access to each unit only for the storage and warehousing of personal property. Warehouse storage facilities do not include activities of any kind including wholesaling, retailing, servicing, or repair of household or commercial goods in conjunction with storage.

**Storage, Outdoor:** The outdoor accumulation of goods, junk, motor vehicles, equipment, products, or materials for permanent or temporary holding.

**Storage, Personal:** A structure used primarily for individual, indoor storage of personal property. Personal storage facilities do not include activities of any kind including wholesaling, retailing, servicing, repair of household or commercial goods, or warehousing.

**Story:** That portion of a structure included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

**Street:** Any vehicular right-of-way that:

1. Is an existing state, county, or municipal roadway;
2. Is shown upon a plat approved pursuant to law;
3. Is approved by other official action; or
4. Is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Plan Commission and the grant to such Plan Commission to review plats; includes the land between the street lines, whether improved or unimproved.

**Street, Major:** A street that is designed to carry high volumes of traffic, as depicted by the Thoroughfare Plan.

**Street, Minor:** A street within a development that provides access to lots that do not have access to a perimeter street. The hierarchical classification is not relevant.

**Street, Local:** A street designed primarily to provide access to abutting properties and discourage through traffic, as depicted by the Pavement Management System maintained by the Auburn Street Department.

**Street, Major Arterial:** A street with access control and restricted parking, that collects and distributes traffic to and from minor arterials. State and federal streets and highways are considered major arterials.

**Street, Perimeter:** A pre-existing street that a new subdivision or development abuts.

**Street, Private:** Vehicular streets and driveways, paved or unpaved, that are maintained by the owner(s) and that are wholly within private property except where they intersect with other streets within public rights-of-way.

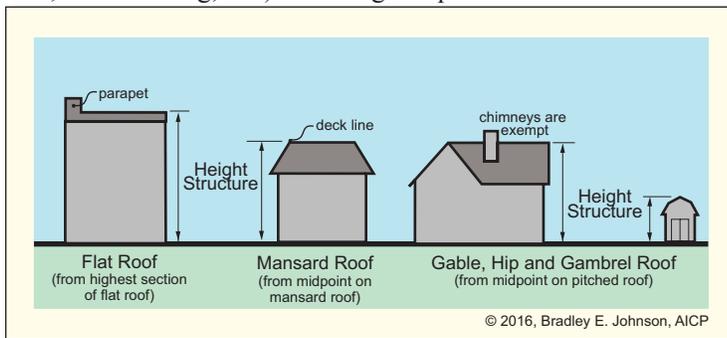
**Street, Public:** All property dedicated or intended for public highway, freeway, or roadway purposes or subject to public easements therefore.

**Street, Stub:** A street that stops at the edge of a development and that is intended to be extended onto an adjacent future development.

**Structural Alteration:** Any change in the supporting members of a structure such as bearing walls, partitions, columns, beams or girders, or any change in the footprint or increase in the size of living space. Also, substantial roofing and siding work when repairs are made to the structure beneath.

**Structure:** Anything constructed or erected with requires location on the ground or attachment to something that has location on the ground.

**Structure Height:** The vertical distance measured from the top of the structure's main floor surface (e.g. concrete slab, floor decking, dirt) to the highest point of the roof.



**Structure, Primary:** Any building used for occupancy, employment, or dwelling; or any structure in which the primary use of the lot on which it is situated is conducted.

**Structure, Tall:** A structure that is greater than or equal to 200 feet in vertical height measured from the ground elevation to the highest point of the structure.

**Structure, Temporary:** A structure established for a limited and fixed period of time, with the intent to discontinue such structure upon the expiration of the time period.

**Student Center:** A structure used for student recreation, entertainment, lounges, wellness, socialization and programming. A student center is commonly referred to as a student commons or student union.

**Studio Arts:** Karate studio, dance studio, art studio, and the like.

**Subdivision:** The division of a parent tract or other piece of land into at least two (2) smaller lots or the combination of two (2) or more smaller lots into one (1) lot.

**Surety:** Any form of security including a cash deposit, bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Board of Public Works and Safety.

**Swimming Pool:** A self-contained body of water at least eighteen (18) inches deep and eight (8) feet in diameter or width and used for recreational purposes. It may be above or below ground level, and shall be considered an accessory structure.

**Technology Park:** A development that includes uses such as knowledge-based, science-based, research-based, software-based, electronic device design-based, and higher-education-based businesses. Technology parks may include support services and businesses in subordinate roles to the main tenants. Technology parks are reliant on high quality telecommunications and utility services.

**Telecommunication Antenna:** See "Antenna."

**Telecommunications Facility:** A land based facility, consisting of towers, antennae, accessory structures or other structures intended for use in connection with the commercial transmission or receipt of radio or television signals, or any other spectrum-based transmissions or receptions.

**Telecommunications Tower:** Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas. The term includes radio and television transmission towers, microwave towers, cellular telephone and wireless communication towers, alternative tower structures, and the like.

**Telecommunications Tower, Accessory Structure:** Any structure located at the tower's base for housing receiving or transmitting equipment.

**Telecommunications, Micro Tower:** A structure or device, as part of a communication network, used to enhance or extend the signal of a provided service.

**Telecommunications Tower, Setback:** The horizontal distance from the base of the tower to an abutting property line and/or right-of-way.

**Temporary Use:** See "Use, Temporary."

**Theater:** A facility for audio and visual productions and performing arts, excluding adult motion picture theaters and adult entertainment businesses.

**Thoroughfare:** A public way that is included in the Thoroughfare Plan.

**Thoroughfare Plan:** The official plan, now and hereafter adopted, which includes a street plan, sets forth the location, alignment, dimensions, identification, and classification of existing and proposed streets, and other thoroughfares, as found in the Auburn Comprehensive Plan.

**Through Lot:** See "Lot, Through."

**Tower:** See "Telecommunications Tower."

**Townhouse:** A single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit extends from foundation to roof with open space on at least two (2) sides.

**Trail:** A pedestrian facility similar to a sidewalk, but wider to accommodate walkers, joggers, cyclists, and strollers. Surfaces can be hard surfaces or dirt, mulch and the like.

**Tree Plot:** That portion of a public right-of-way lying between the back face of the curb and the leading edge of the sidewalk, not covered by paving, often used to plant street trees.

**Two-Page Layout:** Two-Page Layout refers to the two-page layout accompanying each zoning district in *Article 2: Zoning Districts* and *Article 6: Subdivision Types* of this Unified Development Ordinance.

**Type 1 Retail, Very Low Intensity:** Retail businesses that have very little impact on neighboring properties, traffic generation, and public safety.

**Type 2 Retail, Low Intensity:** Retail businesses that have a low impact on neighboring properties, traffic generation, and public safety.

**Type 3 Retail, Medium Intensity:** Retail businesses that have a moderate impact on neighboring properties, traffic generation, and public safety.

**Type 4 Retail, High Intensity:** Retail businesses that have a high impact on neighboring properties, traffic generation, and public safety.

**Type 5 Retail, Very High Intensity:** Retail businesses that have a very high impact on neighboring properties, traffic generation, and public safety.

**Type 6 Retail, Special Handling:** Retail businesses that sell products that require special handling due to risks to public safety.

**Underlying Zoning District:** The zoning district of a lot:

1. Prior to the approval of a planned development; or
2. Prior to the effects of an overlay district.

**Use:** The purposes for which land or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

**Use, Permitted:** A use which may be lawfully established in a particular district or districts provided it conforms with all applicable requirements, regulations, and standards.

**Use, Primary:** The main use of land or buildings as distinguished from an accessory use.

**Use, Temporary:** A land use or structure established for a limited and fixed period with the intent to discontinue such use or structure upon the expiration of the time period.

**Use Variance:** See "Variance, Use."

**Utility:** Any organization that provides utility services and is not considered a public utility.

**Utility, Public:** An organization duly authorized to furnish under government regulation to the public: electricity, gas, steam, telephone, fiber optics, transportation, water or sewage systems.

**Utility Facility, Public:** A structure (or structures) in which a public utility uses to conduct business in order to provide services to the public. Examples include but are not limited to pumping station, substation, transmission line, etc.

**Variance, Development Standards:** A specific approval granted by the Board of Zoning Appeals in the manner prescribed by this Unified Development Ordinance, to deviate from the development standards (such as height, bulk, area) that this Unified Development Ordinance otherwise prescribes.

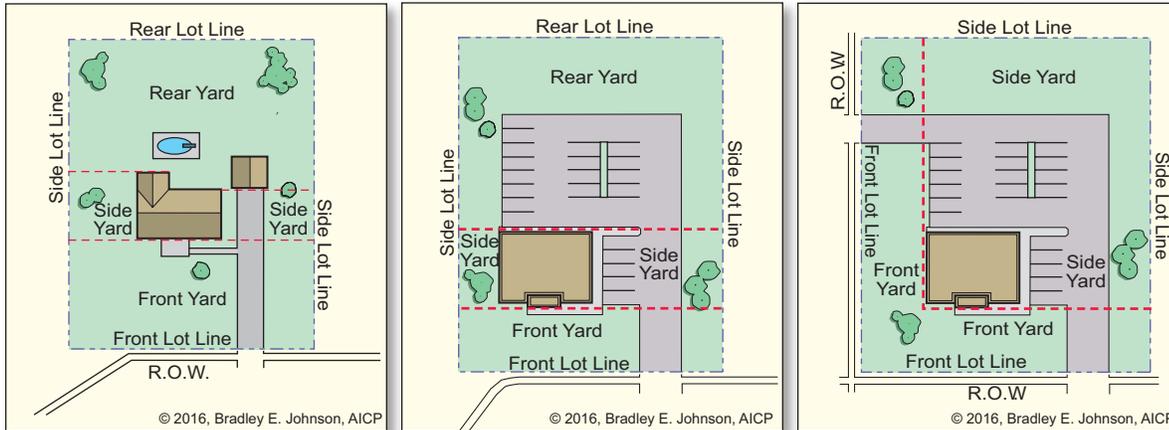
**Variance, Use:** The approval of a use other than that prescribed by this Unified Development Ordinance.

**Variety Store:** A retail establishment that sells a multitude of consumer goods.

**Vehicle:** See "Motor Vehicle."

**Watercourse:** A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

**Yard:** A space on the same lot with a primary structure that is open and unobstructed except as otherwise authorized by this Unified Development Ordinance. All required yards shall be kept free of all material including but not limited to structures, material for sale, storage, advertising or display to attract attention and parking lots.



**Yard, Front:** The horizontal space between the nearest foundation or structural appurtenance, to the Front Lot Line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the Front Lot Line. (See Graphic for "Yard"). Corner lots have two front yards, each abutting a street right-of-way, or edge of pavement if no right-of-way exists.

**Yard, Rear:** The horizontal space between the nearest foundation or structural appurtenance of a building to a rear lot line and that rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the foundation to the rear lot line. Corner lots do not have rear yards, rather they have two side yards. (See Graphic for "Yard").

**Yard, Side:** The horizontal space between the nearest foundation or structural appurtenance of a building to the side lot line or alley right-of-way. (See Graphic for "Yard").

**Zoning Administrator:** See "Administrator."

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

**Zoning Map Amendment:** The process used to change the current zoning district to another zoning district.

**Zoning Map:** See "Official Zoning Map."

**Appendix**

**A**

**Land Use Matrix**

---

**AUBURN**

**Unified Development Ordinance**

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Accessory Uses</b>																		
accessory detached dwelling unit				P														
agricultural tourism		P																
child care home		P		P	P	P	P	P	P									
farmers' market	P	P	P									P	P	P	P	P		
home business, type 1		P		P	P	P	P	P	P	P	P		P	P				
home business, type 2		P		P	P	P	P	P	P									
home business, type 3		P																
outdoor storage		P	P														P	P
permanent outdoor display areas			P										P	S	P	P		
roadside sales		P	P	P														
solar field		P	P	P								S			S	P	P	P

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Agricultural Uses</b>																		
agricultural crop production		P	P	P														
confined feeding operation (small)		S																
fairground	S																	
grain elevator			P															
hobby farming		P		P														
orchard		P	P															
plant nursery, wholesale		P	P															
processing of agricultural products			P														P	
raising of exotic animals		S	P															
raising of farm animals		P	P															
sale of agricultural products			P															
stable, private		P	P	P														
storage of agricultural products		P	P														P	
tree farm		P	P															
vineyard		P	P															

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Commercial Uses</b>																		
amusement park																		P
automobile oriented business															P	P		
<i>accessory installation</i>															P	P		
<i>body shop</i>															P	P		
<i>car wash</i>															P	P		
<i>oil change facility</i>															P	P		
<i>parts sales</i>															P	P		
<i>repair or service station</i>															P	P		
<i>vehicle rental</i>															P	P		
bank machine or atm drive-up													S	S	P			
bank machine or atm walk-up													P	P	P			
bank with drive-up window													S	P	P			
bank without drive-up window													P	P	P			
banquet hall															P	P		
bar or tavern													P		P			
barber or beauty shop													P	P	P			
billiard or arcade room															P			
boarding house													S					
bowling alley															P	P		
broadcast studio															P	P		
camp ground	S	S	S															
child care center												P		S	P			
club or lodge													P		P	P		
coffee shop													P	P	P			
coin laundry													S		P			
country club	P											P			P			
dance or night club															P	P		
day care, adult												P		S	P			
delicatessen													P	P	P			
driving range	S														P			
dry-cleaning service (on-site)															P			
fitness center or health club															P	P		
funeral home or mortuary												P	P		P			
gas station														S	P			
golf course	P											P						
health spa or day spa															P	P		
hotel or motel													S		P			
ice cream shop													P	P	P			
kennel		S	S												P	P	P	
marina	S																	
miniature golf															P			
movie theater													P		P			
office, construction trade															P	P		
<i>electrical contractor</i>															P	P		
<i>general contractor</i>															P	P		
<i>heating or cooling contractor</i>															P	P		
<i>landscape contractor</i>			P												P	P		
<i>plumbing contractor</i>															P	P		

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Commercial Uses (continued)</b>																		
office, design services													P	P	P			
office, general services													P	P	P			
<i>accounting firm</i>												P	P	P	P			
<i>bank or credit union</i>												S	P	P	P			
<i>bank with drive-up window</i>													S	S	P			
<i>employment service</i>												S	P	P	P			
<i>insurance office</i>												P	P	P	P			
<i>investment firm</i>												P	P	P	P			
<i>law office</i>												P	P	P	P			
<i>membership associations</i>												P	P	P	P			
<i>publishing corporate office</i>												S	P	P	P			
<i>reading clinic</i>												P	P	P	P			
<i>real estate office</i>												P	P	P	P			
<i>secretarial service</i>												S	P	P	P			
<i>service organization</i>												P	P	P	P			
<i>temporary service agency</i>												S	P	P	P			
<i>title company</i>												P	P	P	P			
<i>trade office</i>												S	P	P	P			
<i>travel agency</i>												S	P	P	P			
office, medical												P	P	P	P			
<i>emergency medical clinic</i>												P		P	P			
<i>dental clinic</i>												P	P	P	P			
<i>medical clinic</i>												P	P	P	P			
<i>optical clinic</i>												P	P	P	P			
<i>rehabilitation clinic</i>												P		P	P			
<i>veterinarian clinic or hospital</i>												S		P	P			
paintball facility	S														S	S		
photographic studio													P	P	P			
race track																		P
recreation center or play center	P											P		P	P			
restaurant													P	P	P			
restaurant with drive-up window														P	P			
restaurant with outdoor dining													P	P	P			
sexually oriented business															P			
shooting range		S													S	S	S	P
skating rink													S		P	P		
sports complex (indoor)	S														P			P
sports complex (outdoors)	P														S			P
stable, commercial		S	P															
stadium	S																	P
studio arts													P	P	P			
swimming pool	P														P			
tailor or pressing shop														P	P			
tanning salon														P	P			
tattoo or piercing parlor															P			
technology park												P				P		
truck stop																		P

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Commercial Uses (continued)</b>																		
type 1 retail, very low intensity													P	P	P			
type 2 retail, low intensity													P	P	P			
art and craft gallery												P	P	P	P			
bakery													P	P	P			
dry-cleaning service (drop-off only)													P	P	P			
flower shop													P	P	P			
gift shop													P	P	P			
jewelry store													P	P	P			
meat market													P	P	P			
mobile phone center													P	P	P			
news dealer													P	P	P			
type 3 retail, medium intensity													P		P			
antique shop													P		P			
apparel shop													P		P			
art and craft supply													P		P			
book store													P		P			
boutique													P		P			
computer sales													P		P			
convenience store													P		P			
drug store													P		P			
fabric shop													P		P			
garden shop													P		P			
liquor sales													P		P			
music or media shop													P		P			
party or event store													P		P			
pawn shop													P		P			
pet grooming or store													P		P			
plant nursery, retail or greenhouse			P										S	S	P	P		
print shop or copy center													P		P			
quick cash or check cashing													P		P			
shoe store or repair													P		P			
sign shop													P		P			
video or DVD rental													P		P			
type 4 retail, high intensity													S		P			
automobile sales													S		P			
building supply store													S		P			
department store													S		P			
furniture shop													S		P			
grocery or supermarket													S		P			
home electronics or appliance store													S		P			
office supply store													S		P			
sporting goods store													S		P			
type 5 retail, very high intensity															P	P		

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Commercial Uses (continued)</b>																		
type 6 retail, special handling																		P
<i>farm implement sales</i>			P												S	P		P
<i>fireworks sales</i>															P	P		P
<i>gun sales</i>															P	P		P
<i>heavy equipment sales or rental</i>			P												P	P		P
<i>hunting store</i>															P	S		P
<i>manufactured home sales</i>															S	S		P
<i>recreational vehicle or watercraft sales</i>															P	S		P
<i>semi tractor - trailer sales</i>															S	S		P
watercraft rental	S																	
winery		S	P															

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Industrial Uses</b>																		
assembly																P	P	
construction demolition landfill																		P
construction trade office w/ outdoor yard															S	P	P	
distribution facility																P	P	
electrical generation plant																		P
flex-space																P	P	
food production or processing			P														P	
gravel or sand mining																		P
heavy equipment repair			P															
heavy manufacturing																	P	
incinerator																		P
junk yard																		P
light manufacturing																P	P	
liquid fertilizer storage or distribution			P														P	
metal shredding																		P
public utility facility	P	P	P	S	S	S	S	S	S	P	S	P	S	P	P	P	P	P
recycling processing																	P	
rendering plant																		P
research center															P	P	P	
sanitary landfill or refuse dump																		P
scrap metal yard																		P
sewage treatment plant																	P	P
sign painting or fabrication																P	P	
solar farm																	S	P
storage tanks (hazardous)																		P
storage tanks (nonhazardous)			P														P	P
telecommunication facility		S	S												S	S	S	P
testing lab																P	P	
tool and die shop																P	P	
transfer station																	P	
warehouse																P	P	
warehouse "self storage" facility			S												S	P	P	
water treatment plant																P	P	
welding			P													P	P	

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Institutional Uses</b>																		
assisted living facility									S	P		P			P			
bus station												P						
cemetery or mausoleum		S										P						
child care institution												P						
church, temple or mosque		S						S				P	S	S	S			
community center	S										P	P	P	P				
crematory												S						
government office												P	P	P	P			
government operation (non-office)												P				P	P	
hospital												P						
jail												S						P
juvenile detention facility												S						P
library												P	P					
mental health facility										S		P			P			
municipal airport												S						P
municipal heliport												S						P
museum												P	P					
nature center	P																	
nursing home										S		P			P			
park	P							P		P	P	P	P	P				
parking lot, independent							S	S				P	P	S	P			
parking structure												P	P					
police, fire or rescue station		S								S		P	P	P	P			
post office												P	P	P				
prison																		P
recycling collection point												S			P	P		
school (P-12)												P						
skate park	P																	
swimming pool, public	P											P						
trade or business school												P	P		P			
university or college												P						

# Land Use Matrix

	PR	AG	AC	ER	R1	R2	R3	TR	M1	M2	MH	IS	DC	C1	C2	I1	I2	HI
<b>Residential Uses</b>																		
bed and breakfast		S		P				S						S				
caretaker's residence	S																	
dwelling, four-family (quadplex)									P	P								
dwelling, five-family									P	P								
dwelling, manufactured home					P	P	P				P							
dwelling, mobile home											P							
dwelling, multiple-family (6 to 10 units)									S	P								
dwelling, multiple-family (11+ units)									S	P								
dwelling, single-family detached		P		P	P	P	P	P	S		S							
dwelling, three-family (triplex)									P	P								
dwelling, two-family (duplex)							S	S	P	P								
dwelling unit (upper floors)													P	P				
fair housing facility (large)									S	P		S						
fair housing facility (small)		P		P	P	P	P	P										
fraternity or sorority house										S								
manufactured home park											P							
mobile home park											P							
personal storage (primary use)		P		S										S	P	P		
retirement community										P	P							

**Appendix**

**B**

**Flood Hazard Areas**

---

**AUBURN**

**Unified Development Ordinance**

## Article 1: Statutory Authorization, Findings of Fact, Purpose, and Objectives

- A. Statutory Authorization: The Indiana Legislature has in Indiana Code 36-7-4 granted the power to local government units to control land use within their jurisdictions. Therefore, the Common Council of the City of Auburn does hereby adopt the following floodplain management regulations.
- B. Findings of Fact:
1. The flood hazard areas of the City of Auburn are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
  2. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, inadequately flood-proofed, or otherwise unprotected from flood damages.
- C. Statement of Purpose: It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
1. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities.
  2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
  3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.
  4. Control filling, grading, dredging, and other development which may increase erosion or flood damage.
  5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
  6. Make Federal flood insurance available for structures and their contents in the City by fulfilling the requirements of the National Flood Insurance Program.
- D. Objectives: The objectives of this ordinance are:
1. To protect human life and health.
  2. To minimize expenditure of public money for costly flood control projects.
  3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
  4. To minimize prolonged business interruptions.
  5. To minimize damage to public facilities and utilities such as water and gas mains; electric, telephone, and sewer lines; streets; and bridges located in floodplains.
  6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas.

# Flood Hazard Areas

## Article 2: Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**A Zone:** Portions of the Special Flood Hazard Area in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In “A Zones,” floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR, and Zone A99 on a Flood Insurance Rate Map or Flood Hazard Boundary Map. The definitions are presented below:

**Zone A:** Areas subject to inundation by the one-percent (1%) annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown.

**Zone AE and A1-A30:** Areas subject to inundation by the one-percent (1%) annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. (Zone AE is on new and revised maps in place of Zones A1-A30.)

**Zone AO:** Areas subject to inundation by one-percent (1%) annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one (1) and three (3) feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

**Zone AH:** Areas subject to inundation by one-percent (1%) annual chance shallow flooding (usually areas of ponding) where average depths are between one (1) and three (3) feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

**Zone AR:** Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection.

**Zone A99:** Areas subject to inundation by the one-percent (1%) annual chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown.

**Accessory Structure:** A structure with a floor area of 400 square feet or less that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

**Addition:** Any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

**Appeal:** A request for a review of the Floodplain Administrator’s interpretation of any provision of this ordinance.

**Appurtenant Structure:** See “Accessory Structure.”

**Area of Shallow Flooding:** A designated AO or AH Zone on the community’s Flood Insurance Rate Map (FIRM) with base flood depths from one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Base Flood:** The flood having a one-percent (1%) annual chance flood.

**Base Flood Elevation (BFE):** The elevation of the one-percent (1%) annual chance flood.

**Basement:** That portion of a structure having its floor sub-grade (below ground level) on all sides.

**Building:** See “Structure.”

**Community:** A political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

**Community Rating System (CRS):** A program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

**Critical facility:** A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

**D-Zone:** Unstudied areas where flood hazards are undetermined, but flooding is possible. Flood insurance is available in participating communities but is not required by regulation in this zone.

**Development:** Any man made change to improved or unimproved real estate including but not limited to:

Construction, reconstruction, or placement of a structure or any addition to a structure;

Installing a manufactured home on a site, preparing a site for a manufactured home or installing a recreational vehicle on a site for more than 180 days;

Installing utilities, erection of walls and fences, construction of roads, or similar projects;

Construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;

Mining, dredging, filling, grading, excavation, or drilling operations;

Construction and/or reconstruction of bridges or culverts;

Storage of materials; or

Any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” does not include activities such as the maintenance of existing structures and facilities such as painting, re roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

**Elevated Structure:** A non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings, or columns (posts and piers).

**Elevation Certificate:** A certified statement that verifies a structure’s elevation information. This certificate shall be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.

**Emergency Program:** The first phase under which a community participates in the National Flood Insurance Program. It is intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial Flood Insurance Rate Map.

**Existing Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the community’s first floodplain ordinance.

**Expansion to an Existing Manufactured Home Park or Subdivision:** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FEMA:** The Federal Emergency Management Agency.

**Flood:** A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

**Flood Boundary and Floodway Map (FBFM):** An official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated the areas of flood hazards and regulatory floodway.

**Flood Insurance Rate Map (FIRM):** An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**Flood Insurance Study (FIS):** The official hydraulic and hydrologic report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Insurance Rate Map, Flood Boundary and Floodway Map (where applicable), and the water surface elevation of the base flood.

**Flood Prone Area:** Any land area acknowledged by a community as being susceptible to inundation by water from any source. (See “Flood.”)

**Flood Protection Grade (FPG):** The elevation of the regulatory flood plus two (2) feet at any given location in the Special Flood Hazard Area. (See “Freeboard.”)

**Floodplain:** The channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.

**Floodplain Management:** The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

# Flood Hazard Areas

**Floodplain Management Regulations:** This ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes Federal, State, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

**Floodproofing (dry floodproofing):** A method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

**Floodproofing Certificate:** A form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the flood protection grade. This certification must be by a Registered Professional Engineer or Architect.

**Floodway:** The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

**Freeboard:** A factor of safety, usually expressed in feet above the base flood elevation, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

**Fringe:** Those portions of the floodplain lying outside the floodway.

**Hardship:** As related to variances of this ordinance, the exceptional hardship that would result from a failure to grant the requested variance. The City of Auburn Board of Zoning Appeals requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

**Highest Adjacent Grade:** The highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

**Historic Structure:** Any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

**Increased Cost of Compliance (ICC):** The cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include Increased Cost of Compliance coverage.

**Letter of Final Determination (LFD):** A letter issued by the Federal Emergency Management Agency during the mapping update process which establishes final elevations and provides the new flood map and flood study to the community. The Letter of Final Determination initiates the six-month adoption period. The community shall adopt or amend its floodplain management regulations during this six-month period unless the community has previously incorporated an automatic adoption clause.

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

**Letter of Map Change (LOMC):** A general term used to refer to the several types of revisions and amendments to Federal Emergency Agency Maps that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F).

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

**Letter of Map Revision Based on Fill (LOMR-F):** An official revision by letter to an effective National Flood Insurance Program map. A LOMR-F provides the Federal Emergency Management Agency’s determination concerning whether a structure or parcel has been elevated on fill above the base flood elevation and excluded from the Special Flood Hazard Area.

**Lowest Adjacent Grade:** The lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

**Lowest Floor:** the lowest of the following:

1. The top of the lowest level of the structure;
2. The top of the basement floor;
3. The top of the garage floor, if the garage is the lowest level of the structure;
4. The top of the first floor of a structure elevated on pilings or pillars;
5. The top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:
6. The walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters by providing a minimum of two (2) openings (in addition to doorways and windows) in a minimum of two (2) exterior walls; if a structure has more than one enclosed area, each shall have openings on exterior walls;
7. The total net area of all openings shall be at least one (1) square inch for every one (1) square foot of enclosed areas; the bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and
8. Such enclosed space shall be usable solely for the parking of vehicles and building access.

**Manufactured Home:** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

**Manufactured Home Park or Subdivision:** A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

**Market Value:** The building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

**Mitigation:** Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is twofold: to protect people and structures, and to minimize the cost of disaster response and recovery.

**National Flood Insurance Program (NFIP):** The Federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

**National Geodetic Vertical Datum (NGVD) of 1929:** As corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

**New Construction:** Any structure for which the “start of construction” commenced after the effective date of the community’s first floodplain ordinance.

**New manufactured home park or subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community’s first floodplain ordinance.

**North American Vertical Datum of 1988 (NAVD 88):** As adopted in 1993, a vertical control datum used as a reference for establishing varying elevations within the floodplain.

**Obstruction:** Includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

**One-hundred Year Flood (100-year flood):** The flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent (1%) annual chance flood. See “Regulatory Flood.”

# Flood Hazard Areas

**One-percent Annual Chance Flood:** The flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent (1%) annual chance flood. See “Regulatory Flood”.

**Participating Community:** Any community that voluntarily elects to participate in the National Flood Insurance Program by adopting and enforcing floodplain management regulations that are consistent with the standards of the National Flood Insurance Program.

**Physical Map Revision (PMR):** An official republication of a community’s Federal Emergency Management Agency map to effect changes to base [one percent (1%) annual chance] flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or Special Flood Hazard Areas.

**Public Safety and Nuisance:** Anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons; or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**Recreational Vehicle:** A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

**Regular Program:** The phase of the community’s participation in the National Flood Insurance Program where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a Flood Insurance Study.

**Regulatory Flood:** The flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in Article 3, Section B of this ordinance. The “Regulatory Flood” is also known by the terms “Base Flood,” “One-Percent (1%) Annual Chance Flood,” and “100-Year Flood.”

**Repetitive Loss:** Flood-related damages sustained by a structure on two (2) separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equaled or exceeded twenty-five percent (25%) of the market value of the structure before the damage occurred.

**Section 1316:** The section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Floodplain Administrator finds has been declared by a duly constituted State or local zoning authority or other authorized public body to be in violation of State or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

**Special Flood Hazard Area (SFHA):** Those lands within the jurisdictions of the City subject to inundation by the regulatory flood. The Special Flood Hazard Areas of the City of Auburn are generally identified as such on the DeKalb County, Indiana and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated September 29, 2006, as well as any future updates, amendments, or revisions. The Special Flood Hazard Areas of those parts of unincorporated DeKalb County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the DeKalb County, Indiana and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated September 29, 2006, as well as any future updates, maps, amendments, or revisions. (These areas are shown on a Flood Insurance Rate Map as Zone A, AE, A1- A30, AH, AR, A99, or AO).

**Start of Construction:** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation for placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure:** A structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

**Substantial Damage:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

**Substantial Improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “repetitive loss” or “substantial damage” regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of State or local health, sanitary, or safety code requirements.

**Suspension:** The removal of a participating community from the National Flood Insurance Program because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the National Flood Insurance Program.

**Variance:** A grant of relief from the requirements of this ordinance, which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

**Violation:** The failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

**Watercourse:** A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

**X zone:** The area where the flood hazard is less than that in the Special Flood Hazard Area. Shaded X zones shown on recent Flood Insurance Rate Maps (B zones on older Flood Insurance Rate Maps) designate areas subject to inundation by the flood with a two-tenths percent (0.2%) chance of being equaled or exceeded (the 500-year flood). Unshaded X zones (C zones on older Flood Insurance Rate Maps) designate areas where the annual exceedance probability of flooding is less than two-tenths percent (0.2%).

**Zone:** A geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

**Zone A:** See “A Zone.”

**Zone B, C, and X:** Areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

# Flood Hazard Areas

## Article 3: General Provisions

- A. Lands to Which This Ordinance Applies: This ordinance shall apply to all Special Flood Hazard Areas and known flood prone areas within the jurisdiction, including the extra-territorial jurisdiction, of the City of Auburn.
- B. Basis for Establishing Regulatory Flood Data: This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below.
1. The regulatory flood elevation, floodway, and fringe limits for the studied Special Flood Hazard Areas within the jurisdiction of the City of Auburn shall be as delineated on the one-percent (1%) annual chance flood profiles in the Flood Insurance Study of DeKalb County, Indiana and Incorporated Areas dated September 29, 2006 and the corresponding Flood Insurance Rate Map dated September 29, 2006, as well as any future updates, amendments, or revisions prepared by the Federal Emergency Management Agency with the most recent date.
  2. The regulatory flood elevation, floodway, and fringe limits for the Special Flood Hazard Areas within the jurisdiction of the City of Auburn delineated as an "A Zone" on the DeKalb County, Indiana and Incorporated Areas of Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated September 29, 2006 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date, shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one (1) square mile.
  3. In the absence of a published Federal Emergency Management Agency map, or absence of identification on a Federal Emergency Management Agency map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one (1) square mile.
  4. Upon issuance of a Letter of Final Determination (LFD), any more restrictive data in the new (not yet effective) mapping/study shall be utilized for permitting and construction (development) purposes, replacing all previously effective less restrictive flood hazard data provided by the Federal Emergency Management Agency.
- C. Establishment of Floodplain Development Permit: A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities in areas of special flood hazard.
- D. Compliance: No structure shall hereafter be located, extended, converted or structurally altered within the Special Flood Hazard Area without full compliance with the terms of this ordinance and other applicable regulations. No land or stream within the Special Flood Hazard Area shall hereafter be altered without full compliance with the terms of this ordinance and other applicable regulations.
- E. Abrogation and Greater Restrictions: This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- F. Discrepancy between Mapped Floodplain and Actual Ground Elevations: In cases where there is a discrepancy between the mapped floodplain (Special Flood Hazard Area) on the Flood Insurance Rate Map and the actual ground elevations, the elevation provided on the profiles shall govern.
1. If the elevation of the site in question is below the base flood elevation, that site shall be included in the Special Flood Hazard Area and regulated accordingly.
  2. If the elevation (natural grade) of the site in question is above the base flood elevation and not located within the floodway, that site shall be considered outside the Special Flood Hazard Area and the floodplain regulations will not be applied. The property owner should be advised to apply for a Letter of Map Amendment (LOMA).
- G. Interpretation: In the interpretation and application of this ordinance all provisions shall be
1. *Considered as minimum requirements;*
  2. *Liberally construed in favor of the governing body; and*
  3. *Deemed neither to limit nor repeal any other powers granted under State statutes.*

- H. Warning and Disclaimer of Liability: The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the City of Auburn, the Indiana Department of Natural Resources, or the State of Indiana for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.
- I. Penalties for Violation: Failure to obtain a Floodplain Development Permit in the Special Flood Hazard Area or failure to comply with the requirements of a Floodplain Development Permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the City of Auburn's Unified Development Ordinance and Code of Ordinances. All violations shall be punishable by a fine not exceeding \$500.
1. A separate offense shall be deemed to occur for each day the violation continues to exist.
  2. The City of Auburn Common Council shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
  3. Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

## Article 4: Administration

- A. Designation of Administrator: The Common Council of the City of Auburn hereby appoints the Zoning Administrator to administer and implement the provisions of this ordinance and is herein referred to as the Floodplain Administrator.
- B. Permit Procedures: Application for a Floodplain Development Permit shall be made to the Floodplain Administrator on forms furnished by the City prior to any development activities. Submittal requirements may include, but not be limited to, the following: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:
  1. *Application Stage*: The following information shall be required as part of the Floodplain Development Permit Application:
    - a. A description of the proposed development.
    - b. Location of the proposed development sufficient to accurately locate property and structure(s) in relation to existing roads and streams.
    - c. A legal description of the property site.
    - d. A site development plan showing existing and proposed development locations and existing and proposed land grades.
    - e. Elevation of the top of the planned lowest floor (including basement) of all proposed buildings. Elevation should be in NAVD 88 or NGVD.
    - f. Elevation (in NAVD 88 or NGVD) to which any non-residential structure will be floodproofed.
    - g. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. A hydrologic and hydraulic engineering study is required and any watercourse changes submitted to the Indiana Department of Natural Resources for approval and then to the Federal Emergency Management Agency as a Letter of Map Revision. (See Article 4: C.6. for additional information.)
  2. *Construction Stage*: The following information shall be required during the Construction Phase of the project:
    - a. Upon establishment of the lowest floor of an elevated structure or structure constructed on fill, it shall be the duty of the applicant to submit to the Floodplain Administrator an Elevation Certificate. The Elevation Certificate shall be of the NAVD 88 or NGVD elevation of the lowest floor, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor, professional engineer or architect, and certified by the same. The Floodplain Administrator shall review the lowest floor elevation survey data submitted. The applicant shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the Elevation Certificate or failure to make said corrections required herein shall be cause to issue a stop-work order for the project. Any work undertaken prior to submission of the Elevation Certificate shall be at the applicant's risk.
    - b. Upon establishment of the floodproofed elevation of a floodproofed structure, it shall be the duty of the applicant to submit to the Floodplain Administrator a Floodproofing Certificate. The certification shall be prepared by or under the direct supervision of a registered professional engineer or architect and certified by the same. The Floodplain Administrator shall review the Floodproofing Certificate submitted. The applicant shall correct any deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the Floodproofing Certificate or failure to make required corrections shall be cause to issue a stop work order for the project.
  3. *Finished Construction*: Upon completion of construction, an Elevation Certificate (FEMA Elevation Certificate Form 81-31 or any future updates) which depicts the "as-built" lowest floor elevation is required to be submitted to the Floodplain Administrator. If the project includes a floodproofing measure, a Floodproofing Certificate (FEMA Floodproofing Certificate Form 81-65 or any future updates) is required to be submitted by the applicant to the Floodplain Administrator.

- C. Duties and Responsibilities of the Floodplain Administrator: The Floodplain Administrator and/or designated staff is authorized and directed to enforce the provisions of this ordinance. The Floodplain Administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to:
1. Review all Floodplain Development Permits to assure that the permit requirements of this ordinance have been satisfied.
  2. Inspect and inventory damaged structures in the Special Flood Hazard Areas and complete substantial damage determinations.
  3. Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to Article 5: E. and G.1. of this ordinance, and maintain a record of such authorization (either copy of actual permit/authorization or floodplain analysis/regulatory assessment).
  4. Ensure that all necessary Federal or State permits have been received prior to issuance of the local Floodplain Development Permit. Copies of such permits/authorizations are to be maintained on file with the Floodplain Development Permit.
  5. Maintain and track permit records involving additions and improvements to residences located in the floodway.
  6. Notify adjacent communities and the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Emergency Management Agency.
  7. Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, Special Flood Hazard Area maps; Letters of Map Change (LOMC); Letters of Map Revision (LOMR); copies of Indiana Department of Natural Resources permits, letters of authorization, floodplain analysis and regulatory assessments (letters of recommendation); Federal permit documents; and “as-built” elevation and floodproofing data for all buildings constructed subject to this ordinance.
  8. Utilize and enforce all Letters of Map Change (LOMC) or Physical Map Revisions (PMR) issued by the Federal Emergency Management Agency for the currently effective Special Flood Hazard Area maps of the community.
  9. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
  10. Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Article 4: B.
  11. Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed in accordance with Article 4: B.
  12. Review certified plans and specifications for compliance.
  13. Perform inspections to ensure that all applicable ordinance and floodplain development requirements have been satisfied. Authorized City officials shall have the right to enter and inspect properties located in Special Flood Hazard Areas.
  14. Stop Work Orders
    - a. Upon notice from the Floodplain Administrator, work on any building, structure or premise that is contrary to the provisions of this ordinance shall immediately cease.
    - b. Such notice shall be in writing and shall be given to the owner of the property, to his agent, or to the person doing the work and shall state the conditions under which work may be resumed.
  15. Revocation of Permits
    - a. The Floodplain Administrator may revoke a permit or approval, issued under the provisions of the ordinance, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
    - b. The Floodplain Administrator may revoke a permit upon determination that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with the provisions of this ordinance.

# Flood Hazard Areas

## Article 5: Provisions for Flood Hazard Reduction

- A. General Standards: In all Special Flood Hazard Areas and known flood prone areas the following provisions are required:
1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
  2. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.
  3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the flood protection grade.
  4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
  5. Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the flood protection grade or designed so as to prevent water from entering or accumulating within the components below the flood protection grade. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the flood protection grade.
  6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
  7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
  8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
  9. Any alteration, repair, reconstruction or improvement to a structure that is in compliance with the provisions of this ordinance shall meet the requirements of “new construction” as contained in this ordinance.
  10. Whenever any portion of the Special Flood Hazard Area is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the Base Flood Elevation (BFE) shall be compensated for and balanced by an equivalent volume of excavation taken below the Base Flood Elevation (BFE). The excavation volume shall be at least equal to the volume of storage lost (replacement ratio of 1 to 1) due to the fill or structure.
    - a. The excavation shall take place in the floodplain and in the same property in which the authorized fill or structure is located.
    - b. Under certain circumstances, the excavation may be allowed to take place outside of but adjacent to the floodplain provided that the excavated volume will be below the regulatory flood elevation, will be in the same property in which the authorized fill or structure is located, will be accessible to the regulatory flood water, will not be subject to ponding when not inundated by flood water, and that it shall not be refilled.
    - c. The excavation shall provide for true storage of floodwater, but shall not be subject to ponding when not inundated by flood water.
    - d. The fill or structure shall not obstruct a drainage way leading to the floodplain.
    - e. The grading around the excavation shall be such that the excavated area is accessible to the regulatory floodwater.
    - f. The fill or structure shall be of a material deemed stable enough to remain firm and in place during periods of flooding and shall include provisions to protect adjacent property owners against any increased runoff or drainage resulting from its placement.
    - g. Plans depicting the areas to be excavated and filled shall be submitted prior to the actual start of construction or any site work; once site work is complete, but before the actual start of construction, the applicant shall provide to the Floodplain Administrator a certified survey of the excavation and fill sites demonstrating the fill and excavation comply with this article.

- B. Specific Standards: In all Special Flood Hazard Areas, the following provisions are required:
1. In addition to the requirements of Article 5: A., all structures to be located in the Special Flood Hazard Area shall be protected from flood damage below the flood protection grade. This building protection requirement applies to the following situations:
    - a. Construction or placement of any structure having a floor area greater than 400 square feet.
    - b. Addition or improvement made to any existing structure where the cost of the addition or improvement equals or exceeds fifty percent (50%) of the value of the existing structure (excluding the value of the land).
    - c. Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to its before damaged condition equals or exceeds fifty percent (50%) of the market value of the structure (excluding the value of the land) before damage occurred.
    - d. Installing a travel trailer or recreational vehicle on a site for more than 180 days.
    - e. Installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage.
  2. *Residential Structures*: New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor, including basement, at or above the flood protection grade [two (2) feet above the base flood elevation]. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article 5: B.4.
  3. *Non-Residential Structures*: New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured home) shall either have the lowest floor, including basement, elevated to or above the flood protection grade [two (2) feet above the base flood elevation] or be flood-proofed to or above the flood protection grade. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article 5: B.4. Structures located in all “A Zones” may be floodproofed in lieu of being elevated if done in accordance with the following:
    - a. A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the flood protection grade, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the official as set forth in Article 4: C.11.
    - b. Floodproofing measures shall be operable without human intervention and without an outside source of electricity.
  4. *Elevated Structures*: New construction or substantial improvements of elevated structures shall have the lowest floor at or above the flood protection grade. Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:
    - a. Provide a minimum of two (2) openings located in a minimum of two (2) exterior walls (having a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area.)
    - b. The bottom of all openings shall be no more than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher.
    - c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
    - d. Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
    - e. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
    - f. The interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade.

## Flood Hazard Areas

5. *Structures Constructed on Fill*: A residential or non-residential structure may be constructed on a permanent land fill in accordance with the following:
  - a. The fill shall be placed in layers no greater than one (1) foot deep before compacting to ninety-five percent (95%) of the maximum density obtainable with either the Standard or Modified Proctor Test method. The results of the test showing compliance shall be retained in the permit file.
  - b. The fill should extend at least ten (10) feet beyond the foundation of the structure before sloping below the base flood elevation.
  - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three (3) horizontal to one (1) vertical.
  - d. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
  - e. The top of the lowest floor including basements shall be at or above the flood protection grade.
  - f. Fill shall be composed of clean granular or earthen material.
6. *Standards for Manufactured Homes and Recreational Vehicles*: Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days shall meet one (1) of the following requirements:
  - a. These requirements apply to all manufactured homes to be placed on a site outside a manufactured home park or subdivision; in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as a result of a flood;
    - i. The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the flood protection grade (FPG) and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
    - ii. Fully enclosed areas formed by foundation and other exterior walls below the flood protection grade (FPG) shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B.4.
    - iii. Flexible skirting and rigid skirting not attached to the frame or foundation of a manufactured home shall not be required to have openings.
  - b. These requirements apply to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by flood.
    - i. The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
    - ii. Fully enclosed areas formed by foundation and other exterior walls below the flood protection grade (FPG) shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B.4.
    - iii. Flexible skirting and rigid skirting not attached to the frame of foundation of a manufactured home shall not be required to have openings.
  - c. Recreational vehicles placed on a site shall either:
    - i. Be on site for less than 180 days; and,
    - ii. Be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
    - iii. Meet the requirements for “manufactured homes” as stated earlier in this section.

7. *Accessory Structures*: Relief to the elevation or dry floodproofing standards may be granted for accessory structures. Such structures shall meet the following standards:
    - a. Shall not be used for human habitation.
    - b. Shall be constructed of flood resistant materials.
    - c. Shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters.
    - d. Shall be firmly anchored to prevent flotation.
    - e. Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the flood protection grade (FPG).
    - f. Shall be designed to allow for the entry and exit of floodwaters to automatically equalize flood forces on exterior walls as required for elevated structures in Article 5:B.4.
  8. *Above Ground Gas or Liquid Storage Tanks*: All above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement.
- C. Standards for Subdivision Proposals:
1. All subdivision proposals shall be consistent with the need to minimize flood damage.
  2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
  3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
  4. Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of fifty (50) lots or five (5) acres.
  5. All subdivision proposals shall minimize development in the Special Flood Hazard Area and/or limit density of development permitted in the Special Flood Hazard Area.
  6. All subdivision proposals shall ensure safe access into/out of Special Flood Hazard Areas for pedestrians and vehicles, especially emergency responders.
- D. Critical Facility: Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area. Construction of new critical facilities shall be permissible within the Special Flood Hazard Area if no feasible alternative site is available. Critical facilities constructed within the Special Flood Hazard Area shall have the lowest floor elevated to or above the flood protection grade at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the flood protection grade shall be provided to all critical facilities to the extent possible.
- E. Standards for Identified Floodways:
1. Located within Special Flood Hazard Areas, established in Article 3: B., are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential. If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway. Under the provisions of Indiana Code 14-28-1 a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction, or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. However, it does exclude non-substantial additions/improvements to existing (lawful) residences in a non-boundary river floodway. (Indiana Code 14-28-1-26 allows construction of non-substantial additions/improvements to residences in a non-boundary river floodway without obtaining a permit for construction in the floodway from the Indiana Department of Natural Resources. Please note that if fill is needed to elevate an addition above the existing grade, prior approval [construction in a floodway permit] for the fill is required from the Indiana Department of Natural Resources.)
  2. No action shall be taken by the Floodplain Administrator until a permit (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction in a floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this ordinance have been met. The Floodplain Development Permit cannot be less restrictive than the permit for construction in a floodway issued by the Indiana Department of Natural Resources. However, a community's more restrictive regulations (if any) shall take precedence.

## Flood Hazard Areas

3. No development shall be allowed, which acting alone or in combination with existing or future development, that will adversely affect the efficiency of, or unduly restrict the capacity of the floodway. This adverse effect is defined as an increase in the elevation of the regulatory flood of at least fifteen-hundredths (0.15) of a foot as determined by comparing the regulatory flood elevation under the project condition to that under the natural or pre-floodway condition as proven with hydraulic analyses.
  4. For all projects involving channel modifications or fill (including levees) the City shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data per mapping standard regulations found at 44 CFR § 65.12.
- F. Standards for Identified Fringe: If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in Article 5 of this ordinance have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the flood protection grade.
- G. Standards for Special Flood Hazard Areas Without Established Base Flood Elevation and/or Floodways/Fringes:
1. Drainage area upstream of the site is greater than one (1) square mile:
    - a. If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one (1) square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment. No action shall be taken by the Floodplain Administrator until either a permit for construction in a floodway or a floodplain analysis/regulatory assessment citing the one-percent (1%) annual chance flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.
    - b. Once the Floodplain Administrator has received the proper permit for construction in a floodway or floodplain analysis/regulatory assessment approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in Article 5 of this ordinance have been met.
  2. Drainage area upstream of the site is less than one square mile:
    - a. If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one (1) square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodplain and one-percent (1%) annual chance flood elevation for the site.
    - b. Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this ordinance have been met.
  3. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, shall not adversely affect the efficiency of, or unduly restrict the capacity of the floodway. This adverse effect is defined as an increase in the elevation of the regulatory flood of at least fifteen-hundredths (0.15) of a foot as determined by comparing the regulatory flood elevation under the project condition to that under the natural or pre-floodway condition as proven with hydraulic analyses.
- H. Standards for Flood Prone Areas: All development in known flood prone areas not identified on Federal Emergency Management Agency maps, or where no Federal Emergency Management Agency published map is available, shall meet applicable standards as required in Article 5.

## Article 6: Variance Procedures.

- A. Designation of Variance and Appeals Board: The City of Auburn Board of Zoning Appeals as established by the City Council of the City of Auburn shall hear and decide appeals and requests for variances from requirements of this ordinance.
- B. Duties of Variance and Appeals Board: The City of Auburn Board of Zoning Appeals shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the Board of Zoning Appeals may appeal such decision to the court of jurisdiction within DeKalb County.
- C. Variance Procedures: In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and;
  1. The danger of life and property due to flooding or erosion damage.
  2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  3. The importance of the services provided by the proposed facility to the community.
  4. The necessity to the facility of a waterfront location, where applicable.
  5. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
  6. The compatibility of the proposed use with existing and anticipated development.
  7. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
  8. The safety of access to the property in times of flood for ordinary and emergency vehicles.
  9. The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site.
  10. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- D. Conditions for Variances:
  1. Variances shall only be issued when there is:
  2. A showing of good and sufficient cause.
  3. A determination that failure to grant the variance would result in exceptional hardship.
  4. A determination that the granting of a variance will not result in increased flood heights; additional threats to public safety; extraordinary public expense; the creation of nuisances, fraud, or victimization of the public; or conflict with existing laws or ordinances.
  5. No variance for a residential use within a floodway subject to Article 5: E. or G.1. of this ordinance shall be granted.
  6. Any variance granted in a floodway subject to Article 5: E. or G.1. of this ordinance shall require a permit from the Indiana Department of Natural Resources.
  7. Variances to the Provisions for Flood Hazard Reduction of Article 5: B. may be granted only when a new structure is to be located on a lot of one half (½) acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
  8. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  9. Variances may be granted for the reconstruction or restoration of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures in accordance with Article 6: F.
  10. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation (See Article 6: E).
  11. The Floodplain Administrator shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request (See Article 6: E.).

## Flood Hazard Areas

- E. Variance Notification: Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
1. The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
  2. Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.  
The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.
- F. Historic Structures: Variances may be issued for the repair or rehabilitation of “historic structures” upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as an “historic structure” and the variance is the minimum to preserve the historic character and design of the structure.
- G. Special Conditions: Upon the consideration of the factors listed in Article 6 and the purposes of this ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

### Article 7: Severability

- H. If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.



**Appendix**

**C**

**Amendment Tracking**

---



# Amendment Tracking

Ordinance Number	Plan Commission/ City Council Approval Date	Effective Date	Sections Affected	Pages Changed	Brief Description of Changes	Date Codified	Internal Use

