



**MONROE COUNTY BOARD OF COMMISSIONERS'**  
**WORK SESSION AGENDA**  
**JANUARY 5, 2022**  
**Via ZOOM**

**1. Jackie Nester Jelen**

- |  |           |
|--|-----------|
| a. Correcting Scriveners error in Ordinance 2021-37: Amend MC Zoning Ordinance Chapter 804 | <b>2</b>  |
| b. Correcting Scriveners error in Ordinance 2021-38: Amend MC Zoning Ordinance Chapter 813 | <b>62</b> |
| c. Ordinance 2021-58: PUD Outline Plan Amendment 2 for Heritage Creek in Harrodsburg       | <b>99</b> |



## Monroe County Board of Commissioners Agenda Request Form

Date to be heard

Formal

Work session

Department

Title to appear on Agenda:

Vendor #

Executive Summary:

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Fund Name(s):

Fund Number(s):

Amount(s)

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Presenter:

Speaker(s) for Zoom purposes:

Name(s)

Phone Number(s)

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*(the speaker phone numbers will be removed from the document prior to posting)*

Attorney who reviewed:

**ORDINANCE NO. 2021-37**

The purpose of this ordinance is to amend the Monroe County Zoning Ordinance by the addition and amendment of the development standards in Chapter 80~~2~~4.

WHEREAS, Indiana Code 36-7-4-601 authorizes the Board of Commissioners of the County of Monroe, Indiana (Board of Commissioners), to adopt planning and zoning ordinances and amendments, including maps, for the following purposes: securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, convenience, and general welfare; and otherwise accomplishing the purposes of Indiana Code Chapter 36-7-4;

WHEREAS, the Board of Commissioners adopted a comprehensive replacement Monroe County Zoning Ordinance on December 20, 1996 through the passage of Ordinance 96-36 and have subsequently amended that zoning ordinance ("Zoning Ordinance");

WHEREAS, Indiana Code 36-7-4-602 authorizes local plan commissions to prepare, conduct public hearings on, approve and certify planning and zoning ordinances, and amendments thereto, for consideration by the local board of commissioners;

WHEREAS, the Monroe County Plan Commission (Plan Commission) prepared amendments to Chapter 80~~4~~2 of the Zoning Ordinance, which it deemed necessary and advisable to promote the public health, safety, and welfare within the County Jurisdictional Area;

WHEREAS, the Plan Commission advertised for and conducted a public hearing on the proposed amendments to Chapter 802 – Zones and Permitted Uses at its August 17, 2021 meeting;

WHEREAS, following the public hearing, the Plan Commission voted to forward the amendments to Chapter 802 – Zones and Permitted Uses to the Board of Commissioners with a ~~positive~~-favorable recommendation;

WHEREAS, the Plan Commission certified the amendments to Chapter 802 – Zones and Permitted Uses and forwarded its recommendation thereon to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

WHEREAS, in accordance with Indiana 5- I 4-1.5-5, the Board of Commissioners provided public notice of its intention to consider the amendments to Chapter 802 – Zones and Permitted Uses in ordinance form ~~during its August 17, 2021 meeting~~, and accepted public comment on the proposed amendments during its ~~August 17~~October 6, 2021 meeting;

WHEREAS, based on public comment received by the Plan Commission and the Board of Commissioners on this ordinance, the Board of Commissioners finds that the proposed amendments to Chapter 802 – Zones and Permitted Uses if adopted, would reasonably and efficiently advance the statutorily recognized zoning ordinance purposes. Which include, among other purposes, the promotion of health, safety, morals, convenience, order, and general welfare

of the citizens of Monroe County, Indiana, and that the proposed amendments should be adopted;

WHEREAS, the Board of Commissioners finds and confirms that in the preparation and/or consideration of the proposed amendments to Chapter 802 – Zones and Permitted Uses, both the Board of Commissioners and the Plan Commission gave reasonable regard to: the Comprehensive Land Use Plan of Monroe County, Indiana; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth;

NOW, THEREFORE, be it resolved by the Board of Commissioners as follows:

**Section 1.** Monroe County Zoning Ordinance Chapter 802 – Zones and Permitted Uses shall be, and hereby is, amended as follows:



**Section 2.** ~~The terms and provisions of this ordinance are separable. If any part or provision of this ordinance or the application thereof to any persons or circumstances is adjudged invalid by a court of competent jurisdiction on procedural grounds, or on any other grounds, such judgment shall be confined in its operation to the part, provision, procedure or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the applications thereof to other persons or circumstances. The Board of Commissioners hereby declares that it would have enacted the remainder of this ordinance even without any such part, provision, procedure or application.~~  
**Effective Date.** This ordinance shall be in full force and effect upon passage.

~~Passed and adopted~~**SO APPROVED AND ADOPTED** by the Board of Commissioners of Monroe County, Indiana, this ~~29th~~**6th** day of ~~September~~**October**, 2021.

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

"No" Votes

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Attest:  
Catherine Smith, Monroe County Auditor

**OFFICE OF  
MONROE COUNTY PLAN COMMISSION  
501 N Morton Street, Suite 224  
BLOOMINGTON, IN 47404**

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

**CERTIFICATION**

I, Larry Wilson, hereby certify that during its meeting on August 17, 2021, the Monroe County Plan Commission considered petition # ZOA-21-6 for an amendment (Ordinance # 2021-37) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, Highway and MS4 Coordinator reports, with a vote of 8-0.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).



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Larry J. Wilson  
Planning Director

September 10, 2021

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Date



## Monroe County Board of Commissioners Agenda Request Form

Date to be heard  Formal ☒ Work session ☐ Department

Title to appear on Agenda:  Vendor #

### Executive Summary:

This is an amendment to Chapter 802 of the Monroe County Zoning Ordinance. This amendment proposes the following: 1. Changes the definitions for Home Based Business, Home Occupation and General Contractor uses; 2. Removes condition #16 for Home Based Business and Home Occupation, which removes the provision to allow for outdoor storage under the Home Based Business use; 3. Permits Artisan Crafts in the Limited Business, General Business, Light Industrial, and Heavy Industrial zoning districts; 4. Adds General Contractor use as conditional use in AG/RR, FR, and CR.; and 5. Amends the condition for Artisan Crafts to allow the use to be conditional in residential zones and permitted in the business zones.

Fund Name(s):

Fund Number(s):

Amount(s)

Presenter:

Speaker(s) for Zoom purposes:

Name(s)

Phone Number(s)

*(the speaker phone numbers will be removed from the document prior to posting)*

Attorney who reviewed:

## ORDINANCE NO. 2021-37

The purpose of this ordinance is to amend the Monroe County Zoning Ordinance by the addition and amendment of the development standards in Chapter 804.

WHEREAS, Indiana Code 36-7-4-601 authorizes the Board of Commissioners of the County of Monroe, Indiana (Board of Commissioners), to adopt planning and zoning ordinances and amendments, including maps, for the following purposes: securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, convenience, and general welfare; and otherwise accomplishing the purposes of Indiana Code Chapter 36-7-4;

WHEREAS, the Board of Commissioners adopted a comprehensive replacement Monroe County Zoning Ordinance on December 20, 1996 through the passage of Ordinance 96-36 and have subsequently amended that zoning ordinance ("Zoning Ordinance");

WHEREAS, Indiana Code 36-7-4-602 authorizes local plan commissions to prepare, conduct public hearings on, approve and certify planning and zoning ordinances, and amendments thereto, for consideration by the local board of commissioners;

WHEREAS, the Monroe County Plan Commission (Plan Commission) prepared amendments to Chapter 804 of the Zoning Ordinance, which it deemed necessary and advisable to promote the public health, safety, and welfare within the County Jurisdictional Area;

WHEREAS, the Plan Commission advertised for and conducted a public hearing on the proposed amendments;

WHEREAS, following the public hearing, the Plan Commission voted to forward the amendments to the Board of Commissioners with a positive recommendation;

WHEREAS, the Plan Commission certified the amendments and its recommendation to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

WHEREAS, in accordance with Indiana 5-14-1.5-5, the Board of Commissioners provided public notice of its intention to consider the amendments in ordinance form during its August 17, 2021 meeting, and accepted public comment on the proposed amendments during its August 17, 2021 meeting;

WHEREAS, based on public comment received by the Plan Commission and the Board of Commissioners on this ordinance, the Board of Commissioners finds that the proposed

**Section 2.** The terms and provisions of this ordinance are separable. If any part or provision of this ordinance or the application thereof to any persons or circumstances is adjudged invalid by a court of competent jurisdiction on procedural grounds, or on any other grounds, such judgment shall be confined in its operation to the part, provision, procedure or application directly involved

in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the applications thereof to other persons or circumstances. The Board of Commissioners hereby declares that it would have enacted the remainder of this ordinance even without any such part, provision, procedure or application.

Passed and adopted by the Board of Commissioners of Monroe County, Indiana, this 29th day of September, 2021.

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes

"No" Votes

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

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Penny Githens, Commissioner

\_\_\_\_\_  
Attest:  
Catherine Smith, Monroe County Auditor

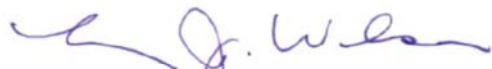
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MONROE COUNTY PLAN COMMISSION  
501 N Morton Street, Suite 224  
BLOOMINGTON, IN 47404**

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

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I, Larry Wilson, hereby certify that during its meeting on August 17, 2021, the Monroe County Plan Commission considered petition # ZOA-21-6 for an amendment (Ordinance # 2021-37) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, Highway and MS4 Coordinator reports, with a vote of 8-0.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).



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Larry J. Wilson  
Planning Director

September 10, 2021

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Date

## CHAPTER 802

### ZONING ORDINANCE: ZONES AND PERMITTED USES

#### 802-1. Establishment of Zones

- (A) The County Jurisdictional Area is hereby classified and divided into the following eighteen (18) zones (also referred to as "districts"):

AG/RR	Agriculture/Rural Reserve;
FR	Forest Reserve;
CR	Conservation Residential;
ER	Estate Residential;
LR	Low Density Residential;
SR	Suburban Residential;
MR	Medium Density Residential;
HR	High Density Residential;
UR	Urban Residential;
LB	Limited Business;
GB	General Business;
PB	Pre-Existing Business;
IP	Institutional/Public;
LI	Light Industrial;
HI	Heavy Industrial;
ME	Mineral Extraction;
PUD	Planned Unit Development and
REC	Recreation.

- (B) In addition to the zones listed above, portions of the County Jurisdictional Area may be classified according to one or more of the following overlay zones (also referred to as "overlay districts"):

SFHA	Special Flood Hazard Area;
HP	Historic Preservation (Primary or Secondary);
ECO	Environmental Constraints Overlay;
BI	Business and Industrial Overlay; and
WCF	Wireless Communications Facilities Overlay.

- (C) In addition to the zones and overlay districts listed above, Chapter 833 of the Monroe County Zoning Ordinance incorporates those sections of the City of Bloomington Zoning Ordinance which would apply to the zoning effective for those areas of the County formerly under the City of Bloomington's planning and zoning jurisdictional control, as amended. Refer to Chapter 833 of the zoning ordinance for regulations pertaining to these areas.

- (D) The foregoing zones and overlay zones are defined as follows:

**Agriculture/Rural Reserve (AG/RR) District.** The character of the Agriculture/Rural Reserve (AG/RR) District is defined as that which is primarily intended for agriculture uses including, but not limited to, row crop or livestock production, forages, pasture, forestry, single family residential uses associated with agriculture uses and limited, very low density, rural non-farm related single family uses and not in (major) subdivisions. Its purposes are to encourage the continuation of agriculture uses, along with the associated single family residential uses, to discourage the development of residential subdivisions and non-farm-related nonresidential uses, to protect the environmentally sensitive areas, such as floodplain and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the AG/RR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the agriculture-related uses. The development of new non-farm residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

**Forest Reserve (FR) District.** The character of the Forest Reserve (FR) District is defined as that which is primarily intended for the preservation of forests, recreational areas, parks and greenways, limited agricultural uses and very, very low density single family residential uses. Its purposes are to permit limited single family residential development on very large lots, to discourage the development of residential subdivisions and nonresidential uses, to protect environmentally sensitive areas, such as floodplain and steep slopes and to maintain the character of the surrounding neighborhood. Development in the FR District is hindered by extreme topography, poor access and the availability of few or no public services. Therefore, the number of uses permitted in the FR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the low-density residential and public open space uses.

**Conservation Residential (CR) District.** The character of the Conservation Residential (CR) District is defined as that which is primarily intended to provide a residential option (planned unit or cluster development) at environmentally sound locations while protecting the environmentally sensitive watersheds of Lake Griffey and Monroe Reservoir. Its purposes are to protect the environmentally sensitive watershed, especially the floodplain and steep slopes, to permit limited single family residential development on very large lots or in subdivisions (planned unit or cluster development) at environmentally sound locations, to discourage the development of nonresidential uses, to discourage the development of sanitary sewer systems except for existing development and to maintain the character of the surrounding neighborhood. Development in the CR District is hindered by concern over the watershed environment, and, in some cases, extreme topography, poor access and the availability of few or no public services. Therefore, the number of uses permitted in the CR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the watershed environment and low-density residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

**Estate Residential (ER) District.** The character of the Estate Residential (ER) District is defined as that which is primarily intended for low density, single family residential development on relatively flat land in areas that have some, but not full, public services, generally along or near major County roads or state highways. Its purposes are to permit limited single family residential development on large lots, to discourage the development of sanitary sewer systems except for existing development, to discourage the development of residential subdivisions and non-farm nonresidential uses, to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the ER District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the low-density residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

**Suburban Residential (SR) District.** The character of the Suburban Residential (SR) District is defined as that which is primarily intended for existing, possibly nonconforming, recorded single family residential subdivisions and lots of record. Its purposes are to accommodate existing, substandard subdivision developments and lots, to permit the build-out of single family residential uses in those developments and lots, to encourage the development of sanitary sewer systems for the existing development in the Lake Lemon area, to discourage the development of nonresidential uses, to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the SR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The need for expanding this district beyond the areas designated on the Official Zone Maps on the date of the adoption of the zoning regulations is not anticipated or encouraged.



**Low Density Residential (LR) District.** The character of the Low Density Residential (LR) District is defined as that which is primarily intended for residential development in areas in and surrounding urban service areas, where public sewer service is available or planned in the near future. Its purposes are to encourage the development of moderately-sized residential lots in areas where public services exist to service them efficiently, to discourage the development of nonresidential uses, to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the LR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

**Medium Density Residential (MR) District.** The character of the Medium Density Residential (MR) District is defined as that which is primarily intended for residential development in areas in urban service areas, where public sewer service is available. Its purposes are: to encourage the development of moderately-sized residential lots in areas where public services exist to service them efficiently; to discourage the development of nonresidential uses; to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the MR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

**High Density Residential (HR) District.** The character of the High Density Residential (HR) District is defined as that which is primarily intended for residential development in areas in urban service areas, where public sewer service is currently available. Its purposes are: to encourage the development of smaller-sized residential lots in areas where public services exist to service them efficiently; to discourage the development of nonresidential uses; to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the HR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

**Urban (Multifamily) Residential (UR) District.** The character of the Urban (Multifamily) Residential (UR) District is defined as that which is primarily intended for multifamily and high density residential development in areas within urban service areas, near business nodes and concentrations where public sewer service is currently available. Its purposes are: to encourage the development of multifamily and two-family residential lots and developments in areas where public services exist to service them efficiently; to encourage the integration and mixing of high-density residential development with local nonresidential uses in an appropriate and comprehensive manner; to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the UR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

**Limited Business (LB) District.** The character of the Limited Business (LB) District is defined as that which is primarily intended to meet the essential business needs and convenience of neighboring residents. Limited business uses should be placed into cohesive groupings rather than on individual properties along the highways and access control should be emphasized. Its purposes are: to encourage the development of groups of nonresidential uses that share common highway access and/or provide interior cross-access in order to allow traffic from one business to have access to another without having to enter the highway traffic; to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the LB District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.

**General Business (GB) District.** The character of the General Business (GB) District is defined as that which is primarily intended to meet the needs for heavy retail business uses. General business uses should be placed into cohesive groupings rather than on individual properties along highways in order to take advantage of major thoroughfares for traffic dissemination. Access control should be emphasized. The purposes of the GB District are: to encourage the development of groups of nonresidential uses that share common highway access and/or provide interior cross-access in order to allow traffic from one business to have access to another without having to enter the highway; to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst and steep slopes; and to maintain the character of the surrounding neighborhood. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.

**Institutional/Public (IP) District.** The Institutional/Public (IP) District is defined as that which is primarily intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities, public utilities, and local government-owned property.

**Light Industrial (LI) District.** The character of the Light Industrial (LI) District is defined as that which is primarily intended for industrial uses that have minimal exterior movement of vehicles and goods. Its purposes are: to establish areas for the exclusive development of light industries; to discourage residential and commercial uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Uses shall be restricted to activities that are not a nuisance because of dust, fumes, noise, odor, refuse matter, smoke, vibration, water-carried waste or other adverse effects on surrounding uses. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with adjacent non-industrial uses. The LI District shall provide open space, landscaping and buffering in order to achieve desirable site development.

**Heavy Industrial (HI) District.** The character of the Heavy Industrial (HI) District is defined as that which is primarily intended for industrial uses that have extensive exterior movement of vehicles and goods. Its purposes are: to establish areas for industrial development; to discourage residential and commercial uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with adjacent uses. The intensity of uses associated with the HI District required imposing strict measures, such as extensive setbacks, buffers, and landscaping, to control adverse environmental and visual impacts.

**Mineral Extraction (ME) District.** The character of the Mineral Extraction (ME) District is defined as that which is primarily intended for limestone extraction and stone processing activities and, where known limestone reserves exist but have not been tapped, limited agriculture uses. Its purposes are: to protect areas of known limestone reserves from encroachment by incompatible residential and business development; to discourage residential, commercial and industrial uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain compatibility with the character of the surrounding neighborhood to the greatest extent possible. The list of possible uses is severely limited due to the intensive nature of the extractive operations.

**Planned Unit Development (PUD) District.** The character of the Planned Unit Development (PUD) District is defined as an area where the placement of large scale, unified land developments, typically involving a configuration and/or mix of uses not otherwise permitted "as of right" under the Zoning Ordinance, may nevertheless promote the purposes of the Zoning Ordinance and may be considered by the County and the Commission. Additional clarification of the process for approval of Planned Unit Developments is detailed in Chapter 811 of this Ordinance.

**Pre-Existing Business (PB) District.** The Pre-Existing Business (PB) District is defined as that which is primarily intended to accommodate commercial and business service uses that were in operation prior to the adoption of this zoning ordinance. The intent of the PB District is to identify locations of commercial activity that are not supported by the Comprehensive Land Use Plan, but where commercial and service operations continue to exist. This District is identified for the purposes of maintaining commercial activities with business zoning, while at the same time not allowing for the expansion of new business activity proximate to the location of the PB District. Expansion of the business is permitted within the lot of record. The type of business may change to one of equal or lower intensity as identified on Table 2-1 *Permitted Land Uses*.

**Recreation (REC) District.** The character of the Recreation District is defined as that which is primarily intended to meet the essential recreation needs and convenience of county residents. Its purposes are: to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood while meeting the essential recreation needs and convenience of County residents. Therefore, the number of uses permitted in the REC District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.

**Special Flood Hazard Area (SFHA) Overlay District.** The character of the Special Flood Hazard Area (SFHA) Overlay District is defined as those lands within the County Jurisdictional Area which are subject to inundation by the regulatory flood. The SFHAs are generally identified as such on the Monroe County and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated December 17, 2010, as amended. The SFHAs are shown on a FHBM or FIRM as Zone A, AE, A1-A30, AH, AR, A99, or AO."

**Historic Preservation (HP) Overlay District.** The character of the Historic Preservation (HP) Overlay District is defined as areas which contain (Primary) or which surround (Secondary) areas which contain buildings, structures or places in which historic events occurred or having special public value because of notable architectural or other features relating to the general, archeological, economic, social, political, architectural, industrial or cultural history of Monroe County, Indiana, of such significance as to warrant conservation or preservation, and which, by virtue of the foregoing, have been designated as an Historic Districts by the Monroe County Commissioners pursuant to the provisions of the Zoning Ordinance.

**Environmental Constraints Overlay (ECO) District.** The character of the Environmental Constraints Overlay (ECO) District is defined as those areas of Monroe County, Indiana, that are within both the Monroe Reservoir and Lake Griffey watershed boundaries, as located by the Environmental Systems Applications Center, Indiana University, Bloomington, and the County Jurisdictional Area. The ECO District is divided into four areas based on topography and proximity to Monroe Reservoir and Lake Griffey and to stream beds that convey water to Monroe Reservoir and Lake Griffey.

**Business and Industrial Overlay (BI) District.** The character of the Business and Industrial Overlay (BI) District is defined as those areas of Monroe County, Indiana, that are identified on the Comprehensive Land Use Plan as well suited for business and industrial uses. Limited residential development is permitted, but only in cluster subdivisions to allow for future business and industrial development.

**Wireless Communications Overlay (WCF) District.** The character of the Wireless Communications Overlay (WCF) District is defined as that which is intended for wireless communications uses, including but not limited to: placement of wireless communications facilities, antenna arrays, support structures, and equipment facilities as needed to provide wireless communications services. Its purpose is to identify those areas that are designated for wireless communications facilities as permitted uses, encourage co-location of facilities, discourage the proliferation of towers, and accommodate the needs of wireless communications services providers. Conditions placed on permitted and conditional uses are designed to promote the purpose of the district and promote public health, safety and welfare. The geographical extent of the WCF overlay is defined on the Monroe County Zoning Maps.

- (E) The zone and overlay zone boundaries are shown on the Zone Maps.

## **802-2. Establishment of Zone Maps**

- (A) The zone maps adopted with this ordinance are hereby established as the Official Zone Maps and Zoning Districts (hereinafter "Zone Maps") of Monroe County, Indiana. The Zone Maps designate the respective zoning districts in accordance with this ordinance. In addition, the Flood Insurance Rate Map for Monroe County, Indiana, prepared by the Federal Emergency Management Agency, is also designated as part of the Official Zone Maps.
- (B) The Zone Maps are specifically identified follows:
- Zoning Map of Bean Blossom Township;  
Zoning Map of Benton (North) Township;  
Zoning Map of Benton (South) Township;  
Zoning Map of Bloomington Township;  
Zoning Map of Clear Creek Township;  
Zoning Map of Indian Creek Township;  
Zoning Map of Perry Township;  
Zoning Map of Polk Township;  
Zoning Map of Richland Township;  
Zoning Map of Salt Creek Township;  
Zoning Map of Van Buren Township;  
Zoning Map of Washington Township; and  
Zone Map identified as the "Flood Insurance Rate Map of Monroe County, Indiana," shall be identified as the "Monroe County and Incorporated Areas Flood Insurance Rate Map, prepared by the Federal Emergency Management Agency."

## **802-3. Determination and Interpretation of Zone Boundaries**

- (A) In determining the boundaries of districts, and establishing the provisions applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the County Jurisdictional Area.
- (B) Where uncertainty exists as to the exact boundaries of any district as shown on the Zone Maps, the following rules shall apply:
- (1) Unless otherwise indicated, the zone boundary lines are the section, half and quarter section lines, the center lines of streets or such lines extended;
  - (2) Where zone boundary lines divide a lot having frontage only on a street in the more restricted zone, the provisions of this ordinance covering the less restricted portion of such lot shall extend to the entire lot;
  - (3) Where zone boundary lines divide a lot having frontage on a street in the less restrictive zone, the provisions of this ordinance covering the less restricted portion of such lot may extend to the lot, but in no case for a distance of more than thirty (30) feet;
  - (4) In the case of further certainty, the Commission shall interpret the intent of the Zone Map as to the location of the boundary in question.

#### 802-4. Performance Standards for Permitted Uses

All permitted uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards in the interest of protecting public health, safety and welfare, and lessening injury to property. No use in existence on the effective date of this ordinance shall be so altered as to conflict (or increase and existing conflict) with these standards.

- (A) **Fire Protection.** Firefighting equipment and prevention measures acceptable to the local fire department shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is conducted.
- (B) **Electrical Disturbance.** No use shall cause electrical disturbance adversely affecting radio, television or other equipment in the vicinity of the use.
- (C) **Noise.** No use shall produce noise in such a manner as to be objectionable because of volume, frequency, intermittence, heat, shrillness, or vibration. Such noise shall be muffled or otherwise controlled so as not to become detrimental, provided however, that public safety sirens and related apparatus used solely for public purposes shall be exempt from this standard.
- (D) **Vibration.** No use shall cause vibrations or concussions detectable beyond lot lines without the aid of instruments.
- (E) **Air Pollution.** No use shall discharge across lot lines fly-ash, dust, smoke, vapors, noxious, toxic or corrosive matter, or other air pollutants in such concentration as to be detrimental to health, animals, vegetation or property and/or in conflict with relevant air quality standards established by State and/or Federal agencies.
- (F) **Heat and Glare.** No use shall produce heat or glare in such manner as to create a nuisance perceptible from any point beyond the lot lines of the property on which the use is conducted. In nonresidential areas, any lighting used to illuminate an off-street parking area, loading area, driveway, or service drive shall be shielded with appropriate light fixtures directing the light down and away from adjacent properties in order that the illumination at any property line shall not exceed one (1) foot candle. All exterior lighting shall be hooded and shielded so that the light source (i.e. bulb, filament, etc.) is not directly visible from the residential property lines. In residential areas, exterior lighting at any property line shall not exceed one (1) foot candle.
- (G) **Water Pollution.** No use shall produce erosion or other pollutants in such quantity as to be detrimental to adjacent properties and conflict with relevant water pollution standards established by State and/or Federal agencies.
- (H) **Waste Matter.** No use shall accumulate within the lot, or discharge beyond the boundary lines of the lot on which the use is located, any waste matter, whether liquid or solid, in violation of applicable public health, safety and welfare standards and regulations.



## 802-5. Permitted Land Uses

- (A) The chart and conditions of Table 2-1 are incorporated in this section and are adopted as the basic land use regulations for the County Jurisdictional Area. The chart and conditions, which may be generally referred to as the "County Land Use Schedule," identify the types of land uses that are permitted within the County Jurisdictional Area. A measure of intensity associated with the land use is noted after each particular use.
- (B) To determine the zone(s) in which a particular use is allowed, find the use in the list of uses along the left-hand side of Table 2-1 and read across the use row to find the zone column designations.
- (C) Legend:
- |                                |              |
|--------------------------------|--------------|
| Use allowed in particular zone | P            |
| Use not allowed                | [blank]      |
| Standard Conditions of use     | 1 through 57 |
- (D) The uses listed in Table 2-1 are defined as follows:

### (1) **AGRICULTURAL USES**

**Accessory Use.** A use which is customarily accessory, and clearly incidental and subordinate, to the principal agricultural use on the same lot.

**Agriculture.** Farming, including plowing, tillage, cropping, livestock, and installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber harvesting).

#### **Agricultural-related industry.**

(1) *Packaging plants:* May include but are not limited to the following activities: washing, sorting, crating, and other functional operations such as drying, field crushing, or other preparation in which the chemical and physical composition of the agricultural product remains essentially unaltered. Does not include processing activities, slaughterhouses, animal reduction yards, or tallow works.

(2) *Processing plants:* May include but are not limited to those activities which involve the fermentation or other substantial chemical and physical alteration of the agricultural product. Does not include slaughterhouses or rendering plants.

(3) *Storage facilities:* Includes controlled atmosphere and cold storage warehouses and warehouses for the storage of processed and/or packaged agricultural products.

**Agricultural Uses, Land Animal Related.** Commercial agricultural activities involving the production of animals and the preparation of products for human use, including dairying, poultry, livestock, or other such operations, but excluding meat processing and packaging operations.

**Agricultural Uses, Non-Animal Related.** Agricultural and farming activities involving the production and preparation of plants for human use, including horticulture, nurseries, forestry, sugar making, viticulture, grains and seed crops, fruits and vegetables of all kinds, greenhouse applications, and lands devoted to soil conservation and forestry management; all such uses exclude the processing and packaging of plants as food stuffs, with the exception of viticulture operations and small-scale marketing of processed fruit products, as in fruit markets.

**Agritourism /Agritainment.** Farming-related activities offered on a working farm or other agricultural setting for entertainment or educational purposes.

**Aquaculture.** The commercial cultivation and processing of aquatic life, including fish, shellfish and seaweed.

**Christmas Tree Farm.** An agricultural use involving the raising or harvesting of Christmas trees for sale on-site or transport to market.

**Commercial Facilities for the sale, repair, and service of agricultural equipment, vehicles, feed, or supplies.** Establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching.

**Commercial Non-Farm Animals.** Animal production for human use, not including animals for agricultural use as listed above, but including animals for commercial production, such as bees and apiary products, fur animals, and exotic animals.

**Composting Operation.** An establishment for the composting of waste materials accumulated as the result of the care of lawns, shrubbery, vines, and trees. However, property on which the principal use is residential and on which composting of such materials, accumulated exclusively on-site, is conducted, shall not be considered a composting operation.

**Confined Feeding Operations.** The confined feeding of 150 or more cattle, 300 or more of swine and sheep, or 10,000 or more fowl, per facility.

**Equestrian center.** Commercial horse, donkey, and mule facilities including: horse ranches, boarding stables, riding schools and academies, horse exhibition facilities, pack stations. This land use includes barns, stables, corrals, and paddocks accessory and incidental to the above uses.

**Equine Services.** Operations involved in the shelter and care of horses, as well as breeding, training, and for giving lessons, including stables, stud farms, and other related uses.

**Feed Lot.** An area restricted by fencing or other structure in which animals are fed, watered, and otherwise maintained for the purpose of growing for market.

**Feed Mill.** A facility where various feed stuffs are inventoried and processed for the purpose of providing complete or partial animal rations. This facility sells its product either directly to the user or may provide the service of delivery to the user. Sale of other agricultural items may be included and shall be an incidental accessory use. Limited, portable operation of feed mills as non-commercial uses on farms is allowed as an accessory use.

**Horse farm.** A building or structure and/or land whose operator keeps equines primarily for breeding.

**Kennels, including commercial animal breeding operations.** The boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets of any age not owned by the owner or occupant of the premises, and/or for commercial gain.

**Nursery/greenhouse.** An establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.



**Orchard.** A group of fruit or nut trees grown and cultivated for the sale of harvested produce.

**Pick-your-own operation.** An establishment where commercially grown fruit or vegetables are picked by the customer for purchase at the place of production.

**Roadside Stand, Permanent:** A permanent structure, operated on a seasonal or year-round basis, which allows for local agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products.

**Roadside Stand, Temporary:** A non-permanent structure (tent or table), operated on a seasonal basis which allows for local agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products.

**Stockyard.** A place where livestock is assembled and at which place facilities are maintained for the handling of such livestock either for purchase or sale at competitive bidding, or purchase by the owners operating the stockyards and such places shall be deemed to include concentration points where livestock is assembled for the purpose of redistribution or resale by means other than competitive bidding, but such places shall not be deemed to include sale barns.

**Winery.** An agricultural processing plant used for the commercial purpose of processing grapes, other fruit products, or vegetables to produce wine or similar spirits. Processing includes wholesale sales, crushing, fermenting, blending, aging, storage, bottling, administrative office functions for the winery and warehousing. Retail sales and tasting facilities of wine and related promotional items may be permitted as part of the winery operations.

## **(2) RESIDENTIAL USES**

**Accessory Apartment.** A separate and complete dwelling unit contained within the structure of a single family dwelling unit, and containing only one bedroom.

**Accessory Dwelling Units –** A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure.

**Accessory Livestock, Non-Farm Animals.** Keeping domestic livestock, or poultry for personal use in a manner that is customarily accessory and clearly incidental and subordinate to the principal rural residential uses on the same lot.

**Accessory Use.** A use which is customarily accessory, and clearly incidental and subordinate, to the principal residential use on the same lot.

**Boarding House.** A dwelling or part thereof in which, for compensation, temporary lodging and meals are provided.

**Elderly Housing.** For purposes of this provision, 'Elderly Housing' is defined as housing subject to an age-restriction in accordance with the age-restricted housing rules of the Housing for Older Persons Act of 1995 (42 U.S.C. § 3601). Includes the use of a site for a residential development to house elderly persons who are capable of caring for themselves and maintaining independent households. A typical development would include separate dwelling units, containing independent cooking, bathroom, and sleeping facilities, to be occupied by only one (1) person or couple.

**Guest House.** An accessory building containing a lodging unit with or without kitchen facilities, used to house occasional visitors or nonpaying guests of the occupants of a dwelling unit on the same site.

**Home Based Business.** An accessory occupational use conducted in a residential dwelling by the inhabitants that is clearly incidental to the use of the structure for residential purposes and does not change the residential character of the site. A home based business is conducted in the primary residential structure or one accessory structure, that shall not have more than two employees living off-site, permitting on-site sales of merchandise constructed on-site or are incidental to services performed on-site, and are identified with minimal advertising signs as given in Chapter 807. **Exception:**

Activities that create no external visual changes and produce no odors, noise, vibration, dust, light, or other discernible impacts outside the dwelling, including but not limited to drafting, drawing, typing, writing, and operating telephones, sewing machines or computers, shall not require an Improvement Location Permit or conditional use approval, provided that the following regulations are met:

1. No employees who live-off-site or customers visit or park vehicles on the premises;
2. No signs are displayed; and
3. No deliveries other than those normally associated with residential uses are made to the site.

**Home Occupation.** An accessory occupational use conducted in a residential dwelling by the inhabitants that is clearly incidental to the use of the structure for residential purposes and does not change the residential character of the site. A home occupation is based entirely within the primary residential structure, limited to not more than twenty-five (25) percent of the total square footage of the residential structure, with not more than two (2) employees living off-site, incidental sales of goods permitted, but no external signs identifying the business are permitted. **Exception:** Activities that create no external visual changes and produce no odors, noise, vibration, dust, light, or other discernible impacts outside the dwelling, including but not limited to drafting, drawing, typing, writing, and operating telephones, sewing machines or computers, shall not require an Improvement Location Permit or conditional use approval, provided that the following regulations are met:

1. No employees who live off-site or customers visit or park vehicles on the premises;
2. No signs are displayed; and
3. No deliveries other than those normally associated with residential uses are made to the site.

**Manufactured Home Park.** A site containing spaces with required improvements and utilities that may be leased for the long-term placement of manufactured houses and that may include services and facilities for the residents.

**Multifamily Dwelling.** The use of a lot for three (3) or more dwelling units, within one (1) or more buildings, other than a manufactured home.

**Residential Storage Structure.** A structure to be used for private noncommercial storage by the property owner. Does not require the presence of a principle use on the same lot. Structure shall not exceed 1750 square feet in the AG/RR, FR or CR zoning districts and 875 feet in all other permitted zoning districts.

**Single Family Dwelling.** The use of a lot for only one (1) dwelling unit, including site-built housing or manufactured housing, herein defined as a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at a building site, which meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Sec. 5401), including single and double wide mobile homes and modular homes.

**Temporary Dwelling.** The temporary use of a manufactured home as a residence on a lot

previously occupied by permanent dwelling that is destroyed to such an extent as to be unlivable or the temporary placement and occupancy of a manufactured home as a second main structure on a lot as described in Chapter 814-7.

**Two Family Dwelling.** The use of a lot for two (2) dwelling units, within a single building, including duplex manufactured housing.

### (3) PUBLIC AND SEMIPUBLIC FACILITIES

**Accessory Use.** A use which is customarily accessory, and clearly incidental and subordinate, to the principal public, semipublic, or office use on the same lot.

**Airport.** A place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers.

**Cemetery.** Land used or intended to be used for burying the human dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with and within the boundaries of the cemetery.

**Central Garbage/Rubbish Collection Facility.** Public or private establishments contracted to remove solid waste from residential or commercial uses and transport such wastes to a locally operated public or private landfill or other waste collection facility, designated for consolidation of garbage and recycled matter.

**Charitable, Fraternal, or Social Organization.** A facility for administrative, meeting, or social purposes for a private or nonprofit organization, primarily for use by administrative personnel, members and guests.

**Community Center.** A facility designed for educational, recreational, cultural, and social activities, open to the public or a designated part of the public, usually owned and operated by a public or nonprofit group or agency.

**Cultural Facility.** A library, museum, or similarly registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

**Day Care Facility.** A facility, or use of a building or portion thereof, for daytime care of individuals. This term includes nursery schools, pre-schools, day care centers for children or adults, and similar uses, but excludes public and private primary or secondary educational facilities and child care homes as defined by the State of Indiana Code.

**Funeral Home.** An establishment engaged in undertaking services, such as preparing the human dead for burial, and arranging and managing funerals.

**Governmental Facility.** A government owned or operated building, structure, or land used for public purpose.

**Group Home.** A housing unit classified further as one of the following:

(a) **Group Home, Class I.** A facility providing 24-hour care in a protected living arrangement for not more than fifteen (15) residents. This classification includes foster homes, homes for the physically and mentally impaired, homes for the developmentally disabled, congregate living facilities for persons 60 years of age and older, and maternity homes.

(b) **Group Home, Class II.** A facility providing 24-hour care in a protected living

arrangement for not more than fifteen (15) residents. This classification includes homes for juvenile delinquents, halfway houses providing residence in lieu of institutional sentencing, halfway houses providing residence to those needing correctional and mental institutionalization. This classification also includes emergency shelter during crisis intervention for not more than fifteen (15) victims of crime, abuse, or neglect, and residential rehabilitation for alcohol and chemical dependence for 15 or fewer individuals.

**Hospital.** A facility providing medical, psychiatric or surgical services for sick or injured persons primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research and administration, and services to patients, employees, and visitors.

**Medical Clinic.** An establishment providing medical, psychiatric or surgical services exclusively on an outpatient basis, including emergency treatment and diagnostic services.

**Nursing Home.** A privately operated establishment providing long-term personal and nursing care for the elderly, or for other individuals incapacitated in some manner for medical reasons.

**Postsecondary Educational Institution.** A school offering educational instruction beyond the secondary level, having regular sessions with regularly employed instructors, which is licensed by the State of Indiana.

**Religious Facilities.** A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

**Remote Garbage/Rubbish Removal Facility.** Public or private establishments contracted to remove solid waste from residential or commercial uses and transport such wastes to a locally operated public or private landfill or other waste collection facility, designated for local collection and transportation to central collection facilities for disposal and recycling.

**Retirement Center.** A facility designed for educational, recreational, social, and other similar types of activities for retired persons.

**School (K-12).** A school offering educational instruction in grades kindergarten (K) through twelve (12), or any portion thereof, having regular sessions with regularly employed instructors, that teach those subjects that are fundamental and essential in general education, and which are licensed by the Indiana Department of Education.

**Solar Farm.** A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV) or other conversion technology, for the primary purpose of wholesale sales of generated electricity.

**Temporary Care Facility.** A facility designed to allow persons needing temporary special supervision or care to live together in a homelike, non-institutional setting in order to conduct their lives in the least restrictive environment possible in a manner most like that of persons not needing special supervision or care.

**Utility Service Facility.** Electrical switching facilities and primary substations, and other services which are necessary to support principal development and involve minor structures such as lines and poles. This definition excludes generating plants.

**Wastewater Treatment Facility.** Facility designed for the treatment and discharge of wastewater.

**Water Treatment Facility.** Facilities designed for the collection, treatment, and transport

of potable water.

**Wired Communication Services** (formerly Telephone and Telegraph Services). A facility for the transmission of writing, signs, signals, pictures, and sounds of all kinds by aid of wire, cable, or other like connection between the points of origin and reception of the transmission, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to the transmission. Examples include telephone networks, cable television or internet access, and fiber-optic communication.

**Wireless Communications Facilities (WCF).** Any unstaffed facility for the transmission and/or reception of wireless communications services, usually consisting of an Antenna Array, transmission cables, equipment facilities, and a Support Structure.

#### **(4) BUSINESS AND PERSONAL SERVICES**

**Accessory Use.** A use which is customarily accessory, and clearly incidental and subordinate, to the principal business or personal service use on the same lot.

**Air Cargo and Package Service.** An establishment primarily engaged in the hauling and delivery of cargo and packages between persons, companies, and corporations, while acting a distinct party to the transaction.

**Aircraft Charter Service.** An establishment primarily engaged in the private transportation of passengers and cargo, usually performed under private contract with a person, group of persons, or private company or corporation.

**Airport Transportation Service.** An establishment primarily engaged in the transportation of passengers, luggage, and other small cargo from and to airports.

**Appliance Repair.** An establishment involved in repairing instruments or devices designed for a particular use, such as stoves, fans, or refrigerators that are operated by gas or electric current.

**Artisan Crafts.** Individuals or businesses which primarily produce art- or craft-related items on site. Such uses include (but are not limited to) stone carving, wood crafts, specialty paper products, an artist's studio, glassblowing, and metal sculpting.

**Barber Service.** An establishment involved in cutting and styling men's hair, shaving and trimming beards and performing other related services.

**Beauty Service.** An establishment or department where women's hair-dressing, facials, manicures, and other related services are performed.

**Bed and Breakfast.** An operator occupied residence in which four (4) or fewer guest rooms, and breakfast, are furnished to the public under a short term lodging agreement.

**Boat Storage.** A storage facility utilizing enclosed buildings and/or unenclosed outdoor areas for the seasonal or year-round storage of four or more boats.

**Caterer.** A place of business whose employees provide food and service for various functions, such as banquets, private parties, weddings, and so forth.

**Coin-Operated Cleaning/Laundry.** An establishment providing coin-operated or similar self-service laundry and dry cleaning equipment for use on the premises.

**Composting Operation.** An establishment engaged in the controlled process of degrading organic matter for retail of processed material.

**Convenience Storage.** A storage service primarily for personal effects and household goods within an enclosed storage area having individual access, but excluding uses such as workshops, hobby shops, manufacturing or commercial activities, and may include an on-site apartment for a resident manager.

**Copy Service.** A place of business providing duplication services.

**Dry Cleaning and Laundry Pickup.** An establishment providing dry cleaning and laundry pickup services, but where no dry cleaning and laundering are done on the premises.

**Dry Cleaning and Laundry Service.** An establishment providing dry cleaning and laundering services where dry cleaning and laundering are done on the premises.

**Electrical Repair.** An establishment primarily engaged in repairing electrical and electronic equipment, such as electrical household appliances and equipment.

**Employment Agency.** An agency whose business is to find jobs for people seeking employment or to find people to fill jobs that are available.

**Equipment Rental.** An establishment involved in renting small tools and equipment, such as plumbing tools, lawn and garden equipment, janitorial equipment, and so forth; and small furniture and appliances, such as baby beds, chairs and tables, televisions and videocassette recorders, videodiscs, and so forth.

**Estates Services.** A business which provides estate planning and financial services, and organizes and conducts estate sales and management services, under contract.

**Exterminating Service.** A service related to the eradication and control of rodents, insects, and other pests.

**Financial Service.** An establishment primarily engaged in providing financial and banking services. Typical uses include banks, savings and loan institutions, stock and bond brokers, loan and lending activities and similar services.

**Greenfill.** The placement of more than 2,000 pounds of organic material brought from an off site location that has the effect of altering the natural topography of existing low areas or ravines. Organic material includes such items as tree limbs, tree stumps, tree branches and leaves, shrubs, undergrowth, etc... For the purpose of this definition, incidental grass clippings, leaves, tree trimmings from on site maintenance are not included in this definition. Greenfill is considered a land disturbing activity, subject to the provisions of this ordinance.

**Gunsmith.** An individual or establishment that designs, makes or repairs small firearms. The retail or wholesale sale and trading of firearms is prohibited.

**Hotel.** A building, or portion thereof, in which five (5) or more guest rooms (typically accessible from an interior hallway) are furnished to the public under a short-term lodging agreement

**Industrial Equipment Repair.** An establishment primarily engaged in repairing industrial equipment, including repairing heavy-construction and earth-moving equipment.



**Insurance Agency.** An agency whose business is to insure persons or property.

**Interior Decorating.** An establishment involved in the art or practice of planning and supervising the design and implementation of architectural interiors and their furnishings.

**Kennel, including Commercial Animal Breeding Operations.** An establishment wherein any person engages in the business of boarding, breeding, buying, keeping, letting for hire, training for a fee, or selling dogs, cats, and/or other small domesticated household pets (not farm animals).

**Legal Service.** An establishment engaged in offering legal advice or legal services, the head or heads of which are members of the bar.

**Locksmith.** An individual who makes or repairs locks.

**Massage Studio.** An establishment offering massage therapy and/or body work by a massage therapist certified under IC 25-21.8 or under the direct supervision of a licensed physician, surgeon, chiropractor, or osteopath.

**Motel.** A building, or portion thereof, in which five (5) or more guest rooms (typically accessible from an outdoor parking lot) are furnished to the public under a short-term lodging agreement

**Office.** An establishment primarily engaged in providing professional, financial, administrative, clerical and other similar services.

**Office Equipment Repair.** An establishment involved in repairing office equipment, such as typewriters, copying machines, computers, calculators, and so forth.

**Parking Facility.** An area on a site with or without a principal use, which includes one or more off-street parking spaces together with driveways, aisles, turning and maneuvering areas, clearances, and similar features. A parking facility includes parking lots, parking garages, and parking structures, and includes both publicly and privately owned facilities.

**Pet Services.** Establishments engaged in grooming and boarding, when totally within a building, of dogs, cats, birds, fish, or similar small animals customarily used as household pets. Typical uses include dog bathing and clipping salons and pet grooming shops.

**Photographic Service.** An establishment primarily engaged in developing films, in making photographic prints and enlargements for the trade or for the general public, and in renting photographic equipment.

**Physical Therapy Facility.** A place where treatment of disease and injury by mechanical means such as exercise, heat, light, and massage is provided.

**Real Estate Agency.** An agency primarily engaged in renting, buying, selling, managing and appraising real estate for others.

**Real Estate Sales Office or Model Home Office.** The temporary use of a mobile office, or similar structure, or a model home, as a sales office during the development of a new subdivision, office building, shopping center, industrial complex, and so forth.

**Rehabilitation Therapy Facility.** A place used to assist humans to achieve or to restore good health or useful life through therapy, treatment and education.

**Shoe Repair.** A place of business primarily engaged in repairing footwear.

**Small Engine and Motor Repair.** An establishment involved in repairing lawn mowers,

garden equipment, model airplane engines, and so forth.

**Tailoring.** An establishment primarily engaged in making and selling men's and women's clothing to individual order.

**Taxidermist.** One who prepares, stuffs, and mounts the skins of animals, especially vertebrates.

**Temporary / Seasonal Activity.** Any sale made by a person, firm or corporation engaging in the temporary business of selling seasonal products or engaging in events either retail or outdoor in nature, on property owned or leased by the person, firm, or corporation. The following list identifies the kinds of temporary / seasonal activity:

- Outdoor art or craft show or exhibit;
- Christmas tree sales;
- Fireworks sales;
- Car Tent sales;
- Food Trucks;
- Outdoor public, religious, patriotic, or historic assembly or exhibit, including a festival, benefit, fund raising event, or similar use that typically attracts a mass audience;

For temporary uses that are not listed above, the Director shall determine whether an unlisted temporary seasonal activity use should be classified as a temporary seasonal activity. This determination shall be based upon the similarities and differences with the above listed uses and an assessment of the proposed temporary seasonal activity's compatibility with the zoning district and surrounding land uses.

**Tourist Home or Cabin.** A building, or portion thereof, in which four (4) or fewer guest rooms are furnished to the public under the terms of a short-term lodging agreement.

**Travel Agency.** An agency engaged in selling and arranging personal transportation and accommodations for travelers.

**Upholstery Service.** An establishment offering reupholstery and repair services and specific upholstery materials for sale.

**Veterinary Service (Indoor).** An establishment of licensed practitioners primarily engaged in practicing veterinary medicine, dentistry or surgery where all services are performed or provided indoors.

**Veterinary Service (Outdoor).** An establishment of licensed practitioners primarily engaged in practicing veterinary medicine, dentistry or surgery where some services may be performed or provided outdoors, including kennels for small animals.

## **(5) RETAIL AND WHOLESALE TRADE**

**Accessory Use.** A use which is customarily accessory, and clearly incidental and



subordinate, to the principal retail or wholesale trade use on the same lot.

**Agricultural Sale Barn.** A facility where a livestock auction market is conducted and may include agricultural products or equipment sold on a consignment basis.

**Agricultural Supply.** An establishment involved in the retail sale of animal feeds, fertilizers, pesticides, seeds and other farm supplies, and non-mechanized equipment.

**Apparel Shop.** An establishment involved in selling clothing and clothing accessories.

**Appliance Sales.** Establishments involved in selling instruments or devices designed for a particular use, such as stoves, fans or refrigerators that are operated by gas or electric current.

**Auction House.** A place where objects of art, furniture, and other goods are offered for sale to persons who bid on the object in competition with each other.

**Bakery (Retail).** An establishment primarily engaged in the production and retail sale of bakery products.

**Bakery (Wholesale).** An establishment primarily engaged in manufacturing bakery products for sale primarily for home service delivery, or through one (1) or more non-baking retail outlets.

**Bookstore.** A place of business where books and magazines are the main items offered for sale.

**Bottled Gas Storage and Distribution.** An establishment primarily engaged in the retail sale of pressurized gas products, such as natural gas and propane, from bulk gas storage facilities.

**Building Materials.** Establishments involved in selling lumber, and a general line of building materials and supplies, typically sold to contractors, but also to the general public, which may include roofing, siding, shingles, wallboard, paint, cement, and so forth, including incidental storage.

**Cabinet Sales.** Establishments primarily engaged in selling cabinets, none of which are made on the premises.

**Camera and Photographic Supply.** An establishment primarily engaged in selling cameras, film, and other photographic supplies and equipment.

**Confectionery.** An establishment primarily engaged in the retail sale of candy, chewing gum, nuts, sweetmeats, chips, popcorn and other confections. Operation of a soda fountain or lunch counter is common.

**Convenience Store.** Any retail establishment offering for sale prepackaged food products, household items, gasoline sales, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption. The maximum size for a convenience store is 3,500 square feet.

**Department Store.** A retail store carrying a general line of apparel, such as suits, coats, dresses and socks; home furnishings, such as furniture, floor coverings, curtains, draperies, linens and major household appliances; and housewares, such as kitchen appliances, dishes, and utensils. These and other merchandise lines are normally arranged in separate sections or departments with accounting on a departmentalized basis. The departments and functions are integrated under a single management. The

stores usually provide their own charge accounts, deliver merchandise and maintain open stocks.

**Drapery Sales.** Places of business where draperies are the main product offered for sale.

**Drugstore.** An establishment engaged in the retail sale of prescription drugs and patent medicines and which may carry a number of related product lines, such as cosmetics, toiletries, tobacco and novelty merchandise, and which may also operate a soda fountain or lunch counter.

**Fertilizer Sales (Bulk).** Establishments involved in the sale of bulk fertilizer and fertilizer materials.

**Fertilizer Sales (Packaged).** Establishments involved in the sale of packaged fertilizer and fertilizer materials.

**Florist (Retail).** An establishment primarily engaged in the retail sale of cut flowers and growing plants.

**Florist (Wholesale).** An establishment primarily engaged in the wholesale distribution of flowers and florist supplies.

**Fruit Market.** An establishment primarily engaged in the retail sale of fresh fruits.

**Furniture Sales.** Establishments where furniture is the main item offered for sale; however, these places of business may also sell home furnishings, major appliances and floor coverings.

**Garden Center.** A place of business where retail and wholesale nursery and garden products are sold. These uses import many of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

**General Flooring Sales.** Places of business where floor coverings or hard wood flooring are the main products offered for sale.

**Gift Shop.** An establishment primarily engaged in the retail sale of combined lines of gifts and miscellaneous small art goods, such as greeting cards and holiday decorations.

**Grocery Store.** A store primarily engaged in the retail sale of various canned foods and dry goods, either packaged or in bulk, such as tea, coffee, spices, sugar and flour; fresh fruits and vegetables; and, frequently, fresh, smoked and prepared meats, fish, and poultry.

**Gunshop.** Any establishment primarily engaged in the sale, trade, or purchase of firearms or ammunition, wholesale or retail.

**Handicrafts.** Places of business that sell articles fashioned by those engaged in handicrafts.

**Hardware.** An establishment less than 30,000 square feet that is primarily engaged in the retail sale of basic hardware lines, such as tools, builders' hardware, gardening tools and paint and glass, housewares and household appliances and cutlery.

**Heavy Machinery Sales.** Establishments primarily engaged in marketing heavy machinery, such as road construction and maintenance machinery, mining machinery, agricultural machinery, industrial machinery and equipment, and so forth.

**Home Improvement Center.** An establishment greater than 30,000 square feet that is

primarily engaged in the retail sale of a general line of building materials and supplies, housewares and household appliances and gardening supplies to the general public, which may include roofing, siding, shingles, wallboard, paint, cement, and so forth, including incidental storage. Examples of this use include: Lowe's, Menard's, and Home Depot

**Industrial Supplies.** Establishments primarily engaged in marketing industrial supplies, such as bearings, boxes, gaskets, bottles, rubber goods, welding supplies, metal containers, and so forth.

**Jewelry.** An establishment primarily engaged in selling any combinations of lines of jewelry, such as diamonds and other precious stones mounted in precious metals such as rings, bracelets and brooches; sterling and plated silverware; and watches and clocks.

**Liquor Store.** An establishment primarily engaged in the retail sale of packaged alcoholic beverages, such as ale, beer, wine and whiskey, for off-premises consumption.

**Marine Supply.** An establishment primarily engaged in the retail sale of motorboats and other watercraft, marine supplies, and outboard motors, including incidental storage.

**Manufactured Housing Sales.** Establishments primarily engaged in the retail sale of new and used mobile homes, new manufactured houses, and new modular homes, including incidental storage.

**Meat Market.** A place of business where fresh, frozen or cured meats are sold and where no animals are butchered on the premises.

**Music Store.** An establishment primarily engaged in selling musical instruments, phonograph records, compact discs, tapes, sheet music and similar musical supplies.

**Office Showroom.** An establishment where office merchandise is exhibited for sale or where sample office supply items are displayed, including incidental storage, provided that a minimum of twenty (20) percent of the building is comprised of finished office space.

**Office Supplies.** Places of business where stationer and office supplies, such as enveloped, typewriter and mimeograph paper, file cards and folders, pens and pencils, and so forth, are the main items offered for sale.

**Optical Goods.** Establishments involved in selling visual devices or products.

**Pet Shop.** Place of business where domestic animals, and products for the health and care of domestic animals, are sold.

**Petroleum Bulk Sales and Storage.** An establishment primarily engaged in the retail sale of petroleum products, such as fuel oil and kerosene, from bulk liquid storage facilities.

**Restaurant.** An establishment engaged in the retail sale of prepared food and drinks for consumption on the premises or for carry-out.

**Restaurant (Drive-in).** An establishment engaged in the retail sale of ready-to-consume food and drinks in disposable containers, for consumption on or off the premises, and has drive-in or drive-through facilities so that patrons may be served while remaining in their automobiles.

**Sporting Goods.** Establishments primarily engaged in selling sporting goods, sporting equipment and accessories.

**Tavern.** A place of business where alcoholic beverages are sold to be drunk on the premises. The establishment may also sell some food items for consumption on the premises.

**Used Merchandise (Antiques).** A place of business where works of art, pieces of furniture, or decorative objects, made during an earlier period, are the main items offered for sale.

**Used Merchandise (Flea Market).** An open-air market for secondhand articles and antiques.

**Used Merchandise (General).** A store primarily engaged in the retail sale of used merchandise, antiques and secondhand goods, such as clothing, furniture, musical instruments, cameras, phonographs, and so forth.

**(6) AUTOMOTIVE AND TRANSPORTATION SERVICES**

**Accessory Use.** A use which is customarily accessory, and clearly incidental and subordinate, to the principal automotive or transportation service use on the same lot.

**Automobile Repair Services, Minor.** The replacement of any mechanical part or repair of any mechanical part including the removal of the engine head or pan, engine transmission or differential; and upholstering service, as an accessory to a residential use.

**Automotive Paint Shop.** An establishment primarily engaged in automotive painting and refinishing.

**Automotive Rentals.** Establishments involved in renting passenger cars, noncommercial trucks, motor homes or recreational vehicles, including incidental parking and servicing of vehicles available for rent.

**Automotive/Boat Repair Shop.** An establishment primarily engaged in general or specialized automotive, motorcycle, or watercraft repairs.

**Automotive Sales.** Establishments primarily engaged in the retail sale of new and used automobiles, noncommercial trucks, motor homes or recreational vehicles, including incidental storage, maintenance and servicing.

**Automotive Supply.** An establishment primarily engaged in the retail sale of automotive parts, tires, and accessories.

**Automotive Tire Sales/Repair.** An establishment primarily engaged in the retail sale and repair or retreading of automotive tires.

**Bus Terminal.** A facility designed to accommodate passengers who arrive and depart on commercial buses, which may include management offices, bus parking or storage areas and personal services for passengers.

**Car Wash.** An area or structure equipped with automatic or self-service facilities for washing automobiles.

**Cold Storage Plant.** A facility designed for storing perishable goods in a cold place for preservation.

**Gasoline Service Station.** An establishment primarily engaged in selling gasoline and lubricating oils and which may sell other merchandise or perform minor repair work.

**Grain Elevator.** A building for buying, selling, storing, discharging and sometimes processing grain.

**Motorcycle Sales.** Establishments primarily engaged in the retail sale of new and used motorcycles, motor scooters, and personal watercraft, including incidental storage, maintenance and servicing.

**Taxicab Stand.** An establishment primarily engaged in furnishing passenger transportation by automobiles not operated on regular schedules.

**Transfer or Storage Terminal.** An establishment primarily engaged in furnishing local and long distance trucking and storage services, including parking and storage areas for vehicles used in the operation of the terminal.

**Truck Stop/Travel Plaza.** A development oriented to the service of trucks, including the sale of fuel to truck drivers, and provision for support facilities for truck drivers. They may also be utilized by non-truck traffic and the interstate traveler. Business activities which are customarily accessory and clearly incidental and subordinate to the truck stop or travel plaza, may include but not be limited to: scales, truck wash, tire repair and sales, barber shop, restaurant with or without alcohol service, shower facility, convenience store, truckers lounge (for services such as television/exercise/internet access etc.), motel/hotel, laundry, chain rental, vehicle fuel and consumer propane bottle dispensing. The facility may allow for the temporary, daily, or overnight parking (excluding for the loading and unloading of cargo) of commercial motor vehicles which are en-route to or from a destination along an interstate freeway system, for free or for a fee that may be independent of any other use on the premises. The term "truck" shall mean a commercial vehicle driven by a 'truck driver' who is required to have a Class "A" CDL (Commercial Driver's License) license or equivalent.

**Trucking Terminal.** A terminal facility used by highway-type, property-carrying vehicles, which may include truck maintenance facilities.

**Wrecker Service.** A service for towing wrecked or disabled automobiles or freeing automobiles stalled in snow or mud.

## **(7) AMUSEMENT AND RECREATIONAL SERVICES**

**Accessory Use.** A use which is customarily accessory, and clearly incidental and subordinate, to the principal amusement or recreational use on the same lot.

**Amphitheater.** An open air structure devoted primarily to the showing of theatrical or musical productions, with the provision of seating areas for patrons. These uses frequently include refreshment stands.

**Camping Facility.** A plot of ground upon which two (2) or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes.

**Club or Lodge.** A use providing meeting, recreational or social facilities for a private or nonprofit association, primarily for use by members and guests.

**Indoor Shooting Range.** A facility designed and used for shooting at targets with archery and/or firearms, and which is completely enclosed within a building or structure.

**Indoor Theater.** A building for showing motion pictures or for live dramatic, dance, musical, or other productions, which is usually commercially operated.

**Outdoor Drive-in Theater.** An open-air lot devoted primarily to the showing of motion pictures for patrons in automobiles. These uses frequently include refreshment stands.

**Park and Recreational Services.** Publicly- and privately-owned and operated parks, playgrounds, recreational facilities, golf courses and open spaces.

**Private Recreational Facility.** A recreational facility for use by residents and guests of a particular residential development, church, private primary or secondary educational facility or limited residential neighborhood, including both indoor and outdoor facilities.

**Race Track.** A large open or enclosed space used for games or racing events or competitions and partly or completely surrounded by tiers of seats for spectators.

**Recreational Vehicle (RV) Park.** An area designed for transient occupancy by any number of recreational vehicles.

**Resorts.** A facility for temporary guests where the primary attraction is generally recreational features or activities.

**Rodeo.** A facility designed for the entertainment and competition between owners of equine and other farm-related animals.

**Transient Amusement Enterprises.** Carnivals, circuses or other similar transient amusement enterprises.

## **(8) MANUFACTURING, MINING, CONSTRUCTION, AND INDUSTRIAL USES**

**Abrasive Products.** Establishments primarily engaged in manufacturing abrasive grinding wheels of natural or synthetic materials, and other abrasive products, such as scouring pads, sandpaper, steel wool, and so forth.

**Accessory Use.** A use which is customarily accessory, and clearly incidental and subordinate, to the principal manufacturing, mining, construction, or industrial use on the same lot.

**Apparel.** An establishment primarily engaged in manufacturing clothing and clothing accessories.

**Appliance Assembly.** An establishment primarily engaged in manufacturing instruments or devices for a particular use, such as stoves, fans or refrigerators that are operated by gas or electric current.

**Beverage Products.** Establishments primarily engaged in manufacturing beverages, beverage bases and beverage syrups.

**Bottling Machinery.** An establishment primarily engaged in manufacturing machinery for use by the food products and beverage manufacturing industries in washing, sterilizing, filling, capping, labeling, and so forth, of food and beverage products; and parts and attachments for the machinery.

**Cement Products.** A use engaged in processing and manufacturing materials or products predominantly from cement.



**Commercial Printing.** Establishments primarily engaged in letterpress and screen commercial or job printing, including flexographic; in printing by the lithographic process, in engraving and plate printing; in gravure printing; or in printing newspapers, periodicals, books, greeting cards, and so forth.

**Construction Trailer.** The temporary use of a mobile home, or similar structure, as a construction office during the development of a new subdivision, office building, shopping center, industrial complex, and so forth.

**Cut Stone and Stone Products.** Establishments primarily engaged in cutting, shaping and finishing marble, granite, slate and other stone for building and miscellaneous uses.

**Dairy Products.** Establishments primarily engaged in manufacturing creamery butter, natural cheese, condensed and evaporated milk, ice cream, and frozen desserts, and special dairy products, such as processed cheese and malted milk; and processing (pasteurizing, homogenizing, vitaminizing, bottling) fluid milk and cream, and related products, for wholesale or retail distribution.

**Electronic Devices and Instruments.** Establishments primarily engaged in manufacturing devices or instruments that work by the methods or principals of electronics.

**Engineering and Scientific Instruments.** Establishments involved in manufacturing instruments used in engineering and scientific procedures.

**Farm Machinery and Equipment.** Establishments primarily engaged in manufacturing farm machinery and equipment, including tractors, for use in preparing and maintaining the soil; planting and harvesting crops; preparing crops for market, on the farm; or for use in performing other farm operations and processes.

**Food Products.** Establishments involved in manufacturing or processing food products.

**Furniture.** An establishment involved in manufacturing furniture.

**General Contractor.** An individual who contracts to perform building/structure construction related work or to provide supplies on a large scale, or an individual who contracts to erect buildings and/or other structures. Construction related work may include, but are not limited to, plumbing, landscaping, electrical, framing, concrete, masonry, roofing, etc.

**Glass and Glassware.** Establishments primarily engaged in manufacturing glass and glassware, pressed, blown or shaped from glass produced in the same establishment; or establishments primarily engaged in manufacturing glass products from purchased glass.

**Grain Mill Products.** Establishments primarily engaged in manufacturing grain mill products such as flour, cereal, meal, and so forth.

**Hard Surface Floor Coverings.** Establishments involved in manufacturing hard surface floor covering, such as tile and linoleum.

**Insulation Products.** Establishments involved in manufacturing insulation products.

**Jewelry Products.** Establishments primarily engaged in manufacturing jewelry and other articles worn on or carried about the person, made of precious metals with or without stones (including the setting of stones where used), including cigarette cases and lighters, vanity cases and compacts; trimmings for umbrellas and canes; and jewel settings and mountings; or establishments primarily engaged in manufacturing costume jewelry made of all materials, except precious stones and rolled gold plate and gold filled materials.

**Laboratories.** Facilities equipped for experimental study in a science or for testing and analysis; facilities providing opportunity for research, experimentation, observation or practice in a field of study.

**Leather Goods.** Establishments primarily engaged in manufacturing leather goods, such as handbags and purses, billfolds, checkbook covers, saddles, horse whips, and so forth, and where no leather tanning or curing is done on the premises.

**Machine Assembly.** An establishment involved in manufacturing and assembling machinery.

**Machine Shop.** A workshop in which material are machined to size and assembled.

**Metal Fabrication.** An establishment involved in fabricating any of the various opaque, fusible, ductile and typically lustrous substances that are good conductors of electricity and heat.

**Metalworking Machinery.** An establishment involved in manufacturing machinery to be used for shaping objects out of metal.

**Mineral Extraction.** The on-site extraction of surface or sub-surface mineral products or natural resources. Typical extractive uses are quarries, borrow pits, sand and gravel operations, and mining operations.

**Motor Vehicle and Equipment Assembly.** Establishments primarily engaged in manufacturing or assembling complete passenger automobiles, trucks, commercial cars and buses and special purpose motor vehicles, including establishments primarily engaged in manufacturing chassis or passenger car bodies, which may also manufacture motor vehicle parts.

**Musical Instruments.** Establishments primarily engaged in manufacturing pianos, with or without player attachments; organs; other musical instruments; and parts and accessories for musical instruments.

**Office and Computer Equipment.** Establishments primarily engaged in manufacturing office equipment such as typewriters, desk calculators, adding and accounting machines, duplicating machines and similar equipment; and/or in manufacturing electronic computer and peripheral equipment and/or major logical components intended for use in electronic computer systems.

**Optical Instruments and Lenses.** Establishments primarily engaged in manufacturing instruments that measure an optical property, including apparatus, except photographic, that projects or magnifies, such as binoculars, prisms and lenses; optical sighting and fire control equipment and related analytical instruments; or establishments primarily engaged in manufacturing eyeglass lenses, frames, or fittings.

**Paper Products.** Establishments involved in manufacturing paper products such as envelopes, paper bags, file folders, stationery, wrapping paper, and so forth, and where no paper is produced on the premises.

**Paving Materials Central Mixing.** Establishments primarily engaged in mixing paving materials to be transported and used at another location.

**Perfumes, Cosmetics and Toiletries Manufacture.** Establishments primarily engaged in the manufacture of perfumes (natural and synthetic), cosmetics, and toiletries; establishments engaged in blending and compounding perfume bases and the



manufacture of shampoos and shaving products, whether soap or synthetic detergents.

**Pharmaceuticals.** Establishments primarily engaged in manufacturing, fabricating or processing drugs in pharmaceutical preparations for human or veterinary use. Most of the products of these establishments are finished in the form intended for final consumption, such as ampuls, tablets, capsules, vials, ointments, medicinal powders, solutions and suspensions. Products of this industry consist of two important lines: pharmaceutical preparations promoted primarily to the dental, medical or veterinary professions; and pharmaceutical preparations promoted primarily to the public.

**Plaster Central Mixing.** Establishments primarily engaged in mixing plaster, usually for use by others.

**Plastic Products Assembly.** Establishments primarily engaged in molding primary plastics for the trade and fabricating miscellaneous finished plastics products; establishments primarily engaged in manufacturing fabricated plastics products or plastics film, sheet, rod, nontextile monofilaments and regenerated cellulose products and vulcanized fiber, whether from purchased resins or from resins produced in the same plant.

**Plating and Polishing.** Establishments primarily engaged in all types of electroplating, plating, anodizing, coloring and finishing of metals and formed products for the trade.

**Pottery Products.** Establishments involved in manufacturing pottery and related products such as red earthenware flower pots, fine earthenware cooking ware, bone china, china plumbing fixtures, and so forth.

**Rock Crushing Establishments.** Establishments primarily engaged in the use of rock crushing machinery in relation to the construction and mining industries.

**Sawmill.** An establishment in which timber is sawed into planks, boards, etc., by machinery.

**Ship and Boat Building.** Establishments primarily engaged in building all types of ships and boats, including converting and altering ships and boats.

**Signs and Advertising Displays.** Establishments primarily engaged in manufacturing electrical, mechanical, cutout or plate signs and advertising displays, including neon signs and advertising novelties.

**Structural Clay Products.** Establishments primarily engaged in manufacturing brick and structural clay tile, ceramic wall and floor tile, clay firebrick and other heat-resisting clay products, and so forth.

**Terra Cotta.** An establishment involved in manufacturing glazed or unglazed fired clay use specifically for statuettes and vases and architectural purposes, such as for roofing, facing and relief ornamentation.

**Textiles.** Establishments engaged in preparing fiber and the subsequent manufacturing of yarn, thread, braids, twine and cordage; manufacturing broad woven fabric, narrow woven fabric, knit fabric and carpets and rugs from yarn; dyeing and finishing fiber, yarn, fabric and knit apparel; coating, waterproofing or otherwise treating fabric; integrated manufacturing of knit apparel and other finished articles from yarn; and manufacturing felt goods, nonwoven fabrics and miscellaneous textiles.

**Textile Machinery.** Establishments primarily engaged in manufacturing machinery for the

textile industries, including parts, attachments and accessories.

**Tile.** An establishment primarily engaged in manufacturing tile.

**Warehousing and Distribution Activities.** Establishments involved in storing, stocking or distributing of merchandise or commodities.

**Watches and Clocks.** Establishments primarily engaged in manufacturing watches, watch cases, clocks, mechanisms for clockwork operated devices and clock and watch parts, including those engaged in assembling watches and clocks from purchased movements and cases.

**Welding.** Establishments primarily engaged in manufacturing welding equipment, electric welding apparatus and accessories.

**Wood Products.** Establishments primarily engaged in manufacturing products from wood.

**(9) ADULT ORIENTED BUSINESS**

**Adult Oriented Business:** An adult arcade, adult media store, adult retail store, adult cabaret, adult motel, adult motion picture theater, adult theater, lingerie modeling studio, massage parlor, sexual encounter establishment, escort agency, or, semi-nude model studio as defined by Chapter 837 of this ordinance.

**(10) MULTI-USE**

**Business or Industrial Center.** A site developed and operated under single or common ownership to include of a mix of industrial and/or commercial uses where the majority of uses are permitted under the Business and Personal Services, Retail and Wholesale Trade and Manufacturing, Mining, Construction and Industrial use categories, with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

**Commercial / Industrial Adaptive Reuse.** The repurposing of a building or group of buildings to accommodate a mix of industrial and/or commercial uses developed and operated under single or common ownership where the majority of uses are permitted under the Business and Personal Services, Retail and Wholesale Trade and Manufacturing, Mining, Construction and Industrial use categories, with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

**Shopping Center.** A site developed and operated under single or common ownership to include a mix of commercial uses where the majority of uses are permitted under the Business and Personal Services and Retail and Wholesale Trade use categories, with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.



AGRICULTURAL USES	I	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P	P	P									P	P		P		53
Accessory Structures for Agricultural Use	L	P	P	P														
Agriculture	H	P	P	P														53
Agricultural Event Center, Small	H	C																
Agricultural Event Center, Intermediate	H	C																
Agricultural Event Center, Large	H	C																
Agricultural-Related Industry	H	P	C	P														53
Agricultural Uses-Land Animal	H	P	P	P									P	P		P		22; 53
Agricultural Uses-Non Animal	H	P	P	P									P	P		P		22; 53
Agritourism / Agritainment (i.e. corn mazes, petting zoos, hay tunnels)	H	P	P	P														53
Aquaculture	M	P	P	P														22; 53
Christmas Tree Farm	H	P	C	P														53
Commercial facilities for the sale, repair, and service of agricultural equipment, vehicles, feed, or supplies	H	C	C	C														
Commercial Non-Farm Animals	M	P	P	P														53
Confined Feeding Operations	H	C																24; 44
Equestrian Center	H	C	C	C														53
Equine Services	L	P																
Feed Lot	H	P																24
Feed Mill	L	P											P					6; 25
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Horse Farm	L	P	P	P														53
Nursery/greenhouse	H	P	P	P														53
Orchard	H	P	P	P														53
Pick-your-own operation	H	P	C	P														53
Roadside farm stand, Permanent	M	P	P	P														52
Roadside farm stand, Temporary	L	P	P	P														51
Stockyard	H	P											P					24
Winery	H	P	P	P														53
<b>RESIDENTIAL USES</b>																		
Accessory Apartments	L	P	P	P	P	P	P	P	P									26
Accessory Dwelling Units	L	P	P	P														53; 55
Accessory Livestock	L	P	P	P	P	P	P	P										43
Accessory Use		P	P	P	P	P	P	P	P	P								5

	<u>I</u>	<u>AG</u>	<u>FR</u>	<u>CR</u>	<u>ER</u>	<u>LR</u>	<u>SR</u>	<u>MR</u>	<u>HR</u>	<u>UR</u>	<u>LB</u>	<u>GB</u>	<u>LI</u>	<u>HI</u>	<u>IP</u>	<u>ME</u>	<u>REC</u>	<u>Condition</u>
Boarding House	L										P	P						
Elderly Housing	L								P	P								57
Guest House	L	P	P	P	P	P												
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Home Based Business	L	P	P	P	P	P												<del>46</del>
Home Occupation	L	P	P	P	P	P	P	P	P	P								<del>46</del>
Manufactured Home Park	M					P		P	P	P								22.39
Multifamily Dwelling	n/a																	
Residential Storage Structure	L	P	P	P	P		P											15
Single Family Dwelling	n/a	P	P	P	P	P	P	P	P	P								1
Temporary Dwelling	L	P	P	P	P	P	P	P	P	P								3; 53
Two Family Dwelling	n/a	P	P	P	P	P	P	P	P	P								2

PUBLIC AND SEMIPUBLIC	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P	P	P	P	P	P	P	P	P	P	P	P	P				13
Airport	H													P				15
Cemetery	H	P	P	P	P	P		P	P									
Central Garbage/Rubbish	H													C	C	C		33
Charitable, Fraternal, or Social	L											P						
Community Center	L										P	P						28
Cultural Facility	L																P	
Daycare Facility	M									P	P	P	P					22;30;42
Funeral Home	M											P						
Governmental Facility	H	P	P	P	P	P		P	P	P	P			P	P			7;40
Group Home Class I	L							P	P	P	P	P						
Group Home Class II	L									P	P	P						
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Hospital	H											P						
Medical Clinic	L										P	P						
Nursing Home	L											P						
Postsecondary Education	H														P			29
Religious Facilities	H	P	P	P	P	P		P	P	P	P	P						22
Remote Garbage/Rubbish Removal	H	C	C	C							C	C	C	C	C	C		34
Retirement Center	L										P	P						
School (K-12)	H														P			29
Solar Farm	L	C											C	C	C			
Telephone and Telegraph Services	L	P	P	P	P	P		P	P	P	P	P	P	P	P			32
Temporary Care Facility	L											P						
Utility Service Facility	M	P	P	P	P	P		P	P	P	P	P	P	P	P			31
Wastewater Treatment Facility	H	C	C	C									P	P	P			15
Water Treatment Facility	H	C	C	C	P	P		P	P	P	P	P	P	P	P			
Wired Communication Services	M	P	P	P														32
Wireless Communications Facilities		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	32

Business and Personal Services	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P	P	P	P	P					P	P	P	P				13
Air Cargo and Package Service	H											P	P	P				6
Air Craft Charter Service	L											P	P					
Airport Transportation Service	M											P						
Appliance Repair	L										P	P	P					6
Artisan Crafts	M	C	C	C	C		C				P	P	P	P				15, 22, 44
Barber Service	L										P	P						
Beauty Service	L										P	P						
Bed and Breakfast	L	P	P	P	P	P		P	P		P							8
Boat Storage	M										P						CU	41
Caterer	L										P	P						
Coin Operated Cleaning/Laundry	L										P	P						
Composting Operation	H	P												P		P		31; 53
Convenience Storage	M										P	P	P					4;6;21
Copy Service	L										P	P						
Dry Cleaning and Laundry Pickup	L										P	P						
Dry Cleaning and Laundry Service	L											P						
Electrical Repair	L										P	P	P					6
Employment Agency	M										P	P						
Equipment Rental	M										P	P						7;21
Estate Services	L										P	P						
Event Center	H											P						
Exterminating Service	L											P	P					
Financial Service	M										P	P						
Greenfill	M	P														P		7;15;22;47
Gunsmith	L											P	P					
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Hotel	M											P						
Industrial Equipment Repair	L												P	P				7;16
Insurance Agency	L										P	P						
Interior Decorating	L										P	P						
Kennel, including commercial animal breeding operations	H	C	C											P	P			10;15; 53
Legal Service	L										P	P						
Locksmith	L										P	P	P					





Business and Personal Services cont.	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Massage Studio	M										P	P						
Motel	M											P						
Office	L										P	P	P					
Office Equipment Repair	L											P	P					6
Parking Facility	H										P	P	P	P				31
Pet Services	L											P						
Photographic Services	L										P	P						
Physical Therapy Facility	M										P	P	P					
Real Estate Agency	L										P	P						
Real Estate Sales office Or Model	L	P	P	P	P	P	P	P	P	P	P	P						9
Rehabilitation Therapy Facility	M										P	P	P					
Shoe Repair	L										P	P						
Small Engine and Motor Repair	L										P	P	P	P				6,21
Tailoring	L										P	P						
Taxidermist	L	P	P	P								P	P	P				6
Temporary Seasonal Activity	M	P	P	P							P	P						46; 54
Tourist Home or Cabin	L	P	P	P	C	C		C	C	C								48
Travel Agency	L										P	P						
Upholstery Service	L											P	P					
Veterinary Service (Indoor)	H	C	C	C							P	P	P					15
Veterinary Service (Outdoor)	M	C	C	C									P					10; 15

Retail and Wholesale Trade	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P									P	P	P	P				13
Agricultural Sale Barn	H	P												P				35
Agricultural Supply	H											P						7
Apparel Shop	L										P	P						
Appliance Sales	L											P						
Auction House	H											P	P					
Bakery (Retail)	L										P	P						
Bakery (Wholesale)	L												P	P				7,15
Bookstore	L										P	P						
Bottled Gas Storage/Distribution	L													P				
Building Materials	H											P	P	P				7,31
Cabinet Sales	L											P						
Camera and Photographic Supply	L										P	P						
Confectionery	L										P	P						
Convenience Store	H										P	P						
Department Store	M											P						
Drapery Sales	L											P						
Drugstore	M										P	P						
Fertilizer Sales (Bulk)	M													P				6
Fertilizer Sales (Packaged)	M											P	P					7,21
Florist (Retail)	L										P	P						
Florist (Wholesale)	N											P	P					
Fruit Market	L	P									P	P						
Furniture Sales	L											P						6
Garden Center	H	C	C	C								P	P					53
General Flooring Sales	L											P						
Gift Shop	L										P	P						
Grocery Store	M											P						21
Gunshop	M										CU	CU	CU					
Handicrafts	L										P	P						

Retail and Wholesale Trade cont.	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Hardware	M										P	P						6
Heavy Machinery Sales	M												P	P				7
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Home Improvement Center	H											P						7; 31
Industrial Supplies	L												P	P				
Jewelry	L											P						
Liquor Store	M										P	P						
Marine Supply	L											P						31
Manufactured Housing Sales	M											P		P				
Meat Market	L										P	P						
Music Store	L											P						
Office Showroom	M											P	P					
Office Supplies	M											P						
Optical Goods	L											P						
Pet shop	L											P						6; 11
Petroleum Bulk Sales and Storage	M													P				
Restaurant	M										P	P						
Restaurant (Drive-in)	H											P						23
Sporting Goods	L										P	P						
Tavern	L											P						
Used Merchandise (Antiques)	L											P						
Used Merchandise (Flea Market)	H											P						19; 21
Used Merchandise (General)	L											P						21

Automotive and Transportation	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use											P	P	P	P				13
Automobile Repair Services, Minor	H	C	C	C														50; 53
Automotive Paint Shop	L												P	P				
Automotive Rentals	M											P						21
Automotive/Boat Repair Shop	H											P	P	P				6
Automotive Sales	H											P						31
Automotive Supply	M											P						7;21
Automotive Tire Repair	M											P	P	P				7;21
Bus Terminal	H											P						21
Car Wash	L											P						21
Cold Storage Plant	L												P	P				
Gasoline Services Station	H											P	P					7
Grain Elevator	L													P				
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Motorcycle Sales	L											P						6;21
Taxicab Stand	M											P						
Transfer or Storage Terminal	H												P	P				7
Truck Stop/Travel Plaza	H													C				
Trucking Terminal	H												C	P				31
Wrecker Service	M											P	P	P				7
<b>Amusement and Recreational</b>																		
Accessory Use		P	P	P	P	P					P	P	P	P			P	13
Amphitheater	H																CU	
Camping Facility	H	P	C	P													P	27; 53
Club or Lodge	L											P					P	37
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Indoor Shooting Range	M																P	45
Indoor Theater	M											P						
Outdoor Drive-In Theater	H											P						38
Park and Recreational Services	H	C	C	C	P	P					P	P	P	P			P	14;20
Private Recreational Facility	H	C	C	C	P	P						P					P	20
Race Tracks	H																CU	
Recreational Vehicle (RV) Park	H	C	C	C														53
Resorts	L																CU	
Rodeo	H											P					CU	

[illegible]

Manufacturing, Mining Construction and Industrial	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Abrasive Products	L													P				15
Accessory Use		P	P								P	P	P	P		P		13
Apparel	H												P	P				7;16
Appliance Assembly	H												P	P				7;16
Beverage Products	H												P	P				7;16
Bottling Machinery	L												P	P				7;16
Cement Products	M													CU		CU		
Commercial Printing	H											P	P	P				6
Construction Trailer	L				P	P	P	P	P	P	P	P	P	P				17
Cut Stone and Stone Products	H													P		P		15
Dairy Products	M													P				15
Electronic Devices and	L												P	P				7;16
Engineering and Scientific	L												P	P				7;16
Farm Machinery and Equipment	H													P				15
Food Products	M												P	P				15
Furniture	H												P	P				15
General Contractor	M	C	C	C								P	P	P				15
Glass and Glassware	L													P				15
Grain Mill Products	L													P				15
Hard Surface Floor Covering	L													P				15
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Insulation Products	L													P				15
Jewelry Products	L												P	P				7;16
Laboratories	M												P	P				17;16
Leather Goods	L												P	P				7;16
Machine Assembly	M												P	P				15
Machine Shop	H												P	P				15
Metal Fabrication	H												P	P				15
Metalworking Machinery	M												P	P				15
Mineral Extraction	H															P		15;18
Motor Vehicle and Equipment	H													P				15
Musical Instruments	L												P	P				7;16

Manufacturing, Mining Construction and Industrial cont.	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LJ	HI	IP	ME	REC	Condition
Office and Computer Equipment	H												P	P				7;16
Optical Instruments and Lenses	L												P	P				7;16
Paper Products	M												P	P				15
Paving Materials and Central Mixing	H													CU		CU		
Perfumes, Cosmetics and Toiletries	H													P				7;16
Pharmaceuticals	H													P				7;16
Plaster Central Mixing	L													P				15
Plastic Products Assembly	H												P	P				7;16
Plating and Polishing	L												P	P				15
Pottery Products	L													P				15
Rock Crushing	H													CU		CU		
Sawmill	H	C	C	C														15;22
Ship and Boat Building	H													P				15
Sign and Advertising Displays	L												P	P				7;15
Structural Clay Products	L													P				15
Terra Cotta	L													P				15
Textiles	H													P				15
Textiles Machinery	M													P				15
Tile	L													P				15
Warehousing and Distribution	H												P	P				7;16
Watches and Clocks	L												P	P				7;16
Welding	L												P	P				7;15
Wood Products	M	C	C	C									P	P				7;15
<b>Adult Oriented Business</b>	<b>i</b>																	
Adult Oriented Businesses	L/M										P	P		P				49
<b>Multi-Use</b>	<b>i</b>																	
Business or Industrial Center	H												P	P				22
Commercial / Industrial Adaptive Reuse	H												P	P				22;56
Shopping Center	H												P					22

### **Conditions Pertaining to Permitted Uses in Zoning Districts**

1. Permitted on existing lots of record after the issuance of a building permit by the Building Department.
2. For zoning districts that permit two family dwellings, the following conditions shall apply:
  - A. The location of lots designated as two family dwelling lots shall be approved by the Plan Commission as part of its approval of the subdivision plat.
  - B. Exterior building materials of dwelling units to be placed on two family lots shall be of the same type and quality of the existing dwelling unit or, in the case of new two family dwellings, of the same type and quality of dwelling units on adjoining lots.
  - C. Each two-family dwelling shall have a lot area equal to twice that required for a single family residence or greater.
  - D. A two family dwelling proposed on a lot or parcel of record created via the Sliding Scale Subdivision Option may only be constructed on the Parent Parcel Remainder and only if that Parent Parcel Remainder meets the minimum lot size for the zoning district in which it is located.
3. The Building Commissioner may issue a temporary certificate of occupancy permit for the use and occupancy of a mobile home as a single family dwelling unit on a lot previously occupied by a permanent dwelling that is destroyed so as to be unlivable. The Building Commissioner may impose reasonable conditions upon the issuance of the permit in order to provide for the least impact on surrounding property. A permit issued for a temporary dwelling shall be for a period not to exceed six (6) months. After the expiration of the permit, an additional three (3) months may be granted after the approval by the Plan Commission. No site plan is required.
4. On-site apartment shall not exceed one thousand five hundred (1,500) square feet and shall be attached to, and incorporated into, the convenience storage facility.
5. The following conditions shall apply to residential accessory buildings or structures:
  - A. No more than four (4) accessory buildings or structures shall be erected on a lot. This provision shall not apply in the AG/RR, CR, and FR zoning districts which allow a maximum lot coverage of 15,000 square feet without limitation to the number of structures.
  - B. An accessory building or structure equal to or less than 15 feet in height shall be permitted within five (5) feet of rear property line(s).
  - C. Accessory buildings or structures greater than 15 feet in height are subject to all applicable setbacks.
6. All storage of materials shall be indoors. This condition does not apply to automotive repair when the use is located in a Heavy Industrial (HI) district.
7. Outdoor storage areas shall not be visible from streets and/or adjacent properties. This condition does not apply to heavy machinery sales, welding, and wood products when the uses are located in a Heavy Industrial (HI) District.
8. A site plan and notification of adjoining property owners are required. At least one (1) rented room shall be located in the principal dwelling unit. The proposed bed and breakfast shall retain the architectural orientation and form characteristic of the surrounding neighborhood.
9. One (1) real estate sales office or model home office may be situated in a section of a subdivision or on a multifamily site.
10. Outdoor kennels and storage areas shall not be visible from streets and/or adjacent properties.



11. Animals shall be kept indoors.
12. No more than five hundred (500) gallons of a product shall be stored above ground.
13. The following conditions shall apply to a nonresidential accessory use:
  - A. No more than one (1) accessory building per establishment shall be erected on a lot.
  - B. An accessory building shall be at least five (5) feet from all lot lines and from any other building on the same lot.
  - C. No accessory building shall be erected in a required front or side yard.
14. Uses not involving permanent development shall be permitted in the Floodway and Floodway Fringe districts after approval by the Plan Commission, subject to conditions necessary to protect the public interest. A site plan is required.
15. The Plan Commission may attach additional conditions to its approval in order to prevent injurious or obnoxious dust, fumes, gases, noises, odors, refuse matter, smoke, vibrations, water-carried waste or other objectionable conditions and to protect and preserve the character of the surrounding neighborhood.
16. Use shall be conducted within the buildings or structures on the site. Non-agricultural tools, vehicles, and equipment shall be stored so as to not be visible from the street or adjoining property. In addition, storage areas must be screened from view by an appropriate fence or similar enclosure.
17. One (1) construction trailer may be situated in a subdivision or on a nonresidential construction site with the prior approval of the Building Commissioner, who may grant approval subject to conditions that he deems necessary. Construction trailers shall be permitted on specific nonresidential construction sites for as long as a valid building permit continues in existence.
18. Mineral extraction activities are permitted subject to the following provisions:
  - A. Mining operations shall not be conducted on parcels located within residential districts or residential neighborhoods.
  - B. The applicant shall state to the Planning Director the course of travel to be followed by vehicles transporting minerals. In the event the course of travel contemplates that the vehicles will process over county roads, then the applicant shall post bond in favor of the county in an amount established by the Plan Commission for the purpose of repairing damage and/or wear to county roads resulting from the use of the roads by the vehicles.
  - C. The mining site shall be sprinkled, or other measures shall be taken as deemed appropriate by the Planning Director, in order to prevent dust and other particles, from polluting the atmosphere as a result of the mining operations and as a result of transporting minerals.
  - D. Vehicles transporting minerals shall be loaded so that the minerals shall not spill from the vehicles to road surfaces.
  - E. Mining operations shall cease when mud would be collected on the wheels of the vehicles transporting minerals, in order to keep mud off county roads.
19. No site plan is required.
20. Commercial uses, such as miniature golf, go-cart tracks, swimming pools, and so forth, shall not be permitted in residential districts.
21. This use is prohibited in the area within 500 feet, measured perpendicularly from the nearest lane of traffic along State Road 37.

22. Permitted after site plan approval by the Plan Commission or Administrator.
23. The minimum number of off-street parking spaces required may be 1 space per 2 seats, provided that drive-through facilities have a minimum of 120 feet (6 off-street stacking spaces) from the ordering station and are designed so as not to conflict with pedestrian or vehicular circulation on the site or on abutting streets. Exit doors from the restaurant shall be parallel to drive-through lanes to prevent customers from walking out doors directly into traffic lanes.
24. Operations involving feeding of cattle, livestock, or other concentrated animal populations shall be set back from all property lines abutting non-agricultural uses by 1,320 feet.
25. Site should be located on County-maintained and paved roads of classification collector or arterial.
26. Accessory apartments are permitted subject to the following conditions:
  - A. Use may be created only through internal conversion of the existing dwelling unit. Detached garage space shall not be converted.
  - B. At least one (1) parking space shall be provided for the use by residents of the accessory apartment.
  - C. No new entrance visible from the street shall be added to the structure.
27. Camping facilities shall be permitted provided applicant submits a site plan pursuant to Chapter 815 and proof of licensing by the State Board of Health and proof of compliance with all applicable standards set forth in 410 IAC 6-7.1.
28. Community centers are permitted subject to the following conditions:
  - A. Food and beverage services provided on-site shall be limited to service incidental to the primary activity.
  - B. Lighted outdoor athletic facilities at community centers shall not be located within 50 feet of a residential neighborhood.
29. Schools (K-12) and Postsecondary Educations Institutions shall be permitted subject to the following conditions:
  - A. Dwellings used for residential purposes on-site, in excess of one (1) unit, are subject to residential use classification zoning.
  - B. Schools (K-12) must provide off-street loading facilities, located wholly on the premises, for students.
30. Day care facilities are permitted provided that proof of licensing by the State of Indiana shall be provided with submission of site plan. If exempt from state licensing requirements, proof of exemption shall be provided.
31. Site shall be screened with landscaping, or an opaque fence or wall to a height of at least six (6) feet.
32. Subject to the requirements of Chapter 834 - Wireless Communications Facilities.
33. Central garbage and rubbish collection facilities, including recycling centers, shall be permitted subject to the following conditions:
  - A. Unloading areas for materials must be not less than fifty (50) feet from any adjoining property, unless unloading is conducted entirely within a building.

- B. Portions of a site used for truck maneuvering or the storage, bailing, processing, or other handling of materials must be enclosed by an opaque fence or wall with a nonglare finish not less than eight (8) feet in height.
  - C. Loading and unloading areas must be paved.
  - D. The site must be kept clear of litter, scrap paper, or other refuse matter.
  - E. Chemical or heating processes shall not be used on materials.
  - F. Prior to application for Conditional Use permit, facility must be shown to have fully complied with the provisions of Monroe County Ordinance 2007-18 and Chapter 360 of the Monroe County Code.
  - G. If the Conditional Use is approved, all required permits from the Indiana Department of Environmental Management must be issued prior to filing an application for an Improvement Location Permit.
34. Remote garbage and rubbish collection facilities, including drop-off recycling facilities, shall be permitted subject to the following conditions:
- A. Facilities must be located in an enclosed structure or be screened on three sides by a six (6) foot high opaque fence or wall.
  - B. Facilities shall not be located within 100 feet of adjoining property.
  - C. Storage and unloading areas shall be paved.
  - D. The site must be kept clear of litter, scrap paper, or other refuse matter.
  - E. No power driven processing equipment shall be used at any unenclosed facility.
  - F. Facilities attended by any on-site employees shall provide one (1) parking space per employee.
  - G. Prior to application for Conditional Use permit, facility must be shown to have fully complied with the provisions of Monroe County Ordinance 2007-18 and Chapter 360 of the Monroe County Code.
  - H. If the Conditional Use is approved, all required permits from the Indiana Department of Environmental Management must be issued prior to filing an application for an Improvement Location Permit.
35. Agricultural sale barns shall be permitted provided that all activities involving the sale of animals must be conducted entirely within an enclosed structure. Non-animal sales may be conducted outside of enclosed structures, but such sales areas shall be enclosed and screened from view to a height of at least six (6) feet. All such facilities shall have access onto roadways classified as arterial.
36. Amphitheaters are permitted subject to the following conditions:
- A. The site shall be located on a street with a roadway classification of arterial.
  - B. Parking shall be provided to handle the demand of the facility to capacity, but such facilities can be applied subject to shared parking standards as given in Chapter 806 of this ordinance.
37. Clubs or lodges are permitted subject to the following conditions:
- A. Such uses shall be located on a street with a roadway classification of collector or arterial.
  - B. Outdoor activities specific to the intended activities of the club or lodge shall minimize off-site

noise or nuisance, including provision for screening from adjacent uses.

- C. Parking reductions, in some cases, may be granted subject to submittal of traffic studies or by permission of the Plan Commission or designee.

38. Outdoor drive-in theaters shall be permitted provided they meet the following criteria:

- A. The site shall have direct access to a street classified arterial.
- B. All activities on-site shall be screened with landscaping or opaque fencing to a height of not less than eight (8) feet.
- C. The theater viewing screen shall not be visible from any public street within 1,500 feet of the screen.
- D. Loading space for patrons waiting for admission shall be equal to twenty (20) percent of the capacity of the theater.
- E. Sales of refreshments shall be limited to the operational hours of the theater.
- F. No central loudspeakers shall be permitted.

39. A manufactured home park shall be constructed in accordance to the provisions of Chapter 805 (Manufactured Home Parks) or Chapter 811 (Planned Unit Developments) of this ordinance.

40. Site plan review and notification of interested parties is required.

41. Boat Storage facilities shall be permitted subject to the following conditions:

- A. the required building setbacks shall be applied to all boats stored outside
- B. all boats stored outside of enclosed buildings shall be screened from adjoining properties by a double staggered row of evergreen trees, installed in conformance with Chapter 830, or a 6 ft. high opaque fence or wall.
- C. boat repair services and accompanying sales of repair merchandise is allowed only as an accessory use
- D. compliance with all applicable local, State and Federal regulations for the disposal of hazardous materials.

42. In the Urban (Multifamily) Residential District, this use is limited to serve up to twenty (20) individuals. There is not a limitation on the number of individuals within the other permitted zoning districts.

43. Accessory livestock and non-farm animals shall be permitted only in a pasturage context subject to the following:

- A. Pasture use shall be limited to one unit per acre of land actually used as pasture and accessible to the livestock or non-farm animals. Acreage shall be rounded to the nearest whole number. Animals per acre shall be determined as follows:

Large

Cattle, horses, llamas, swine, ponies, etc. .... 2 animals/first acre  
1 animal per acre thereafter

Medium

Goats, sheep, miniature horses, etc. .... 4 animals/ first acre  
2 animals per acre thereafter

Small

Smaller animals, including fowl ..... 10 animals/first acre  
5 animals per acre thereafter

Beehives (bee density based on hive) ..... 8 hives/first acre  
4 hives per acre thereafter

All animals (except bees) less than one year of age shall be calculated at one-half the unit of their respective category, as set forth above.

- B. Accessory animals in CR, ER, SR, LR districts may be kept for the owner's personal use and may not be kept for commercial purposes.
- C. Domestic animals (see definition M.C.C. 441-1) that are kept as pets are not subject to the foregoing conditions but are subject to the regulations set forth on Monroe County Code 441, as amended or reenacted.
- D. Accessory Livestock and non-farm animals in excess of the above densities require the approval of a variance.

44. Subject to the procedure described in Chapter 813 of the Monroe County Zoning Ordinance for zones that require conditional use approval.

45. For an Indoor Shooting Range use the following conditions apply:

- A. All aspects of the use shall be conducted indoors.
- B. The operator shall have and submit all applicable Federal and State licenses.
- C. The sale of guns and/or repair or smithing of guns is permitted as an accessory use.
- D. Lead shall be disposed of in a manner which complies with all Federal, State and Local regulations.
- E. Noise shall not be audible at the property line.

46. Temporary Seasonal Activity uses shall be permitted upon demonstrated compliance with the following conditions:

- A. Use must be short in duration (generally less than 1 month.)
- B. Signage for use limited to 10 square feet and comply with all other aspects of the signage chapter of this ordinance.
- C. Each use requires submittal of a site plan - including but not limited to location, signage, parking, driveways, etc.
- D. Prior to the beginning date of the activity, an Improvement Location Permit and payment of applicable fee shall be required.
- E. Operational conditions such as hours of operation, expiration dates, etc. may be considered as part of the Improvement Location Permit approval.
- F. Subject to the performance standards of Chapter 802 of this ordinance.
- G. Temporary Seasonal Activity approvals may only be granted for individual parcels; they may not be authorized within any public right-of-way (e.g. streets or sidewalks).

H. Application must be submitted at least ten days before the requested date for beginning the Temporary Seasonal Activity use.

I. The application must include the signature of the property owner, or a letter of authorization from the property owner.

47. All applicable State and Federal permits must be secured prior to the issuance of an Improvement Location Permit.

48. Criteria for Tourist Home or Cabin uses in AG/RR, FR, and CR zoning districts:

- (a) The lot must meet or exceed the minimum lot size and infrastructure facilities (i.e. septic system, driveway) requirement for the zoning district prior to the commencement of the Tourist Home or Cabin use;
- (b) The Tourist Home or Cabin shall be located no closer than two-hundred (200') feet from any adjoining principal use structure not currently being used as a Tourist Home or Cabin or from the adjoining property setback line if no adjoining principle use structure exists.
- (c) Any outdoor pool or spa facilities must meet State and Local Board of Health requirements and must be visually screened from surrounding properties and properly secured with a Power Safety Pool Cover or Enclosure as defined in Indiana Code (675 IAC 20-4-27 - Safety Features; 675 IAC 20-3-9 – Enclosure) standards for a Class C, Semi-Public Pool.
- (d) Parking:
  - (1) Parking only on paved or graveled driveways;
  - (2) No parking is allowed on the street or road;
  - (3) One (1) parking space per guest room; and,
  - (4) No parking of any vehicles in any yard or setback area as defined by Chapter 804 of the Zoning Ordinance.
- (e) Rules, in a readable size and format, shall be posted outside near the main entrance to the Tourist Home or Cabin and shall include the following:
  - (1) Rules and regulations for ensuring safety and preservation of neighborhood values (e.g., emergency phone numbers; 24 hour contact number for property owner or manager; noise restrictions; solid waste management rules; fishing license rules; etc.);
  - (2) Diagram of property boundary lines; and,
  - (3) Diagram of designated parking.
- (f) Smoke detectors and a fire extinguisher shall be installed and maintained in working order in all Tourist Homes or Cabins.
- (g) All solid waste and refuse shall be removed from the property and properly disposed of prior to a change of occupancy.
- (h) No more than two (2) guests per guest room.

49. Subject to the requirements and definitions of Chapter 837 – Adult Oriented Businesses. Note: Not all Adult Oriented Business uses are permitted in the zone districts designated in Table 2-1. See Table 837-4 for clarification.

50. It is unlawful for any person to engage in minor vehicle repair or maintenance unless conducted in accordance with the following conditions:

1. Conducted inside a fully enclosed garage located on a parcel 5 acres in size or greater.
2. Applies to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
3. No more than (5) five vehicles shall be stored outside on the premises.
4. No vehicle may be stored beyond sixty days.
5. Vehicles stored outdoors must be screened from view in all directions by an appropriate fence or similar enclosure.
6. Vehicles intended for parts, engines, transmissions and all similar items to be used in future repairs shall be stored indoors.
7. The uses shall follow all home based business design standards.

51. Any Roadside Stand (Temporary) must submit a site plan and shall only be conducted in accordance with the following conditions, in addition to any conditions imposed as part of site plan approval:

1. The Roadside Stand (Temporary) must be at least twenty feet from the right-of-way line and shall not obstruct pedestrian or vehicular circulation, or obstruct vehicular sight distances.
2. Sales and display activities shall be limited to daylight hours.
3. Off-road parking at least twenty feet from the right-of-way line shall be provided.
4. Must comply with Indiana State Department of Health (ISDH) Rule Title 410 IAC 7-24, Retail Food Establishment Sanitation Requirements.

52. Any Roadside Stand (Permanent) must submit a site plan and shall only be conducted in accordance with the following conditions, in addition to any conditions imposed as part of site plan approval:

1. The Roadside Stand (Permanent) must meet all setback requirements and shall not obstruct pedestrian or vehicular circulation, or obstruct vehicular sight distances.
2. Off-road parking meeting all setback requirements shall be provided.
3. Must comply with Indiana State Department of Health (ISDH) Rule Title 410 IAC 7-24, Retail Food Establishment Sanitation Requirements.

53. Only permitted on lots 5 acres or greater in the AG/RR, CR, and FR zoning districts.

54. The temporary / seasonal activity must be subordinate to or incidental to the principal permitted use or structure existing on the property, and compatible with the intent of the district.

55. The principal dwelling unit or accessory dwelling unit (ADU) or Detached Accessory Dwelling Unit (DADU) must be occupied by the owner of the lot, the minimum lot size must be 5 acres, and must utilize a shared driveway with principal dwelling unit. Before final occupancy of the ADU or DADU, the property owner must record an affidavit and commitment stating that the property owner will reside on the property in either the principal dwelling unit or ADU or DADU. Once recorded, the affidavit and commitment (requiring owner occupancy) may not be removed or modified without Plan Commission approval. Only one accessory dwelling unit per lot of record is permitted.

The following design criteria also apply to accessory dwelling units:



Accessory dwelling unit (ADU) requirements:

1. An ADU is limited to 1,000 square feet of residential space in a single-family structure.
2. The ADU must meet current standards of the residential, building, mechanical, electrical and energy codes of the State of Indiana and the Monroe County Building Department.
3. One off-street parking space is required for the ADU.
4. A manufactured home may not be used as an accessory dwelling unit if it was constructed prior to January 1, 1981.
5. The requirements of Condition 2 under Conditions Pertaining to Permitted Uses in Zoning Districts shall also apply for ADU permitting.

Detached accessory dwelling unit (DADU) requirements:

1. A DADU is limited to 1,000 square feet of residential space.
2. The DADU must meet current standards of the residential, building, mechanical, electrical, energy, and environmentally critical areas codes.
3. One off-street parking space is required for the DADU.
4. A manufactured home may not be used as an accessory dwelling unit if it was constructed prior to January 1, 1981.
5. A DADU must have a permanent connection to either an approved septic system or sewer system.
6. A Recreational Vehicle (RV) is not permitted as a DADU.
7. Each DADU lot shall have a separate buildable area for each dwelling.
8. A DADU lot or parcel of record created via the Sliding Scale subdivision option may only be constructed on the Parent Parcel Remainder.

56. Commercial / Industrial Adaptive Reuse sites may be further developed and used as follows and subject to the following conditions:

- a) Additional buildings and structures may be constructed or placed on the site;
- b) Multiple uses may be established in the existing and new buildings and structures;
- c) All uses established must be permitted uses in the zone district;
- d) Sewer service must be present and available to serve the site;
- e) Building Department review and approval for change of use and occupancy;
- f) Sidewalks shall be included within the dedicated, unpaved portions of the rights-of-way; Additionally, the Plan Commission may approve an alternate circulation plan, outside of the right-of-way, if sidewalk and/or access easement (for sidewalks, bike paths, public access, private access, etc.) locations are available;
- g) At least two of the following design upgrades are required. No more than one existing feature may be counted to fulfill these design upgrade requirements:

1. Installation of parking lot landscape islands including trees and/or stormwater best management practice treatments;
2. Landscape enhancement and/or expansion along the street edge and/or site perimeter.
3. Implementation of stormwater best management practice treatments, under direction of the county stormwater utility;
4. Installation of a low masonry street wall or decorative fence treatment along the street edge;
5. Conversion of pole signs to monument signs;
6. Façade enhancements such as roofline variations, decorative wall signs, canopy treatments, additional window transparency, exterior materials, additional or enhanced entrances;
7. Provision of outdoor public use areas, such as plazas, patios, benches, etc.;
8. Creation of a designated pedestrian way through a front parking lot from the public sidewalk to the main entrance;
9. Aesthetic upgrades to parking lot or exterior building light fixtures (new fixtures must be hooded, shielded, downcast design);
10. Surface upgrades to deteriorated parking areas where at least 25% of parking surface requires upgrade; or, installation of permeable paver systems, porous asphalt, or porous concrete on newly developed areas or as replacement of existing pavement.

57. If there are multiple elderly dwelling units proposed on one legal lot of record, then the Plan Commission must review and approve the proposed site plan. Any project must meet the height, bulk, density standards for the zoning district in which it is located.

**[end of chapter]**



## Monroe County Board of Commissioners Agenda Request Form

Date to be heard 01/05/22

Formal ☐

Work session ☒

Department Planning

Title to appear on Agenda: 2021-38 Chapter 813 scrivener's error  
corrections to the ordinance approved on  
October 6, 2021

Vendor #

### Executive Summary:

This scrivener's error correction applies to the ordinance title page and not to the ordinance itself. See the redlined version of the ordinance title pages.

Fund Name(s):

Fund Number(s):

Amount(s)

Presenter: Jackie Nester Jelen

### Speaker(s) for Zoom purposes:

Name(s)

Phone Number(s)

Jackie Nester Jelen

812-349-2560

*(the speaker phone numbers will be removed from the document prior to posting)*

Attorney who reviewed: Schilling, David

## ORDINANCE NO. 2021-38

The purpose of this ordinance is to amend the Monroe County Zoning Ordinance by the addition and amendment of the development standards in Chapter 813.

WHEREAS, Indiana Code 36-7-4-601 authorizes the Board of Commissioners of the County of Monroe, Indiana (Board of Commissioners), to adopt planning and zoning ordinances and amendments, including maps, for the following purposes: securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, convenience, and general welfare; and otherwise accomplishing the purposes of Indiana Code Chapter 36-7-4;

WHEREAS, the Board of Commissioners adopted a comprehensive replacement Monroe County Zoning Ordinance on December 20, 1996 through the passage of Ordinance 96-36 and have subsequently amended that zoning ordinance ("Zoning Ordinance");

WHEREAS, Indiana Code 36-7-4-602 authorizes local plan commissions to prepare, conduct public hearings on, approve and certify planning and zoning ordinances, and amendments thereto, for consideration by the local board of commissioners;

WHEREAS, the Monroe County Plan Commission (Plan Commission) prepared amendments to Chapter 813 of the Zoning Ordinance, which it deemed necessary and advisable to promote the public health, safety, and welfare within the County Jurisdictional Area;

WHEREAS, the Plan Commission advertised for and conducted a public hearing on the proposed amendments;

WHEREAS, following the public hearing, the Plan Commission voted to forward the amendments to the Board of Commissioners with a positive recommendation;

WHEREAS, the Plan Commission certified the amendments and its recommendation to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

WHEREAS, in accordance with Indiana 5- I 4-1.5-5, the Board of Commissioners provided public notice of its intention to consider the amendments in ordinance form during its September 7, 2021 meeting, and accepted public comment on the proposed amendments during its September 7, 2021 meeting;

WHEREAS, based on public comment received by the Plan Commission and the Board of Commissioners on this ordinance, the Board of Commissioners finds that the proposed [amendments to Chapter 813 in ordinance form and accepted public comment on the proposed amendment during its October 6, 2021 meeting;](#)

[WHEREAS, based on public comment received by the Plan Commission and the Board of Commissioners on this ordinance, the Board of Commissioners finds that the proposed](#)

amendments to Chapter 813 if adopted, would reasonably and efficiently advance the statutorily recognized zoning ordinance purposes. Which include, among other purposes, the promotion of health, safety, morals, convenience, order, and general welfare of the citizens of Monroe County, Indiana, and that the proposed amendments should be adopted;

WHEREAS, the Board of Commissioners finds and confirms that in the preparation and/or consideration of the proposed amendments to Chapter 813, both the Board of Commissioners and the Plan Commission gave reasonable regard to: the Comprehensive Land Use Plan of Monroe County, Indiana; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth;

NOW, THEREFORE, be it resolved by the Board of Commissioners as follows:

**Section 1.** Monroe County Zoning Ordinance Chapter 813 shall be, and hereby is, amended as follows:

**Section 2.** ~~The terms and provisions of this ordinance are separable. If any part or provision of this ordinance or the application thereof to any persons or circumstances is adjudged invalid by a court of competent jurisdiction on procedural grounds, or on any other grounds, such judgment shall be confined in its operation to the part, provision, procedure or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the applications thereof to other persons or circumstances. The Board of Commissioners hereby declares that it would have enacted the remainder of this ordinance even without any such part, provision, procedure or application.~~ Effective Date. This ordinance shall be in full force and effect upon passage.

SO APPROVED AND ADOPTED by the Board of Commissioners of Monroe County, Indiana, this 6<sup>th</sup> day of October, 2021.

~~Passed and adopted by the Board of Commissioners of Monroe County, Indiana, this 29th day of September, 2021.~~

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes

"No" Votes

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Attest:

Catherine Smith, Monroe County Auditor



## Monroe County Board of Commissioners Agenda Request Form

Date to be heard  Formal ☒ Work session ☐ Department

Title to appear on Agenda:  Vendor #

### Executive Summary:

This is an amendment to Chapter 813 of the Monroe County Zoning Ordinance. This amendment proposes to add conditions to the 'General Contractor (Rural)' use. The purpose of this amendment is to accommodate small contractor businesses to start up in the County, while still maintaining the rural character of the area.

Fund Name(s):	Fund Number(s):	Amount(s)
<input type="text" value="N/A"/>	<input type="text" value="N/A"/>	<input type="text"/>

Presenter:

### Speaker(s) for Zoom purposes:

Name(s)	Phone Number(s)
<input type="text" value="Jackie Nester Jelen"/>	<input type="text" value="812-349-2968"/>

*(the speaker phone numbers will be removed from the document prior to posting)*

Attorney who reviewed:



## ORDINANCE NO. 2021-38

The purpose of this ordinance is to amend the Monroe County Zoning Ordinance by the addition and amendment of the development standards in Chapter 813.

WHEREAS, Indiana Code 36-7-4-601 authorizes the Board of Commissioners of the County of Monroe, Indiana (Board of Commissioners), to adopt planning and zoning ordinances and amendments, including maps, for the following purposes: securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, convenience, and general welfare; and otherwise accomplishing the purposes of Indiana Code Chapter 36-7-4;

WHEREAS, the Board of Commissioners adopted a comprehensive replacement Monroe County Zoning Ordinance on December 20, 1996 through the passage of Ordinance 96-36 and have subsequently amended that zoning ordinance ("Zoning Ordinance");

WHEREAS, Indiana Code 36-7-4-602 authorizes local plan commissions to prepare, conduct public hearings on, approve and certify planning and zoning ordinances, and amendments thereto, for consideration by the local board of commissioners;

WHEREAS, the Monroe County Plan Commission (Plan Commission) prepared amendments to Chapter 813 of the Zoning Ordinance, which it deemed necessary and advisable to promote the public health, safety, and welfare within the County Jurisdictional Area;

WHEREAS, the Plan Commission advertised for and conducted a public hearing on the proposed amendments;

WHEREAS, following the public hearing, the Plan Commission voted to forward the amendments to the Board of Commissioners with a positive recommendation;

WHEREAS, the Plan Commission certified the amendments and its recommendation to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

WHEREAS, in accordance with Indiana 5-14-1.5-5, the Board of Commissioners provided public notice of its intention to consider the amendments in ordinance form during its September 7, 2021 meeting, and accepted public comment on the proposed amendments during its September 7, 2021 meeting;

WHEREAS, based on public comment received by the Plan Commission and the Board of Commissioners on this ordinance, the Board of Commissioners finds that the proposed

**Section 2.** The terms and provisions of this ordinance are separable. If any part or provision of this ordinance or the application thereof to any persons or circumstances is adjudged invalid by a court of competent jurisdiction on procedural grounds, or on any other grounds, such judgment shall be confined in its operation to the part, provision, procedure or application directly involved

in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the applications thereof to other persons or circumstances. The Board of Commissioners hereby declares that it would have enacted the remainder of this ordinance even without any such part, provision, procedure or application.

Passed and adopted by the Board of Commissioners of Monroe County, Indiana, this 29th day of September, 2021.

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes

"No" Votes

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Attest:  
Catherine Smith, Monroe County Auditor

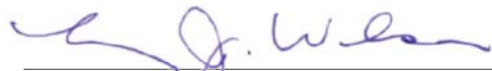
**OFFICE OF  
MONROE COUNTY PLAN COMMISSION  
501 N Morton Street, Suite 224  
BLOOMINGTON, IN 47404**

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

**CERTIFICATION**

I, Larry Wilson, hereby certify that during its meeting on September 7, 2021, the Monroe County Plan Commission considered petition # ZOA-21-7 for an amendment (Ordinance # 2021-38) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, Highway and MS4 Coordinator reports, with a vote of 8-0.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).



---

Larry J. Wilson  
Planning Director

September 10, 2021

---

Date

## CHAPTER 813

### ZONING ORDINANCE: CONDITIONAL USES

#### **813-1. Regulations for Conditional Uses**

The regulations set forth or identified in this chapter are provided to establish procedures, criteria and conditions which shall be met before the Board of Zoning Appeals may approve a conditional use to the terms of this ordinance.

#### **813-2. Application for Conditional Use Approval**

A person desiring conditional use approval shall submit a written application for such approval with the Administrator. An application for approval shall:

- (A) be made on the forms available at the office of the Board and be signed by the owner of the property subject to the conditional use request ("subject property") or by a person who has been authorized to sign the form by the owner. If the form is signed by a person other than the owner, the person must submit written documentation of his/her authority to sign the form (e.g., a letter from the owner which states that the person has been authorized to sign the form);
- (B) identify the specific conditional use requested;
- (C) be presented to the Administrator in duplicate;
- (D) be accompanied by two (2) copies of an area map which shows the location of the subject property, the locations of related public and utility facilities (e.g., schools, sewer, etc.), and the relationship of the subject property to the thoroughfare plans for the area;
- (E) be accompanied by two (2) copies of a site plan, drawn to an appropriate scale, which shows:
  - (1) the subject property;
  - (2) the location of all existing and proposed buildings, structures and improvements to be made to the subject property, including drainage and erosion control facilities and features;
  - (3) accurate dimensions of the parcel, buildings, parking areas and ingress/egress driveways;
  - (4) location, owner of record, zoning and use of adjacent properties, including the location, size and use of all structures within fifty (50) feet of the subject property;
  - (5) location, right-of-way and pavement width of all streets adjacent to the subject property; and
  - (6) proposed connections to public utilities; and
  - (7) landscaping improvements, as required by Chapter 830.

- (F) be accompanied by any other information reasonably required by the Administrator; and,
- (G) be accompanied by the fee established by the Plan Commission.

**813-3. Conditional Use Approval Procedure**

Applications for conditional use approval shall be considered in accordance with the following procedures.

- (A) Within thirty (30) days after receiving a complete application, the Administrator shall schedule and announce the date and time of the Board's hearing on the application. At the time the hearing is scheduled, the Administrator shall provide the applicant with written notice of the hearing date and time.
- (B) Prior to the Board's hearing on the application, the Administrator shall review the application for compliance with the Zoning Ordinance. Following such review and prior to the hearing, the Administrator shall prepare and provide the Board and the applicant with the Administrator's written comments and recommendation on the application, including the Administrator's opinion as to any effect which the proposed conditional use might have upon the Comprehensive Plan;
- (C) The Board, and its representatives, at its discretion, may visit the subject property at any reasonable time during the review process;
- (D) Notice of the Board's hearing on the application for conditional use approval shall be published in two (2) local newspapers of general circulation at least ten (10) days prior to the hearing, in accordance with IC 5-3-1;
- (E) At least ten (10) days prior to the Board's hearing on the application for conditional use approval, the applicant, in the manner prescribed in the Board's Rules of Procedure, shall notify all interested parties of the public hearing by certified mail. Prior to the hearing, the applicant shall provide the Administrator with certified mail receipts demonstrating that the required notices were delivered or returned as undeliverable;
- (F) At least ten (10) days prior to the Board's hearing on the application for conditional use approval, the applicant shall post and maintain a sign on the subject property notifying those passing the property that a request for conditional use approval for the property has been made. The sign shall be provided to the applicant by the Administrator. The cost of the sign shall be borne by the applicant.
- (G) The Board shall conduct a public hearing on the application for conditional use approval in accordance with the Board's Rules of Procedure;
- (H) Following the Board's hearing on the application for conditional use approval, the Board shall take action on the applicant's application. The Board may approve the application, approve the application with conditions, or deny the application.
- (I) The Board shall make written findings of fact in support of its decision. The Administrator shall promptly provide the applicant with a copy of the Board's written findings.
- (J) If the Board approves the application for conditional use approval, the Administrator may issue the applicant an improvement location permit and/or land

use certificate subject to the conditions of conditional use approval and the provisions of the ordinance.

- (K) If the Board denies the application for conditional use approval, the applicant may file an amended application. If the amended application is filed within six (6) months of the Board's denial of the original application, the applicant shall not be charged an application fee.

#### **813-4. Environmental Impact Statement**

The Board shall have the authority to require an applicant to perform an environmental impact study of the area in which the use is proposed and to submit the results of the study to the Board.

#### **813-5. Standards for Approval**

In order for a conditional use to be approved, the Board must find that:

- (A) the requested conditional use is one of the conditional uses listed in Chapter 813-8 (for the traditional County planning jurisdiction) or Table 33-3 (for the former Fringe) for the zoning district in which the subject property is located. In addition to the other relevant standards imposed by or pursuant to this chapter, the standards, uses and conditions set forth in Section 813-8 are hereby incorporated as standards, uses and conditions of this chapter;
- (B) all conditions, regulations and development standards required in the Zoning Ordinance shall be satisfied;
- (C) granting the conditional use shall not conflict with the general purposes of the Zoning Ordinance or with the goals and objectives the Comprehensive Plan;
- (D) the conditional use property can be served with adequate utilities, access streets, drainage and other necessary facilities;
- (E) the conditional use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons, and shall comply with performance standards delineated in this ordinance;
- (F) the conditional use shall be situated, oriented and landscaped (including buffering) to produce a harmonious relationship of buildings and grounds with adjacent structures, property and uses;
- (G) the conditional use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood;
- (H) the conditional use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood; and,
- (I) all permits required by other Federal, State and local agencies have been obtained.

#### **813-6. Conditional Approval**

All conditional use approvals shall be considered to be conditional approvals. The Board shall have the authority to impose specific conditions as part of its approval in order to protect the public health, and for reasons of safety, comfort and convenience (e.g., to ensure compatibility with surroundings). A conditional use approval may be denied or revoked where the applicant fails to comply with specific conditions made a part of the approval by the Board, or fails to comply with a reasonable request of the Board or the Administrator for furnishing specific information related to the proposed use. Failure to comply with the conditions of approval shall constitute a violation of the Zoning Ordinance.

**813-7. Miscellaneous Guidelines**

- (A) If there are other valid reasons for denying a conditional use application, the denial may be sustained even if the proposed conditional use constitutes the highest and best use which can be made of the subject property.
- (B) The Board may not deny a permit solely for the purpose of limiting the number of similar uses in an area. However, the Board may require that reasonable minimum distances be maintained between similar uses as a condition of approval.

**813-8. Additional Criteria for Certain Categories of Conditional Use**

All conditional uses are subject to the criteria established in Section 813-5. Additional criteria as specified in this section must be met by the following categories of conditional use.

- (A) Wireless Communications Facilities
  - (1) The proposed facility must comply with Chapter 834 of this Zoning Ordinance.
  - (2) The Board shall consider whether a proposed facility minimizes land use impacts by being designed to accommodate future co-location by other users.
  - (3) The Board shall consider the extent to which the WCF has been designed to blend with surroundings and reduce visual impact.

**813-9. Conditional Use Approval for Pre-Existing Nonconforming Uses**

The Board may grant conditional use status to a pre-existing nonconforming use in accordance with the following procedures and standards.

- (A) An applicant for conditional use approval shall file an application for site plan review, in accordance with Subsections 815-3(A) and (B) of these regulations. The application shall be considered in accordance with the procedures set forth above, in Section 813-3. The Board's final decision on the application must comply with Subsection 815-3(C) (substituting the Board for the Administrator).
- (B) To be eligible for conditional use approval, the applicant must demonstrate and agree to continued compliance with the following standards:
  - (1) the proposed conditional use is a pre-existing, nonconforming use (or building or structure);
  - (2) the general performance standards set forth in Chapter 802-4 of these regulations; and,
  - (3) the use (or building or structure) will not be expanded, enlarged or changed.

**813-10.**

**Specific Criteria for Conditional Use Approvals**

- (A) Standards for Conditional Use Permits. No conditional use permit shall be granted pursuant to this Chapter unless the applicant shall establish that the specific standards of Chapter 813-5 for the conditional use have been or shall be met. The proposed use and development shall also comply with any additional standards imposed upon the particular use by Section 813-10(B).
- (B) **Additional Criteria for Certain Categories of Conditional Use in the Former Two-mile Fringe.** All conditional uses are subject to the criteria established in Chapter 813-5 and referenced in 813-10(A). Additional criteria as specified in this section must be met by the following categories of conditional use:
  - (1) **Bed and Breakfast Establishments**
    - (a) The operator shall reside on the property;
    - (b) The establishment shall maintain a maximum of three (3) guestrooms;
    - (c) The establishment shall provide one (1) parking space per guest room in addition to the spaces required for the dwelling unit; and
    - (d) The building and its parking facilities shall be designed for compatibility with the surrounding properties.
  - (2) **Day Care Centers**



- (a) Proof of licensing or exemption from the State shall be presented with the application;
- (b) Operator shall be responsible for compliance with all applicable city ordinances and state and federal statutes and regulations;
- (c) The center shall be screened from adjacent properties with a fence or vegetative buffer, and an adequate fenced play area shall be provided;
- (d) The minimum lot size shall be 15,000 square feet or the minimum lot size for the district, whichever is greater;
- (e) Site design and supervision characteristics shall insure that the peace and safety of the surrounding area shall not be impaired; and
- (f) No center shall be approved within 500 ft. of another center.

**(3) Drive-Through Uses**

- (a) Structures shall be located so as to minimize impacts on adjacent property and the character of the streetscape;
- (b) Design of maneuvering and stacking aisles shall not interfere with circulation or visibility for traffic either on or off site and shall be designed to minimize headlight glare to adjacent property and streets. Applicant shall provide reasonable estimates of peak stack needs and accommodate those needs on the site plan; and
- (c) The radius and width of maneuvering areas shall be as required by County Engineer.

**(4) Historic Adaptive Reuse**

- (a) Property shall have been designated Historic or have filed a petition for Historic designation at the time of the application for a conditional use permit;
- (b) Proposed use shall not diminish the historic character of the property or, if it is located within an historic district, the historic character of said district;
- (c) Proposed use shall enhance the ability to restore and/or preserve the property; and
- (d) The granting of the conditional use permit shall be contingent upon any required Certificate of Appropriateness and upon the granting of Historic designation.

**(5) Places of Worship**

- (a) Design of the structure and site shall be compatible with the surrounding area;
- (b) Outdoor group activities shall not be allowed after 10 pm; and
- (c) Facilities shall have adequate access to collector or arterial streets and traffic shall not travel through a residential neighborhood on local streets.

**(6) Rehabilitative Facilities**

- (a) The design of the site and structure, and the intensity of use and population density shall be compatible with the surrounding area;
- (b) Adequate access is provided to a street classified as a collector or arterial; and
- (c) Peace and safety of the surrounding area shall not be impaired.

**(7) Commercial Uses in Industrial Districts**

- (a) Applicant shall demonstrate to the Board's satisfaction that the proposed use is a retail, restaurant, tavern, gasoline service station or business or consumer-oriented office/service use, and the proposed use will serve primarily the industries of the district in which they are located, and/or their employees;
- (b) A maximum of 10% of the total area of an industrial property may be occupied by such uses; and
- (c) Individual retail enterprises shall be limited to a maximum floor area of 3,000 square feet.

**(8) Industrial Uses with Potentially Adverse Effects**

- (a) The following uses may be approved as a conditional use:
  - (1) Petrochemical facilities
  - (2) Manufacture of chemicals and chemical products
  - (3) Processing of meat, poultry, or seafood and other agricultural products, solid waste disposal, or transfer facilities
  - (4) Manufacture of paper products
  - (5) Manufacture of paving material and concrete block
  - (6) Motor or bus terminal
  - (7) Pharmaceuticals other than light manufacturing
  - (8) Metal fabrication other than light manufacturing

- (b) Compliance with the Comprehensive Plan and its impact upon development objectives of the plan, including review by the Plan Commission and recommendation to the Board of Zoning Appeals;
- (c) Proposed use shall not present undue risk of fire, explosion or release of harmful materials;
- (d) Applicant shall submit data which details the environmental and other effects of proposed use and which quantifies the potential risks in term of noise, dust, odor, traffic, and discharges to the air, ground water, or surface water. Statement shall be certified by a Professional Engineer (PE) and presented to the Board at time of application;
- (e) The Board may required mitigation measures such as careful arrangement of buildings and uses on the site, a means of reducing noise and emissions, and may require screening or setbacks greater than normally required in the IG or HI Districts; and
- (f) Board may required post-construction testing or inspection at appropriate times and intervals to insure ongoing compliance with the applicant's representations of impact and any required mitigation measures.

**(9) Outdoor Storage Yards which are Accessory to Permitted Principal Uses**

- (a) Yards may be set back from side and rear lot lines not less than ½ the setback required for buildings on the lot if such lot lines do not abut residential use or zoning. If adjacent to residential use or zoning, such yards must meet the required building setback; and
- (b) Shall be screened so as to mitigate the appearance and impact of the proposed storage use and its level of activity, in a manner consistent with the purposes of the district.

**(10) Fire and Police Stations**

- (a) Shall have adequate access to collector or arterial streets; and
- (b) Design of the structure and the site shall be compatible with the surrounding area.

**(11) Golf, Swim and Tennis Clubs**

- (a) Facilities shall have adequate access to collector or arterial streets and traffic shall not travel through residential neighborhood on local streets; and
- (b) Design and location of any structure and the design of the site shall be such that adjacent properties shall not be subjected to

offensive noise, lights, odors, or flying objects.

**(12) Convalescent, Nursing or Rest Homes; Auditoriums, and Community and Recreation Centers**

- (a)** Proposed facility shall be located on a site of minimum 15,000 square feet, or minimum lot size of the district, whichever is greater;
- (b)** Adequate access shall be provided to collector or arterial streets and traffic shall not travel through residential neighborhoods on local streets; and
- (c)** The design of structure and site, hours of operation, and intensity of use, shall be compatible with the surrounding area.

**(13) Cemeteries and Mausoleums**

- (a)** Shall be located on a site not less than two (2) acres in size;
- (b)** Access to site shall be such that traffic and funeral processions to site will create a minimum of interference with normal traffic operations in the area;
- (c)** The design of the site and any structures shall be compatible with the surrounding area; and
- (d)** All structures shall be set back from any property line a minimum of thirty-five (35) feet and all graves and burial plots shall be set back a minimum of 25 feet from any property line.

**(14) Mortuaries and Crematoriums**

- (a)** Site of the proposed facility shall be a minimum of 50,000 square feet;
- (b)** Adequate access shall be provided to a street classified collector or arterial and traffic shall not travel through residential neighborhoods on local streets;
- (c)** Design of site and structure shall be compatible with surrounding uses; and
- (d)** Access to proposed site shall be such that traffic and funeral processions will create a minimum of interference with normal traffic operations in the area.

**(15) Accessory Gasoline Sales**

- (a)** The use shall be accessory to a grocery store having at least 1,500 square feet devoted to food sales. The use shall be limited to one dispensing nozzle for each grade of gasoline offered;
- (b)** Adequate access shall be provided from a collector or arterial street;

- (c) Pump island shall not eliminate or interfere with required off-street parking spaces or access thereto;
- (d) Adequate stacking space shall be available at the pump island and shall not interfere with traffic safety on the site or adjacent roadway;
- (e) Design of site and structure shall be compatible with surrounding area; and
- (f) Site shall conform to Karst regulations found in Chapter 829.

**(16) Correctional Facilities**

- (a) Adequate access is provided to a collector or arterial street;
- (b) Design of site and structure, and the intensity of use and population density shall be compatible with surrounding area; and
- (c) Site design and supervision characteristics shall insure that the peace and safety of the surrounding area shall not be impaired.

**(17) Junk, Wrecking, and Automobile Storage Yards**

- (a) Processing of metal salvage shall be permitted only in the IG District. All other waste processing shall take place only within an enclosed building. No processing operation shall be permitted closer than 300 feet from any residential use or district;
- (b) All outdoor storage shall be conducted entirely within an enclosed opaque fence or wall designed to obscure the view from the road and from adjacent properties. Such wall or fence shall be constructed on or inside the front, side, and rear setback lines required within the zoning district and shall be constructed in such a manner that no outdoor storage or salvage operations shall be visible from an adjacent property, street, or highway. Storage, either temporary or permanent, between such fence or wall and any property line is expressly forbidden;
- (c) Front, side, and rear yards shall be landscaped to the Board's satisfaction with appropriate materials. At a minimum such landscaping shall include a D-value 1.5 times that required in the zoning district; and
- (d) A maximum of one (1) access driveway shall be permitted on any single street frontage.

**(18) Shared Parking**

- (a) No more than fifty (50) percent of the parking spaces required for a building or use may be supplied by parking facilities required for any other building or use;
- (b) Total parking provided shall be sufficient to meet the requirements of the greatest combined peak parking demands. The Board may require such evidence as it deems necessary to establish parking demands;
- (c) The Board shall require the owners of the properties included in the conditional use request to make a written commitment guaranteeing that the parking spaces shall be maintained as stipulated in the approval so long as parking is required for either of the properties or until the required parking is provided elsewhere in accordance with the provisions of this Chapter. Such instrument shall be recorded by the property owners with the County Recorder, and a copy filed with the planning department; and
- (d) The commitment required above may be modified or terminated only by order of the Board.

**(19) Off-Site Parking**

- (a) The off-site parking facility is within a reasonable walking distance of said structure or use, in consideration of the use;
- (b) Such parking facility is located in a zoning district where such parking facilities are allowed as a permitted or conditional use;
- (c) The Board shall required the owners of the properties included in the conditional use request to make a written commitment guaranteeing that the parking spaces shall be maintained as stipulated in the approval so long as parking is required for the property, or until the required parking is provided elsewhere in accordance with the provisions of this chapter, and prohibiting any other use of the lot which is used for off-site parking. Such instrument shall be recorded by the property owners with the County Recorder, and a copy filed with the planning department; and
- (d) The commitment required above may be modified or terminated only by order of the Board.

**(20) Drive-In Theaters**

- (a) The site must have direct access to an arterial road as identified on the functional street classification map. In addition to the required setbacks from the streets and highways, all yards shall be planted and maintained as a landscaped strip;
- (b) The theater viewing screen shall not be visible from any public

street within 1,500 feet of the screen. In addition, cars parked in the viewing area shall be screened on all sides by a wall, fence, or densely planted evergreen hedge not less than six (6) feet in height;

- (c) Loading space for patrons waiting for admission to the theater shall be equal to twenty (20) percent of the capacity of the theater. All entrances and exits shall be separated, and internal circulation shall be laid out to provide one-way traffic; and
- (d) Sale of refreshments shall be limited to patrons of the theater. Amusement parks or kiddylands shall be accessible only to patrons of the theater;
- (e) All parking areas and access ways shall be adequately lighted; provided, however, that such lighting shall be shielded to prevent any glare or reflection onto a public street or onto neighboring properties; and
- (f) No central loudspeakers shall be permitted.

**(21) Light Manufacturing and Distribution Facilities**

- (a) Architecture and site design shall be compatible with the surroundings and with the purpose of the BP District;
- (b) Truck parking, loading areas, and outdoor mechanicals of any kind shall be adequately screened in a manner compatible with the surroundings;
- (c) The design of the access route to the facility must be suitable for truck traffic; and
- (d) Outdoor processes and/or storage are prohibited.

**(22) Commercial use as principal use in Airport District**

- (a) Applicant shall demonstrate that the proposed retail, restaurant, or business or consumer-oriented uses serve primarily the medical or airport uses in the zoning district and/or their employees;
- (b) Individual retail enterprises shall be limited to a maximum floor area of 3,000 square feet.

**(23) Home Occupations in the Two-Mile Fringe**

- (a) The operator of the home occupation must reside in the dwelling unit. Only one (1) employee who does not reside in the dwelling unit may be permitted, regardless of the number of home occupations in the dwelling unit;
- (b) The use must be conducted entirely within the principal residence or attached garage. Outdoor display of materials, good, supplies, or equipment shall be prohibited;

- (c) Direct sales and/or rentals of products is prohibited, except for the incidental sale of arts and crafts created on the premises in connection with the home occupation;
- (d) Not more than fifteen (15) percent of the total interior floor area of the dwelling unit may be used in connection with the home occupation. However, no home occupation shall be limited to less than 200 square feet nor shall the area of a home occupation exceed 500 square feet;
- (e) There shall be no advertising, signs, display, or other indications of a home occupation in the yard, on the exterior of the dwelling unit, or visible from anywhere outside the dwelling unit, except for one (1) sign, attached to the wall of the building, of a maximum size of two (2) square feet;
- (f) More than one (1) home occupation may be permitted within an individual dwelling unit, provided all other standards and criteria applicable to home occupations are complied with. All home occupations within the same dwelling unit may cumulatively use no more than fifteen (15) percent or 500 square feet of the dwelling unit; and
- (g) An approved home occupation shall be treated as a single family dwelling unit for purposes of site plan review.

**(24) Hotel/Motel in Business Park District**

- (a) Design of the structure and site shall be compatible with the purposes of the BP District.

**(25) Off-Premise Sign Relocation**

- (a) The new location is within a CA, IL, or IG District if the new location is on a different zoning lot. No sign shall be relocated so that a sign face is directed toward, or intended to be legible to, a motorist traveling along SR 37;
- (b) Sign area at the new location shall not exceed the sign area at the previous location, nor shall the height of the sign at the new location exceed thirty-five (35) feet, measured from the base of the sign or from the crown of the road directly in front of the sign, whichever is greater, to the top of the sign;
- (c) The off-premise sign as relocated shall be at least 300 feet from the nearest off-premise sign, except on limited-access highways, where the distance to the nearest sign shall be 500 feet. Such spacing shall apply to signs on the same side of the road, measured along the roadway between points on the roadway that are nearest to each sign. Spacing provisions shall not apply when signs are separated by obstructions in such manner that the only one sign within the spacing distances is visible from the street at any one time;



- (d) The relocated off-premise sign shall be subject to a street setback of ½ of the required building setback from the front property line. The relocated off-premise sign shall be subject to the side and rear building setback requirement of the district in which it is being relocated;
- (e) The relocation promoted the public welfare and tends on balance to preserve and enhance the scenic beauty and aesthetics of the planning jurisdiction, taking into account the location from which the sign is being moved as well as the character of the new location, including but not limited to any landscaping or other amenities proposed for the new location; and
- (f) An application for conditional use to relocate a sign shall be accompanied by a commitment to the removal of the sign from its existing location by both the owner of the property and of the sign. Each such conditional use approval shall include, as a condition of approval, a stipulation that the previous lawful nonconforming use at the previous location shall be deemed abandoned immediately upon relocation.

(C) Additional Criteria for Certain Categories of Conditional Use in the Standard County Jurisdiction. All conditional uses are subject to the criteria established in Chapter 813-5 and referenced in 813-10(A). Additional criteria as specified in this section must be met by the following categories of conditional use:

**(1) Amphitheater**

- (a) The site must have direct access to an arterial road as identified on the functional street classification map. In addition to the required setbacks from the streets and highways, all yards shall be planted and maintained as a landscaped strip;
- (b) Cars parked in the viewing area shall be screened on all sides by a wall, fence, or densely planted evergreen hedge not less than six (6) feet in height;
- (c) Loading space for patrons waiting for admission to the theater shall be equal to twenty (20) percent of the capacity of the theater. All entrances and exits shall be separated, and internal circulation shall be laid out to provide one-way traffic; and
- (d) Sale of refreshments shall be limited to patrons of the theater. Amusement parks or kiddylands shall be accessible only to patrons of the theater;
- (e) All parking areas and access ways shall be adequately lighted; provided, however, that such lighting shall be shielded to prevent any glare or reflection onto a public street or onto neighboring properties; and
- (f) No central loudspeakers shall be permitted.

**(2) Boat Storage**

- (a)** the required building setbacks shall be applied to all boats stored outside;
- (b)** all boats stored outside of enclosed buildings shall be screened from adjoining properties by a double staggered row of evergreen trees, installed in conformance with Chapter 830, or a 6 ft. high opaque fence or wall; and
- (c)** the retail sales of merchandise, and/or boat repair services shall be prohibited.

**(3) Resorts**

- (a)** Design of the structure and site shall be compatible with the surrounding area;
- (b)** Outdoor group activities shall not be allowed after 10 pm; and
- (c)** Facilities shall have adequate access to collector or arterial streets and traffic shall not travel through a residential neighborhood on local streets.

**(4) Rodeo, Race Track, and Transient Amusement Enterprises**

- (a)** The site must have direct access to an arterial road as identified on the functional street classification map. In addition to the required setbacks from the streets and highways, all yards shall be planted and maintained as a landscaped strip;
- (b)** Cars parked in the viewing area shall be screened on all sides by a wall, fence, or densely planted evergreen hedge not less than six (6) feet in height;
- (c)** Loading space for patrons waiting for admission to the theater shall be equal to twenty (20) percent of the capacity of the theater. All entrances and exits shall be separated, and internal circulation shall be laid out to provide one-way traffic;
- (d)** Sale of refreshments shall be limited to patrons of the theater. Amusement parks or kiddylands shall be accessible only to patrons of the theater;
- (e)** All parking areas and access ways shall be adequately lighted; provided, however, that such lighting shall be shielded to prevent any glare or reflection onto a public street or onto neighboring properties; and
- (f)** No central loudspeakers shall be permitted.

(5) **Indoor and Outdoor Shooting ranges are not permitted as accessory uses in this category.**

(6) **Rock Crushing Establishments, Cement Products, and Paving Materials Central Mixing**

(a) Applicant shall submit data that details the anticipated impacts of the proposed use which quantifies at a minimum the potential impacts in terms of vibration, traffic loading. Noise, dust, and discharges to the air, ground, water, or surface water. This data shall be presented to the Board at the time of application.

(b) The Board may require mitigation measures such as the enclosure of plan and silos, arrangement of structures, limitations on the hours of operation, limits on the location of exterior lighting, required haul routes, etc., as means of reducing anticipated impacts of the proposed use.

(c) The Board may require post-construction testing, inspection, and reporting at appropriate times and intervals to insure ongoing compliance with any commitments made by the applicant and any required mitigation measures.

(7) **Artisan Crafts**

(a) All aspects of business operations (manufacture, processing, retail sales, shipping of goods produced) shall take place in the residence or in no more than one accessory structure to the residence. The accessory structure shall not exceed either: a) the gross floor area of the residential structure or, b) 1750 square feet; whichever is greater unless otherwise permitted by the Board of Zoning Appeals;

(b) No outdoor storage shall be permitted unless the site plan includes screening deemed sufficient by the Board of Zoning Appeals;

(8) (c) For operations in AG/RR, FR, and CR zones, a maximum of eight employees are permitted; in the ER and SR zones, a maximum of four (4) employees are permitted;

(d) The owner-artisan must live on site; and

home (e) Signage shall follow the same provisions of Chapter 807 as a based business.

(8) **Tourist Home or Cabin**

(a) The Tourist Home or Cabin must have a kitchen, a bathroom, a living/dining room area and must meet or exceed all infrastructure requirements (e.g., septic system, driveway);

(b) Use must have legal access via an existing public improvement to one or some of the following tourist and guest attractions:

(1) *Lake Monroe, Lake Lemon and Lake Griffy:*  
By adjoining the public property surrounding the lake, having public access within 200 feet of the property line or by right of access through other parcels under the same ownership, excluding easements, as the Tourist Home or Cabin or some combination thereof.

(2) *Morgan-Monroe State Forest or Hoosier National Forest:* By having public or private access for equestrian or bicycle use or a public access trailhead with parking improvements within 200 feet of the property line or by right of access through other parcels under the same ownership, excluding easements, as the Tourist Home or Cabin or some combination thereof.

(3) *Other public recreational or cultural facilities (e.g. Monroe County Parks and Recreation, City of Bloomington Parks and Recreation, Indiana University, Tibetan Cultural Center, etc.) maintained for the benefit of local, state, national, and international visitors:*  
By having public access within 200 feet of the property line or by right of access through other parcels under the same ownership, excluding easements, as the Tourist Home or Cabin or some combination thereof.

(c) Any outdoor pool or spa facilities must meet State and Local Board of Health requirements and must be visually screened from surrounding properties and properly secured with a Power Safety Pool Cover or Enclosure as defined in Indiana Code (675 IAC 20-4-7 – Safety Features; 675 IAC 20-3-9 – Enclosure) standards for a Class C, Semi-Public Pool.

(d) Parking:

- (1) Parking only on paved or graveled driveways;
- (2) No parking is allowed on the street or road;
- (3) One (1) parking space per guest room; and,
- (4) No parking of any vehicles in any yard or setback area as defined by Chapter 804 of the Zoning Ordinance.

(e) Rules, in a readable size and format, shall be posted outside near the main entrance to the Tourist Home or Cabin and shall include the following:

- (1) Rules and regulations

for ensuring safety and preservation of neighborhood values (e.g., emergency phone numbers; 24 hour contact number for property owner or manager; noise restrictions; solid waste management rules; fishing license rules; etc.);

(2) Diagram of property boundary lines; and

(3) Diagram of designated parking.

(f) Smoke detectors and a fire extinguisher shall be installed and maintained in working order in all Tourist Homes or Cabins.

(g) All solid waste and refuse shall be removed from the property and properly disposed of prior to a change of occupancy.

(h) No more than two (2) guests per guest room.

**(9) Historic Adaptive Reuse**

(a) Property shall have been designated Historic or have filed a petition for Historic designation at the time of the application for a conditional use permit;

(b) Proposed use shall not diminish the historic character of the property or, if it is located within an historic district, the historic character of said district;

(c) Proposed use shall enhance the ability to restore and/or preserve the property; and

(d) The granting of the conditional use permit shall be contingent upon any required Certificate of Appropriateness and upon the granting of Historic designation.

**(10) Wastewater Treatment Facility**

(a) In addition to all state and federal regulations, wastewater treatment facilities may only occur under the following circumstances:

(1) It is necessary to remedy 1 or more existing failing wastewater systems;

(2) It is necessary to replace a wastewater system serving an existing campground or similar facility; or,

(3) It will not provide additional capacity beyond the scope of the proposed remedy or replacement.

**(11) Truck Stop/Travel Plaza**

**(a) Applicability**

The standards of this section apply to all truck stops and travel plazas.

**(b) Minimum Parcel Area and Road Frontage**

The minimum parcel area for establishment of a new truck stop or travel plaza is ten acres with at least two hundred (200) feet of direct road frontage on a major collector. Dedicated left-turn and/or right-turn lanes must either exist or be constructed by the Developer. All access drives shall be oriented toward the major collector.

**(c) Location**

1. The parcel on which the truck stop/travel plaza is located must be within 2,000 feet of the centerline of the nearest interstate highway exit/entry ramp.
2. The major collector serving the truck stop/travel plaza shall handle any expected traffic and load increase with no more than minor traffic disruptions to adjoining or nearby (within one (1) mile) properties and no significant additional wear and tear on the roadway.
3. No more than one truck stop shall have primary access from any interstate highway interchange.
4. The minimum distance between truck stops shall be 7,000 feet measured from property line to property line.

**(d) Parking and Fueling Stations**

Fueling areas for automobiles and fueling areas for trucks must be separated. Pump island canopies may not exceed 22 feet in height.

**(e) Indoor Operation**

All vehicle service and/or repair activities must be conducted within a completely enclosed building. Parts, equipment, lubricants, fuels, tires or other materials must be screened from abutting streets and property. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

1. The dispensing of petroleum products, water and air from pump islands.
2. The provision of emergency service of a minor nature.

In addition, no vehicle shall be parked on the premises for the purposes of offering the vehicle for sale and no used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area.

**(f) Noise**

10  
and

If the parcel on which the truck stop/travel plaza is located is within 1,320 feet of an R zoning district, the applicant must provide a noise impact study prepared by a qualified acoustical consultant and must propose necessary mitigation measures to ensure that noise levels at the boundary of the nearest R zoning districts will not exceed 60 dB (A) between the hours of p.m. and 7 a.m. The applicant must also propose idling time restrictions means of ensuring compliance with such restrictions. The purpose of such restrictions is to reduce noise and air quality-related impacts. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.

**(g) Overnight Parking**

Overnight parking is not allowed unless Electrified parking spaces (EPS), also known as truck stop electrification, is installed for each overnight space to allow truck drivers to provide power to necessary systems, such as heating, air conditioning, or appliances, without idling the engine.

**(h) Fuel Spill Containment/Hazardous Substances**

A plan must be submitted showing how the truck stop/travel plaza is designed to prevent any spill from the facility or from vehicles utilizing the facility from contaminating soil or migrating off-site.

The facility shall fully comply with all Federal and State regulations regarding the reporting and containment of spills and releases of petroleum and hazardous substances. The following spills must be reported to the Planning Department within 12 hours of occurrence:

- Greater than 100 lbs. or the CERCLA Reportable Quantity (RQ) of a hazardous material;
- Petroleum spills of greater than 55-gallons; or
- Spills of “objectionable substances” – defined as, substances of a quantity and type that are present in sufficient duration and location to damage the waters of the state.

**(i) Karst**

Development of a truck stop or travel plaza in areas that encompass or affect sinkholes or other karst features (i.e., in “sinkhole areas”) is prohibited unless it is demonstrated that the development would have no significant detrimental impact on storm water management or ground water quality.

**(j) Parking**

All parking areas must be paved and fully comply with current Monroe County landscaping and storm water management requirements. A parking lot separated from the truck fueling/parking area must be provided for employees and passenger vehicles utilizing the facility.

**(k) Landscaping**

1. At least 25% of the lot area shall be devoted to green area.
2. All screening shall include a fence and a dense planting of trees and shrubs, for the full length of the lot line.

**(l) Signs and Lighting Standards**

Any signs or lighting permitted in conjunction with the use shall be appropriate to the location and in harmony with the general character of the properties in the area. All on-site lighting at a truck stop or travel plaza shall be sized and directed to provide for minimal light spillage onto adjacent properties.

Lighting standards shall be as follows:

1. All outdoor lighting shall be fully shielded. Fully shielded requires a lighting fixture to be constructed so that all the light emitted by the fixture is projected below the horizontal plane of the lowest plane of the lowest point of the fixture.
2. Lighting fixtures used to illuminate a sign shall be mounted on the top of the sign structure, lighting the sign downward.
3. Low-pressure Sodium (LPS) lamps or other dark sky friendly lighting alternatives are required throughout the site.
4. Search lights, laser source lights, or any similar high-intensity light shall not be permitted.

**(m) Adult Oriented Business**

No Adult Oriented Business activities as defined by the Monroe County Zoning Ordinance.

**(n) Security**

The truck stop/travel plaza must be designed with adequate lighting, fencing, security cameras, access control, signs, etc. to mitigate the potential for crime.

**(o) Additional Requirements**

All performance standards of the Monroe County Zoning Ordinance must be met. The Board of Appeals may require design changes or additional landscaping, screening, and berms as necessary to minimize the visual and noise impact of the truck stop or travel plaza on adjacent properties.

**(12) Solar Farm**

**(a) Applicability.**



The standards of this section apply to all Solar Farms.

**(b) Use.**

A Solar Farm may be permitted as an accessory use or a principal use.

**(c) Minimum Lot Size.**

Five (5) acres.

**(d) Setbacks.**

Solar farms shall meet the minimum zoning setbacks for the zoning district in which located.

**(e) Height.**

The height of systems will be measured from the highest natural grade below each solar panel. Maximum height of a solar panel is twenty (20) feet.

**(f) Visibility.**

- screening.
1. Solar farms with panels located at least one hundred fifty (150) feet from a residentially zoned property, or residential use shall not require screening.
  2. Solar farms with panels located less than one hundred fifty (150) feet from a residentially zoned property, or residential use must meet the requirements for Bufferyard Landscape Requirements set forth in Chapter 830.

**(g) Minimum Open Space Area.**

A minimum of twenty (20) percent of the lot area must remain open space.

**(h) Public Signage.**

Signage is permitted as provided by Chapter 807.

**(i) Security Fencing.**

of A solar farm shall be enclosed by a chain-link security fence a minimum six feet in height. Barb wire or razor wire is prohibited on all fences.

**(j) Stormwater and Erosion Control.**

Solar farms are subject to the County's stormwater management and erosion and sediment control provisions and NPDES permit requirements.

**(k) Power and Communication Lines.**

Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the County in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines, or distance makes undergrounding infeasible, at the discretion of the zoning administrator.

**(l) Site Plan Required.**

A detailed site plan for both existing and proposed conditions must be submitted, showing location of all solar arrays, other structures, property lines, rights-of-way, service roads, floodplains, wetlands and other protected natural resources, topography, electric equipment, and all characteristics requested by the County. The site plan should also show all zoning districts, and overlay districts.

**(m) Aviation Protection.**

Solar farms located within 500 feet of an airport or within the A or B safety zones of an airport, the applicant must complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

**(n) Other standards and codes.**

All solar farms shall be in compliance with all applicable local, state and federal regulatory codes, including the Indiana Uniform Building Code, as amended; and the National Electric Code, as amended.

**(o) Decommissioning.**

A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months.

**(p) Additional Permitted Districts.**

A conditional use may be granted for a Solar Farm in the Business Industrial Overlay.

**(13) Event Center (Accessory Use in an AG/RR Zone)**

**Development and Operational Standards.**

The following development and operational standards shall apply to an event center in the AG/RR Zone:

**(a) Parking.**

An event center in the AG/RR Zone shall provide parking at a ratio of one parking

space for each two and one-half guests allowed on-site and one parking space for each permanent employee. No off-site parking is permitted unless approved in the conditional use permit process. Parking areas shall follow the requirements of Chapter 806 of the Monroe County Zoning Ordinance (Off-Street Parking and Loading).

**(b) Access Standards.**

1. Access roads to an event center in the AG/RR Zone shall comply with county, state and local fire safe standards as determined by the county and the serving fire agency.
2. Direct access to a publicly-maintained roadway is required.
3. A driveway permit from the responsible public agency is required to address ingress, egress and sight-distance requirements for the driveway connection to a county maintained road or state highway.

**(c) Minimum Parcel Size.**

1. A small agricultural event center shall have a minimum parcel size of ten (10) acres.
2. An intermediate agricultural event center shall have a minimum parcel size of twenty (20) acres.
3. A large agricultural event center shall have a minimum parcel size of forty (40) acres.

**(d) Setbacks.**

An event center in the AG/RR Zone shall be located and is required to hold all outdoor activities associated with the event center (with the exception of parking) a minimum of two hundred (200) feet from the exterior property lines. Parking shall be allowed with fifty (50) feet from the exterior property lines unless the Board of Zoning Appeals increases the parking setback provision to meet neighborhood conditions.

**(e) Event Size.**

1. Small agricultural event center: shall be allowed a maximum event size of one hundred (100) guests or as specified by the conditional use permit.
2. Intermediate agricultural event center: shall be allowed a maximum event size of two hundred (200) guests or as specified by the conditional use permit.
3. Large agricultural event center: shall be allowed a maximum event size of three hundred (300) guests or as specified by the conditional use permit.

**(f) Number of Events.**

An agricultural event center may hold events on a maximum of maximum of forty (40) days per year, which may be further limited by the conditional use permit. For purposes of this provision, an “event” is a celebration, ceremony, wedding, reception, corporate function, or similar activity for the benefit of someone other than the property owner.

**(g) Agricultural Requirement.**

1. An event center in the AG/RR Zone shall be accessory to a primary agricultural use and is required to have an on-going, on-site agricultural production for the length of the term of the conditional use permit.

2. An event center in the AG/RR Zone and its associated areas such as parking, decks and patios shall not occur within current agricultural production areas on a parcel designated as prime farmland in the Web Soil Survey, Natural Resources Conservation Service, United States Department of Agriculture (Available online at <http://websoilsurvey.nrcs.usda.gov/>) unless otherwise specified in the conditional use permit.

**(h) Hours of Operation.**

An event center in the AG/RR Zone shall be allowed to operate from 10:00 a.m. to 11:00 p.m. on Friday and Saturday and from 10:00 a.m. to 8:00 p.m. Sunday through Thursday.

**(i) Noise Regulations.**

An event center in the AG/RR Zone shall be subject to the Noise Control Ordinance (Chapter 380 of the Monroe County Code) and shall be required to stop all noise generating activities, such as music, at 10:00 p.m. or move such activities into an enclosed structure. After 10:00 p.m., all noise levels must be reduced to fifty (50) decibels or less at the event center’s exterior property lines.

**(j) Food Regulations.**

An event center in the AG/RR Zone: as specified by the conditional use permit. If a commercial kitchen is approved with the event center it shall only be used in conjunction with on-site events and for processing of on-farm products. Restaurants and off-site catering are not allowed as part of an event center in the AG/RR Zone.

**(k) Neighbor Notification.**

An event center in the AG/RR Zone shall post and maintain a schedule of future events on their website. An annual/seasonal schedule of future events shall be mailed to all owners of real property located within 660 feet of the subject property at least two weeks prior to the beginning of the event year or season. The schedule shall show days planned for events, hours of operation, and include a phone number for inquiries.

#### **(14) Trucking Terminal**

##### **(a) Applicability**

The standards of this section apply to all trucking terminals in the Light Industrial (LI) District.

##### **(b) Usage**

Trucking terminals in the Light Industrial (LI) District may only be used for straight trucks, dump trucks, charter buses, and emergency vehicles. Tractors and semi-trailers are not permitted.

##### **(c) Minimum Parcel Area and Road Frontage**

The minimum parcel area for establishment of a new trucking terminal is two (2) acres with at least one hundred (100) feet of direct public road frontage.

##### **(d) Location**

The public road serving the trucking terminal shall handle any expected traffic and load increase as determined by the County Highway Department.

##### **(e) Indoor Operation**

All vehicle service and/or repair activities must be conducted within a completely enclosed building. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

1. The dispensing of petroleum products, water and air.
2. The provision of emergency service of a minor nature.

##### **(f) Fuel Spill Containment/Hazardous Substances**

A plan must be submitted showing how the trucking terminal designed to prevent any spill from the facility or from vehicles utilizing the facility from contaminating soil or migrating off-site.

##### **(g) Screening**

Site shall be screened with landscaping, or an opaque fence or wall to a height of at least six (6) feet.

##### **(h) Additional Requirements**

The Board of Appeals may require design changes or additional landscaping, screening, and berms as necessary to minimize impact, for example and without limitation, of noise, odor, dust and visual appearance of the trucking terminal on adjacent properties.

#### **(15) Remote Garbage/Rubbish Removal**

**Development and Operational Standards.** The following development and operational standards shall apply to a Remote Garbage/Rubbish Removal facility:

- A. Facilities must be located in an enclosed structure or be screened on three sides by a six (6) foot high opaque fence or wall.
- B. Facilities shall not be located within 100 feet of adjoining property.
- C. Storage and unloading areas shall be paved.
- D. The site must be kept clear of litter, scrap paper, or other refuse matter.
- E. No power driven processing equipment shall be used at any unenclosed facility.
- F. Facilities attended by any on-site employees shall provide one (1) parking space per employee.
- G. Prior to application for Conditional Use permit, facility must be shown to have fully complied with the provisions of Monroe County Ordinance 2007-18 and Chapter 360 of the Monroe County Code.
- H. If the Conditional Use is approved, all required permits from the Indiana Department of Environmental Management must be issued prior to filing an application for an Improvement Location Permit.

#### **(16) Central Garbage/Rubbish Removal**

**Development and Operational Standards.** The following development and operational standards shall apply to a Central Garbage/Rubbish Removal facility:

- A. Unloading areas for materials must be not less than fifty (50) feet from any adjoining property, unless unloading is conducted entirely within a building.
- B. Portions of a site used for truck maneuvering or the storage, bailing, processing, or other handling of materials must be enclosed by an opaque fence or wall with a nonglare finish not less than eight (8) feet in height.
- C. Loading and unloading areas must be paved.
- D. The site must be kept clear of litter, scrap paper, or other refuse matter.
- E. Chemical or heating processes shall not be used on materials.
- F. Prior to application for Conditional Use permit, facility must be shown to have fully complied with the provisions of Monroe County Ordinance 2007-18 and Chapter 360 of the Monroe County Code.
- G. If the Conditional Use is approved, all required permits from the Indiana Department of Environmental Management must be issued prior to filing an application for an Improvement Location Permit.

#### **(17) General Contractor (Rural)**

### Development and Operational Standards.

The following development and operational standards shall apply to a general contractor in the AG/RR, FR, or CR Zones:

- A. Site must ~~meet or exceed~~ have a minimum lot size of 5 acres. ~~for the zoning district.~~
- B. Presence of a primary residence on the property is required. Business owner/operator must record an affidavit and commitment stating they will reside on the property full-time.
- C. Employees of the business living off-site may park at the residential location provided there is sufficient off-street parking to fully accommodate the employees and that they meet a parking setback of 50 feet. The number of employees who live off-site is limited to 5 total;
- D. No retail is permitted at the residential site;
- E. Any building used in connection with the general contractor use shall be located at least ~~50~~35' from rear and side property lines.
- F. No permanent advertising signs are permitted at the residential property;
- G. Hours of operation shall be between 7 AM and 7 PM.
- H. Any storage of vehicles or materials used for the general contracting business must be stored indoors, or screened on all sides by an appropriate fence or appropriate plantings. If screened, the following standards must be followed:
  - a. A minimum of 6 foot opaque fence or landscaping that meets the interior tree requirement must immediately surround around the entire storage area meeting the 'Type D' bufferyard type in Chapter 830. The screening must capture the entirety of items stored and staff has the final determination as to whether fencing or landscaping is more appropriate depending on items stored.
  - b. Outdoor storage of vehicles must be limited to 5 or less. The types of vehicles must be included on the application and not exceed the County's definition of 'heavy equipment', which is defined as 'Motorized equipment having a gross weight of more than six tons.'
  - c. No outdoor storage area may exceed 100' x 100' and must be located within buildable area per Chapter 804.
  - d. Outdoor storage may not include greenfill waste

**(D)** Effect of Issuance of a Conditional Use Permit. The grant of a conditional use authorizes the use and establishes the terms of use. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. All required permits must be obtained before any grading, construction, or use commences.

**(E)** Expiration of Conditional Use Permit. Any conditional use permit granted by the Board of Zoning Appeals shall expire:

- (1)** In the case of new construction or modifications to an existing structure:
  - (a)** Two (2) years after the date granted by the Board of Zoning Appeals, unless a building permit has been obtained and construction of the structure or structures has commenced; or
  - (b)** At the date of termination established by the Board of Zoning

Appeals as a condition or commitment if different from (1) above.

- (2)** In the case of occupancy of land which does not involve new construction:

  - (a)** Two (2) years after the date granted by the Board of Zoning Appeals, unless an occupancy permit has been obtained and the use has commenced; or
  - (b)** At the date of termination established by the Board of Zoning Appeals as a condition or commitment if different from (1) above.
- (3)** If an appeal by writ of certiorari is taken from an order granting a conditional use, the time during which such appeal is pending shall not be counted in determining whether a conditional use or order has expired under Subsections (a) or (b) of this Section.
- (4)** The Board of Zoning Appeals may provide by rule for the granting of extensions of conditional uses.

- (F)** Amendments to Conditional Use Permits. Any modification or intensification of a conditional use that alters the essential character or operation of the use in a way not intended by the Board of Zoning Appeals at the time the conditional use was granted shall require a new conditional use permit. The property owner, use operator, or his authorized representative shall apply for such conditional use permit prior to any modification of the use or property.

The Administrator shall determine in writing whether the proposed modification or intensification represents an alteration in the essential character of the original conditional use as approved. The operator of the conditional use shall provide the Administrator with all the necessary information to render this determination.

The Hearing Officer may hear requests for amendments to a conditional use, if authorized by the Plan Commission.

No use classified as conditional may be conducted without first obtaining a conditional use permit under this chapter, and no such use shall be conducted except in compliance with all applicable provisions of this Zoning Ordinance and with any conditions upon such permit.

**[end of chapter]**





## Monroe County Board of Commissioners Agenda Request Form

Date to be heard  Formal ☐ Work session ☒ Department

Title to appear on Agenda:  Vendor #

### Executive Summary:

This Planned Unit Development amendment is requested in order to allow for 9 duplex buildings plus 1 innkeeper/multi-use building on a 5.93 acre parcel. The site will include up to 55 bedrooms within 19 units located within 10 structures on the site. The underlying Planned Unit Development zoning allowed for 9 fourplexes on the site, or 36 units. With this request, the prior Planned Unit Development would be amended and replaced to allow for the duplex development.

The site was originally approved in 2001 and then amended in 2005. Since then, infrastructure has been installed on the site to accommodate the level of density proposed. This project will be on sewer and is said to be intended for condominium-like development. The petitioner is including adequate parking, landscaping, bioretention, and other requirements for the development. This received a 8-0-1 favorable recommendation by the Plan Commission on Nov 16, 2021.

Fund Name(s):	Fund Number(s):	Amount(s)
<input type="text" value="N/A"/>	<input type="text"/>	<input type="text"/>

Presenter:

### Speaker(s) for Zoom purposes:

Name(s)	Phone Number(s)
<input type="text" value="Jackie Nester Jelen"/>	<input type="text" value="812-349-2968"/>

*(the speaker phone numbers will be removed from the document prior to posting)*

Attorney who reviewed:

## ORDINANCE NO. 2021-58

This ordinance is to adopt the Heritage Creek Outline Planned Unit Development, Outline Plan Amendment 2.

WHEREAS, Indiana Code 36-7-4-601 authorizes the Board of Commissioners of the County of Monroe, Indiana (Board of Commissioners), to adopt planning and zoning ordinances and amendments, including maps, for the following purposes: securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, convenience, and general welfare; and otherwise accomplishing the purposes of Indiana Code Chapter 36-7-4;

WHEREAS, the Board of Commissioners adopted a comprehensive replacement Monroe County Zoning Ordinance on December 20, 1996 through the passage of Ordinance 96-36 and have subsequently amended that zoning ordinance ("Zoning Ordinance");

WHEREAS, Indiana Code 36-7-4-602 authorizes local plan commissions to prepare, conduct public hearings on, approve and certify planning and zoning ordinances, and amendments thereto, for consideration by the local board of commissioners;

WHEREAS, the Plan Commission advertised for and conducted a public hearing on the Heritage Creek Outline Plan Amendment 2;

WHEREAS, following the public hearing, the Plan Commission voted to forward the Heritage Creek Outline Plan Amendment 2 to the Board of Commissioners with a **favorable** recommendation;

WHEREAS, on November 16, 2021, the Plan Commission certified the amendments and its recommendation thereon to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

WHEREAS, in accordance with Indiana 5- I 4-1.5-5, the Board of Commissioners provided public notice of its intention to consider the Heritage Creek Outline Plan Amendment 2 in ordinance form and accepted public comment on the proposed amendments during its \_\_\_\_\_, 2022 meeting;

WHEREAS, the Board of Commissioners finds that the proposed amendments, if adopted in ordinance form, would reasonably and efficiently advance the statutorily recognized zoning ordinance purposes, which include, among other purposes, the promotion of health, safety, morals, convenience, order, and general welfare of the citizens of Monroe County, Indiana, and that the proposed amendments should be adopted;

WHEREAS, the Board of Commissioners finds and confirms that in the preparation and/or consideration of the proposed amendments, both the Board of Commissioners and the Plan Commission gave reasonable regard to: the Comprehensive Land Use Plan of Monroe County, Indiana; current conditions and the character of current structures and uses in each district; the most

desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth;

WHEREAS, the Board of Commissioners of Monroe County, Indiana adopted Ordinance #2001-22 "Heritage Creek PUD" on May 16, 2001, and subsequently amended it by Ordinance #2005-35 on September 2, 2005;

NOW, THEREFORE, be it resolved by the Board of Commissioners as follows:

#### Section I.

The Heritage Creek Plan Unit Development outline plan will rezone the Real Estate located at South Harrodsburg Road, Indiana to a Planned Unit Development ("PUD"). The Heritage Creek PUD allows single family residential use, along with an accessory structure homeowner association accessory use. The Heritage Creek PUD must comply with all required improvements, constructure standards, design standards, procedures and all other engineering standards contained within the Monroe County Code and other pertinent regulations, except where specifically modified by the PUD Outline Plan. The Heritage Creek PUD must comply with the standards, covenants, and representations in the PUD Outline Plan in Exhibit A.

The real Estate is located in Clear Creek Township, Section 29.

PUD Parcels are described as:

#### Area A

A part of the south half of Section 29, Township 7 North, Range 1 West, Clear Creek Township, Monroe County, Indiana, more particularly described as follows:

Commencing at a railroad spike found marking the southeast corner of the Southwest quarter of said Section 29; Thence on the centerline of Harrodsburg Road North 01 degree 04 minutes 05 seconds East (assumed basis of bearings) 768.00 feet to a mag nail set; Thence North 00 degrees 31 minutes 51 seconds East 174.01 feet to a mag nail set; Thence North 00 degrees 11 minutes 41 seconds East 241.02 feet to a mag nail set; Thence North 02 degrees 53 minutes 13 seconds West 216.69 feet to a mag nail set; Thence North 06 degrees 25 minutes 18 seconds West 30.73 feet to a mag nail set at the true point of beginning; Thence leaving said centerline "South 90 degrees 00 minutes 00 seconds West 626.90 feet to a 5/8 inch diameter rebar with a cap engraved "Bynum Fanyo 890006" (called "monument" for the remainder of this description) set; Thence along a fence North 00 degrees 25 minutes 27 seconds East 214.44 feet to a monument set at the southwest corner of Out Lot 6 in Harrodsburg, Indiana; Thence leaving said fence and on the south line of Out Lot 6 and Out Lot 5 North 90 degrees 00 minutes 00 seconds East 455.25 feet to Point "A"; Thence continuing North 90 degrees 00 minutes 00 seconds East 145.91 feet to a mag nail set on the centerline of Harrodsburg Road; Thence on said centerline South 06 degrees 25 minutes 18 seconds East 215.79 feet to the point of beginning containing within said bounds **3.02 acres** be the same more or less but subject to all legal highways and easements of records according to a survey by Douglas R. Curry, Registered Surveyor No.

890006 in August of 2000.

Parcel # 53-11-29-300-047.000-006

#### Area B

A part of the south half of Section 29, Township 7 North, Range 1 West, Clear Creek Township, Monroe County, Indiana, more particularly described as follows: Commencing at a railroad spike found marking the southeast corner of the Southwest quarter of said Section 29; Thence on the centerline of Harrodsburg Road North 01 degree 04 minutes 05 seconds East (assumed basis of bearings) 768.00 feet to a mag nail set; Thence North 00 degrees 31 minutes 51 seconds East 174.01 feet to a mag nail set; Thence North 00 degrees 11 minutes 41 seconds East 241.02 feet to a mag nail set; Thence North 02 degrees 53 minutes 13 seconds West 216.69 feet to a mag nail set; Thence North 06 degrees 25 minutes 18 seconds West 246.52 feet to a mag nail set; Thence leaving said centerline South 90 degrees 00 minutes 00 seconds West 28.23 feet to a 5/8 inch diameter rebar with a cap engraved "Bynum Fanyo 890006" (called "monument" for the remainder of this description) set at the southeast corner of said Out Lot 5 and the true point of beginning; Thence on the south line of Out Lot 5 and Out Lot 6 and continuing South 90 degrees 00 minutes 00 seconds West 117.68 feet to Point "A"; Thence continuing South 90 degrees 00 minutes 00 seconds West 455.25 feet to a monument set; Thence along a fence North 00 degrees 25 minutes 37 seconds East 210.00 feet to a monument set; Thence along a fence North 88 degrees 32 minutes 33 seconds East 348.72 feet to a monument set; thence along a fence North 09 degrees 05 minutes 49 seconds West 58.00 feet to a monument set; Thence along a fence North 90 degrees 00 minutes 00 seconds East 198.50 feet to a corner post on the existing west right-of-way line of Harrodsburg Road, said right-of-way line being approximately 30 feet west of the road centerline; thence on said right-of-way line South 06 degrees 54 minutes 14 seconds East 278.15 feet to the point of beginning containing within said bounds **3.03 acres** be the same more or less but subject to all legal highways and easements of records according to a survey by Douglas R. Curry, Registered Surveyor No. 890006 in August of 2000.

Parcel # 52-11-29-301-044.000-006

## Section II.

The following conditions of approval shall apply to this petition:

Favorable recommendation by the Plan Commission subject to MS4 Coordinator and Highway Engineer reports, and includes:

1. Petitioner amend the outline plan to meet any Highway requested specifications for the roadway, including:

- a. Roadway meet the "Manual for Construction Within and Adjacent to Monroe County Right-of-Way" for the following:
  - i. Road width of 26 feet;
  - ii. Roadway approach to Harrodsburg Road needs to flare out in accordance with County design standards.
  - iii. curb and gutter shall be used in turnaround area;

- iv. Replace 6 ft. sidewalk on the south side of the road with a 4 ft. sidewalk with a 2 ft. grass strip;
- v. Turnaround design be approved by Monroe Fire Protection District, and the Monroe County Community School Corporation, if they plan to send buses into the development.

**Section III. Effective Date.** This ordinance shall be in full force and effect upon passage.

SO APPROVED AND ADOPTED by the Board of Commissioners of Monroe County, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2022.

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes

"No" Votes

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Attest:  
Catherine Smith, Monroe County Auditor

**OFFICE OF  
MONROE COUNTY PLAN COMMISSION  
501 N Morton Street, Suite 224  
BLOOMINGTON, IN 47404**

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

**CERTIFICATION**

I, Larry Wilson, hereby certify that during its meeting on November 16, 2021, the Monroe County Plan Commission considered petition # PUO-21-3 for an amendment (Ordinance # 2021-58) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, Highway and MS4 Coordinator reports, with a vote of 8-0-1.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).



\_\_\_\_\_  
Larry J. Wilson  
Planning Director



\_\_\_\_\_  
Date

432586 / 24107-2

**MONROE COUNTY PLAN COMMISSION****November 16, 2021**

**CASE NUMBER** PUO-21-3  
**PLANNER** Jackie Nester Jelen, AICP  
**PETITIONER** Miller-Robertson Inc, C/o Bynum Fanyo & Associates  
**REQUEST** Heritage Creek Planned Unit Development Outline Plan  
Amendment 2  
**ADDRESS** 9200 block +/- S Harrodsburg Rd  
Parcel #: 53-11-29-300-047.000-006 & 53-11-29-301-  
044.000-006  
**ACRES** 5.93 +/-  
**ZONE** PUD Heritage Creek  
**TOWNSHIP** Clear Creek  
**SECTION** 29  
**PLATS** Unplatted  
**COMP PLAN** Designated Communities  
**DESIGNATION**

**EXHIBITS**

1. Outline Plan Amendment – updated November 5, 2021
2. Proposed Site Plan – updated November 5, 2021
3. Exhibit showing Area A and B Open Space
4. Phasing Proposed - November 5, 2021
5. Parking Exhibit – November 5, 2021

**RECOMMENDATION TO THE PLAN COMMISSION**

Staff recommends **denial** of the Planned Unit Development Outline Plan due to the street width proposal not meeting the Highway's Manual for Construction Within and Adjacent to the Monroe County Right-of-way.

In the event the Plan Commission approves the Planned Unit Development, staff suggests the following: Approval subject to Highway Reports and MS4 Coordinator reports with the following conditions:

1. Petitioner amend the outline plan to meet any Highway requested specifications for the roadway, including:
  - a. Roadway meet the "Manual for Construction Within and Adjacent to Monroe County Right-of-Way" for the following:
    - i. Road width of 26 feet;

- ii. Roadway approach to Harrodsburg Road needs to flare out in accordance with County design standards.
  - iii. curb and gutter shall be used in turnaround area;
  - iv. Replace 6 ft. sidewalk on the south side of the road with a 4 ft. sidewalk with a 2 ft. grass strip;
- b. Development meet Subdivision Control and Zoning standards, including:
  - i. Cul-de-sac construction in lieu of hammerhead design

#### **UPDATES 11/8/2021:**

The petitioner has made a significant number of edits to the original plans. Staff has previously requested conditions of approval; below is a description of how the petitioners have met these requirements:

1. Petitioner amend the outline plan to include a comprehensive list of requirements including but not limited to, parking, landscaping, road specifications, signage, uses, design standards, etc.;

Petitioner has submitted more details in their latest outline plan.

2. Petitioner revise landscaping requirements to include bioretention plantings and full perimeter landscaping;

Petitioner agrees to plant all bioretention landscaping. However, the applicant is requesting that the “Area B” is to be preserved and no new landscaping, along with the street frontage along S Harrodsburg. The overall landscaping appears to be comparable to what is required under the ordinance. However, the east and south property line trees have not been inventoried and therefore staff is not aware of whether it complies with the native planting list in Chapter 830.

- a. Roadway meet the “Manual for Construction Within and Adjacent to Monroe County Right-of-Way” including pavement section, road width, curb and gutter construction, development entrance width, sidewalk specifications, driveway specifications, and other standards as applicable;

The applicant is not willing to meet the road width requirement because of existing already installed stormwater infrastructure. Instead of meeting the required 26 feet of pavement, they are meeting 24 feet and preventing on-street visitor parking. The main concern is lack of visitor parking. All other requirements are committed to being met.



- b. Mailboxes shall be clustered

Petitioner agrees to this.

- c. Driveways and building setbacks shall be amended to prevent parking overhang within the road easement;

Petitioner amended the width of the easement from 50 feet to 42 feet.

- d. Development meet Subdivision Control and Zoning standards, including:
  - i. Cul-de-sac construction in lieu of hammerhead design

Petitioner does not agree to this. The Highway Department does not have the comment that this requirement be met.

- ii. Driveway width shall be a maximum of 22'

Petitioner agrees to this.

- e. Petitioner submit a parking analysis for Highway Department review and approval

Petitioner has submitted a plan for review.

- f. Petitioner submit a phasing plan that meets the requirements of Chapter 811.

The petitioner has submitted a phased plan which breaks the development into 4 phases with a minimum of 2 buildings in each phase. If approved, staff would request more exact information via the development plan approval process.

#### **UPDATES 10/12/2021:**

The petitioner has updated many items for this development, including but not limited to:

- Petitioner has amended the outline plan to stipulate single family use in either an HOA or subdivision.
- Petitioner included more details for the development, including parking, landscaping, signage, uses, design standards, etc. Staff has preliminarily reviewed the outline plan and is requesting an illustration to pair with the phasing plan.
- The petitioner added sidewalks to the southside of Buffalo Trace

- The petitioner reduced the parking garage space from 2 to 1 space per unit
- The petitioner is requesting 2 story development maximum as a basement or second story on a concrete slab foundation. Square footage of the units is now detailed and is set to be 1,500 sf per unit plus garage, deck, patio, stoop, and walkway.
- The petitioner is proposing phased development, however it needs to comply with Ch 811.

### **RECOMMENDATION TO THE PLAN REVIEW COMMITTEE**

Recommendation to the Plan Review Committee:

- Staff recommends forwarding a “negative recommendation” to the Plan Commission based on the petition’s compatibility with the Monroe County Comprehensive Plan and Harrodsburg Rural Community Plan, specifically the Harrodsburg plan’s recommendation that there be an “emphasis on single family residences.”

It was pointed at a later meeting with the petitioner and staff that the Harrodsburg community had sewer installed in approximately 1994. Since then, no large-scale developments have taken place of this size. Additionally, the petitioner does plan to have an HOA and condominium development with an idea that individual units can be sold; this is now being considered as part of the findings for a recommendation under the comprehensive plan section.

### **PLAN COMMISSION – September 7, 2021**

The Plan Commission voted on this item on September 7, 2021, during a continuation of the 8/17/2021 Regular Plan Commission meeting. The motion to approve failed (4-3-1) for lack of a quorum and was moved to 9/21. The petitioner then requested a continuation to 10/19 to provide more time to come up with PUO standards.

### **PLAN REVIEW COMMITTEE – July 8, 2021**

No formal recommendation was made. There was a discussion as to whether “emphasis on single family” is considered a standard for review. The standards for review include consideration of the Comprehensive Plan as a guiding document. The petitioner does plan to have an HOA and condominium development with an idea that individual units can be sold. It is ultimately up to the Plan Commission/County Commissioners to determine whether the standard is being met by having

individually sold condominium units, or if the traditional single family development (single unit on an individual lot) is the preferred development type.

## SUMMARY

The petitioner is requesting approval for 9 duplex buildings plus 1 innkeeper building for a total of 10 structures/19 units. The number of dwelling units would total 19 and the estimated number of bedrooms is about **3 per duplex and 1 for the innkeeper building** totaling between **55** bedrooms on this 5.93+/- acre site. This request would equate to 2.88 units/acre.

The petitioner met with staff to discuss their proposal. Staff initiated the expiration process of the PUD because 15 years had lapsed since a development plan approval took place. The petitioner filed an outline plan amendment to allow for 9 duplexes and one single innkeeper unit (19 units total) in case the fourplex development is denied. If the request is ultimately denied, the petitioners were made aware that the expiration process of the PUD would resume and the site would be rezoned to a county zone. Currently, there is not a county zone under Chapter 802 that permits multifamily use. The petitioners request multifamily development with the option of a condominium model at a later time.

Petition Type:	<b>PUO-21-3</b>	<b>Staff Initiate Rezone to UR</b>
Building Type:	9 duplexes 1 Single Family Residence	ESTIMATE: 6 structures (Attached SFR)
Number of Units:	19 units	ESTIMATE: 12 units
Number of Bedrooms:	<b>55</b> bedrooms (duplexes with option of 3 bedroom + 1 single residence for person to maintain property)	Unknown

**TABLE 1:** Permitted Use Comparison

	<b>MR</b>	<b>Proposed PUD</b>
Single-Family Attached Structure	P	
Single-Family Detached Structure	P	
Accessory Use	P	
Home Occupation	P	

Multi-Family		P
--------------	--	---

\*NOTE: The petitioner will have a Condominium association setup so that individual units can be utilized and for ownership. The Zoning Ordinance would define the use as multi-family because there will be multiple units on one lot of record.

**TABLE 2: Design Standards Comparison**

	Ch. 804 UR	Proposed PUD
<b>Lot Area Requirements</b>		
Gross Density	7.30/ac.*	6.27/ac. (excludes 2.9 ac non-build)
Min. Lot Area (acres)	0.14	N/A
Min. Lot Width (feet)	60	N/A
Max. Height (feet)	35	3 story (includes basement living space)
Max Footprint of unit (excludes garage, decks, porches/patio, stoop, and entrance walkways)	N/A	2,000 sf per duplex 500 sf for innkeeper
<b>Yard and Open Space Requirements</b>		
Min. Front Yard	25' from right-of-way	Duplex/Innkeeper Setback = 25' from Right-of-way for S Harrodsburg
	10' side and rear setbacks	Duplex/Innkeeper South side setback– 8' from Area B open space  Duplex/Innkeeper Setback North & west side = 10' from property line  (decks, patios, stoops and walkways setback =

		7' encroachment allowed)  Duplex/Innkeeper Setback from Easement = 5'  Duplex/Innkeeper Setback Garage setback from easement = 17'
Minimum Signage Setback from R/W	10'	10'
Min between buildings	20'	17' on one side for duplex 0' on one side for duplex  17' for innkeeper
Min. Side Yard	10'	10'
Min. Rear Yard	10'	10
Min. Open Space Area (percent)	48%	25%

\*Max density and excludes non-buildable areas, roads, infrastructure, etc.

\*\* 25% of the total area of the entire PUD must be open space as defined in the Monroe County Zoning Ordinance Chapter 811. Petitioner proposing closer to 50%

## Landscaping

Zoning	Proposed PUD	County Zoning
Required Bufferyard	<b>North - 210D</b> <b>West – 210D</b> <b>East – 140D (AS-IS)</b> <b>South –90D (AS-IS)</b>	North – 20’ wide <b>420D</b>  West – 10’ wide 210D  East – N/A if not subdividing  South – 10’ wide <b>210D</b>
Required Bioretention	15,563D (Meet Requirements)	667D / 300 sf 7000 sf / 300 sf = 23.3 23.3 * 667 = 15,563D
Streetscape	Along Easement – 100 p/g, 25 trees, 25 Shrubs <b>(1575D)</b>	Along Easement – N/A if not subdividing

The petitioner’s prior development plan was approved with landscaping around the northern parcel only at a value of 3,075 D value for a perimeter of 1513 feet. That equates to about **210D**. The petitioner is required to place a value of 300D on the northern property line per the Ordinance. **The overall landscaping appears to be comparable to what is required under the ordinance. However, the east and south property line trees have not been inventoried and therefore staff is not aware of whether it complies with the native planting list in Chapter 830.**

Table 30-1 Minimum Required Bufferyard							
P R O P O S E D  U S E	ADJOINING USES						
		Single Family Dwelling	Two Family Dwelling	Multi Family Dwelling	Low Intensity Use	Medium Intensity Use	High Intensity Use
	Single Family Dwelling	None	A*	B*	C*	C*	D*
	Two Family Dwelling	A	None	A*	B*	C*	D*
	Multi Family Dwelling	B	A	None	B*	B*	D*
	Low Intensity Use	C	B	B	None	A*	C*
	Medium Intensity Use	C	C	B	A	None	B*
	High Intensity Use	D	D	D	C	B	None
* The maximum buffer that may be required.							

Table 30-2 Bufferyard Types		
Type	Minimum Landscaped Yard	D Value Required per 100 Linear Feet of Property Line or Right-of-Way*
A	10 feet	105
B	10 feet	210
C	15 feet	315
D	20 feet	420
* Linear does not mean all plantings have to be arranged in a linear fashion, natural groupings are encouraged.		

## Parking

	Proposed PUD	UR Zoning District
Required Parking:	<b>Duplex Two car garage+2 parking spaces per unit</b> <b>Innkeeper One car garage+1 parking spaces per unit</b>	<b>1 bedroom = 1 space/unit</b> <b>2 bedroom = 1.6 spaces/unit</b> <b>3 bedroom = 1.8 space/unit</b>
TOTAL:	<b>Proposed 2 off-street per unit =36</b>	<b>1 (innkeeper unit)+32.4 (18 units 3 BR)</b> <b>=</b>

	<b>Proposed 1 off-street per innkeeper = 1</b> <b>37 total parking spaces + 37 parking garage spaces</b>	<b>34 Parking spaces off-street</b>
--	---	-------------------------------------

Petitioner is proposing a private road and **2 garage spaces per unit for the duplex and 1 garage space for the innkeeper**. The petitioner is proposing a minimum of **17'** from the garage to the edge of the sidewalk to allow for 2 additional parking spaces outside of the garage. Planning staff is not including the garage spaces as minimum parking as it is not always utilized for parking and instead can be utilized for storage.

### Roadways & Sidewalks

Petitioner is proposing a private easement driveway with a hammerhead turnaround. The easement would be 50' wide with the hammerhead at the very west of the property. Sidewalks are proposed on the north side **and south side** with a stub to the north to connect into an easement. Image below shows the connection point to the easement. **The petitioner has also left open an option for a pedestrian path on Area B, but no plans have been shared to date.**

	<b>Proposed PUD</b>	<b>UR Zoning District</b>
<b>Required Road width:</b>	<b>24' from curb-to-curb with hammerhead turnaround</b>	<b>24' – 26' with 36 ft radius cul-de-sac</b>
<b>Sidewalk Standard:</b>	<b>North side only and south side</b> <b>with stub to Popcorn Rd</b>  <b>TOTAL 1,219 ft</b>	<b>Both sides of Buffalo Trace AND along S Harrodsburg Rd</b> <b>TOTAL 1,767 ft (would include traversing drainage easement)</b>





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### Signage

One sign existing on the property is proposed to stay. Not to exceed 40 sf. It must be a minimum of 10' back from right-of-way.

### Drainage

As drainage has already been installed, this will need to be reviewed by the MS4 Coordinator to see what repairs/changes are required. The petitioner has included the following in the ordinance "Comprehensive drainage plan as approved by the Monroe County Drainage Board. Drainage easements, swales, retention ponds and bioretention areas included in the drainage plan will be plotted on the first development plan as permanent features. The project will meet all submittal requirements for submission of an As-Built of all storm water facilities. An Operation and Maintenance Manual for maintenance and repair of the drainage facilities will be adopted. Final design of the drainage facilities and terms of the drainage plan are subject to drainage board approval" per the MS4 Coordinator recommendations.

## LOCATION MAP

The petitioner site contains two lots totaling 5.93 +/- acres, parcel numbers: 53-11-29-300-047.000-006 & 53-11-29-301-044.000-006. The site is located on +9300 block of S Harrodsburg in Section 29 of Clear Creek Township.

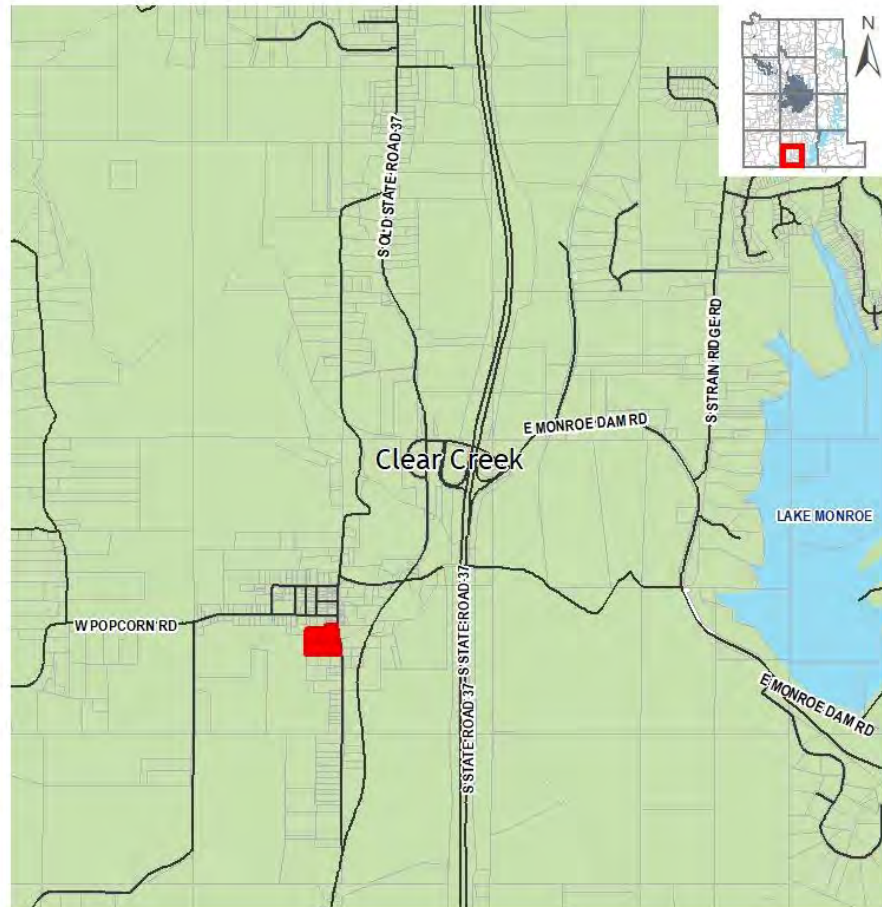
### Location Map

-  Petitioner
-  Roads
-  Civil (Political) Townships
-  Lakes
-  Parcels

0 0.2 0.4 0.8 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 5/25/2021





## ZONING

The zoning for the petition site is Planned Unit Development (PUD). The sites adjacent include PUD to the North ([Jim Baugh PUD](#), similar to LI zoning) and Suburban Residential; to the east is Urban Residential; to the south is Low Density Residential; to the west is Agriculture/Rural Reserve.

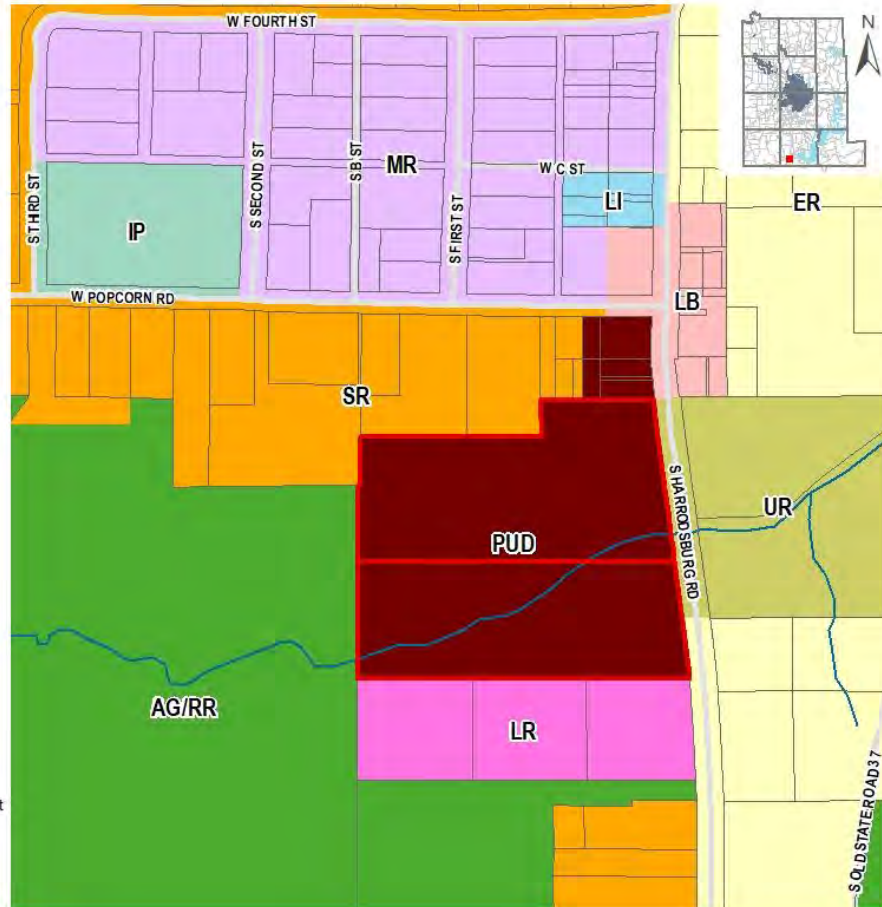
### Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Monroe County Zoning**
  -  AG/RR - Agriculture/Rural Reserve
  -  ER - Estate Residential
  -  IP - Institutional/Public
  -  LB - Limited Business
  -  LI - Light Industrial
  -  LR - Low Density Residential
  -  MR - Medium Density Residential
  -  PUD - Planned Unit Development
  -  SR - Suburban Residential
  -  UR - Urban Residential

0 112.5 225 450 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 5/25/2021

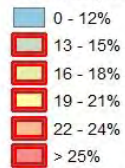


The petition site is two parcels totaling 5.93 +/- acres. The lot contains easements for utilities and an existing 50' drainage easement through the site. The prior approved development plans placed the creek in a large drainage easement area.

## Site Conditions Map

— Minor Collector [60']  
Petitioner  
— 2-Foot Contours

### Permit Slopes




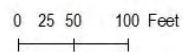
— Local Roads [50']  
— Hydrologic Features

### DNR Best Available Data

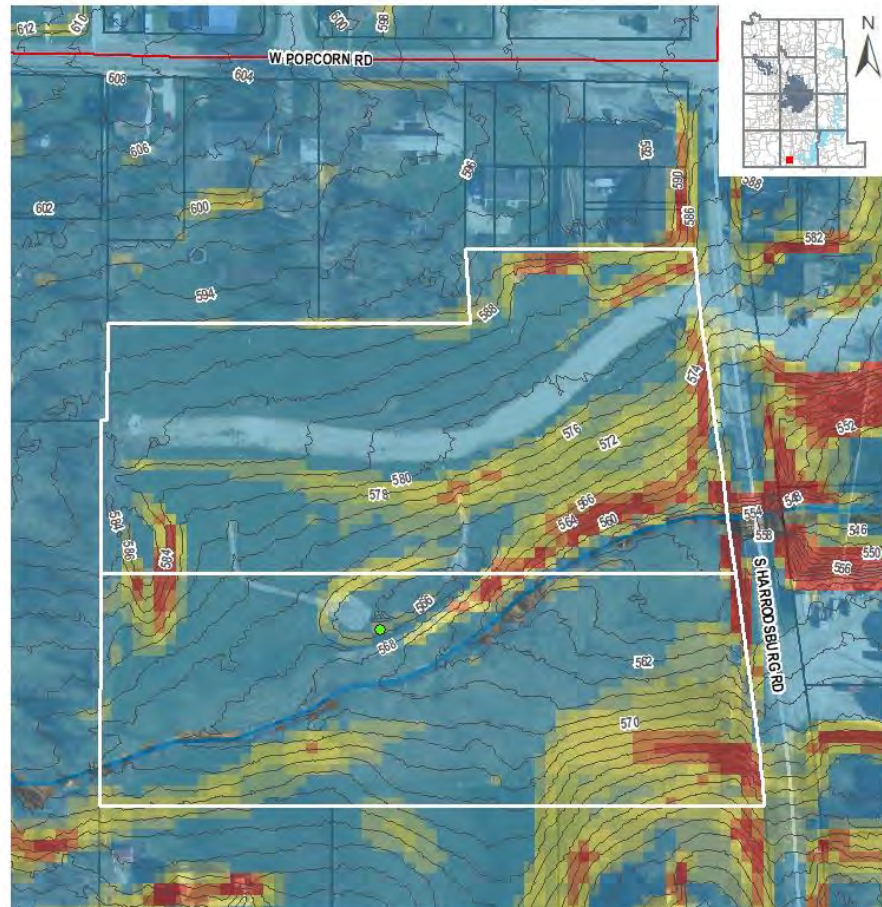
FLD\_ZONE, ZONE\_SUBTY

X UNSHADED

 Parcels



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 5/25/2021



### **INFRASTRUCTURE AND ACCESS**

The parcel maintains frontage along S Harrodsburg Road, which is classified as a Local Road with 25' of right-of-way. Right-of-way dedication has been shown on the survey (see Exhibit). The property has access to sewer and under the current PUD designation, sidewalks are required throughout the development. Additionally, bioretention, landscaping, and road improvements would be required prior to developing this parcel with multiple units.

The proposed 2005 development plan included building a road that stubbed to the property to the west. In the prior plan from 2001, it included a cul-de-sac design.

### **SITE PHOTOS**



Street view facing west from S Harrodsburg Rd





Street view facing west from S Harrodsburg Rd



View of the property from above facing north, 2020 aerial





Manholes, storm sewer, sanitary sewer, and retention ponds are installed.





Retention area



Image showing the stormwater drains on either side of the gravel road bed.





Retention pond photo sent Saturday, June 19 at 9 PM (after storm event of 4-6")



2005 aerial of the property

## COMPREHENSIVE PLAN DISCUSSION

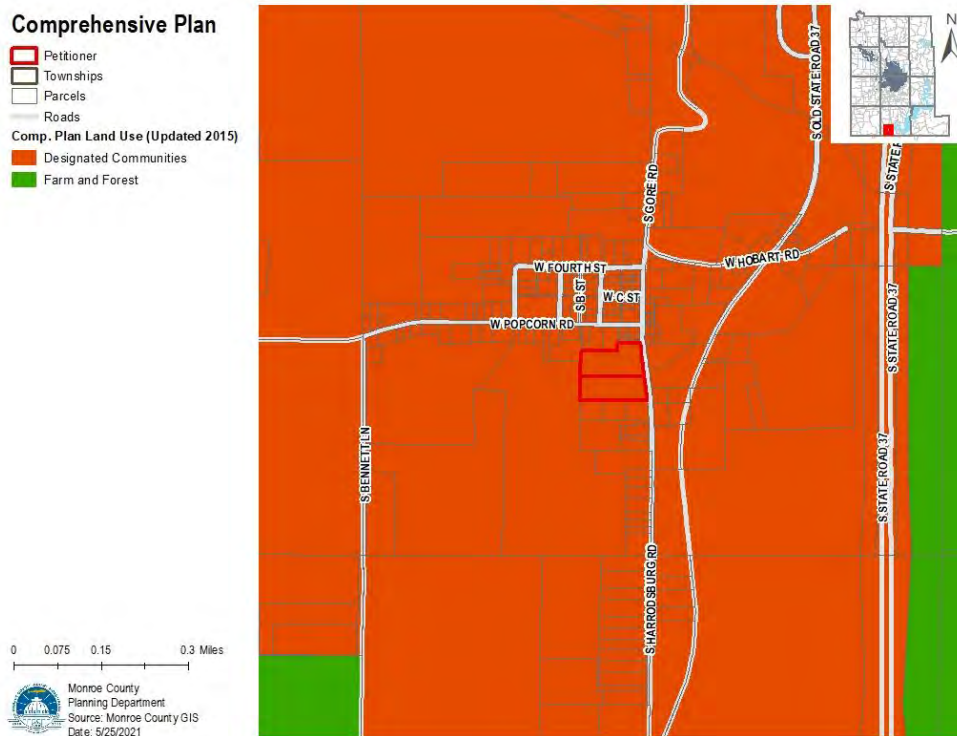
The petition site is located within the Designated Communities designation of the Comprehensive Plan, which is described below.

### Designated community plans

The Board of County Commissioners adopted the previous Monroe County Comprehensive Land Use Plan on February 2, 1996, establishing a blueprint for the future growth and development of the unincorporated portions of Monroe County. A central element of this plan was the development of a number of focused rural community plans. Each of the plans takes the vision, goals, and preferred development patterns in the prior 1996 comprehensive plan and applies them in a more detailed manner within each of the county's existing rural communities.

As stated in the 1996 Comprehensive Plan, "Growth will primarily occur within the City of Bloomington, guided by the city's Growth Policies Plan; in appropriate areas in the Bloomington fringe, guided by the County's Comprehensive Plan; within the Town of Ellettsville, guided by the town's Comprehensive Plan and within the existing small rural communities located throughout the county, each guided by its own rural community plan. The remaining portions of the county will remain rural with very low residential densities, active agricultural lands, mineral extraction operations, and logging activities, as well as substantial areas of open space. The comprehensive plan proposes this development pattern for a number of reasons, including wise management of limited fiscal resources, protection of the natural and manmade environment, and capitalizing on existing public and private investments."

These rural plans are now incorporated as part of the updated 2010 Monroe County Comprehensive Plan.





## HARRODSBURG PLAN DISCUSSION (ADOPTED JULY 2003)

### Harrodsburg Plan

The Harrodsburg area rural community plan proposes to:

- Focus new growth and development within and near the core of the existing community
- Promote dense development
- Maintain a compact form of physical development
- Capitalize on existing infrastructure
- Maintain a distinctive edge, separating urban areas from rural areas
- Provide for future growth areas
- Promote a continuation of the traditional development pattern
- Re-develop area sidewalks and alleys
- Enhance the streetscape along Popcorn, Hobart, and Harrodsburg Roads
- Interconnect streets where practical
- Establish design guidelines
- Develop alternative transportation and recreation opportunities connecting to surrounding areas



In addition to promoting growth and development within the rural communities, the comprehensive plan seeks to maintain the traditional character of these areas. It is proposed that this be achieved by promoting development that furthers the traditional growth pattern; that is, neighborhood-focused, compact in physical form, densities of **two to eight dwelling units per acre**, and **mixed use**, but with a **continued emphasis on single family residences**. Likewise, it is envisioned that public investments in such facilities as roads, sewers, and water lines will further promote this development pattern.

The residential areas of the community can be divided into two classifications, **urban** and **rural**.

**Urban residential areas** have traditionally been concentrated within the area generally bounded by Harrodsburg and Gore Road to the east, Popcorn Road to the south, Fourth Avenue to the north, and Bennett Lane to the west. The characteristics of the urban areas include a **compact physical form** with a focus on two centers, the commercial core along Harrodsburg Road and the community center, the former school site. **Essentially all of the homes within the urban area are located within a five-minute walk of either one of the centers.** Block lengths are quite short, with **interconnected streets and sidewalks.** Homes tend to be located close to the road and were originally served by alleys located to the rear of the lot. Though no architectural style or site development standards dominate, certain elements are repeated including lot width, lot depth, building height, peaked roofs, fenestration, and detached garages.



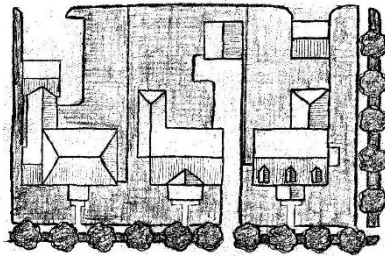
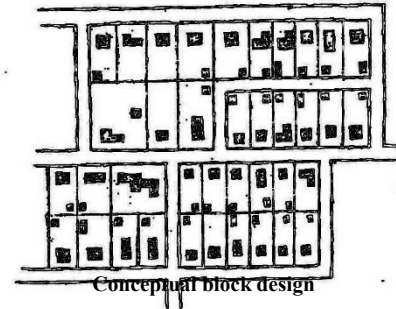


Traditional House Design

emphasis on single family residences.

Further, this pattern should include streets that are designed to serve the adjoining residences but also serve to calm traffic moving along them by remaining narrow in width, utilize on-street parking and **street trees**. Other features found within these neighborhoods should include **sidewalks connected into the pedestrian network**, narrow lots, and **shallow yard setbacks**, house designs that are compatible with traditional designs and their placement on lots, and alleys with detached garages where appropriate.

The preferred development pattern uses the neighborhood as the basic building block for urban areas. Neighborhoods should remain small in scale, expand upon the traditional development pattern, **focus on a center** (public open space, business district, institutional use), **be physically linked to other neighborhoods** and **to the core of the community via pathways, sidewalks**, streets, etc., and contain a **mix of uses** where practical, with a **continued**



A second residential area is the **rural residential** area evident by an abrupt separation from the urban residential area as seen behind the homes located on Fourth Avenue and along Popcorn Road. Rural residential areas constitute the majority of the rural community, surrounding the urban core to the west, north, and south. The characteristics of the rural residential area include a **sparsely developed physical form, dominated by open space and agricultural activities**. Though still located near the core of the community, most rural homes are not within easy walking distance of either the commercial center or the community center site. **Homes in the rural area tend to be located near the county road or at the end of long privately maintained drives**. Many of these homes include accessory outbuildings such as barns and sheds. No architectural style dominates, though there are several fine examples of vernacular farmhouses throughout the area.

## **PUD REVIEW CONSIDERATIONS**

Section 811-6 (A) of the Monroe County Zoning Ordinance states: “The Plan Commission shall consider as many of the following as may be relevant to the specific proposal:

- (a) *The extent to which the Planned Unit Development meets the purposes of the Zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the County.*

### **Findings:**

- The Comprehensive Plan designates the property as Designated Communities under the Harrodsburg Rural Community Plan;
- The Harrodsburg Plan calls for “an emphasis on single family development”. The petitioner is proposing condominium-type development to allow for ownership opportunities;

- (b) *The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.*

### **Findings:**

- The stated purposes of a PUD include:
  - A. Reflect the policies of the Comprehensive Plan specific to the neighborhood in which the PUD is to be located;
  - B. Provide substantial buffers and transitions between areas of different land use and development densities;
  - C. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;
  - D. Counteract urban monotony and congestion on streets;
  - E. Promote architecture that is compatible with the surroundings;
  - F. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development;
  - G. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area; and
  - H. Effectuate implementation of the Comprehensive Plan
- The proposal meets most purposes of the PUD. The petitioner is proposing a condominium association to allow for the possibility of owner-occupied units;
- The site proposes a maximum gross density of 19 units;

- (c) *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.*

### **Findings:**

- See Findings (a) and (b);
- The petitioners are working with staff to comply with Chapter 811 standards;

- The petitioners are deviating from the sidewalk standards, but they do meet the minimum intent of the landscaping and parking standards.

(d) *The proposal will not be injurious to the public health, safety, and general welfare.*

**Findings:**

- See Findings (a) and (b);

(e) *The physical design and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects common open space, and furthers the amenities of light, air, recreation and visual enjoyment.*

**Findings:**

- County Highway has reviewed the petition site and has provided comments;

(f) *The relationship and compatibility of the proposal to the adjacent properties and neighborhoods, and whether the proposal would substantially interfere with the use of or diminish the value of adjacent properties and neighborhoods.*

**Findings:**

- See Findings (a), (b) & (d);
- The Harrodsburg community had sewer installed during the 1990s. This is one of the first major developments in this area since the sewer was installed. Most properties in Harrodsburg are single family residential developments on lot sizes that range around 0.22 acres;
- The petition site proposes 19 units on 5.93 acres, or 0.31 ac minimum lot size equivalent for comparison;

(g) *The desirability of the proposal to the County's physical development, tax base, and economic well-being.*

**Findings:**

- See Findings under Section (e);
- The petitioner submitted design plans that are aesthetic in nature. In addition, the petitioner submitted

(h) *The proposal will not cause undue traffic congestion and can be adequately served by existing or programmed public facilities and services.*



**Findings:**

- See Findings under Section (d) & (e);
- The nearest fire station is the Perry-Clear Creek Fire Department about 3.2 miles away;
- The property would be served by sewer, water, natural gas, and electric;

(i) *The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.*

**Findings:**

- See Findings under Section (d) & (e);
- The PUD outline plan has open space requirements that will be described legally as unbuildable;
- The open space was approved as ‘passive recreational area’ and does not contain ‘useable’ open space;

(j) *The proposed development is an effective and unified treatment of the development possibilities on the site.*

**Findings:**

- See Findings (a) & (b)
- There is not a zone under Chapter 802 that would allow for multi-family development;

# Heritage Creek Planned Unit Development

## OUTLINE PLAN STATEMENT

Heritage Creek Planned Unit Development is a residential condominium development of single family homes.

The development shall consist of nine paired condominium units (18 total units), each restricted to single family residential use. An additional multi-use structure (one bedroom condominium unit; storage facility; neighborhood activity and meeting room) may be constructed. The property will be managed by the condominium owner association.

Development under the Indiana Condominium Act requires creation of an owner association. Membership in the HOA is mandatory for the owners of each condominium unit. Under the Indiana Condominium Act, the HOA has the duty and responsibility to maintain the common areas, to develop the budget and to assess members to meet common expenses and capital reserve funding for repair and replacement of capital components of the common area (driveways, sidewalks, roofing, exterior siding on condominium units).

## OUTLINE PLAN DRAWING

An outline plan drawing has been prepared to illustrate the probable site plan, including internal road construction, placement of the paired units and planned drainage facilities. The property is designated as Area A (3.03 acres development area) and Area B (2.90 acres open space/green space). The total area of the property is 5.93 acres.

## COMMON AREAS

Each structure and the grounds constitute common areas under condominium law. The exterior grounds (exclusive of the footprint of all structures) shall be not less than 40% of the total property (Area A and Area B). Open space/green space shall be not less than 25% of the total area.

## USES AND DEVELOPMENT STANDARDS

### Area A

#### **Feature**

#### **Description of Feature**

#### **Building Type**

9 paired condominium units (18 single family residential Units)

1 multi-use building: a one bedroom single family condominium unit or HOA storage facility, or neighborhood activity/meeting room

The development will be a maximum of 19 residential Units containing a maximum bedroom count of 55

Traditional single family residential style exterior façade; manufactured housing will not be used or allowed

Pitched roof

Maximum height - 2 stories, 3 stories if basement included

Maximum unit footprint is 2,000 square feet for each of the paired condominium units. This does not include areas for garage, decks, porch/patio, stoop and entrance walkway

Maximum footprint for the multi-use accessory building is 500 square feet. If developed as an additional single family residential condominium unit, a one-vehicle garage may be included in the footprint. If a garage is not installed, a one-vehicle parking driveway will be installed. The footprint of the building will comply with the required setbacks applicable to the paired condominium unit structures.

#### **Use**

Single family residences

Accessory structure for storage, neighborhood activity/meeting room

#### **Parking**

Each Unit (paired condominium unit structures) will have a two-vehicle garage.

Driveways shall allow two additional vehicle parking spots for each Unit (both in front of garage) (with exception for standalone multi-use building). This will be required at have 17' minimum

length of driveway to the back of sidewalk from the edge of garage.

No on-street parking

## **Drainage**

Comprehensive drainage plan as approved by the Monroe County Drainage Board. Drainage easements, swales, retention ponds and bioretention areas included in the drainage plan will be plotted on the first development plan as permanent features. The project will meet all submittal requirements for submission of an As-Built of all storm water facilities. An Operation and Maintenance Manual for maintenance and repair of the drainage facilities will be adopted. Final design of the drainage facilities and terms of the drainage plan are subject to drainage board approval.

## **Road**

42-foot wide (private – ingress, egress, and utility easement) local street

24 feet wide paved travel surface (with 25' radii connections to Harrodsburg Road)

2 feet rolled curbs and gutters (both sides)

3.5-foot tree plot (north side only)

Hammerhead emergency vehicle and trash truck turnaround to end road at west end of property

## **Sidewalks**

4-foot sidewalk will be installed on north side of the interior private street.

6-foot sidewalk will be installed on south side of the interior private street (against curb with no tree plot).

The sidewalks along the road will be designed in accordance with applicable accessibility standards.

Sidewalks are waived along Harrodsburg Road,

## **Pathways**

Pedestrian trails and pathways may be constructed in the common areas, including Area B. Maintenance of pathways and trails is part of the maintenance of the common area by the HOA.

## **Connectivity**

Private pedestrian easement connecting the sidewalk to the property adjacent to the north. The improved easement will be constructed to conform to the grade of the land and will not be

constructed subject to applicable accessibility standards. A service drive and a pedestrian pathway may be constructed connecting the local street to a service drive or pathway constructed on Area B

## **Setbacks**

10-foot building setback on the north and west property lines. An 8-foot building setback on the south property line of the development area.

25-foot setback on the east property line (except entrance sign may be placed in the setback area)

Condominium development will not require subdivision or interior lot lines on Area A. The paired condominium unit structures will be separated by at least 17 feet measured from exterior walls between adjacent structures.

Front building set back on the north side of the street is 5 feet from the back of the sidewalk and on the south side of the street 5 feet from the back of the sidewalk

Stoops, entry walkways, porches/patio (covered porches/patios with the supports for the covering of the porch/patio and uncovered porches/patios), and decks may encroach in the setback by 7' maximum

## **Utilities**

The property will be served by sanitary sewer, storm water sewer public water, electricity and telephone.

## **Mailboxes**

Mailboxes will be clustered and positioned at the east end of the interior street

## **Signage**

Neighborhood entrance sign; not to exceed 40 square feet  
Information signage and traffic control signage not to exceed 4 square feet per side of the sign. No signage will be allowed within the 10-foot setback from the Harrodsburg Road right-of-way except a stop sign.

## Landscape

Landscape features and plantings will comply with Chapter 830 (e.g., trees and plant selections, ponds) but will only be required 3 type of planting categories for the PUD as listed below:

### Bufferyards:

North property line and west property line of Area A will have a buffer area at 210 D value per 100 linear feet

### Overall Interior Plantings:

Interior plantings will include a minimum of 50 shrubs; 50 grasses; 50 perennials; 25 trees (planted anywhere in green areas in interior of site)

### Pond Plantings:

Pond plantings should be planted in the one pond proposed per bio-swale planting requirements of chapter 830

Note: East property line (along Harrodsburg Road right-of-way) is accepted As Is.

## Phasing

PHASE	UNITS	TIMING
Phase 1	8 (4 buildings)	construction will start within 12 months after development plan approval
Phase 2	4 (2 buildings)	construction will start within 12 months after the start of Phase 1 development
Phase 3	4 (2 buildings)	construction will start within 12 months after the start of Phase 2 development
Phase 4	3 (2 buildings)	construction will start within 12 months after the start of Phase 3 development

Development will start with Phase 1 at the west end of the interior street and will consist of four buildings, two on each side of the street and then progress eastward in subsequent phases.

## **RESERVED OPEN SPACE**

### **Area B**

Area B will be reserved as open space/green space. Improvements and alteration of the area will be as required for the drainage plan (drainage easements, swales, detention ponds and bioretention facilities).

#### **Landscape**

Area B will be preserved in an AS IS condition subject to alteration in conformance with the drainage plan. Tree and shrub plantings are allowed. Best practices management practices will guide removal of trees (dead, diseased, unsuitable species) and invasive plants.

#### **Uses**

Open space/green space.  
Drainage facilities and easements (used for area A also)  
Pedestrian pathway.

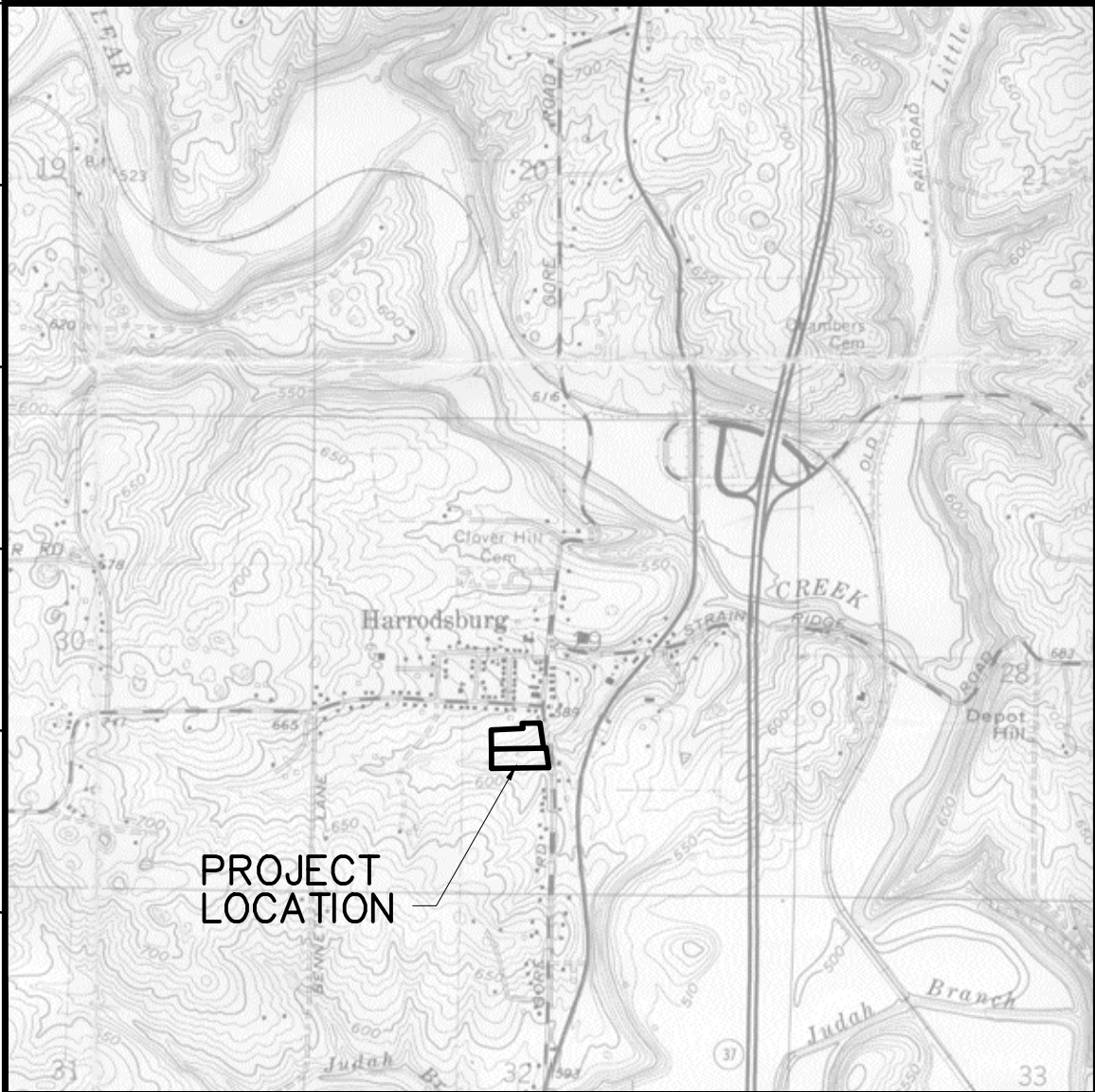
#### **Access and trails**

Service vehicle access drive and pedestrian pathways/trails may be installed.

#### **Development**

Future development or change in use of Area B will require PUD amendment.

PROPOSED  
HERITAGE CREEK



VICINITY/LOCATION MAP  
SCALE: 1"=2000'

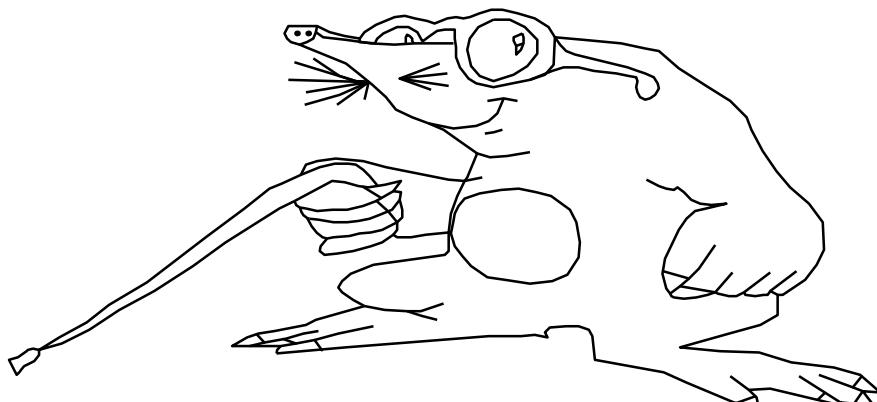
SOUTH HARRODSBURG ROAD  
BLOOMINGTON, INDIANA

RULE 5 EROSION CONTROL INDEX

SHEET NO.		ASSESSMENT OF CONSTRUCTION PLAN ELEMENTS	
9	A3	NARRATIVE DESCRIBING THE NATURE AND PURPOSE OF THE PROJECT	
4	A4	VICINITY MAP	
2	A5	LEGAL DESCRIPTION OF THE PROJECT SITE	
3	A6	LOCATION OF ALL LOTS AND PROPOSED SITE IMPROVEMENTS	
9	A7	HYDROLOGIC UNIT CODE	
9	A8	NOTATION OF ANY STATE OR FEDERAL WATER QUALITY PERMITS	
4	A9	SPECIFIC POINTS WHERE STORMWATER DISCHARGE WILL LEAVE SITE	
4	A10	LOCATION AND NAME OF ALL WETLANDS, LAKES AND WATER COURSES ON AND ADJACENT TO THE SITE	
9	A11	IDENTIFICATION OF ALL RECEIVING WATERS	
9	A12	IDENTIFICATION OF POTENTIAL DISCHARGES TO GROUND WATER	
9	A13	100 YEAR FLOODPLAINS, FLOODWAYS, AND FLOODWAY FRINGS	
9	A14	PRE-CONSTRUCTION AND POST CONSTRUCTION ESTIMATE OF PEAK DISCHARGE	
9	A15	ADJACENT LANDUSE, INCLUDING UPSTREAM WATERSHED	
4	A16	LOCATIONS AND APPROXIMATE BOUNDARIES OF ALL DISTURBED AREAS	
3	A17	IDENTIFICATION OF EXISTING VEGETATIVE COVER	
9	A18	SOILS MAP INCLUDING SOIL DESCRIPTIONS AND LIMITATIONS	
4, 9, 10	A19	LOCATIONS, SIZE AND DIMENSIONS OF PROPOSED STORMWATER SYSTEMS	
4	A20	PLANS FOR ANY OFFSITE CONSTRUCTION ACTIVITIES	
4	A21	LOCATIONS OF PROPOSED SOIL STOCKPILES AND/OR BORROW/DISPOSAL AREAS ON AND ADJACENT TO THE SITE	
4	A22	EXISTING SITE TOPOGRAPHY	
4	A23	PROPOSED SITE TOPOGRAPHY	
SHEET NO.		ASSESSMENT OF STORMWATER POLLUTION PREVENTION	
9	B1	DESCRIPTION OF POTENTIAL POLLUTANT SOURCES ASSOCIATED WITH CONSTRUCTION ACTIVITIES	
9	B2	SEQUENCE DESCRIBING STORMWATER QUALITY MEASURE IMPLEMENTATION RELATIVE TO LAND DISTURBING ACTIVITIES	
4, 9	B3	STABLE CONSTRUCTION ENTRANCE LOCATIONS AND SPECIFICATIONS (at all points of ingress and egress)	
4, 9	B4	SEDIMENT CONTROL MEASURES FOR SHEET FLOW AREAS	
4, 9	B5	SEDIMENT CONTROL MEASURES FOR CONCENTRATED FLOW AREAS	
4, 9	B6	STORM SEWER INLET PROTECTION MEASURE LOCATIONS AND SPECIFICATIONS	
4, 9, 10	B7	RUNOFF CONTROL MEASURES	
4	B8	STORM WATER OUTLET PROTECTION SPECIFICATIONS	
4	B9	GRADE STABILIZATION STRUCTURE LOCATIONS AND SPECIFICATIONS	
4, 9, 10	B10	LOCATION, DIMENSIONS, SPECIFICATIONS, AND CONSTRUCTION DETAILS OF EACH STORMWATER QUALITY MEASURE	
10	B11	TEMPORARY SURFACE STABILIZATION METHODS APPROPRIATE FOR EACH SEASON	
10	B12	PERMANENT SURFACE STABILIZATION SPECIFICATIONS	
9	B13	MATERIAL HANDLING AND SPILL PREVENTION PLAN	
9, 10	B14	MONITORING AND MAINTENANCE GUIDELINES FOR EACH PROPOSED STORMWATER QUALITY MEASURE	
10	B15	EROSION AND SEDIMENT CONTROL SPECIFICATIONS FOR INDIVIDUAL BUILDING LOTS	
SHEET NO.		STORMWATER POLLUTION PREVENTION PLAN - POST CONSTRUCTION COMPONENT	
9	C1	DESCRIPTION OF POLLUTANTS AND THEIR SOURCES ASSOCIATED WITH THE PROPOSED LAND USE	
9	C2	SEQUENCE DESCRIBING STORMWATER QUALITY MEASURE IMPLEMENTATION	
9	C3	DESCRIPTION OF PROPOSED POST CONSTRUCTION STORMWATER QUALITY MEASURES	
4, 9, 10	C4	LOCATION, DIMENSIONS, SPECIFICATIONS, AND CONSTRUCTION DETAILS OF EACH STORMWATER QUALITY MEASURE	
9, 10	C5	DESCRIPTION OF MAINTENANCE GUIDELINES FOR POST CONSTRUCTION STORMWATER QUALITY MEASURES	

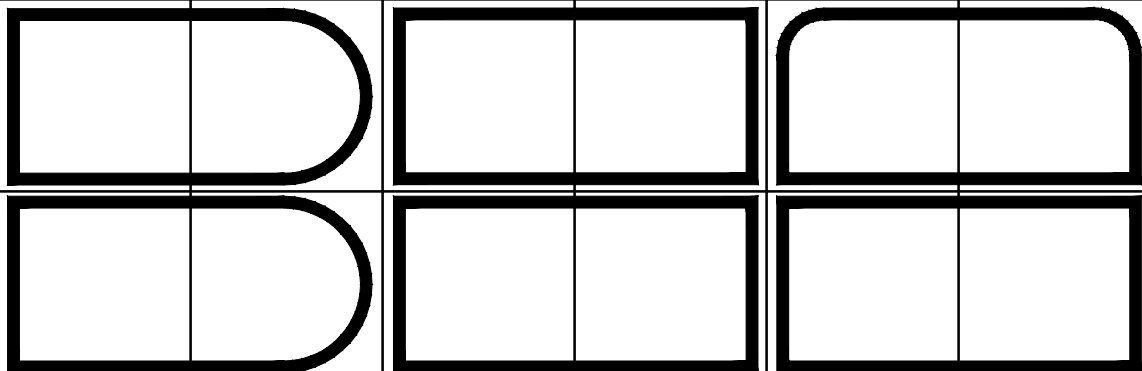
INDEX

SHEET NO.	DESCRIPTION
1	GENERAL NOTES & LEGENDS
2	BOUNDARY PLAN
3	SITE PLAN
4	GRADING, UTILITY & EROSION CONTROL PLAN
5	LANDSCAPE PLAN
6	ROAD & WATERLINE PROFILES
7	SANITARY SEWER PROFILES
8	MISCELLANEOUS DETAILS
9-10	EROSION CONTROL DETAILS



"Holey Moley" says,  
"DON'T DIG BLIND"  
Call Monday through Friday - 7 AM to 6 PM  
1-800-382-5544 1-800-428-5200  
Within Indiana Outside Indiana

PER INDIANA STATE LAW IS-69-1991, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.



BYNUM FANYO & ASSOCIATES, INC.

528 North Walnut St. Bloomington, Indiana 47404 (812) 332-8030

OWNER/DEVELOPER  
STEVE ROBERTSON & DENNIS MILLER  
9654 SOUTH HARRODSBURG ROAD  
HARRODSBURG, INDIANA

certified by: \_\_\_\_\_  
revisions \_\_\_\_\_

JEFFREY S. FANYO, P.E.  
IND. REG. NO. 18283

DRAWING DATE: \_\_\_\_\_

HERITAGE CREEK  
JOB No. 400523



ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

Bloomington, Indiana  
(812) 339-2990 (Fax)

BYNUM FANYO & ASSOCIATES, INC.

528 north walnut street  
(812) 332-8030

certified by:

proposed:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg, Indiana



title: GENERAL NOTES

designed by: JBT  
drawn by: JR  
sheet no: 1 OF 10  
project no.: 400523

## EXISTING LEGEND

EXISTING FENCE	—+—+—+—
EXISTING OVERHEAD ELECTRIC AND TELEPHONE LINES	—OHE+OHT—
EXISTING UNDERGROUND ELECTRIC AND TELEPHONE LINES	—UGE+UGT—
EXISTING UNDERGROUND TELEPHONE LINES	— UGT —
EXISTING CONTOUR	— - - - XXX - - - -







## GENERAL LEGEND

PROPERTY LINE	— - - - -
DEED BOOK AND PAGE	XXX/XXX
TO BE REMOVED	T.B.R.
TO REMAIN UNDISTURBED	T.R.U.
SETBACK LINE	- - - - - X' SBL - - - - -
PROPOSED 20'x10' DUMPSTER PAD SURROUNDED BY 6' SOLID WOOD FENCE WITH CHAINLINK GATE	
PROPOSED HANDICAP PARKING	
SANITARY SEWER EASEMENT	S.S.E.
GAS EASEMENT	G.E.
WATERLINE EASEMENT	W.L.E.
ELECTRIC EASEMENT	E.E.
DRAINAGE EASEMENT	D.E.
UTILITY EASEMENT	U.E.

## SITE LEGEND

(A)	PROPOSED BITUMINOUS PAVING
(C)	PROPOSED CONCRETE PAVEMENT
(CJ)	PROPOSED CONSTRUCTION JOINT
(EJ)	PROPOSED EXPANSION JOINT
(14)	PROPOSED 24" CONCRETE ROLL CURB
(R)	PROPOSED CURB RAMP, TYPE "G"
(F)	PROPOSED CONCRETE SIDEWALK
(R1-)	PROPOSED STOP SIGN
(PSD)	PROPOSED PAVED SIDE DITCH
(SB)	PROPOSED STOP BAR
SEE TYPICAL DETAILS (SHEET 8) FOR CLARIFICATION.	

## UTILITY AND GRADING LEGEND

PROPOSED 4" SDR 21 WATERLINE	—4"-WL—
PROPOSED WATER VALVE	
PROPOSED FLUSH HYDRANT (FH)	
PROPOSED SINGLE WATER METER	
PROPOSED DUAL WATER METER	
PROPOSED 8" PVC SANITARY SEWER AND SANITARY SEWER MANHOLE	—8" S—X" LINE
PROPOSED 6" SANITARY LATERAL AND SANITARY SEWER CLEAN-OUT	—6" SSL—C.O.
PROPOSED STORM PIPE AND INLET	
PROPOSED RIP-RAP ON FILTER FABRIC AND END SECTION	
PROPOSED CONTOUR	—XXX—
PROPOSED TOP OF CURB ELEVATION	XXX.XX
PROPOSED BOTTOM OF CURB ELEVATION	XXX.XX
PROPOSED SPOT GRADE ELEVATION	XXX.XX
FINISHED GARAGE FLOOR ELEVATION	FGF=XXX.XX
FINISHED FLOOR ELEVATION	FF=XXX.XX
FINISHED BASEMENT ELEVATION	FB=XXX.XX
PROPOSED FLOWLINE	— - - - -
6" CORRUGATED FLEXIBLE BUILDING DRAIN	—6"-BD—

## EROSION CONTROL LEGEND

(SF)	SILTATION FENCE (TEMPORARY)
(MS)	MULCH SEEDING - SEE SPECIFICATIONS (TEMPORARY)
(SP)	20' X 100' STONE PAD, 6" DEEP TO KEEP FROM TRACKING MUD OFF SITE (TEMPORARY)
(CW)	CONCRETE WASHOUT AREA (TEMPORARY)
(ECB)	EROSION CONTROL BLANKET (PERMANENT)—LANDLOCK BRAND SERIES CS2
(ECB2)	EROSION CONTROL BLANKET (PERMANENT)—LANDLOCK BRAND SERIES C2
(SBI)	STRAW BALE (TEMPORARY) (TO BE USED ON ALL YARD INLETS)
(GP)	GRAVEL INLET PROTECTION (TO BE USED ON ALL CURB INLETS)
SEE EROSION CONTROL DETAILS (SHEET 9&10) FOR CLARIFICATION	

## UTILITIES

### GAS

VECTREN  
205 S. MADISON ST.  
BLOOMINGTON, IN 47401  
Doug Anderson (812) 330-4009

### TELEPHONE

AMERITECH  
P.O. BOX 56  
BLOOMINGTON, IN 47402  
Brent McCabe (812)334-4521

### SEWER AND WATER

SOUTH CENTRAL REGIONAL SEWER DISTRICT  
528 N. WALNUT STREET  
BLOOMINGTON, IN 47404  
Rick Coppock (812)334-8871

### CABLE TELEVISION

INSIGHT COMMUNICATIONS  
2450 SOUTH HENDERSON STREET  
BLOOMINGTON, IN 47404  
Scott Templeton (812)332-9486

### ELECTRIC

ONERGY  
1100 W. SECOND ST.  
BLOOMINGTON, IN 47401  
Kerry Ducker (812)337-3035

### WATER

SOUTHERN MONROE WATER CORP.  
5790 S. FAIRFAX ROAD  
BLOOMINGTON, IN 47401  
Sam Wellman (812)812-7229

## GENERAL NOTES

- ☒ 1. BOUNDARY AND TOPO BY BYNUM FANYO AND ASSOCIATES, 528 NORTH WALNUT STREET, BLOOMINGTON, INDIANA 47404 (812) 332-8030
- ☒ 2. DEVELOPER: STEVE ROBERTSON AND DENNIS MILLER, 9654 SOUTH HARRODSBURG ROAD, HARRODSBURG, INDIANA
- ☒ 3. PROJECT ADDRESS: SOUTH HARRODSBURG ROAD, HARRODSBURG, INDIANA
- ☒ 4. ALL WORK IS TO BE IN ACCORDANCE WITH ALL STATE AND LOCAL REGULATIONS.
- ☒ 5. ALL PERMITS ARE TO BE OBTAINED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
- ☐ 6. HYDRANT LOCATION SHALL BE APPROVED BY THE LOCAL FIRE MARSHALL.
- ☒ 7. EXISTING UTILITIES ON SITE SHALL BE RELOCATED AS REQUIRED. CONTRACTOR SHALL PAY ALL COSTS ASSOCIATED WITH RELOCATION.
- ☒ 8. SAFE, CLEARLY MARKED PEDESTRIAN AND VEHICULAR ACCESS TO ALL ADJACENT PROPERTIES MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.
- ☒ 9. THE CONSTRUCTION LIMITS INDICATED ON THE PLANS SHALL BE SURVEY STAKED AND CLEARLY MARKED IN THE FIELD. THERE SHALL BE NO CONSTRUCTION OR DISTURBANCE BEYOND THE CONSTRUCTION LIMITS.

## PARKING AND PAVEMENT NOTES

- ☒ 1. ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC DEVICES, 1988 EDITION AS AMENDED.
- ☒ 2. ALL PAVEMENT MARKINGS SHALL BE PAINTED WHITE ON ASPHALT PAVEMENT / YELLOW ON CONCRETE PAVEMENT AND SHALL BE FOUR (4) INCHES WIDE UNLESS INDICATED OTHERWISE.
- ☒ 3. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT UNLESS INDICATED OTHERWISE. ALL CURB RADIUS ARE TO BE 5' UNLESS INDICATED OTHERWISE.
- ☒ 4. CONTRACTOR SHALL FURNISH AND INSTALL PAVEMENT MARKINGS AS SHOWN ON THE PLANS.
- ☒ 5. CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES WITH OTHER CONTRACTORS ON THE SITE.
- ☒ 6. JOINTS OR SCORE MARKS ARE TO BE SHARP AND CLEAN WITHOUT SHOWING EDGES OF JOINTING TOOLS.
- ☒ 7. CONTRACTOR SHALL SAW-CUT TIE-INS AT EXISTING CURBS AS NECESSARY TO INSURE SMOOTH TRANSITIONS. CONTRACTOR SHALL SAW-CUT AND TRANSITION TO MEET EXISTING PAVEMENT AS NECESSARY AND AS DIRECTED BY INSPECTOR TO INSURE POSITIVE DRAINAGE. (TYPICAL AT ALL INTERSECTIONS).
- ☒ 8. CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE "MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION" ISSUED BY A.G.C. OF AMERICA, INC. AND THE HEALTH AND SAFETY REGULATIONS FOR CONSTRUCTION ISSUED BY THE U.S. DEPARTMENT OF LABOR.

## ON-SITE UTILITY NOTES

- ☒ 1. ALL 4" WATER PIPE AND FITTINGS SHALL BE SDR-21 (PR200) OR C900 (DR14).
- ☐ 2. WATER MAIN FITTINGS 6" AND LARGER SHALL BE DUCTILE IRON CONFORMING TO AWWA/ANSI STANDARD SPECIFICATIONS C153/A21.53, LATEST REVISION.
- ☐ 3. 2" WATER MAINS SHALL BE SDR-21 (PR200) AND 4" PIPE MAY BE EITHER SDR-21 (PR200) OR C900 (DR-14).
- ☐ 4. ALL WATER SERVICE LINES CONNECTING TO 2" PVC MAINS SHALL BE 1" TYPE "K" COPPER. ALL SERVICE LINES FROM MAIN TO METER SHALL BE TYPE "K" COPPER WITH FLARED ENDS.
- ☒ 5. MECHANICAL RESTRAINTS SHALL BE PROVIDED AT ALL WATERLINE BENDS, OFFSETS, TEES, PLUGS, ETS..
- ☒ 6. ALL WATERLINE GATE VALVES OTHER THAN AIR RELEASE VALVES AND TAPPING VALVES SHALL BE CAST IRON BODY, FULLY BRONZE MOUNTED, WITH RESILIENT SEAT AND NON-RISING STEM AND SHALL BE MANUFACTURED BY M & H VALVE COMPANY, DARLING VALVE AND MANUFACTURING COMPANY, KENNEDY VALVE COMPANY, OR MUELLER COMPANY.
- ☒ 7. FLUSH HYDRANTS SHALL BE PLACED AT THE ENDS OF ALL WATER MAINS.
- ☒ 8. AIR RELEASE VALVES SHALL BE PROVIDED AT ALL HIGH POINTS OF WATER MAINS AND SHALL BE VAL-MATIC BRAND AND SHALL INCORPORATE THE OPTIONAL VACUUM-CHECK FEATURE.
- ☐ 9. ALL FIRE HYDRANTS SHALL BE MANUFACTURED BY KENNEDY GUARDIAN OR MUELLER CENTURION.
- ☒ 10. ALL WATER MAINS SHALL BE HYDROSTATICALLY TESTED AND DISINFECTED BEFORE ACCEPTANCE. SEE SITE WORK SPECIFICATIONS.
- ☒ 11. WATER AND SANITARY SEWER MAINS SHALL HAVE A MINIMUM COVER OF 4'-0" ABOVE TOP OF PIPE.
- ☒ 12. ALL SPRINKLER, DOMESTIC, AND SANITARY LEADS TO THE BUILDING SHALL END AS SHOWN ON PLAN AND SHALL BE PROVIDED WITH A TEMPORARY PLUG AT THE END (FOR OTHERS TO REMOVE AND EXTEND AS NECESSARY).
- ☒ 13. THE MINIMUM HORIZONTAL SEPARATION BETWEEN THE CLOSEST TWO POINTS OF THE WATER AND SEWER LINE IS TEN FEET (10'). THE MINIMUM VERTICAL SEPARATION BETWEEN THE CLOSEST TWO POINTS OF THE WATER AND SEWER LINE IS EIGHTEEN INCHES (18').
- ☒ 14. GRAVITY SANITARY SEWER PIPE 6" AND 8" SHALL BE CONSTRUCTED OF SDR 35 PVC.
- ☒ 15. THE UPSTREAM ENDS OF ALL SANITARY SEWER LATERALS SHALL BE CLEARLY MARKED WITH A 4x4 TREATED POST EXTENDING 3' BELOW GRADE AND 1' ABOVE GRADE.
- ☒ 16. ALL TRENCHING, PIPE LAYING, AND BACKFILLING SHALL BE IN ACCORDANCE WITH FEDERAL OSHA REGULATIONS.
- ☒ 17. SEE SITE SPECIFICATIONS FOR BACKFILLING AND COMPACTION REQUIREMENTS.
- ☒ 18. SITE CONTRACTOR SHALL HAVE APPROVAL OF ALL GOVERNING AGENCIES HAVING JURISDICTION OVER THIS SYSTEM PRIOR TO INSTALLATION.
- ☒ 19. ALL WORK ON THIS PLAN SHALL BE DONE IN STRICT ACCORDANCE WITH SITE WORK SPECIFICATIONS.
- ☒ 20. ALL CATCH BASIN GRATE AND FRAMES ARE TO BE BY EAST JORDAN IRON WORKS.
- ☒ 21. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATIONS OF UTILITY LINES ADJACENT TO THE WORK AREA. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY LINES DURING THE CONSTRUCTION PERIOD.
- ☒ 22. ALL WATERLINE CONSTRUCTIONS SHALL BE IN ACCORDANCE WITH SOUTHERN MONROE WATER CORP. SPECIFICATIONS.
- ☒ 23. ALL SEWER MAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH SOUTH CENTRAL REGIONAL SEWER DISTRICT.

## GRADING NOTES

- ☒ 1. NEW FINISHED CONTOURS SHOWN ARE TOP OF FUTURE PAVING IN AREAS TO RECEIVE PAVEMENT AND TOP OF TOPSOIL IN AREAS TO BE SEEDED.
- ☒ 2. AREAS OUTSIDE OF THE PARKING LOT PERIMETERS SHOWN TO BE SEEDED SHALL RECEIVE 4" OF TOPSOIL. THIS TOPSOIL IS TO BE PLACED AND LEVELED BY THE CONTRACTOR.
- ☒ 3. CONTRACTOR SHALL NOTIFY AND COOPERATE WITH ALL UTILITY COMPANIES OR FIRMS HAVING FACILITIES ON OR ADJACENT TO THE SITE BEFORE DISTURBING, ALTERING, REMOVING, RELOCATION, ADJUSTING, OR CONNECTING TO SAID FACILITIES. CONTRACTOR SHALL PAY ALL COSTS IN CONNECTION WITH ALTERATION OF OR RELOCATION OF THE FACILITY.
- ☒ 4. ALL AREAS NOT COVERED BY BUILDING OR PAVING ARE TO BE GRASSED.
- ☒ 5. UNUSABLE EXCAVATED MATERIALS AND ALL WASTE RESULTING FROM CLEARING AND GRUBBING SHALL BE DISPOSED OF OFF SITE BY CONTRACTOR.
- ☒ 6. ALL EXCAVATING IS UNCLASSIFIED AND SHALL INCLUDE ALL MATERIALS ENCOUNTERED.
- ☒ 7. BEFORE ANY MACHINE WORK IS DONE, CONTRACTOR SHALL STAKE OUT AND MARK THE ITEMS ESTABLISHED BY THE SITE PLAN. CONTROL POINTS SHALL BE PRESERVED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION. THE LACK OF PROPER WORKING POINTS AND GRADE STAKES MAY REQUIRE CESSATION OF OPERATIONS UNTIL SUCH POINTS AND GRADES HAVE BEEN PLACED TO THE OWNER'S SATISFACTION.
- ☒ 8. CONTRACTOR SHALL COMPACT AND MAINTAIN A 30,000 SQ. FT. STONEBASE CONSTRUCTION LAYDOWN AREA W/ STONE ACCESS FROM THE CONSTRUCTION ENTRANCE AND STONE ACCESS TO THE BUILDING PAD.
- ☒ 9. THESE DOCUMENTS ARE SCHEMATIC IN NATURE AND CANNOT SHOW EVERY ITEM NEEDED FOR A COMPLETE OPERATIONAL STORM SYSTEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A COMPLETE OPERATING STORM SYSTEM.
- ☒ 10. ALL FILL SHALL BE FREE OF VEGETABLE MATTER, RUBBISH, LARGE ROCK, AND OTHER DELETERIOUS MATERIAL. THE FILL MATERIAL SHOULD BE PLACED IN LAYERS NOT TO EXCEED SIX (6) INCHES IN LOOSE THICKNESS AND SHOULD BE SPRINKLED WITH WATER AS REQUIRED TO SECURE SPECIFIED COMPACTION. EACH LAYER SHOULD BE UNIFORMLY COMPACTED BY MEANS OF SUITABLE EQUIPMENT AS DICTATED BY THE TYPE OF FILL MATERIAL. UNDER NO CIRCUMSTANCES SHOULD A BULLDOZER OR SIMILARLY TRACKED VEHICLE BE USED AS COMPACTING EQUIPMENT. MATERIAL CONTAINING AN EXCESS OF WATER SHOULD BE SPREAD AND DRIED TO A MOISTURE CONTENT THAT WILL PERMIT PROPER COMPACTION. ALL FILL SHOULD BE COMPACTED TO THE SPECIFIED PERCENTAGE OF THE MAXIMUM DENSITY OBTAINED IN ACCORDANCE WITH ASTM DENSITY TEST D-1557 (95 PERCENT OF MAXIMUM DRY DENSITY). IF THE SPECIFIED COMPACTION LIMITS ARE NOT MET, SUCH AREAS SHOULD BE REWORKED AND RETESTED AS REQUIRED UNTIL THE SPECIFIED LIMITS ARE REACHED.

## LANDSCAPE NOTES

- ☒ 1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASE.
- ☒ 2. ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BURLAPPED AS INDICATED IN THE PLANT LIST.
- ☒ 3. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
- ☒ 4. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE OWNER BEFORE, DURING, AND AFTER INSTALLATION.
- ☒ 5. ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS.
- ☒ 6. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED WHERE SPECIFIED.
- ☒ 7. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
- ☒ 8. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
- ☒ 9. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) OF THE PLATING AREAS AND LAWN UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE OWNER.
- ☒ 10. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING ON THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
- ☒ 11. THE OWNER SHALL APPROVE THE STAKING LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION.
- ☒ 12. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
- ☒ 13. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
- ☒ 14. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
- ☒ 15. ALL SHRUB, GROUND COVER AND SEASONAL COLOR ANNUAL PLANTING BEDS ARE TO BE COMPLETELY COVERED WITH HARDWOOD MULCH TO A MINIMUM DEPTH OF FOUR INCHES.
- ☒ 16. DURING THE GROWING SEASON ALL ANNUALS SHALL REMAIN IN A HEALTHY, VITAL CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
- ☒ 17. ALL PLANT MATERIALS QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT SPACING SHOWN.
- ☒ 19. ALL DISTURBED AREAS ARE TO RECEIVE 4" OF TOP SOIL, MULCH SEEDED AND WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. THIS IS EXCLUDING ALL LANDSCAPED ISLANDS AND ENTRANCE AREAS.

NOTE: ONLY NOTES ON THIS SHEET MARKED WITH AN "X" APPLY TO THIS PROJECT.

- ☒ NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

LEGAL DESCRIPTION  
Job No. 400523  
Owner: Dennis Miller  
Source: Instrument Number 2000018799

6.05 ACRES

A part of the south half of Section 29, Township 7 North, Range 1 West, Clear Creek Township, Monroe County, Indiana, more specifically described as follows:

Commencing at a railroad spike found marking the southeast corner of the Southwest quarter of said Section 29; Thence on the centerline of Harrodsburg Road North 01 degree 04 minutes 05 seconds East (assumed basis of bearings) 768.00 feet to a mag nail found; Thence North 00 degrees 31 minutes 51 seconds East 174.01 feet to a mag nail found; Thence North 00 degrees 11 minutes 41 seconds East 241.02 feet to a mag nail found; Thence North 02 degrees 53 minutes 13 seconds West 216.69 feet to a mag nail found; Thence North 06 degrees 25 minutes 18 seconds West 30.73 feet to mag nail found at the true Point of Beginning.

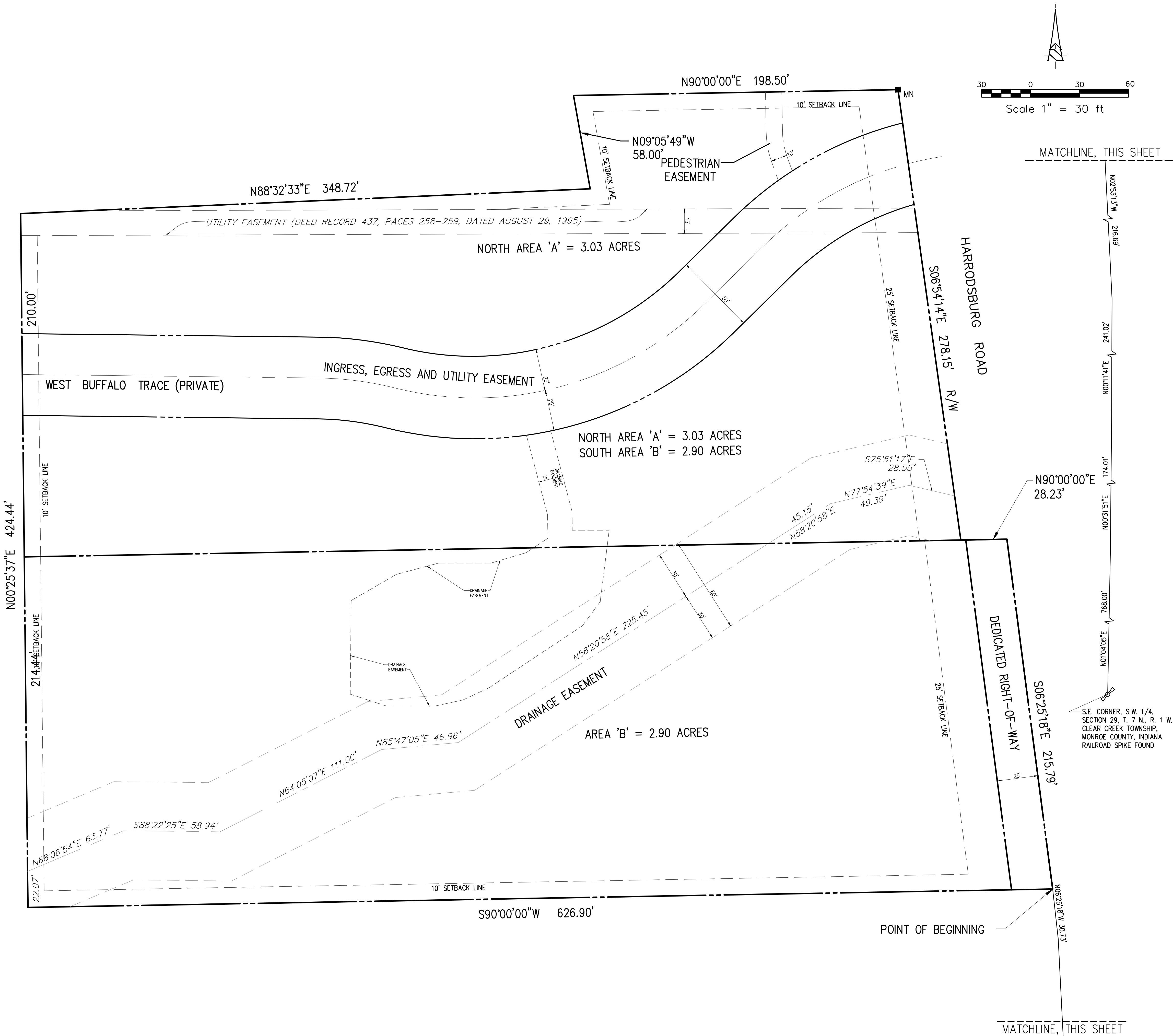
Thence leaving said centerline South 90 degrees 00 minutes 00 seconds West 626.90 feet to a 5/8 inch diameter rebar with a cap engraved "Bynum Fanyo 890006" (called "monument" for the remainder of this description) found; Thence along a fence North 00 degrees 25 minutes 37 seconds East 214.44 feet to a monument found at the southwest corner of Out Lot 6 in Harrodsburg, Indiana; Thence continuing along a fence North 00 degrees 25 minutes 37 seconds East 210.00 feet; Thence along a fence North 88 degrees 32 minutes 33 seconds East 348.72 feet to a monument found; Thence along a fence North 09 degrees 05 minutes 49 seconds West 58.00 feet to a monument found; Thence along a fence North 90 degrees 00 minutes 00 seconds East 198.50 feet to a corner post on the existing west right-of-way line of Harrodsburg Road, said right-of-way being approximately 30 feet west of the road centerline; Thence on said right-of-way line South 06 degrees 54 minutes 14 seconds East 278.15 feet; Thence North 90 degrees 00 minutes 00 seconds East 28.23 feet to a mag nail found on the centerline of Harrodsburg Road; Thence on said centerline South 06 degrees 25 minutes 18 seconds East 215.79 feet to the Point of Beginning containing within said bounds 6.05 ACRES be the same more or less but subject to all rights-of-way and easements of record.

SUBJECT to an easement for drainage purposes 50 feet wide lying 25 feet on each side of the following described line;

Commencing at a railroad spike found marking the southeast corner of the Southwest quarter of said Section 29; Thence on the centerline of Harrodsburg Road North 01 degree 04 minutes 05 seconds East (assumed basis of bearings) 768.00 feet to a mag nail found; Thence North 00 degrees 31 minutes 51 seconds East 174.01 feet to a mag nail found; Thence North 00 degrees 11 minutes 41 seconds East 241.02 feet to a mag nail found; Thence North 02 degrees 53 minutes 13 seconds West 216.69 feet to a mag nail found; Thence North 06 degrees 25 minutes 18 seconds West 30.73 feet to mag nail found; Thence leaving said centerline South 90 degrees 00 minutes 00 seconds West 626.90 feet to a 5/8 inch diameter rebar with a cap engraved "Bynum Fanyo 890006" (called "monument" for the remainder of this description) found; Thence along a fence North 00 degrees 25 minutes 37 seconds East 22.07 feet to the true Point of Beginning of said easement centerline;

Thence North 68 degrees 06 minutes 54 seconds East 63.77 feet; Thence South 88 degrees 22 minutes 25 seconds East 58.94 feet; Thence North 64 degrees 05 minutes 07 seconds East 111.00 feet; Thence North 85 degrees 47 minutes 05 seconds East 46.96 feet; Thence North 58 degrees 20 minutes 58 seconds East 270.60 feet; Thence North 77 degrees 54 minutes 39 seconds East 49.39 feet; Thence South 75 degrees 51 minutes 17 seconds East 28.55 feet to the terminus of said easement. The side lines of said easement to be extended or shortened to meet at angle points and to terminate at the south, west and east lines of the above described 6.05 acres.

SUBJECT to all easements and rights-of-way of record.



NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

revisions:

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

Bloomington, Indiana  
(812) 339-2990 (Fax)

BYNUM FANYO & ASSOCIATES, INC.

528 north walnut street  
(812) 332-8030

certified by:

proposed:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg Indiana

title: BOUNDARY  
PLAN

designed by: JBT  
drawn by: JR  
sheet no.: 2 OF 10  
project no.: 400523

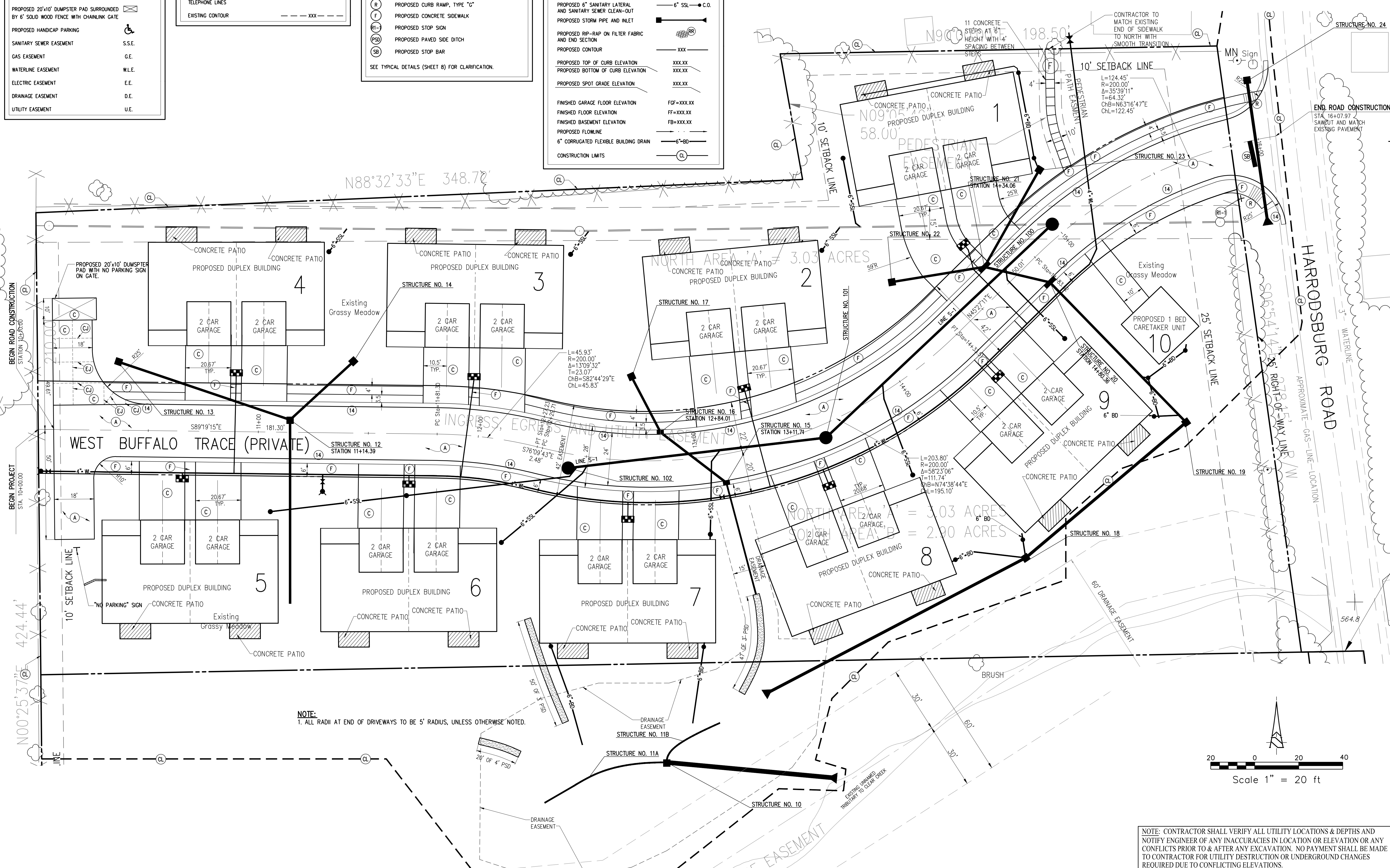
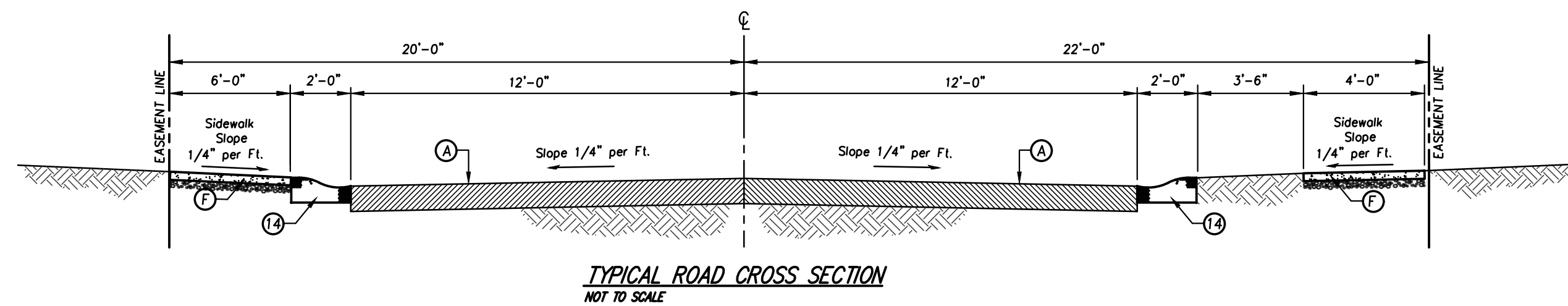


GENERAL LEGEND	
PROPERTY LINE	---
DEED BOOK AND PAGE	XXX/XXX
TO BE REMOVED	T.B.R.
TO REMAIN UNDISTURBED	T.R.U.
SETBACK LINE	-X- SBL
PROPOSED 20'x10' DUMPSTER PAD SURROUNDED BY 6" SOLID WOOD FENCE WITH CHAINLINK GATE	
PROPOSED HANDICAP PARKING	
SANITARY SEWER EASEMENT	S.S.E.
GAS EASEMENT	G.E.
WATERLINE EASEMENT	W.L.E.
ELECTRIC EASEMENT	E.E.
DRAINAGE EASEMENT	D.E.
UTILITY EASEMENT	U.E.

EXISTING LEGEND	
EXISTING FENCE	---
EXISTING OVERHEAD ELECTRIC AND TELEPHONE LINES	—OHE+OHT—
EXISTING UNDERGROUND ELECTRIC AND TELEPHONE LINES	—UG+UGT—
EXISTING UNDERGROUND TELEPHONE LINES	—UGT—
EXISTING CONTOUR	---XXX---

SITE LEGEND	
(A)	PROPOSED BITUMINOUS PAVING
(C)	PROPOSED CONCRETE PAVEMENT
(CU)	PROPOSED CONSTRUCTION JOINT
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(F)	PROPOSED CONCRETE SIDEWALK
(R1-1)	PROPOSED STOP SIGN
(PSD)	PROPOSED PAVED SIDE DITCH
(SB)	PROPOSED STOP BAR
SEE TYPICAL DETAILS (SHEET 8) FOR CLARIFICATION.	

UTILITY AND GRADING LEGEND	
PROPOSED 4" SDR 21 WATERLINE	4"-WL
PROPOSED WATER VALVE	
PROPOSED FLUSH HYDRANT (FH)	
PROPOSED SINGLE WATER METER	
PROPOSED DUAL WATER METER	
PROPOSED 8" PVC SANITARY SEWER AND SANITARY SEWER MANHOLE	8"-S
PROPOSED 6" SANITARY LATERAL AND SANITARY SEWER CLEAN-OUT	6"-SCL
PROPOSED STORM PIPE AND INLET	6"-SS
PROPOSED RIP-RAP ON FILTER FABRIC AND END SECTION	
PROPOSED CONTOUR	XXX
PROPOSED TOP OF CURB ELEVATION	XXXXXX
PROPOSED BOTTOM OF CURB ELEVATION	XXXXXX
PROPOSED SPOT GRADE ELEVATION	XXXXXX
FINISHED GARAGE FLOOR ELEVATION	FGF=XXXXXX
FINISHED FLOOR ELEVATION	FF=XXXXXX
FINISHED BASEMENT ELEVATION	FB=XXXXXX
PROPOSED FLOWLINE	---
6" CORRUGATED FLEXIBLE BUILDING DRAIN	6"-BD
CONSTRUCTION LIMITS	CL



NOTE:  
1. ALL RADII AT END OF DRIVEWAYS TO BE 5' RADIUS, UNLESS OTHERWISE NOTED.

NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

revisions:

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

BYNUM FANTO & ASSOCIATES, INC.  
528 north walnut street  
(812) 332-8030

proposed:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg, Indiana

title: SITE PLAN

designed by: JBT  
drawn by: JR  
sheet no: 3 OF 10  
project no.: 400523



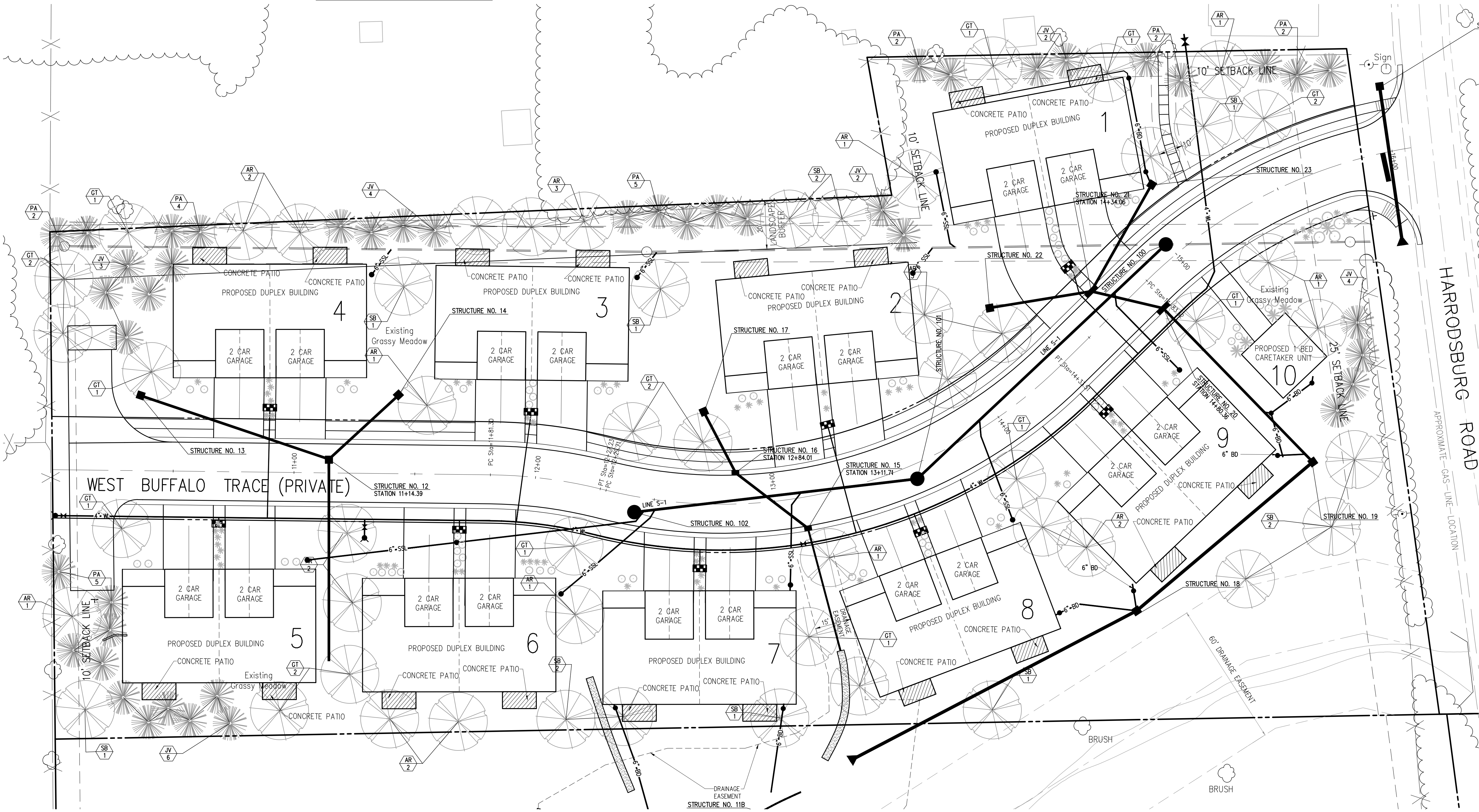
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DEED BOOK AND PAGE	XXX/XXX
TO BE REMOVED	T.B.R.
TO REMAIN UNDISTURBED	T.R.U.
SETBACK LINE	-X'-SBL-
PROPOSED 20'x10' DUMPSTER PAD SURROUNDED BY 6" SOLID WOOD FENCE WITH CHAINLINK GATE	[Symbol]
PROPOSED HANDICAP PARKING	[Symbol]
SANITARY SEWER EASEMENT	S.S.E.
GAS EASEMENT	G.E.
WATERLINE EASEMENT	W.L.E.
ELECTRIC EASEMENT	E.E.
DRAINAGE EASEMENT	D.E.
UTILITY EASEMENT	U.E.

EXISTING LEGEND	
EXISTING FENCE	---+---+---
EXISTING OVERHEAD ELECTRIC AND TELEPHONE LINES	---OHE+OHT---
EXISTING UNDERGROUND ELECTRIC AND TELEPHONE LINES	---UG+UGT---
EXISTING UNDERGROUND TELEPHONE LINES	---UGT---
EXISTING CONTOUR	---XXX---

SYMBOL	MARK	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	SPACING	INDIV. (D) VALUE	TOTAL (D) VALUE
LARGE DECIDUOUS TREES								
AR	GT	Acer rubrum "Red Sunset"	Red Sunset Red Maple	21	2"-2 1/2" Cal.	See Plan	35	735
GT	GT	Gledizia tricanthos inermis "Sunburst"	Sunburst Honey Locust	18	2"-2 1/2" Cal.	See Plan	35	630
SB	GT	Salix x blanda	Wisconsin Weeping Willow	13	2"-2 1/2" Cal.	See Plan	30	390
NARROWLEAF EVERGREEN TREES								
JV	PA	Juniperus virginiana	Eastern Red Cedar	21	3'-5' HT.	See Plan	30	630
PA	PA	Picea abies	Norway Spruce	23	3'-5' HT.	See Plan	30	690
*Required (D) Value:							Subtotal: 3075	
FINAL SPECIES AND LOCATIONS OF LANDSCAPING MATERIALS SHALL BE DETERMINED BY A CERTIFIED LANDSCAPE ARCHITECT							Street Trees:	
							Existing Trees:	
							Total (D) Value: 3075	

PLANT LIST

20 0 20 40  
Scale 1" = 20 ft



NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

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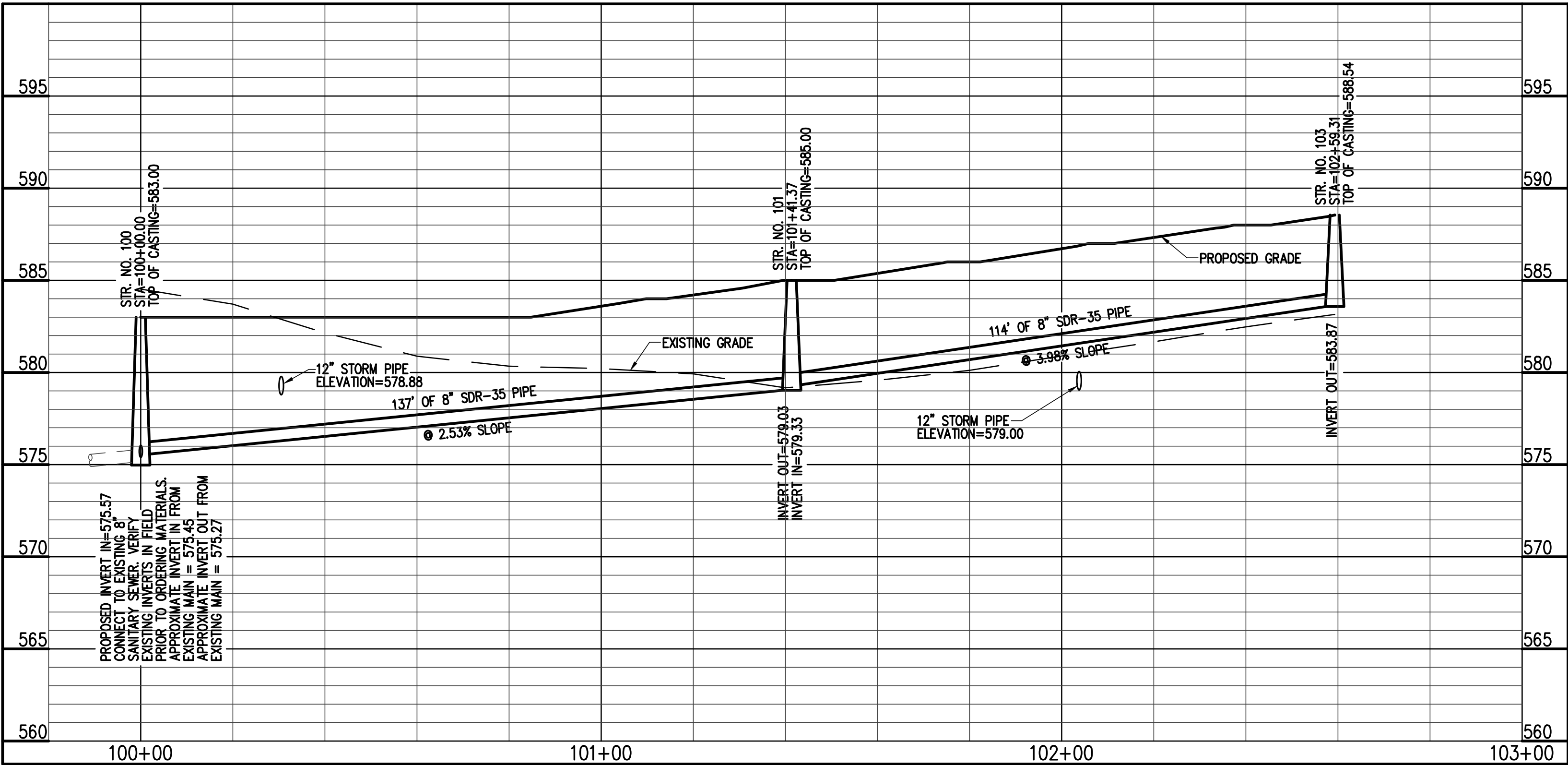
ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING  
BYNUM FANYO & ASSOCIATES, INC.  
528 north walnut street  
(812) 332-8030  
bloomington, indiana  
(812) 339-2990 (Fax)

certified by:

proposed:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg Indiana

title: LANDSCAPE PLAN

designed by: jbt & smp  
drawn by: jr  
sheet no: 5 OF 10  
project no.: 490523



SANITARY SEWER PROFILE LINE S-1  
SCALES:  
1:20 HORIZONTAL  
1:5 VERTICAL

NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

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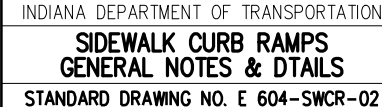
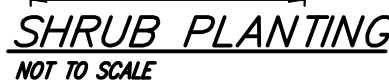
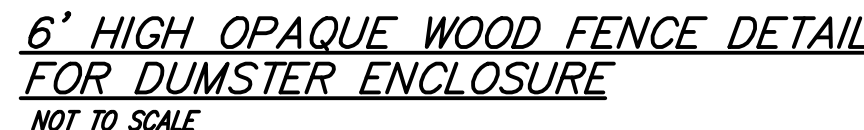
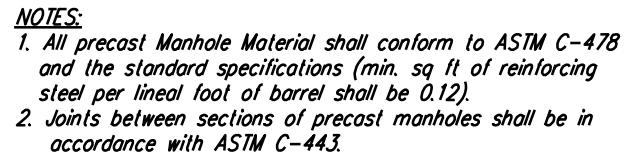
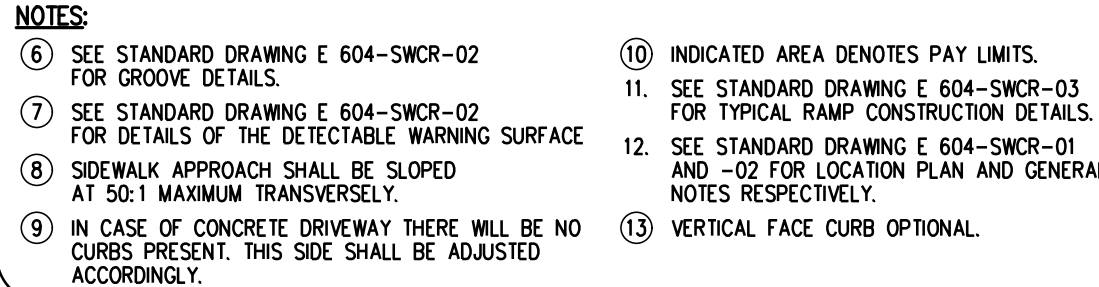
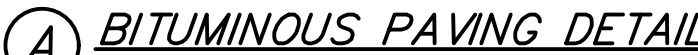
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HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg Indiana


title: SANITARY  
SEWER PROFILES

designed by: **jt**  
drawn by: **jr**  
sheet no: **7 OF 10**  
project no.: **400523**





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certified by

title: MISCELLANEOUS  
DETAILS

designed by: jbt & smp  
drawn by: jlr  
sheet no: 8 OF 10  
project no.: 400523



## SOIL LEGEND

Map symbols consist of a combination of letters or of letters and numbers. The first capital letter is the initial one of the map unit name. The two-letter letter that follows separates map units having names that begin with the same letter, except that it does not separate slopes or eroded phases. The second capital letter indicates the class of slope. Symbols without a slope letter are for nearly level soils or miscellaneous areas. A final number of 3 indicates that the soil is severely eroded.

SYMBOL	NAME
A/B	Alford silt loam, 2 to 6 percent slopes
Ba	Bartle silt loam
Bb	Bedford silt loam, 2 to 6 percent slopes
BaF	Berk-Welton complex, 25 to 75 percent slopes
Bo	Bonnie silt loam
Bu	Burnside silt loam
CaD	Caneville silt loam, 12 to 18 percent slopes
Cb	Caneville-Hagerstown silt loams, karst
ChF	Chelwynd silt loam, 25 to 70 percent slopes
Cc	Corydon Variant-Caneville Variant complex, 25 to 70 percent slopes
CrB	Crider silt loam, 2 to 6 percent slopes
Co	Crider silt loam, 6 to 12 percent slopes
CoD	Crider silt loam, 12 to 18 percent slopes
CaC	Crider-Caneville silt loams, 6 to 12 percent slopes
CIB	Crider-Urban land complex, 2 to 6 percent slopes
CIC	Crider-Urban land complex, 6 to 12 percent slopes
Cu	Cuba silt loam
EaE	Ebat-Gilpin-Hagerstown silt loams, 18 to 25 percent slopes
EaD	Ebat-Welston-Gilpin silt loams 12 to 18 percent slopes
HbF	Elkinsville silt loam, 2 to 6 percent slopes
DaF	Elkinsville silt loam, upland, 20 to 40 percent slopes
GpD	Gilpin silt loam, 12 to 18 percent slopes
GpD	Gilpin-Gullied land complex, 12 to 22 percent slopes
HcC	Hagerstown silt loam, 6 to 12 percent slopes
HcD	Hagerstown silt loam, 12 to 18 percent slopes
HcE	Hagerstown silt loam, 18 to 25 percent slopes
HbD3	Hagerstown silty clay loam, 12 to 22 percent slopes, severely eroded
Hc	Hagerstown-Caneville silt loams, karst
Hd	Haymond silt loam
HdF	Hickory silt loam, 25 to 70 percent slopes
HaA	Hoamer silt loam, 0 to 2 percent slopes
HaB	Hoamer silt loam, 2 to 6 percent slopes
HcC	Hoamer silt loam, 6 to 12 percent slopes
HIB	Hoamer-Urban land complex, 2 to 12 percent slopes
Ma	Ive silt loam, 0 to 5 percent slopes
MaB	Martinsville loam, 2 to 6 percent slopes
PaB	Parke silt loam, 2 to 6 percent slopes
PaC	Parke silt loam, 6 to 12 percent slopes
PcD	Parke-Chelwynd silt loam, 12 to 18 percent slopes
PeA	Pekin silt loam, 0 to 2 percent slopes
PeB	Pekin silt loam, 2 to 6 percent slopes
PeC	Pekin silt loam, 6 to 12 percent slopes
Po	Peggo silt loam
Pc	Princeton loam, 4 to 10 percent slopes
PcC	Princeton loam, 18 to 25 percent slopes
RcB	Ryker silt loam, 2 to 6 percent slopes
RcC	Ryker silt loam, 6 to 12 percent slopes
RcD	Ryker silt loam, 12 to 18 percent slopes
St	Steff silt loam
St	Stendal silt loam
Sx	Stonetick silt loam
TaB	Tait silt loam, 0 to 2 percent slopes
TaB	Tait silt loam, 2 to 6 percent slopes
Ua	Udorthents, loamy
Ua	Udorthents-Pits complex
Wa	Walden silt loam
WcC	Welston silt loam, 6 to 12 percent slopes
Wc	Welston-Gilpin silt loams, 6 to 20 percent slopes
Wb	Whitaker loam
Wb	Wilbur silt loam
Zc	Zanesville silt loam, 6 to 12 percent slopes
Zp	Zipp silty clay loam
Zp	Zipp silty clay loam, frequently flooded
Zs	Zipp Variant silt loam

## RULE 5 NARRATIVE

- OWNER & DEVELOPER: STEVE ROBERTSON AND DENNIS MILLER  
9654 SOUTH HARRODSBURG ROAD  
HARRODSBURG, INDIANA
- HERITAGE CREEK consists of a Multi-Family Residential development on 6.05 acres.
- There is no presence of State regulated 100 year floodplains, floodway fringes, or floodways.
- Adjacent areas consist of:
  - Undeveloped Property to the south
  - Farmland / Residential to the west
  - Business District / Residential to the north
  - Residential to the east
- An unnamed tributary to Clear Creek existing onsite.
- The ultimate receiving water for the project is Clear Creek
- There are no areas where surface water can enter ground water.
- Calculations for peak discharge:
  - 100 year pre-developed: 6 cfs
  - 100 year post-developed: 19 cfs
- Hydraulic unit code -- 0512020809030
- No state or federal water quality permits other than Rule 5 will be required.
- Potential pollutant sources associated with construction:

	Pollutant	Source
Sedimentation	Particulates	Mass grading activities
Hydrocarbons	Petroleum	Fuel, oil, antifreeze leaks and /or spills
	Trash	Debris from individual home construction.
Concrete		Waste from duplex home construction

- Potential pollutant sources post construction:

	Pollutant	Source
Sedimentation	Particulates	Pavement wear, vehicles, the atmosphere and maintenance activities
Nutrients	Nitrogen & Phosphorus	Atmosphere and fertilizer application
Heavy Metals	Lead	Leaded gasoline from auto exhausts and tire wear
	Zinc	Tire wear, motor oil and grease
	Iron	Auto body rust, steel highway structures such as bridges and guardrails, and moving engine parts
	Copper	Metal plating, bearing and brushing wear, moving engine parts, brake lining wear, fungicides and insecticides
	Cadmium	Tire wear and insecticide application
	Chromium	Metal plating, moving engine parts and brake lining wear
	Nickel	Diesel fuel and gasoline, lubricating oil, metal plating, bushing wear, brake lining wear and asphalt paving
	Manganese	Moving engine parts
	Cyanide	Anti-caking compounds used to keep deicing salt granular
	Sodium, Calcium & Chloride	Deicing salts
Hydrocarbons	Sulfates	Roadway beds, fuel and deicing salts
	Petroleum	spills, leaks, antifreeze and hydraulic fluids and asphalt surface leachate

- Post construction pollutants will be treated by running the polluted water into the proposed detention water quality basin which will give the sediment a chance to settle out of the water before being discharged and allowed to flow along the tributary offsite.
- Material handling and spill prevention plan:
  - No materials will be stored on site.
  - All construction equipment shall be regularly inspected and maintained to prevent oil, fuel and antifreeze leakage.
  - All fueling shall be done on stone layout pad and using care to prevent spillage.
  - During individual building construction the building contractor shall keep all materials stored neatly and construction waste picked up and disposed of regularly.



## SOILS MAP

SCALE: 1" = 1/4 MILE

### Bu – Burnside silt loam.

This nearly level, deep, well drained soil is on narrow flood plains in sandstone bedrock areas. It is at the upper end of drainageways. It is subject to occasional flooding from March to June for brief periods. Areas are generally narrow and elongated. They range from 5 to 60 acres and have a dominant size of about 10 acres.

The available water capacity of this Burnside soil is moderate, and permeability is moderate. Surface runoff from cultivated areas is slow. This soil has a seasonal high water table at a depth of 3 to 5 feet from February to June. The organic matter content of the surface layer is low. This soil is severely limited for building sites because of occasional flooding. It is severely limited for local roads because it is subject to occasional flooding. The limitation for septic tank absorption fields is also severe because of flooding and wetness.

### CaD – Caneville silt loam, 12 to 18 percent slopes.

This strongly sloping, moderately deep, well drained soil is on side slopes of the uplands. Areas are generally elongated. They range from 3 to 200 acres and have a dominant size of about 40 acres.

The available water capacity for this Caneville soil is low, and permeability is moderately slow. Surface runoff from cultivated areas is rapid. The organic matter content of the surface layer is moderate.

This soil is severely limited for dwellings without basements because of slope. It is severely limited for dwellings with basements because of depth to rock and slope. This soil is severely limited for local roads and streets because of low strength and slope. The limitation for septic tank absorption fields is severe.

### CrC – Crider silt loam, 6 to 12 percent slopes.

This moderately sloping, deep, well drained soil is on narrow and broad convex ridgetops of the uplands. Areas are generally elongated. They range from 3 to 200 acres and have a dominant size of about 40 acres. The available water capacity of this Crider soil is high, and permeability is moderate. Runoff from cultivated areas is medium. The organic matter content of the surface layer is low. This soil is moderately limited for dwellings with and without basements because of slope. This soil is severely limited for local roads and streets by low strength. Limitations are moderate for septic tank absorption fields because of slope and moderate permeability.



## PRACTICE 3.54 STRAW BALE DROP INLET PROTECTION

**PURPOSE** To capture sediment at the inlet to a storm drain, allowing full use of the drain system during the construction period.

(NOTE: This practice not recommended for paved surfaces due to lack of an anchoring system.)

**REQUIREMENTS** **Contributing drainage area:** 1 acre maximum.  
**Effective life:** Less than 3 months.  
**Capacity:** Runoff from a 2-yr. frequency, 24-hr. duration storm event entering a storm drain without bypass flow.  
**Approach:** Pool area flat, with sediment storage of 945 cu ft./acre disturbed.  
**Base dimensions:** Approximately 14 in. x 18 in. x 36 in.  
**Height of bales above inlet:** 14 in. (4- to 18 in. bales entrenched 4 in.).  
**Anchoring:** Two 36-in. long (minimum) steel rebars or 2 x 2-in. hardwood stakes driven through each bale.

**INSTALLATION** (Exhibit 3.54-B)

- To reduce bypass flow, ensure that the top of the bales will be at least 6 in. below ground elevation on the downslope side of the inlet. This may require constructing below the inlet a temporary dike OR using the straw bale drop inlet protection in conjunction with an excavated drop inlet protection (Practice 3.51).
- Excavate a trench at least 4 in. deep and a bales width around the inlet.
- Place the bales lengthwise in the trench so the bindings are oriented around the sides, rather than top and bottom, to minimize deterioration of the bindings.
- Allow the bales to overlap at the corners, and abut them tightly against each other.
- Anchor the bales by driving two 36-in. long steel rebars of 2-1/2 in. hardwood stakes through each bale until nearly flush at the top. Drive the first stake at an angle towards the previously laid bale to force the bales together.
- Chink (lightly wedge) straw into any gaps between bales to prevent sediment-laden water from flowing directly into the inlet.
- Backfill and compact the excavated soil 4 in. high against the outside of the bales.

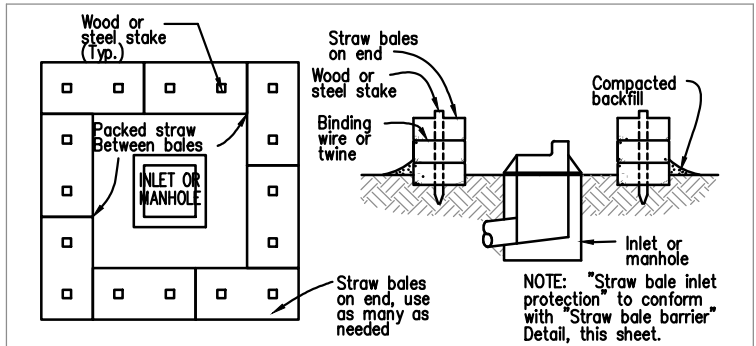


Exhibit 3.54-B. Plan and section view of properly installed bale drop inlet protection.

**MAINTENANCE**

- Inspect the drop inlet protection after each storm event, and make needed repairs immediately.
- Remove sediment from the pool area to ensure adequate runoff storage for the next rain, taking care to not damage or undercut the bales.
- When the contributing drainage area has been stabilized, remove all bales, construction material, and sediment and dispose of properly, grade the disturbed area to the elevation of the top of the inlet and stabilize.



## PRACTICE 3.61-B GRAVEL CURB INLET PROTECTION

**REQUIREMENTS** (Exhibit 3.61-B)

**Contributing drainage area:** 1 acre maximum.  
**Capacity:** Runoff from a 2-yr. frequency, 24-hr. duration storm event entering the storm drain without bypass flow.  
**Location:** At curb inlets where ponding is not likely to cause inconvenience or damage.  
**Gravel:** 1-2 in. diameter (NDOT CA No. 2)  
**Wire mesh:** Chicken wire or hardware cloth with 1/2-in. openings.  
**Geotextile fabric (optional):** For Filtration.

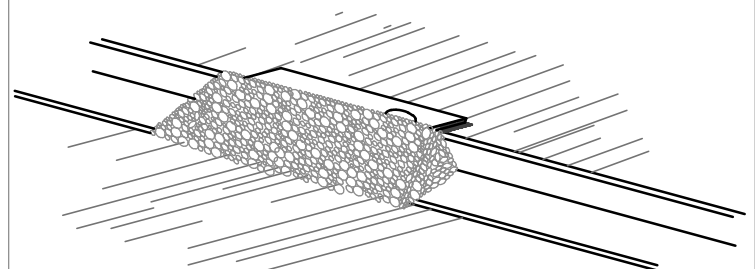


Exhibit 3.61-B. Perspective view of a gravel curb inlet protection.

**INSTALLATION** (Exhibit 3.61-B)

- Install gravel curb inlet protections as soon as the streets are paved in a new development situation or before land-disturbing activities in stabilized areas.
- Place wire mesh over the curb inlet opening and/or grate so it extends at least 12 in. beyond both top and bottom of the opening/grate.
- Install geotextile fabric over the wire mesh for additional filtration (optional).
- Pile gravel over the wire mesh to anchor it against the curb, covering the inlet opening completely.

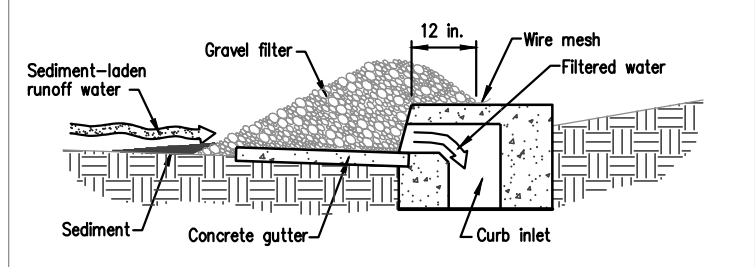


Exhibit 3.61-C. Cross-section detail of a gravel curb inlet protection.

**MAINTENANCE**

- After each storm event, remove sediment and replace the gravel; replace the geotextile filter fabric if used.
- Periodically remove sediment and tracked-on soil from the street (but not by flushing with water) to reduce the sediment load on the curb inlet practice.
- Inspect periodically, and repair damage caused by vehicles.
- When the contributing drainage area has been stabilized, remove the gravel, wire mesh, geotextile fabric, and any sediment, and dispose of them properly.



## PRACTICE 3.16 RIPRAP

**PURPOSE**

- To protect slopes, streambanks, channels, or similar areas subject to erosion by water.

**REQUIREMENTS** **Rock:** Hard, angular, and weather-resistant, having a specific gravity of at least 2.5.  
**Gradation:** Well-graded stone, 50% (by weight) larger than the specified d<sub>50</sub>; however, the largest pieces should not exceed two times the specified d<sub>50</sub>, and no more than 15% of the pieces (by weight) should be less than 3 in.  
**Filter:** Use geotextile fabric for stabilization and filtration or sand/gravel layer placed under all permanent riprap installations.  
**Slope:** 2:1 or flatter, unless approved in the erosion and sediment control plan.  
**Minimum thickness:** Two times the specified d<sub>50</sub> stone diameter.

**INSTALLATION** (Exhibit 3.16-B)

- Remove brush, trees, stumps, and other debris.
- Excavate only deep enough for both filter and riprap; over-excavation increases the amount of soil considerably (Practice 3.32).
- Compact any fill material to the density of the surrounding undisturbed soil.

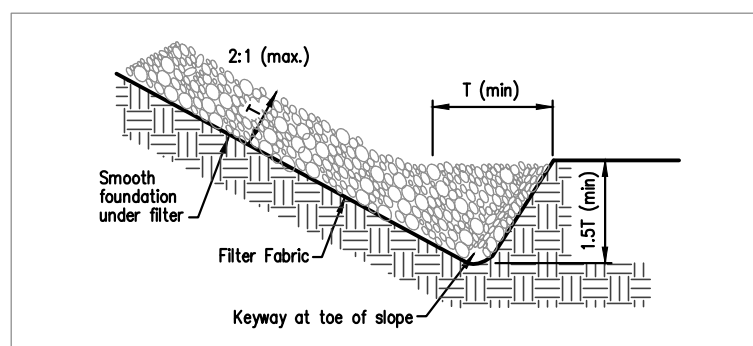


Exhibit 3.16-B. Proper riprap installation on a slope.

- Cut a keyway in stable material at the base of the slope to reinforce the toe. Keyway depth should be 1 1/2 times the design thickness of the riprap and should extend a horizontal distance equal to the design thickness.
- Smooth the graded foundation.

**FILTER PLACEMENT:**

- If using geotextile fabric, place it on the smoothed foundation, overlap the edges at least 12 in., and secure with anchor pins spaced every 3 ft. along the overlap. (For large riprap, consider a 4-in. layer of sand to protect the fabric.)
- If using a sand/gravel filter, spread the well-graded aggregate in a uniform layer to the required thickness (6 in. minimum); if two or more layers are specified, place the layer of smaller gradation first, and avoid mixing the layers.

**RIPRAP PLACEMENT:**

- Immediately after installing the filter, add the riprap to full thickness in one operation. (Do not dump through chutes or use any method that causes segregation of rock sizes or that will dislodge or damage the underlying filter material.)
- If fabric is damaged, remove the riprap and repair by adding another layer of fabric, overlapping the damaged area by 12 in.
- Place smaller rock in voids to form a dense, uniform, well-graded mass. (Selective loading at the quarry and some hand placement may be needed to ensure an even distribution of rock material.)
- Blend the rock surface smoothly with the surrounding area to eliminate protrusions or overflows.

**MAINTENANCE**

- Inspect periodically for displaced rock material, slumping, and erosion at edges, especially downstream or downslope. (Properly designed and installed riprap usually requires very little maintenance if promptly repaired.)



## PRACTICE 3.01 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT PAD

**PURPOSE**

- To provide a stable entrance/exit condition from the construction site.
- To keep mud and sediment off public roads.

**REQUIREMENTS** (Exhibit 3.01-B)

**Material:** 2-3 in. washed stone (NDOT CA No. 2) over a stable foundation.  
**Thickness:** 6 in. minimum  
**Width:** 20 ft. minimum or full width of entrance/exit roadway, whichever is greater.  
**Length:** 100 ft. minimum.

**Washing facility (optional):** Level area with 3 in. washed stone minimum or commercial rack, and waste water diverted to a sediment trap or basin (Practice 3.72).

**Geotextile fabric underliner:** May be used under wet conditions or for soils within a high seasonal water table to provide greater bearing strength.

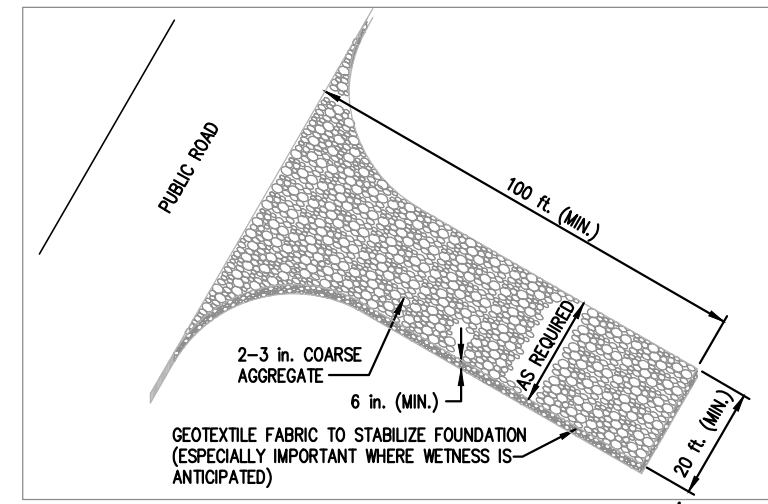


Exhibit 3.01-B. Plan of a temporary gravel construction entrance/exit pad.

**INSTALLATION** (Exhibit 3.01-C)

- Avoid locating on steep slopes or at curves in public roads.
- Remove all vegetation and other objectionable material from the foundation area, and grade and crown for positive drainage.
- If slope towards the road exceeds 2%, construct a 6-8 in.-high water bar (ridge) with 3:1 side slopes across the foundation area about 15 ft. from the entrance to divert runoff away from the road (Practice 3.24).
- Install pipe under the pad if needed to maintain proper public road drainage.
- If wet conditions are anticipated, place geotextile fabric on the graded foundation to improve stability.
- Place stone to dimensions and grade shown in the erosion/sediment control plan, leaving the surface smooth and sloped for drainage.
- Divert all surface runoff and drainage from the stone pad to a sediment trap or basin.

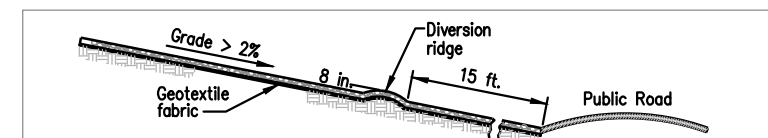


Exhibit 3.01-C. Temporary construction entrance/exit pad with diversion ridge where grade exceeds 2%.

**MAINTENANCE**

- Inspect entrance pad and sediment disposal area weekly and after storm events or heavy use.
- Reshape pad as needed for drainage and runoff control.
- Top dress with clean stone as needed.
- Immediately remove mud and sediment tracked or washed onto public roads by brushing or sweeping. Flushing should only be used if the water is conveyed into a sediment trap or basin.
- Repair any broken road pavement immediately.



## PRACTICE 3.25 ROCK CHECK DAM

**REQUIREMENTS** (Exhibit 3.25-B and C)

**Contributing drainage area:** 2 acres maximum.  
**Dam center:** 2 ft. maximum height but at least 9 in. lower than the outer edges of natural ground elevation.  
**Dam side slope:** 2:1 or flatter.  
**Distance between dams:** Spaced so the toe of the upstream dam is the same elevation as the top of the downstream dam.  
**Overflow areas along channel:** Stabilized to resist erosion.  
**Rock size:** NDOT Revment Riprap.

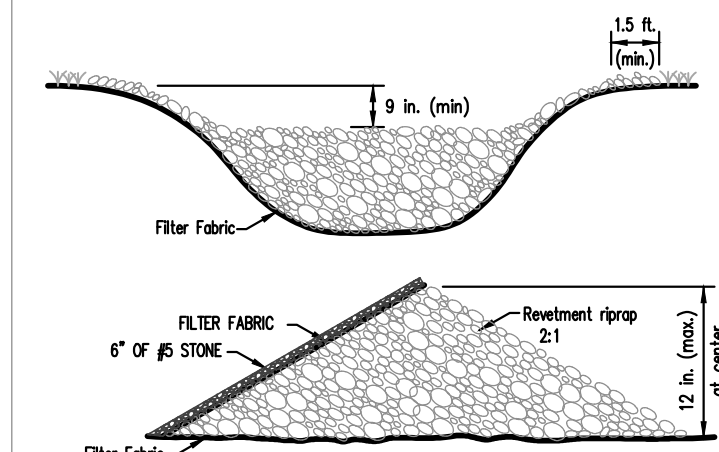


Exhibit 3.25-B. Forward and cross-section views of a rock check dam.

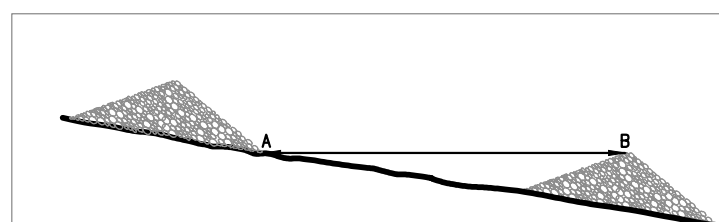


Exhibit 3.25-C. Space check dams in the channel so the up-stream dam toe elevation (A) and down-stream dam toe elevation (B) are the same.

**INSTALLATION**

- Excavate a cutoff trench into the ditch banks, and extend it a minimum of 18 in. beyond the downstream toe.
- Place the rock in the cutoff trench and channel to the lines and dimensions shown in Exhibit 3.25-B—i.e., center a maximum of 2 ft. high yet 9 in. below where the dam abuts the channel banks.
- Extend the rock at least 18 in. beyond the channel banks to keep overflow water from undercutting the dam as it re-enters the channel.
- Install as many dams as necessary to satisfy the spacing requirement shown in Exhibit 3.25-C.
- Stabilize the channel above the upstream dam.
- Recognizing that water will flow over and around the lowest dam, protect the channel downstream from it with an erosion-resistant lining for a distance of 6 ft. unless the channel is protected through other means.

**MAINTENANCE**

- Inspect check dams and the channel after each storm event, and repair and damage immediately.
- If significant erosion occurs between dams, install a riprap liner in that portion of the channel (Practice 3.32).
- Remove sediment accumulated behind each dam as needed to maintain channel capacity, to allow drainage through the dam, and to prevent large flows from displacing sediment.
- Add rock to the dams as needed to maintain design height and cross section.
- When the dams are no longer needed, remove the rock and stabilize channel, using an erosion-resistant lining if necessary.

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528 north walnut street  
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prepared by:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg, Indiana

title: EROSION  
CONTROL  
DETAILS

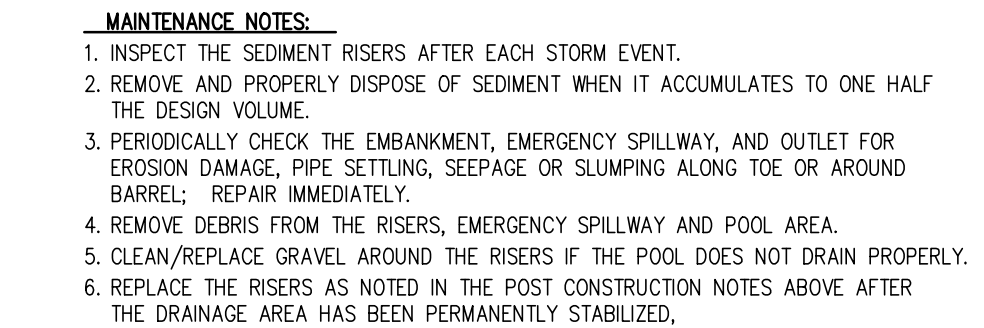
designed by: Jb  
drawn by: Jr  
sheet no.: 9 OF 10  
project no.: 400523

certified by:

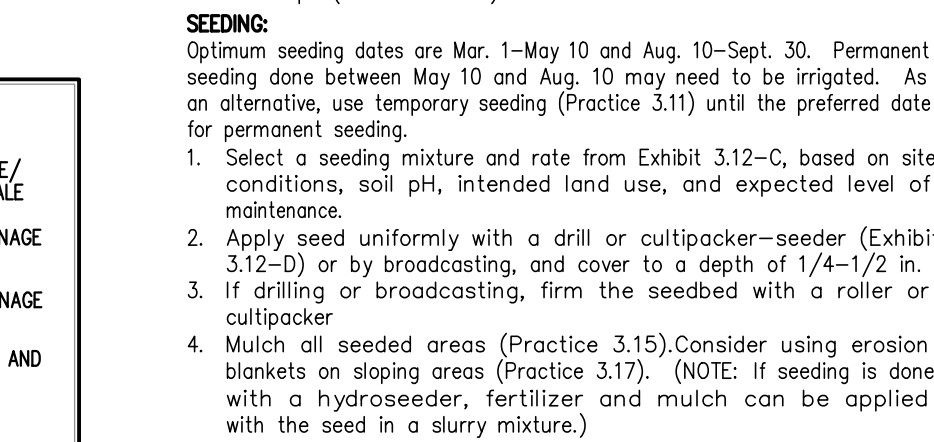


## EROSION CONTROL NOTES

1. Install construction entrance as shown on plans
2. Prior to any earth moving place siltation fence along the down stream side of all grading activity.
3. Construct Temporary Sediment Basin detailed in the Plans.
4. Remove vegetation in areas to be disturbed only.
5. Strip top soil from all areas to be disturbed by construction and stock pile at location of siltation fence. Seed with temporary seed mixture type I, immediately.
6. Maintain silt fence during construction and keep clear of debris.
7. Perform construction activities as shown on the plans. Do not disturb turf areas outside of construction limits so that turf acts as a vegetative filter strip.
8. All erosion control structures shall be kept in working order and inspected upon completion of every rain event. Add additional measures when necessary.
9. Upon completion of construction all improvements redistributed top soil to all proposed seeded areas.
10. Mulch seed all disturbed areas immediately upon completion of all earthmoving and underground utility work in accordance with INDOT 55-621 Seed Mixture type U.
11. Ferilize and water seeded areas until mature turf is established.
12. Reconstruct the Temporary Sediment Basin as detailed in the Permanent Water Quality Pond upon establishment of mature grass turf across the site.
13. Remove all temporary erosion control measures upon the establishment of the turf.



*NOT TO SCALE*



Seed species and mixtures	Rate per acre	Optimum soil pH
OPEN AND DISTURBED AREAS (REMAINING IDEAL MORE THAN 1 YR.)		
1. Perennial ryegrass	35 to 50 lbs.	5.6 to 7.0
+ white clover or ladino clover*	1 to 2 lbs.	
2. Kentucky bluegrass	20 lbs.	5.5 to 7.5
+ smooth bromegrass	10 lbs.	
+ switchgrass	3 lbs.	
+ timothy	4 lbs.	
+ perennial ryegrass	4 to 10 lbs.	
+ white or ladino clover*	1 to 2 lbs.	
3. Perennial ryegrass	15 to 30 lbs.	5.6 to 7.0
+ prairie switch grass	15 to 30 lbs.	
4. Prairie switch grass	35 to 50 lbs.	5.5 to 7.5
+ ladino or white clover*	1 to 2 lbs.	




NOT TO SCALE

\* For best results: (a) legume seed should be inoculated; (b) seeding mixtures containing legumes should preferably be spring-seeded, although the grass may be fall-seeded and the legume frost-seeded (Practice 3.13); and (c) if legumes are fall-seeded, do so in early fall.

NOTE: An oat or wheat companion or nurse crop may be used with any of the above permanent seeding mixtures. If so, it is best to seed during the fall seeding period, especially after Sept. 15, and at the following rates: spring oats—1.4 to 3/4 bu./acre; wheat—no more than 1/2 bu./acre.

- MAINTENANCE
  - \* Inspect periodically, especially after storm events, until the stand is successfully established. (Characteristics of a successful stand include: vigorous dark green or bluish-green seedlings; uniform density with nurse plants, ligustrum, and grasses well intermingled; grasses and the perennials remaining green throughout the summer, at least at the plant base.)
  - \* Plan to add fertilizer the following growing season according to soil test recommendations.
  - \* Repair damaged, bare or sparse areas by filling any gullies, re-fertilizing, over- or re-seeding, and mulching.
  - If plant cover is sparse or uneven, review the plant material chosen, soil fertility, moisture condition, and mulching; then repair the affected area either by over-seeding or by re-seeding and mulching after re-preparing the seeded.
  - If vegetation fails to grow, consider soil testing to determine acidity or nutrient deficiency problems. (Contact your SWCD or Cooperative Extension office for assistance.)
  - If additional fertilization is needed to get a satisfactory stand, do so according to soil test recommendations.



	<p align="center"><b>PRACTICE 3.17</b>  <b>EROSION CONTROL BLANKET (SURFACE-APPLIED)</b></p>
	<p>Erosion control blanket is biodegradable organic or synthetic mulch incorporated into a polypropylene or similar netting material; it is an alternative to mulch and normally used on slopes or in concentrated flow channels.</p> <p><b>PURPOSE</b></p> <ul style="list-style-type: none"> <li>* To prevent erosion by protecting the soil from rainfall impact, overland water flow, concentrated runoff, or wind.</li> <li>* To provide temporary surface stabilization.</li> <li>* To anchor mulch in critical areas, including slopes.</li> <li>* To reduce soil crusting.</li> <li>* To conserve moisture and increase seed germination and seedling growth.</li> </ul>

<b>REQUIREMENTS</b>	<p><b>Material:</b> For slopes 3:1 or less use LANDOLK brand series CS2–See ECRB or Grading Plan. For slopes greater than 3:1 use LANDOLK brand series C2–See ECRB on Grading Plan.</p> <p><b>Expected life:</b> 2 years maximum.</p> <p><b>Anchoring:</b> Use of staples or stakes to prevent movement or displacement.</p>
<b>INSTALLATION</b> (Exhibit 1.354–6)	<ol style="list-style-type: none"> <li>1. Install any practices needed to control erosion and runoff, such as temporary or permanent diversion, sediment basin or trap, silt fence and straw bale dam.</li> <li>2. Grade the site as specified in the construction plan.</li> <li>3. Add topsoil where appropriate (Practice 3.02).</li> <li>4. Prepare the seedbed, fertilize (and lime, if needed), and seed the area immediately after grading (Practice 3.12).</li> <li>5. Following manufacturer's instructions, lay the blankets on the seeded area such that they are in continuous contact with the soil and that the upslope or upstream ones overlap the lower ones by at least 8 inches.</li> <li>6. Tuck the uppermost edge of the upper blankets into a check slot (5" trench), backfill with soil and tamp down.</li> <li>7. Anchor the blankets as specified by the manufacturer. This typically involves driving 6–8 inch metal spikes into the ground in a pattern determined by the site conditions.</li> </ol>

**MAINTENANCE**

- \* During vegetative establishment, inspect after storm events for any erosion below the blanket.
- \* If any area shows erosion, pull back that portion of the blanket covering it, add soil, re-seed the area, and re-apply and staple the blanket.
- \* After vegetative establishment, check the treated area periodically.

PRACTICE 3.13 DORMANT AND FROST SEEDING	
PURPOSES	<ul style="list-style-type: none"> <li>* To provide early germination and soil stabilization in the spring.</li> <li>* To reduce sediment runoff to downstream areas.</li> <li>* To improve the visual aesthetics of the construction area.</li> <li>* To repair previous seedings.</li> </ul>
REQUIREMENTS	<p><b>Site and seeded preparation:</b> Good as needed, and time and fertilizer applied.</p> <p><b>Plant species:</b> Selected for the hardiness of the type, adaptability to the region and planned use of the area (see Exhibits 3.13-1 and 3.13-2).</p>

**APPLICATION**  
(Exhibit 313-B and  
c)

**SITE PREPARATION:**

1. Grade the area to be seeded.
2. Install needed erosion/sediment control practices, such as temporary or permanent diversions, sediment basins, silt fences, or straw bale dams (Practices 3.21, 3.22, 3.72, 3.74 or 3.75).

**FOR DORMANT SEEDING**

Site and seedbed preparation and mulching can be done months ahead of actual seeding or if the existing ground cover is adequate, seeding can be directly into it.

Seeding dates: Dec. 1–Feb. 28 (north of US 40), Dec. 10–Jan. 15 (south of US 40).

1. Broadcast Fertilizer is recommended by a soil test, or if testing was not done consider applying 400–600 lbs. ac of 12–12–12 analysis or equivalent fertilizer.
2. Apply mulch upon completion of grading (Practice 3.15).
3. Select an appropriate seed species or mixture from Exhibit 313-B or Exhibit 313-C, and broadcast on top of the mulch and/or into existing ground cover at rate shown.

**FOR FROST SEEDING**


Seed is broadcast over the prepared seedbed and incorporated into the soil by natural freeze–thaw action.

Seeding dates: Feb. 28–Mar. 28 (north of US 40), Feb. 15–Mar. 15 (south of US 40).

1. Broadcast Fertilizer as recommended by a soil test, or if testing was not done consider applying 400–600 lbs. ac of 12–12–12 analysis or equivalent fertilizer.
2. Apply mulch upon completion of grading (Practice 3.15).
3. Select an appropriate seed species or mixture from Exhibit 313-B or Exhibit 313-C, and broadcast on top of the mulch and/or into existing ground cover at rate shown. Do not work the seed into the soil.

Seed species*	Rate per acre
Wheat or rye	150lbs.
Spring oats	150 lbs.
Annual ryegrass	60 lbs.

\* Parental species may be used as a temporary cover, especially if the area to be seeded will remain idle for more than a year (Practice 3.12).



## TEMPORARY CONCRETE WASHOUT AREA

**REQUIREMENTS**

**Capacity:** Temporary washout facilities shall be constructed above or below grade at the option of the contractor. Temporary washout facilities shall be constructed and maintained in sufficient quality and size to contain all liquid and concrete waste generated by washout operations.

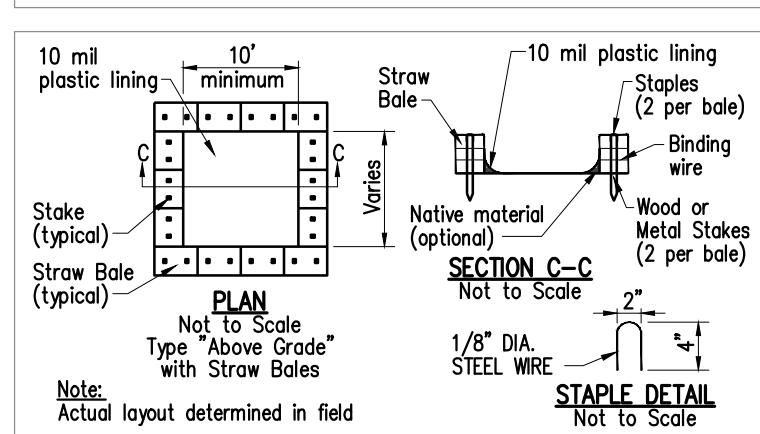
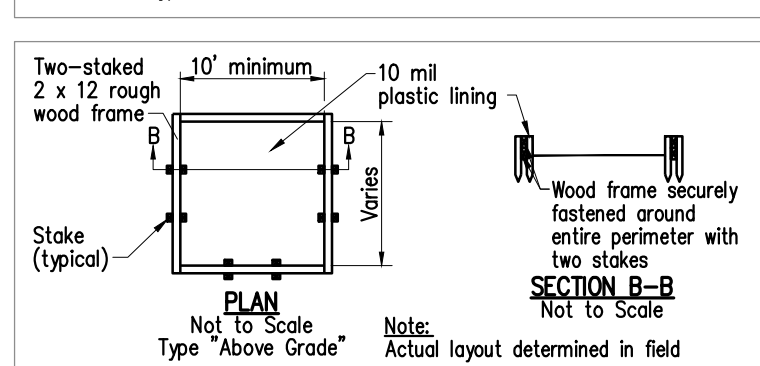
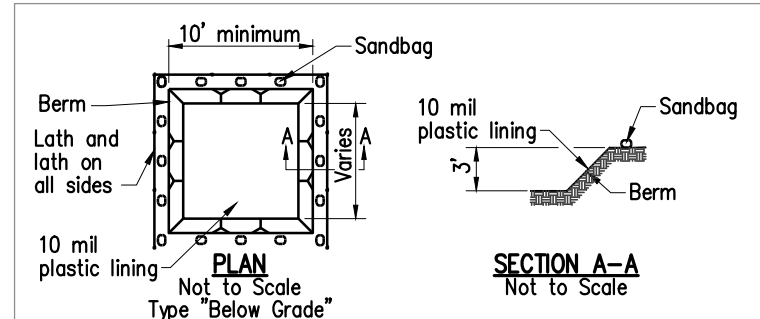
**Type:** Below grade concrete washout facilities are typical. Above grade facilities are used if excavation is not practical.

**Location:** Facilities shall be located at a minimum of 50' from storm drain inlets, open drainage facilities, and water courses.

**Plastic Lining Material:** Minimum 10 mil polyethylene sheeting and should be free of holes, tears or other defects.

**Stream Bed Dimensions:** Approximately 14 ft. x 18 in. x 36 in.

**Bale Anchoring:** Two 36-in. long (minimum) steel rebars or 2 x 2-in. hardwood stakes driven through



**NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.**

Seed species*	Rate per acre	Optimum soil pH
<b>OPEN AND DISTRIBUTED AREAS (REMAINING IDLE MORE THAN 1 YR.)</b>		
1. Perennial ryegrass	50 to 75 lbs.	5.6 to 7.0
+ white or ladino clover†	1 1/2 to 3 lbs.	
2. Kentucky bluegrass	30 to 45 lbs.	5.5 to 7.5
+ smooth bromegrass	15 lbs.	
+ switchgrass	5 lbs.	
+ timothy	6 lbs.	
+ perennial ryegrass	15 lbs.	
+ white or ladino clover†	1 1/2 to 3 lbs.	
3. Perennial ryegrass	22 to 45 lbs.	5.6 to 7.0
+ prairie switchgrass	50 to 75 lbs.	
4. Prairie switchgrass	50 to 75 lbs.	5.5 to 7.5
+ white or ladino clover†	1 1/2 to 3 lbs.	
<b>STEEP BANKS AND CUTS, LOW MAINTENANCE AREAS (NOT MOWED).</b>		
1. Smooth bromegrass	35 to 50 lbs.	5.5 to 7.5
+ red clover	10 to 15 lbs.	
2. Prairie switchgrass	50 to 75 lbs.	5.5 to 7.5
+ white or ladino clover†	1 1/2 to 3 lbs.	
3. Prairie switchgrass	50 to 75 lbs.	5.5 to 7.5
+ red clover	15 to 30 lbs.	
(Recommended north of US 40.)		
4. Orchardgrass	30 to 45 lbs.	5.6 to 7.0
+ bluegrass	10 to 30 lbs.	
+ ladino clover†	1 1/2 to 3 lbs.	
5. Crownvetch†	15 to 18 lbs.	5.6 to 7.0
+ prairie switchgrass	30 to 45 lbs.	
(Recommended north of US 40.)		
<b>LAWNS AND HIGH MAINTENANCE AREAS</b>		
1. Bluegrass	160 to 210 lbs.	5.5 to 7.5
2. Perennial ryegrass (turf-type)	70 to 80 lbs.	5.6 to 7.0
+ bluegrass	100 to 135 lbs.	
3. Prairie switchgrass (turf-type)	195 to 250 lbs.	5.6 to 7.5
+ bluegrass	30 to 45 lbs.	
<b>CHANNELS AND AREAS OF CONCENTRATED FLOW</b>		
1. Perennial ryegrass	150 to 225 lbs.	5.6 to 7.0
+ white or ladino clover†	1 1/2 to 3 lbs.	
2. Kentucky bluegrass	30 lbs.	5.5 to 7.5
+ smooth bromegrass	15 lbs.	
+ switchgrass	5 lbs.	
+ timothy	6 lbs.	
+ perennial ryegrass	15 lbs.	
+ white or ladino clover†	1 1/2 to 3 lbs.	
3. Prairie switchgrass	150 to 225 lbs.	5.5 to 7.5
+ white or ladino clover†	1 1/2 to 3 lbs.	
4. Prairie switchgrass	150 to 225 lbs.	5.5 to 7.5
+ perennial bluegrass	22 to 30 lbs.	
+ Kentucky bluegrass	22 to 30 lbs.	

\* For best results, mix legume seed should be broadcasted, (b) seedling mixtures containing legumes should preferably be spring-seeded, though, the grass may be fall-seeded and the legume or legumes are best seeded in the early fall.

NOTE: If using mixtures other than those listed here, increase the seeding rate by 50% over the conventional rate.

**MAINTENANCE**

- \* Apply 200–300 lbs./acre of 12–12–12 or equivalent fertilizer between Apr 15 and May 10 or during periods of vigorous growth.
- \* Re-seed and mulch any areas that have inadequate cover by mid to late Apr. For best results, re-seed within the recommended dates shown in Practices 3.1 for temporary seeding or 3.12 for permanent seeding.

## INSTALLATION

- Temporary concrete washout facilities shall be constructed as shown in the above details, and as described below. All temporary washout facilities shall have at minimum 10' width, 3' depth, and sufficient length to contain all liquid and concrete to be generated.
- "Below Grade"
  - 1. A pit shall be excavated with a minimum width of 10', depth of 3' and length to contain all liquid and concrete waste generated.
  - 2. The pit shall be lined with a minimum 10 mil plastic lining which overhangs the pit rim by 5' in each direction.
  - 3. Sandbags shall be placed on top of the plastic lining at 3' intervals along the rim of the excavation.
  - 4. Lath and flagging shall be installed on all sides of the excavated pit to clearly mark its location.
- "Above Grade"
  - 1. The wood frame shall be constructed using two 2 x 12 boards stacked on edge with a minimum width of 10' and length sufficient to contain all liquid and concrete waste generated.
  - 2. The wood frame shall be securely fastened around the entire perimeter using steel rebar or 2 in. x 2 in. hardwood stakes.
  - 3. The wood frame shall be lined with 10 mil plastic sheathing which shall be attached to the outside face of the wood frame.
  - 4. Straw bales shall be arranged such that they create a basin with a minimum width of 10' and length sufficient to contain all liquid and concrete waste generated.
  - 5. The straw bales shall be securely stacked using steel rebar or 2 in. x 2 in. hardwood stakes. (two per bale)
  - 6. The basin shall be lined with 10 mil plastic sheathing which is attached to the straw bales using 4" steel wire staples. (two per bale)
- "Above Grade" with Straw Bales
  - 1. The wood frame shall be constructed using two 2 x 12 boards stacked on edge with a minimum width of 10' and length sufficient to contain all liquid and concrete waste generated.
  - 2. The wood frame shall be securely fastened around the entire perimeter using steel rebar or 2 in. x 2 in. hardwood stakes. (two per bale)
  - 3. The basin shall be lined with 10 mil plastic sheathing which is attached to the straw bales using 4" steel wire staples. (two per bale)

**MAINTENANCE**

- \* Temporary concrete washout facilities should be maintained to provide adequate holding capacity with a minimum freeboard of 4 in. for above grade facilities and 12 in. for below grade facilities. Maintaining temporary concrete washout facilities should include removing and disposing of hardened concrete and returning the facilities to a functional condition. Hardened concrete materials should be removed and disposed of.
- \* Washout facilities must be cleaned, or new facilities must be constructed ready for use once the washout is 75% full.
- \* At the conclusion of concrete construction activities the temporary concrete washout area shall be removed and returned to its original condition.

revisions:

12/8/05 - Added drainage swale detail.	
- Added trench drain detail.	pl

ARCHITECTURE  
ENGINEERING  
PLANNING



BBBY FANYO & ASSOCIATES, INC.

528 north walnut street  
(812) 332-8030

certified by

Proposed:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg, Indiana

title: EROSION  
CONTROL  
DETAILS

designed by: **jbt**  
drawn by: **jlr**  
sheet no: **10 OF 10**  
project no.: **400523**



LEGAL DESCRIPTION  
Job No. 400523  
Owner: Dennis Miller  
Source: Instrument Number 2000018799

6.05 ACRES

A part of the south half of Section 29, Township 7 North, Range 1 West, Clear Creek Township, Monroe County, Indiana, more specifically described as follows:

Commencing at a railroad spike found marking the southeast corner of the Southwest quarter of said Section 29; Thence on the centerline of Harrodsburg Road North 01 degree 04 minutes 05 seconds East (assumed basis of bearings) 768.00 feet to a mag nail found; Thence North 00 degrees 31 minutes 51 seconds East 174.01 feet to a mag nail found; Thence North 00 degrees 11 minutes 41 seconds East 241.02 feet to a mag nail found; Thence North 02 degrees 53 minutes 13 seconds West 216.69 feet to a mag nail found; Thence North 06 degrees 25 minutes 18 seconds West 30.73 feet to mag nail found at the true Point of Beginning.

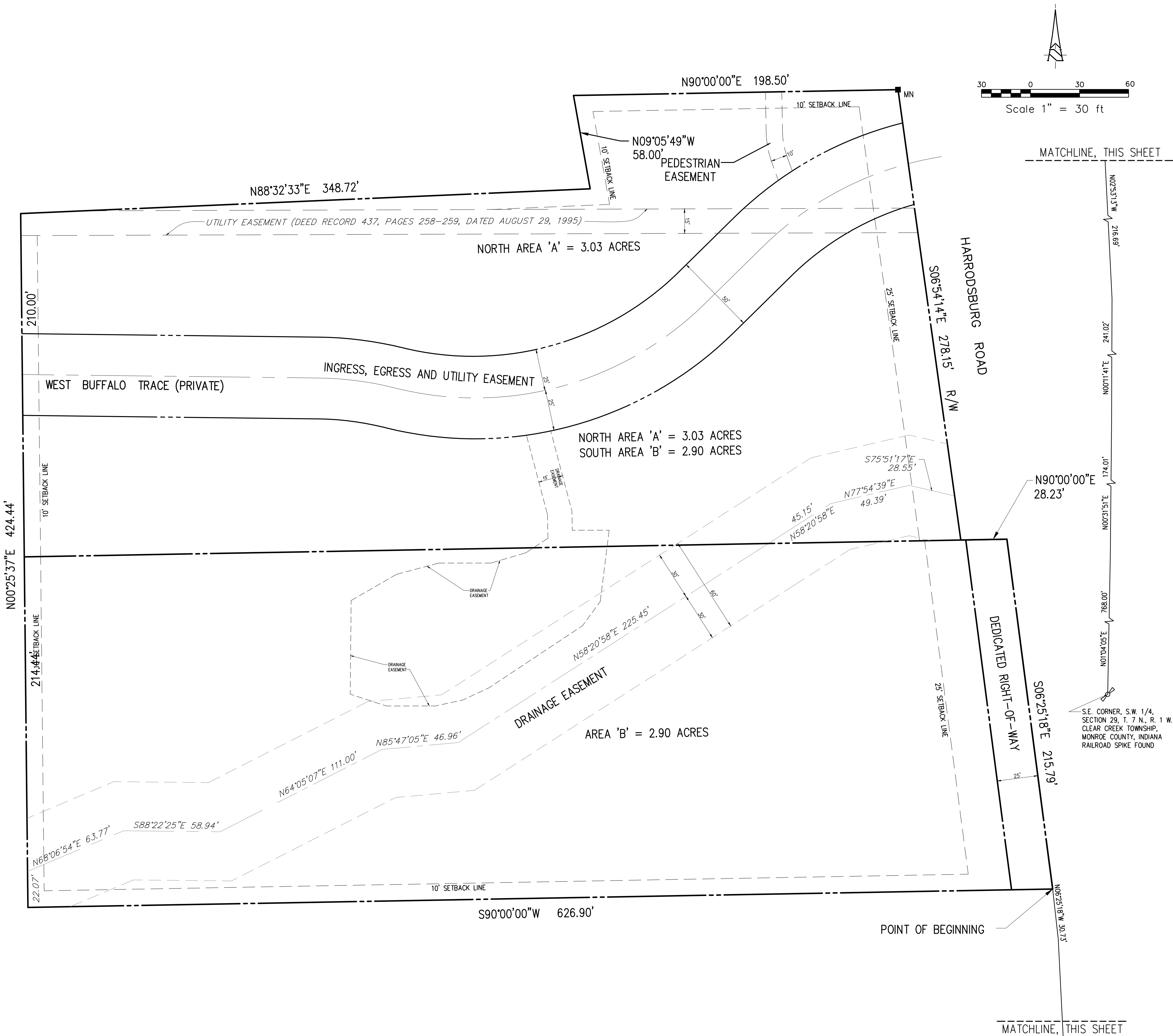
Thence leaving said centerline South 90 degrees 00 minutes 00 seconds West 626.90 feet to a 5/8 inch diameter rebar with a cap engraved "Bynum Fanyo 890006" (called "monument" for the remainder of this description) found; Thence along a fence North 00 degrees 25 minutes 37 seconds East 214.44 feet to a monument found at the southwest corner of Out Lot 6 in Harrodsburg, Indiana; Thence continuing along a fence North 00 degrees 25 minutes 37 seconds East 210.00 feet; Thence along a fence North 88 degrees 32 minutes 33 seconds East 348.72 feet to a monument found; Thence along a fence North 09 degrees 05 minutes 49 seconds West 58.00 feet to a monument found; Thence along a fence North 90 degrees 00 minutes 00 seconds East 198.50 feet to a corner post on the existing west right-of-way line of Harrodsburg Road, said right-of-way being approximately 30 feet west of the road centerline; Thence on said right-of-way line South 06 degrees 54 minutes 14 seconds East 278.15 feet; Thence North 90 degrees 00 minutes 00 seconds East 28.23 feet to a mag nail found on the centerline of Harrodsburg Road; Thence on said centerline South 06 degrees 25 minutes 18 seconds East 215.79 feet to the Point of Beginning containing within said bounds 6.05 ACRES be the same more or less but subject to all rights-of-way and easements of record.

SUBJECT to an easement for drainage purposes 50 feet wide lying 25 feet on each side of the following described line;

Commencing at a railroad spike found marking the southeast corner of the Southwest quarter of said Section 29; Thence on the centerline of Harrodsburg Road North 01 degree 04 minutes 05 seconds East (assumed basis of bearings) 768.00 feet to a mag nail found; Thence North 00 degrees 31 minutes 51 seconds East 174.01 feet to a mag nail found; Thence North 00 degrees 11 minutes 41 seconds East 241.02 feet to a mag nail found; Thence North 02 degrees 53 minutes 13 seconds West 216.69 feet to a mag nail found; Thence North 06 degrees 25 minutes 18 seconds West 30.73 feet to mag nail found; Thence leaving said centerline South 90 degrees 00 minutes 00 seconds West 626.90 feet to a 5/8 inch diameter rebar with a cap engraved "Bynum Fanyo 890006" (called "monument" for the remainder of this description) found; Thence along a fence North 00 degrees 25 minutes 37 seconds East 22.07 feet to the true Point of Beginning of said easement centerline;

Thence North 68 degrees 06 minutes 54 seconds East 63.77 feet; Thence South 88 degrees 22 minutes 25 seconds East 58.94 feet; Thence North 64 degrees 05 minutes 07 seconds East 111.00 feet; Thence North 85 degrees 47 minutes 05 seconds East 46.96 feet; Thence North 58 degrees 20 minutes 58 seconds East 270.60 feet; Thence North 77 degrees 54 minutes 39 seconds East 49.39 feet; Thence South 75 degrees 51 minutes 17 seconds East 28.55 feet to the terminus of said easement. The side lines of said easement to be extended or shortened to meet at angle points and to terminate at the south, west and east lines of the above described 6.05 acres.

SUBJECT to all easements and rights-of-way of record.



NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

revisions:

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

Bloomington, Indiana  
(812) 339-2990 (Fax)

BYNUM FANYO & ASSOCIATES, INC.

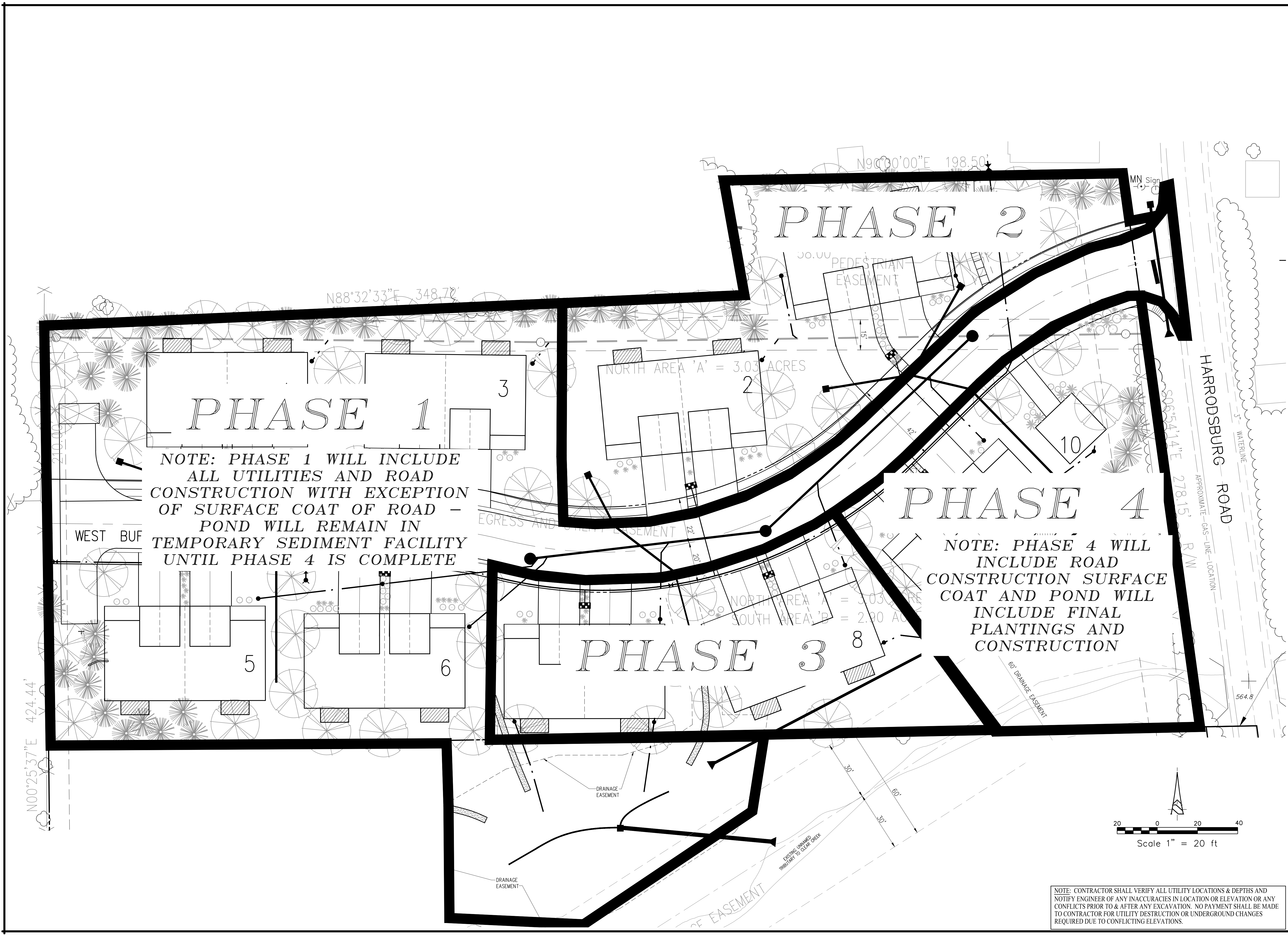
528 north walnut street  
(812) 332-8030

certified by:

proposed:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg Indiana

title: BOUNDARY  
PLAN

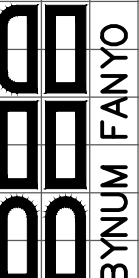
designed by: JBT  
drawn by: JR  
sheet no.: 2 OF 10  
project no.: 400523



revisions:

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CIVIL ENGINEERING  
PLANNING

bloomington, indiana  
(812) 339-2990 (fax)

BYNUM FANTO & ASSOCIATES, INC.

528 north walnut street  
(812) 332-8030

certified by:

proposed:  
HERITAGE CREEK  
South Harrodsburg Road  
Harrodsburg Indiana

title: SITE PHASING  
OPTION 1

designed by: JBT  
drawn by: JR  
sheet no: -  
project no.: 400523

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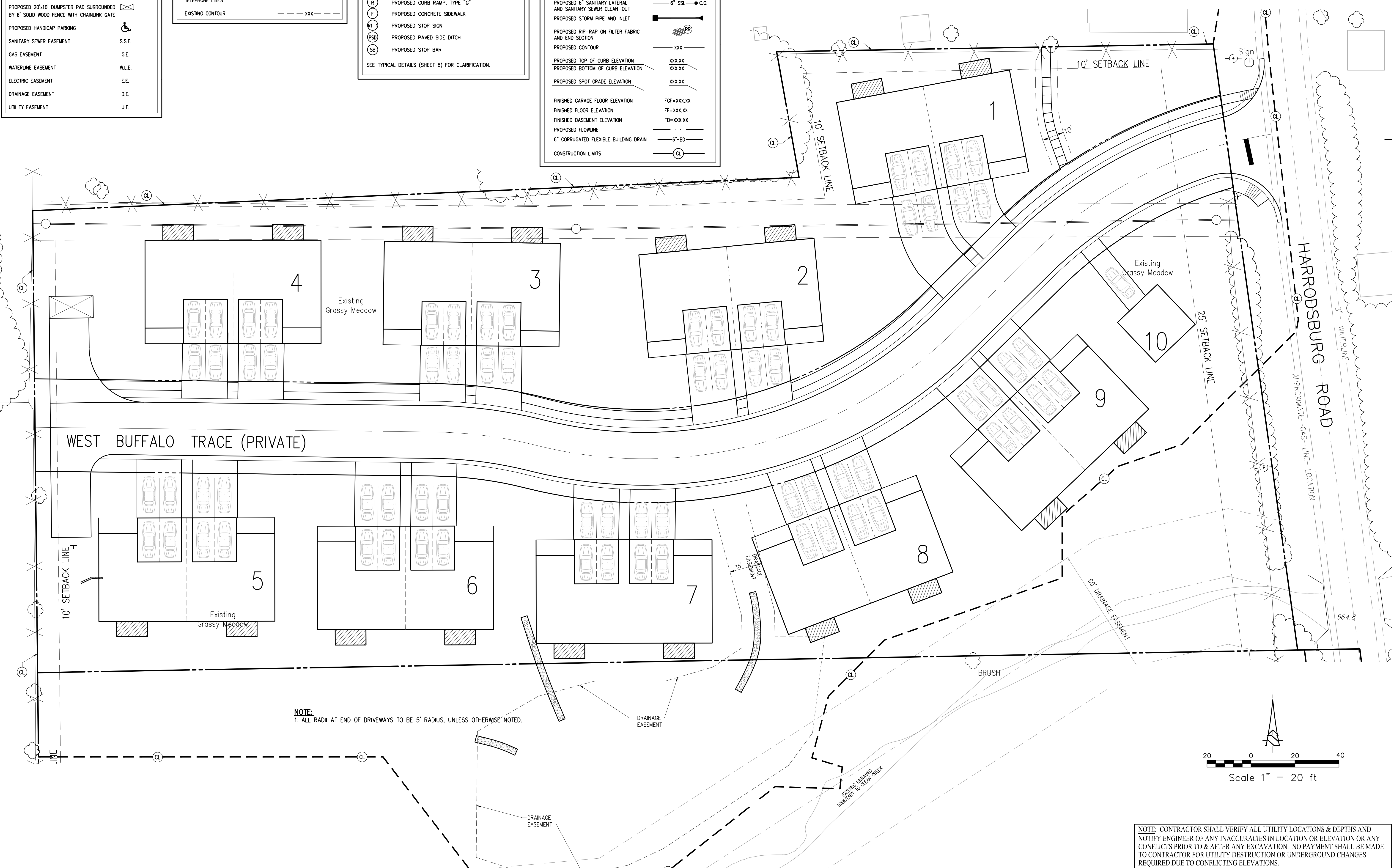
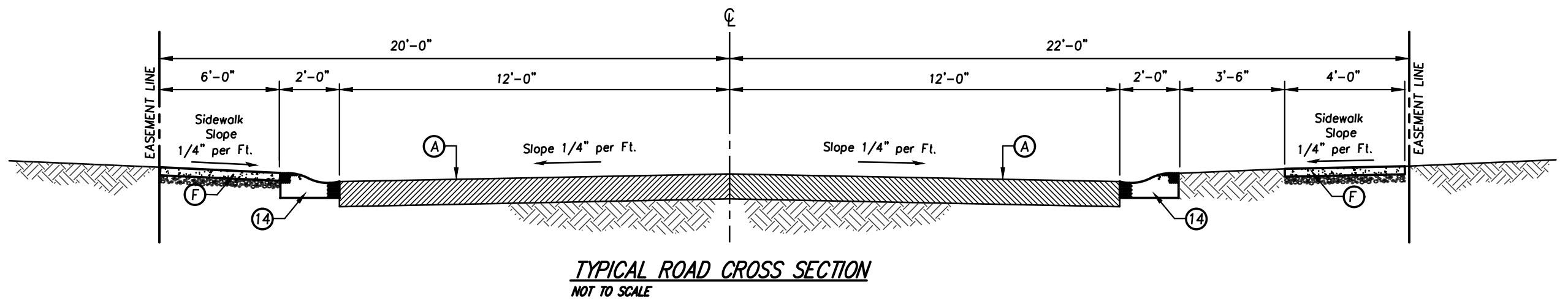


GENERAL LEGEND	
PROPERTY LINE	---
DEED BOOK AND PAGE	XXX/XXX
TO BE REMOVED	T.B.R.
TO REMAIN UNDISTURBED	T.R.U.
SETBACK LINE	-X' SBL-
PROPOSED 20'x10' DUMPSTER PAD SURROUNDED BY 6" SOLID WOOD FENCE WITH CHAINLINK GATE	
PROPOSED HANDICAP PARKING	
SANITARY SEWER EASEMENT	S.S.E.
GAS EASEMENT	G.E.
WATERLINE EASEMENT	W.L.E.
ELECTRIC EASEMENT	E.E.
DRAINAGE EASEMENT	D.E.
UTILITY EASEMENT	U.E.

EXISTING LEGEND	
EXISTING FENCE	---
EXISTING OVERHEAD ELECTRIC AND TELEPHONE LINES	—OHE+OHT—
EXISTING UNDERGROUND ELECTRIC AND TELEPHONE LINES	—UGE+UGT—
EXISTING UNDERGROUND TELEPHONE LINES	—UGT—
EXISTING CONTOUR	---XXX---

SITE LEGEND	
(A)	PROPOSED BITUMINOUS PAVING
(C)	PROPOSED CONCRETE PAVEMENT
(CJ)	PROPOSED CONSTRUCTION JOINT
(EJ)	PROPOSED EXPANSION JOINT
(14)	PROPOSED 24" CONCRETE ROLL CURB
(R)	PROPOSED CURB RAMP, TYPE "G"
(F)	PROPOSED CONCRETE SIDEWALK
(R1-S)	PROPOSED STOP SIGN
(PSD)	PROPOSED PAVED SIDE DITCH
(SB)	PROPOSED STOP BAR
SEE TYPICAL DETAILS (SHEET 8) FOR CLARIFICATION.	

UTILITY AND GRADING LEGEND	
PROPOSED 4" SDR 21 WATERLINE	4"-WL
PROPOSED WATER VALVE	
PROPOSED FLUSH HYDRANT (FH)	
PROPOSED SINGLE WATER METER	
PROPOSED DUAL WATER METER	
PROPOSED 8" PVC SANITARY SEWER AND SANITARY SEWER MANHOLE	8"-SSW
PROPOSED 6" SANITARY LATERAL AND SANITARY SEWER CLEAN-OUT	6"-SSL → C.O.
PROPOSED STORM PIPE AND INLET	
PROPOSED RIP-RAP ON FILTER FABRIC AND END SECTION	
PROPOSED CONTOUR	XXX
PROPOSED TOP OF CURB ELEVATION	XXXX.XX
PROPOSED BOTTOM OF CURB ELEVATION	XXXX.XX
PROPOSED SPOT GRADE ELEVATION	XXXX.XX
FINISHED GARAGE FLOOR ELEVATION	FG=XXXX.XX
FINISHED FLOOR ELEVATION	FF=XXXX.XX
FINISHED BASEMENT ELEVATION	FB=XXXX.XX
PROPOSED FLOWLINE	→
6" CORRUGATED FLEXIBLE BUILDING DRAIN	6"-BD
CONSTRUCTION LIMITS	CL



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revisions:

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CIVIL ENGINEERING  
PLANNING

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designed by: JBT  
drawn by: JR  
sheet no.: 3 OF 10  
project no.: 400523

title: SITE PLAN

Page 149 of 149