

ORDINANCE NO. 1827

AN ORDINANCE AMENDING CHAPTER 26 ARTICLE 6 OF THE TOWN OF MUNSTER MUNICIPAL CODE ADOPTING MULTIPLE TEXT AMENDMENTS TO THE MUNSTER ZONING CODE

WHEREAS, the Town of Munster and its Staff have reviewed and recommended various changes to the Town of Munster Zoning Code; and

WHEREAS, based upon those recommendations, the Munster Plan Commission conducted a public hearing on PC Docket No. 21-002 on April 13, 2021 after due notice as required by law on the proposed amendments; and

WHEREAS, the Town of Munster, after said public hearing and after due deliberation, has concluded that amendments to Chapter 26 Article 6, Character-Based Code, are appropriate; and

WHEREAS, the Munster Town Council deems it to be in the best interest of the general health, safety, and welfare of the citizens of the Town of Munster to amend Chapter 26, Section 6 Character-Based Code of the Munster Code of Ordinances, and more particularly, the amendments attached to this ordinance as Exhibit "A", now, therefore, be it

ORDAINED, THAT THE MUNSTER LAND DEVELOPMENT CODE BE AMENDED AS FOLLOWS:

CHAPTER 26 – ARTICLE 6 is amended as set forth herein.

Article 1. Statutory Authorization, Certification, and Purpose.

Section A. Statutory Authorization.

The Indiana Legislature has in I.C. 36-7-4, et seq., granted the power to local government units to control land use within their jurisdictions. Therefore, the Town Council of the Town of Munster does hereby adopt the following regulations.

Section B. Certification per I.C. 36-7-4-605.

- (1) The Plan Commission of the Town of Munster has studied and reviewed the previous ordinances of the Town of Munster, as amended, and has found the same to be in need of revision.
- (2) The Plan Commission has approved the changes in CHAPTER 26 – SECTION 6 and has forwarded to the Town Council the revisions with a favorable recommendation, certified in the adopted Findings of Fact dated April 13, 2021.

Section C. Statement of Purpose.

It is the purpose of this Ordinance to revise the Munster Zoning Ordinances and promote the public health, safety, aesthetics and general welfare of the Town of Munster and to establish a site plan review committee.

Article 2. Character Based Code

Chapter 26, Article 6 is amended as stated on the attached Exhibit "A".

Article 3. Severability.

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.

Article 4. Effective Date.

This Ordinance shall be in full force and effect from and after its passage and signing by the members of the Munster Town Council.

ORDAINED AND ADOPTED by the Town Council of the Town of Munster, Lake County, Indiana, this 3rd day of May, 2021, by a vote of 5 in favor and 0 opposed.

Town Council of the Town of Munster,
Lake County, Indiana



Andy Koultourides, President

ATTEST:



Wendy Mis, Clerk-Treasurer

XHIBIT A
C 21-002 Zoning Code Text Amendment List

loc. Page number refers to the page of the zoning ordinance, shown on the bottom corner of the page, not to the pdf page number.

Page	Section	Action	Text
14	SECTION 26-6.122.D.2.a	Add text	with the following exception: a Nonconforming Building, Improvement, or Structure may be Substantially Modified or Altered to decrease its nonconformity if the modification or alteration is in conformity with the relevant standards of this article.
14	SECTION 26-6.122.D.2.b	Add text	with the following exception: any Nonconforming Sign, except a sign mounted on a pole, may be changed to decrease its nonconformity if the change is in conformity with the relevant standards of this article.
15	SECTION 26-6.122.D.6.b	Delete	No Sign may be added to a single-tenant Building or tenant space at any time during which such property contains any Non-Conforming Sign, whether or not such non conformity is a legal Nonconforming Sign.
52	TABLE 26-6.405.A-2 DISTRICT STANDARDS Lot Occupation Lot Coverage	Delete	Accessory structures shall not exceed 900 sf
52	TABLE 26-6.405.A-2 DISTRICT STANDARDS Building Height Other Structures	Delete	The combined area of all Accessory Structures shall not exceed the lesser of 30% of the rear yard or 900 sf.
52	TABLE 26-6.405.A-2 DISTRICT STANDARDS Number of Buildings Principal Building	Insert	NR
52	TABLE 26-6.405.A-2 DISTRICT STANDARDS Number of Buildings Principal Building	Insert	1 Principal Building per lot
53	TABLE 26-6.405.A-2 DISTRICT STANDARDS Setbacks - Principal Building Front Yard	Insert	Where 40% of lots on the block are improved, then the minimum front yard setback may be reduced to the average of the front yards of two adjacent lots.
53	TABLE 26-6.405.A-2 DISTRICT STANDARDS Setbacks - Principal Building Side Yard	Insert	Min 0.2 ft. each in least dimension for each foot in height of Principal Building, provided
53	TABLE 26-6.405.A-2 DISTRICT STANDARDS Setbacks - Principal Building Side Yard	Insert	Exterior Side Yard Lines of Corner Lots must be:
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Building Standards Building Height Other Structures	Insert	(a) min distance from the side street line equal to lesser of (a) 10% of the depth of the lot measured at right angles to such side street or (b) ten feet unless the side street line is in a block with a lot or lots with frontage on the same side of the street, in which case, the exterior side yard line at the rear of such corner lot shall be the same as the established front yard line of such other lots for each foot that any building located on such corner lot is distant from the rear of the lot, such building may be 6" nearer to the side street line, but in no case shall the exterior side yard line along such side street be less than 10% of the dimension of the lot measured at right angles to the side street line.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks Patio Decks	Delete	4 Stories of 50 ft. max
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks Patio Decks	Delete	The lesser of 16 feet or the height of the Principal Building.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks Patio Decks	Delete	5 ft. or less
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks Patio Decks Side	Delete	5 ft. or less
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks Patio Decks Side	Delete	NP
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Insert	ADA ramps P Front P Side P Rear
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Insert	asphalt,
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Insert	and Side
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	rear Setback
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	Side and Rear Yards
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	Corner Lots
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	The Front Yard Fence standards shall apply to the shorter street side of the lot; the Side Yard Fence standards shall apply to the longer street side of the lot, irrespective of the orientation of the residence, subject to the following exceptions:
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	1. Where the Zoning Administrator determines that allowing a Fence on a Corner Lot would hamper traffic visibility, endanger public health or safety, or be detrimental to the aesthetic qualities or property values of neighboring properties, the Front Yard standards shall apply to both Frontages.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	2. A Fence may not be constructed within a regular triangular area formed at the corner intersection of a driveway and a property line, the two sides of the triangular area being 10 feet in length measured along the driveway and property line, and the third side being a line connecting these two sides.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	3. A Fence must be set back a minimum of three feet from the public right of way.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	4. Chain link is a prohibited material.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	Accessory structures shall not exceed 900 sf
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	The combined area of all Accessory Structures shall not exceed the lesser of 30% of the rear yard or 900 sf.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	NR
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	1 Principal Building per lot
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	Where 40% of lots on the block are improved, then the minimum front yard setback may be reduced to the average of the front yards of two neighboring lots on either side.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	4 Stories of 50 ft. max
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	The lesser of 16 feet or the height of the Principal Building.
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	Patio
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	5 ft. or less
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	NP
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	ADA ramps P Front P Side P Rear
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	NR
54	TABLE 26-6.405.A-2 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	shall be graded and surfaced with concrete, asphalt, or other material approved by the Town Engineer or Building Official.

XHIBIT A

C 21-002 Zoning Code Text Amendment List

Table Number	District	Standards	Requirements	Private Landscaping and Fencing	Walls & Fencing	Garage Location	Occupation Lot Coverage	Other
69	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Vehicle Parking Requirements					
70	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Vehicle Landscaping and Fencing					
71	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
72	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
73	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
74	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
75	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
76	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
77	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
78	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
79	TABLE 26-6.405.A-3	DISTRICT STANDARDS	Private Landscaping and Fencing					
80	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
81	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
82	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
83	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
84	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
85	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
86	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
87	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
88	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
89	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
90	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
91	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
92	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
93	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
94	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
95	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
96	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
97	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					
98	TABLE 26-6.405.A-4	DISTRICT STANDARDS	Building Height					

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Table Number	Table Description	Action	Text	Materials	Permitted Screen Type	Height
98	TABLE 26-6.405 A-3 DISTRICT STANDARDS Private Landscaping and Fencing, Walls & Fencing (not including Screens)	Delete				
98	TABLE 26-6.405 A-3 DISTRICT STANDARDS Private Landscaping and Fencing, Walls & Fencing (not including Screens)	Insert	<p>rear setback</p> <p>Side and Rear Yards</p> <p>Corner lots</p> <p>The front yard fence standards shall apply to the shorter street side of the lot; the side yard fence standards shall apply to the longer street side of the lot, irrespective of the orientation of the residence, subject to the following exceptions:</p> <ol style="list-style-type: none"> Where the Zoning Administrator determines that allowing a fence on a corner lot would bumper traffic visibility, endanger public health or safety, or be detrimental to the aesthetic qualities or property values of neighboring properties, the front yard standards shall apply to both frontages. A fence may not be constructed within a regular triangular area formed at the corner intersection of a driveway and a property line, the two sides of the triangular area being 10 feet in length measured along the driveway and property line, and the third side being a line connecting these two sides. A fence must be set back a minimum of three feet from the public right of way. 	<p>Solid wood</p> <p>Masonry - brick or stone</p> <p>A single row of shrubs with a minimum mature width of 24 inches each, spaced at the lesser of 36 inches or their mature width</p> <p>A hedge screen planted adjacent to an ornamental metal fence or a wall screen</p>	<p>Wall, Enhanced Hedge</p> <p>Wall, Hedge</p> <p>Wall, hedge</p> <p>Wall, fence</p> <p>N/A</p> <p>Wall, fence</p>	<p>3'-3.5'</p> <p>3'-3.5'</p> <p>3'-3.5'</p> <p>3'-3.5'</p> <p>2nd and 3rd lot layer: 6 in</p> <p>1/4</p> <p>6</p>
98	TABLE 26-6.405 A-5 DISTRICT STANDARDS Private Landscaping and Fencing, Walls & Fencing (not including Screens)	Insert				
108	TABLE 26-6.405 A-5 DISTRICT STANDARDS Lot Occupation Lot Width	Delete				
109	TABLE 26-6.405 A-5 DISTRICT STANDARDS Setbacks - Principal Building Side Setback	Insert	180 ft. max			
		Insert	130 ft. max combined			
		Delete	Primary brick or natural stone Accent: glass, metal, wood, porcelain, ceramic or glass tiles			
110	TABLE 26-6.405 A-6 DISTRICT STANDARDS Building Standards Building Materials	Delete	Primary brick or natural stone, cast stone, wood or metal Shiplap, terra cotta, ceramic tile, similar materials approved by the Plan Commission			
110	TABLE 26-6.405 A-6 DISTRICT STANDARDS Building Standards Building Materials	Insert	Accent: glass, metal, wood, any primary building material, similar materials approved by the Plan Commission			
111	TABLE 26-6.405 A-6 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete	Prohibited: aluminum siding, metal industrial type siding, vinyl siding, asphalt siding, and E.I.F.S (synthetic stucco), cedar shakes, concrete masonry units, or plywood siding.			
112	TABLE 26-6.405 A-6 DISTRICT STANDARDS Vehicular Parking Requirements Off-Street Parking Location	Delete	only in 3rd lot layer only			
112	TABLE 26-6.405 A-6 DISTRICT STANDARDS Vehicular Parking Requirements Off-Street Parking Location	Insert	in 2nd or 3rd lot layer.			
112	TABLE 26-6.405 A-6 DISTRICT STANDARDS Vehicular Parking Requirements Off-Street Parking Location	Delete	Driveway/Vehicular Entrance Maximum Width 10' max in 1st and 2nd Lot Layers			
112	TABLE 26-6.405 A-6 DISTRICT STANDARDS Vehicular Parking Requirements Off-Street Parking Location	Delete	3.5-4 ft. at Frontage			
113	TABLE 26-6.405 A-6 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	Delete				
113	TABLE 26-6.405 A-6 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	Insert	3-4 ft. in 1st Lot Layer			
114	TABLE 26-6.405 A-6 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Allowed Materials Natural Wood	Delete	at Frontage			
114	TABLE 26-6.405 A-6 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Allowed Materials Natural Wood	Insert	in 1st Lot Layer			
115	TABLE 26-6.405 A-6 DISTRICT STANDARDS Screens	Delete	ENTIRE SECTION			
115	TABLE 26-6.405 A-6 DISTRICT STANDARDS Screens	Insert	<p>Applicability</p> <p>Except at Driveways, Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment shall be screened from Frontage, Civic Space and Adjacent Property by a Building or Screen.</p> <p>Roof-top Antenna and HVAC, Mechanical and other Equipment shall be screened from Frontage and Civic Space by a Building parapet or Building Element.</p> <p>Except where Building has 0' Setback: A Screen is required where a non-residential CD-4-A property abuts a CD-3, CD-3 R1, CD-3 R2, CD-3 R3, CD-4 R4 district.</p>	<p>Types of Screens</p> <p>Fence</p> <p>Wall</p>	<p>Enhanced Hedge</p> <p>Specific Standards</p> <p>Where Screen is required</p> <p>Parking Lot or Parking Area at Frontage in 1st or 2nd Lot Layer</p> <p>Parking Lot or Parking Area at Frontage in 3rd Lot Layer</p> <p>Parking Lot or Parking Area Adjacent to Civic Space</p> <p>Parking Lot or Parking Area Adjacent to an Alley or Drive Aisle</p> <p>A non-residential CD-4-A property abutting a CD-3, CD-3 R1, CD-3 R2, CD-3 R3, CD-4 R4 district</p> <p>Parking Lot and Parking Area adjacent to a Parking Area or Parking Lot</p> <p>Dumpster and Trash Receptacles</p>	

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Table Reference	Description	Change Type	Text	Height
124	TABLE 26-6-405.A-7 DISTRICT STANDARDS Lot Occupation Lot Width	Delete		6'
125	TABLE 26-6-405.A-7 DISTRICT STANDARDS Setbacks - Principal Building Site Setback	Insert	180 ft. max 130 ft. max combined	6'
126	TABLE 26-6-405.A-7 DISTRICT STANDARDS Building Standards Building Materials Building Materials	Delete	Primary: brick or natural stone Accent: glass, metal, wood, porcelain, ceramic or glass tiles	6'
126	TABLE 26-6-405.A-7 DISTRICT STANDARDS Building Standards Building Materials Building Materials	Insert	Primary: brick or natural stone, cast stone, wood or metal shopfront, terra cotta, ceramic tile, similar materials approved by the Plan Commission Prohibited: aluminum siding, metal industrial type siding, vinyl siding, asphalt siding, and EIFS (synthetic stucco), cedar shakes, concrete masonry units, or plywood siding. Facade Articulation A facade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing such facade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other facade elements; and (2) is composed with a defined center and edges.	3'-3.5'
127	TABLE 26-6-405.A-7 DISTRICT STANDARDS Building Standards (continued) Facade Articulation	Delete		
128	TABLE 26-6-405.A-7 DISTRICT STANDARDS Encroachments - Required Setbacks	Delete		
128	TABLE 26-6-405.A-7 DISTRICT STANDARDS Vehicular Parking Requirements Off-Street Parking Location	Delete		
128	TABLE 26-6-405.A-7 DISTRICT STANDARDS Vehicular Parking Requirements Off-Street Parking Location	Insert	Patio only in 3rd Lot Layer only. in 2nd or 3rd Lot Layer.	
128	TABLE 26-6-405.A-7 DISTRICT STANDARDS Vehicular Parking Requirements Off-Street Parking Location	Delete	Driveway/Vehicular Entrance Maximum Width 10' max in 1st and 2nd Lot Layers	
129	Box & Service Meter Requirements - Off-Street Trash Receptacle/Dumpster	Insert	Enclosure must be constructed of a material that matches the Principal Building.	
130	TABLE 26-6-405.A-7 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	Delete		
130	TABLE 26-6-405.A-7 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	Insert	3.5-4 ft. at Frontage	
130	TABLE 26-6-405.A-7 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Allowed Materials Natural Wood	Delete		
130	TABLE 26-6-405.A-7 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Allowed Materials Natural Wood	Insert	at Frontage	
131	TABLE 26-6-405.A-7 DISTRICT STANDARDS Screens	Delete		
131	TABLE 26-6-405.A-7 DISTRICT STANDARDS Screens	Insert	in 1st Lot Layer ENTIRE SECTION Applicability Except at Driveways: Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment shall be screened from Frontage, Civic Space and Adjacent Property by a Building or Screen. Roof-top Antennas and HVAC, Mechanical and other Equipment shall be screened from Frontage and Civic Space by a Building parapet or Building Element. Except where Building has 0' Setback: A Screen is required where a non-residential CD-A property abuts a CD-3, CD-3.R1, CD-3.R2, CD-3.R3, CD-4.R4 district.	

Materials
Solid wood
Masonry - brick or stone

A single row of shrubs with a minimum mature width of 24 inches each, spaced at the lesser of 36 inches or their mature width
A Hedge screen planted adjacent to an ornamental metal fence or a wall screen

Permitted Screen Type
Wall, Enhanced Hedge
Wall, Hedge
Wall, Hedge
Wall, Hedge

Height
3'-3.5'
3'-3.5'
3'-3.5'
3'-3.5'

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Table Number	Table Title	Table Description	Table Text	Table Action	Table Notes	Table Height	Table Materials	Table Permitted Screen Type
140	TABLE 26-6-405.A-8 DISTRICT STANDARDS Lot Occupation Lot Width	A non-residential CD-4.A property abutting a CD-3, CD-3.R1, CD-3.R2, CD-3.R3, CD-4.R4 district Parking lot and Parking Area adjacent to a Parking Area or Parking Lot	Wall, fence	3'-6" in 1st lot layer, 6' in 2nd and 3rd lot layer				
140	TABLE 26-6-405.A-8 DISTRICT STANDARDS Lot Occupation Lot Width	Dumpster and Trash Receptacles	N/A	N/A				
141	TABLE 26-6-405.A-8 DISTRICT STANDARDS Setbacks - Principal Building (continued) Side Setback	Loading Areas Service Areas Outdoor Storage Drive-Throughs	Wall, fence Wall, fence Wall, fence Wall, fence	6' 6' 6' 6'				
141	TABLE 26-6-405.A-8 DISTRICT STANDARDS Setbacks - Principal Building (continued) Side Setback	HVAC and other equipment	Wall, hedge, fence	3'-3.5' Equal to the height of the equipment				
142	TABLE 26-6-405.A-8 DISTRICT STANDARDS Building Materials - Building Materials Building Materials	100 ft. max 180 ft. max 24 ft. max per side						
143	TABLE 26-6-405.A-8 DISTRICT STANDARDS Encroachments - Required Setbacks	30 ft. max per side. May be increased to 54 ft. max on one side where adjacent to a CD-4 District and where other side setback(s) are 0-6 ft.	Primary brick or natural stone Accent: glass, metal, wood, porcelain, ceramic or glass tiles					
144	TABLE 26-6-405.A-8 DISTRICT STANDARDS Encroachments - Off-Street Loading, Storage, Drive-Through, Trash Receptacle/Dumpster, Utility Box, & Service Meter Requirements - Off-Street, Trash Receptacle/Dumpster	Commission Accent: glass, metal, wood, any primary building material, similar materials approved by the Plan Commission Prohibited: aluminum siding, metal industrial type siding, vinyl siding, asphalt siding, and E.I.F.S (Synthetic stucco), cedar shales, concrete masonry units, or plywood siding.						
145	TABLE 26-6-405.A-8 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	Patio						
145	TABLE 26-6-405.A-8 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	Enclosure must be constructed of a material that matches the Principal Building.						
145	TABLE 26-6-405.A-8 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	3.5-4 ft. at Frontage						
145	TABLE 26-6-405.A-8 DISTRICT STANDARDS Private Landscaping and Fencing (continued) Walls & Fencing (not including Screens) Height	3-4 ft. in 1st Lot Layer						
146	TABLE 26-6-405.A-8 DISTRICT STANDARDS Screens	at side and rear only ENTIRE SECTION						
146	TABLE 26-6-405.A-8 DISTRICT STANDARDS Screens	Except at Driveways: Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment shall be screened from Frontage, Civic Space and Adjacent Property by a Building or Screen. Flooring Antennas and HVAC, Mechanical and other Equipment shall be screened from Frontage and Civic Space by a Building parapet or Building Element. Except where Building has 0' Setback: A Screen is required where a non-residential CD-4.A property abuts a CD-3, CD-3.R1, CD-3.R2, CD-3.R3, CD-4.R4 district.						
			Types of Screens Fence Wall					
			Materials Solid wood Masonry - brick or stone					
			Hedge					
			Enhanced Hedge					
			Specific Standards Where Screen is required Parking Lot or Parking Area at Frontage in 1st or 2nd Lot Layer Parking Lot or Parking Area at Frontage in 3rd Lot Layer Parking Lot or Parking Area Adjacent to Civic Space Parking Lot or Parking Area Adjacent to an Alley or Drive Aisle					
			Permitted Screen Type Wall, Enhanced Hedge Wall, Hedge Wall, hedge Wall, hedge					
			Height 3'-3.5' 3'-3.5' 3'-3.5' 3'-3.5'					
			Materials Wall, fence N/A Wall, fence Wall, fence Wall, fence					
			Permitted Screen Type Wall, fence N/A Wall, fence Wall, fence Wall, fence					
			Height 3'-3.5' N/A 6' 6' 6'					

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	Drive-Throughs	Wall, hedge, fence	3'-3.5' Equal to the height of the equipment
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	Drive-Throughs	Wall, hedge, fence	3'-3.5' Equal to the height of the equipment
226	Section 26-6.405 L.4.1.x Restaurants with Outdoor Dining		
226	Section 26-6.405 L.4.1.x Restaurants with Outdoor Dining		
226	Section 26-6.405 L.4.1.x Restaurants with Outdoor Dining		
230	Section 26-6.405 O.c		
230	Section 26-6.405 O.f		
232	Section 26-6.405 O.1.h.vii.II		
232	Section 26-6.405 O.1.h.vii.II		
238	Section 26-6.405 P.1.		
238	Section 26-6.405 P.1.		
250	Section 26-6.405 P.23 Significant Trees		

Insert	HVAC and other equipment		
Delete	When visible from the public right-of-way		
Insert	The Outdoor Dining area may not be fenced		
Insert	Any umbrellas or sun Shades must be made of canvas.		
Delete	CD-5.		
100%	100%		
Delete	Section 26-6.405.N		
Insert	<p>The following:</p> <p>The Parking Area or Parking Lot shall be Screened from the public right-of-way with a perimeter planting strip a minimum of 7 feet in width from front to back planted adjacent to the public right-of-way containing all of the following:</p> <p>A hedge screen between 3 feet and 3.5 feet in height adjacent to the edge of the public right-of-way.</p> <p>Shade trees planted at a rate of one per 30 feet of linear frontage (where overhead utility conflicts prohibit shade trees, small or medium trees shall be planted at intervals equal to their mature canopy).</p> <p>An ornamental metal fence screen or a wall screen between 3 feet to 3.5 feet in height, installed a minimum of two feet from the inside of the parking area or parking lot curb.</p>		
Insert	<p>e. In addition, in all Districts and Civic Zones, the following improvements require the provision of private lot landscaping in the manner described here:</p> <p>1. New development - All landscaping requirements shall be met.</p> <p>2. Construction of a new principal building or construction of an addition to a principal building - All landscaping requirements shall be met.</p> <p>3. Modifications of the exterior of a principal building that require a building permit and include architectural or building material changes</p> <p>a. Where the cost is greater than or equal to \$25,000 and less than \$100,000</p> <p>i. Screening and perimeter screening requirements shall be met for the entire parking area or parking lot.</p> <p>ii. Existing landscaped areas shall be brought into compliance with current landscaping standards.</p> <p>b. Where the cost is greater than or equal to \$100,000 - all parking area and parking lot landscaping requirements shall be met.</p> <p>4. Modifications of the interior of a principal building that require a building permit, not including maintenance, where the cost is greater than or equal to \$100,000 - All landscaping requirements shall be met.</p> <p>5. Over fifty percent (50%) of the total area of an existing parking lot is reconstructed - All requirements shall be met for entire parking area or parking lot.</p> <p>6. Parking Area or Parking Lot expansions</p> <p>a. Parking Area or Parking Lot expansions in which the number of additional parking spaces that will be provided is less than twenty-five percent of the number of existing parking spaces on the site or the lot is expanded by less than twenty-five percent in total surface area.</p> <p>i. Screening requirements shall be met for the entire parking area or parking lot.</p> <p>ii. New portions of the parking area or parking lot shall meet requirements for internal landscaping.</p> <p>b. Parking area or parking lot expansions in which either the number of additional parking spaces is greater than or equal to twenty-five percent of the number of existing parking spaces on the site or the parking area or parking lot is expanded by twenty-five percent or more in total surface area.</p> <p>i. Screening and perimeter screening requirements shall be met for the entire parking area or parking lot.</p> <p>ii. Internal landscaping requirements shall be met for the entire parking area or parking lot</p> <p>7. Restoration or modification of an existing landscaped area - Restored or modified areas shall be brought into compliance with current landscaping standards.</p>		
Insert	<p>7. The Planning Director may modify the amount of landscaping required by this Section for existing parking areas or parking lots, including exempting existing parking areas or parking lots from providing landscaping, if such landscaping would reduce the number of parking spaces and result in a nonconformity.</p> <p>Priority shall be given to preserving and protecting significant trees that provide screening, buffering, wildlife habitat and/or (in cages to wildlife habitat.</p> <p>Trees of ten inches (10") DBH or greater that are removed for development shall be replaced based on the following:</p> <p>a. 1:1 replacement ratio for removed Trees between 10" DBH and less than 16-inch DBH;</p> <p>b. 2:1 replacement ratio for removed Trees between 16" DBH and less than 24" DBH;</p> <p>c. 3:1 replacement ratio for removed Trees between 24" DBH and less than 30" DBH; and</p> <p>d. 4:1 replacement ratio for removed Trees 30" DBH and over.</p>		

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		wildlife habitat. b) The following trees shall not be used to calculate the requirement for replacement or contribution to the Tree Fund and are exempt from the replacement requirements of this Section 26-6.405.P: i. Trees with a DBH of less than 10 inches; ii. Trees determined to be invasive by a State of Indiana or federal agency or similar organization; iii. Trees that are a safety hazard to pedestrians or vehicular traffic; iv. Trees that cause a safety hazard to a building; v. Trees that are diseased or substantially weakened. c. Removal. i. On an unimproved lot or parcel, up to three non-exempt trees may be removed within a calendar year. However, if the lot or parcel contains more than one acre of tree canopy, up to three non-exempt trees per acre may be removed within the tree canopy within a calendar year. ii. Trees may only be removed as permitted by subsection 22.c.i., unless trees are replaced pursuant to subsection 22.d below. d. Replacement or Contribution to Tree Fund. Applicants shall provide a tree survey for areas that are to be cleared for development. The survey shall be conducted by a certified horticulturist. The same horticulturist shall certify compliance with this subsection where trees are removed and replaced. e. Tree replacement shall be based on the below ratio for every non-exempt tree of 10" DBH or greater that is removed in excess of subsection C.1. i. 1 to 1 tree replacement to removal for trees that are at least 10 inches DBH, but less than 16 inches DBH; ii. 2 to 1 tree replacement to removal for trees that are at least 16 inches DBH, but less than 24 inches DBH; iii. 3 to 1 tree replacement to removal for trees that are at least 24 inches DBH, but less than 30 inches DBH; and iv. 4 to 1 tree replacement to removal for trees that are at least 30 inches DBH. f. Replacement trees shall be: i. Planted on the site from which trees were removed, or ii. Planted on a site that is a subsequent phase of the same development; or iii. Planted on another site in the Town with the consent of the Town. g. In lieu of replacement, the applicant may pay a Tree Replacement fee, which is listed in Schedule A. The maximum mandatory contributions per development project shall be: 50-X. A minimum of one foot candle (1.0 fc) of illumination shall be provided throughout Parking Areas, Parking Lots, and Parking Structures. Illumination of Parking Areas, Parking Lots, Parking Structures, and all pedestrian ways shall be provided at an average of 1.0-2.5 foot candles and a minimum of 0.4 foot candles.
260	Section 26-6.405.P.22 Significant Trees	Insert
261	Section 26-6.405.Q.1 Areas to be Lighted	Delete
261	Section 26-6.405.Q.3	Delete
261	Section 26-6.405.Q.3.a	Insert
331	TABLE 26-6.701.A SIGN TYPES - SUMMARY	Delete
332	SECTION 26-6.701.A.5	Insert
332	SECTION 26-6.701.B.2.a	Delete
332	SECTION 26-6.701.B.2.b	Delete
333	SECTION 26-6.701.B.3	Correct
333	SECTION 26-6.701.B.3	Insert
333	SECTION 26-6.701.B.5.c	Correct
334	SECTION 26-6.701.B.5.o	Delete
334	SECTION 26-6.701.B.5.o	Delete
334	SECTION 26-6.701.B.5.p	Insert
334	SECTION 26-6.701.B.5.s	Delete
334	SECTION 26-6.701.B.5.s	Insert
335	SECTION 26-6.701.B.5.y	Insert
335	SECTION 26-6.701.B.5.aa	Delete
335	SECTION 26-6.701.B.5.ab	Insert
335	SECTION 26-6.701.B.5	Insert
335	SECTION 26-6.701.C.1	Delete
335	SECTION 26-6.701.C.1	Delete
336	SECTION 26-6.701.C.3	Delete
336	SECTION 26-6.701.C	Insert
337	TABLE 26-6.701.A SIGN TYPES - SUMMARY Address Sign	Delete
337	TABLE 26-6.701.A SIGN TYPES - SUMMARY Awning Sign	Delete
337	TABLE 26-6.701.A SIGN TYPES - SUMMARY Awning Sign	Insert
337	TABLE 26-6.701.A SIGN TYPES - SUMMARY	Delete
337	TABLE 26-6.701.A SIGN TYPES - SUMMARY	Insert
337	TABLE 26-6.701.A SIGN TYPES - SUMMARY Band Sign	Insert

STRUCK BY PLAN COMMISSION

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Table Number	Table Description	Change Type	Text	Material(s)	Letter Height (max)	Overall Height (max)	Illumination
337	TABLE 26-6-701.A SIGN TYPES - SUMMARY Band Sign	Delete					
337	TABLE 26-6-701.A SIGN TYPES - SUMMARY Band Sign	Insert	Wall				
338	TABLE 26-6-701.A SIGN TYPES - SUMMARY Post Sign	Delete					
338	TABLE 26-6-701.A SIGN TYPES - SUMMARY Post Sign	Insert	CD-4, R4 the inside of				
339	TABLE 26-6-701.A SIGN TYPES - SUMMARY Window Sign	Delete	Entire section				
340	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS ADDRESS	Delete	lettering painted, screen printed, or applied on the awning valance				
340	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS ADDRESS	Delete	painted, screen printed, or appliqued lettering				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Description	Insert	70%				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Description	Delete	30%				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Insert	valance				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Delete	visible surface				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Insert	min 8 ft. fully extended, back of curb, whichever is less				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Delete	max back of curb				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Insert	min 5' 0", max 10' 0"				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Delete	max 3' ft.				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Insert	Valance Height max 12' 0"				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Dimensions Width/Height	Delete	In addition to all other applicable standards, each Awning Sign allowed under this Article:				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Delete	a. shall be only on an awning that:				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	i. does not conceal an architectural feature;				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	ii. has no side panels or soffit;				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	iii. is rectangular in elevation and triangular in cross-section with straight edges and is not quarter round or domed, except as necessary to match existing adjacent awnings; and				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	iv. has a metal structure covered in matte, opaque canvas, cotton duck or similar materials with lettering painted, screen printed or applique; and				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	b. an Awning Sign is permitted on a building or tenant space with a Band Sign only if:				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	i. lettering covers no more than 70% of the valance area				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	ii. letter height is between 5 in and 10 in				
341	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	iii. letter height is between 5 in and 10 in				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Delete					
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	Band				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Delete	Wall				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	typically				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Delete	Band				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	Wall				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Delete	/ Height				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	/ max 3' ft				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Delete	Sign Size				
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert		channel letter(s)	24"	36"	illumination internal, external or backlit
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert		Flat cut out acrylic, pvc, metal, wood or like material; or routed etched on wood or like material, or static neon.	36"	48"	external or backlit
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	Lot with blog setback < 100'	channel letter(s)	36"	48"	illumination internal, external or backlit
342	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS AWNING SIGN Additional Standards	Insert	Lot with bldg setback ≥ 100'	Flat cut out acrylic, pvc, metal, wood or like material; or routed etched on wood or like material, or static neon	48"	72"	external or backlit

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		Delete	post
351	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS POST SIGN Additional Standards a.	Insert	post
351	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS POST SIGN Additional Standards a.	Delete	post(s) shall be permitted only in Districts on Calumet Avenue north of Ridge Road and on Ridge Road where a house has been converted to a commercial use.
351	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS POST SIGN Additional Standards d.	Delete	shall not be permitted if there is a Monument Sign on the lot.
352	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS SIDEWALK SIGN Additional Standards c.	Insert	shall be marked with the approved permit or permit number.
352	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS SIDEWALK SIGN Additional Standards f.	Delete	shall not be made of paper, cardboard or plastic, and
352	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS SIDEWALK SIGN Additional Standards f.	Insert	frame shall be made of wood or metal and sign face shall be made of chalkboard, dry-erase board, letterboard or aluminum with copy either hand-written, professionally painted/printed or changeable copy, and
353	TABLE 26-6-701.B SIGN TYPES SPECIFIC STANDARDS WINDOW SIGN Description	Delete	inside of a
VIII.		Delete	the total aggregate area of lettering shall not exceed the area dimensional limit provided herein, and
355			
410	DIVISION 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT	Replace	Replace all references to "Development Review Committee" with "Site Plan Review Committee"
381	SECTION 26-6-803.C.2. Authorization	Insert	including conducting a combined hearing procedure in accordance with C. 36-7-4-403.5.
449	DIVISION 9: DEFINITIONS Smoke, Tobacco or CBD Shop	Delete	ten (10)
449	DIVISION 9: DEFINITIONS Smoke, Tobacco or CBD Shop	Insert	five (5)