

CHAPTER 862

Sliding Scale Option Subdivision

862-1 Purpose and Intent

The purpose of the Sliding Scale Option subdivision is to accommodate development and redevelopment of areas designated in the Monroe County Comprehensive Plan as Farm and Forest and Rural Residential. The Sliding Scale Option is well-suited for owners who wish to subdivide their property for economic opportunity while ensuring restrictions on successive applications of the subdivision opportunities for the property. In general the Sliding Scale Option regulations seek to:

- Preserve large areas of sparse and low residential density for the planning horizon of the Comprehensive Plan; and,
- Protect and enhance Vulnerable Lands in rural areas.

The Sliding Scale Option when implemented in conjunction with the traditional development standards set forth in the Agriculture / Rural Reserve (AG/RR), Conservation Residential (CR) and Forest Reserve (FR) zoning districts will serve to:

- Support and sustain the agricultural use and productivity of the Monroe County;
- Preserve large tracts capable of supporting farming, forestry or agricultural related production and to preserve the open road rural landscape appearance of Monroe County;
- Preserve the opportunity for individuals to experience and sustain rural lifestyles in sparsely populated areas of Monroe County; and,
- Provide opportunity to create some residential lots to accommodate family expansion and limited development needs while limiting development to the fewest lots possible to maintain the low density, rural-oriented growth that is consistent with the County's physical constraints as described in the Comprehensive Plan.

Use of the Sliding Scale Option for development activity in the areas under the zoning designation AG/RR, CR and FR is optional. At the time of filing the applicant must elect either the traditional subdivision method or the Sliding Scale Option subdivision.

862-2 Definitions of Terms

Original Parent Parcel. The lot prior to the utilization of the Sliding Scale Option subdivision method.

Parent Parcel Remainder. The largest lot created under the Sliding Scale Option subdivision method.

Sliding Scale Option Small Lot. In the AG/RR, CR and FR zoning districts, individual small lots ranging in size from two and a half (2.5) to less than 45% of Original Parent Parcel size which are through the Sliding Scale Option Subdivision.

Subdivision, Sliding Scale Option. In the AG/RR, CR and FR zoning districts, an optional method of subdivision which establishes a parent parcel remainder and up to three (3) sliding scale small lots.

862-3 Applicable Sliding Scale Zoning Districts

The Sliding Scale Option Subdivision is permitted in the following zoning districts:

- Agriculture/Rural Reserve (AG/RR) District
- Conservation Residential (CR) District
- Forest Reserve (FR) District

862-4 General Development Standards in Sliding Scale Option

The Sliding Scale Option provides an alternate lot size and density distribution from the traditional development standards set forth in Chapter 804 of this ordinance to allow for the creation of smaller lots while retaining larger lots of undeveloped and/or vulnerable land as well as large residential or agricultural parcel uses. Under the Sliding Scale Option, the allowance for small lot development is based upon the size of the Original Parent Parcel.

(A) General design considerations for Sliding Scale Option :

- (1) The designated Parent Parcel Remainder shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless connected to a public sewage disposal system or further subdivision of the property is authorized by ordinance. This Restriction shall be recorded on the Final Plat and incorporated as a Recorded Commitment (which states the day, year and month in which the Parent Parcel Remainder becomes eligible for further subdivision) referenced on any deed conveying the Parent Parcel Remainder.
- (2) Lots not utilizing a shared driveway must be accessible from a Monroe County or INDOT road or from a hard-surface road designed by a professional engineer to meet current Monroe County subdivision street requirements.
- (3) Any lots created by the sliding scale option subdivision method must meet all other ordinance requirements including but not limited to: driveway requirements, slope restrictions, karst restriction requirements as well as other restrictions on vulnerable land forms and all other factors which may impact health, safety and the public welfare.
- (4) All lots must contain 1 septic site per dwelling unit approved by the Monroe County Health Department. Otherwise, the deed will be marked "no residential dwelling permitted" to allow for the division of land for agricultural purposes only. If a finger system is in use, the lot must contain a location for another septic site.
- (5) Subdivisions on roads less than 18 feet in width shall be prohibited, unless waived pursuant to Chapter 850-12.
- (6) Any lots intended for residential use created by the sliding scale option subdivision method shall include 1 acre of buildable area. This provision may only be waived for proposed lots including pre-existing residential structures.

(B) Forest Reserve (FR) Specific Development Standards

The following standards apply to the original parent parcel and the number and design of small and parent parcel remainder lots allowed to be created under the Sliding Scale Option subdivision method:

(1) Sliding Scale Option Development Standards for Small Lots

Original Parent Parcel Size	Total Number of Lots Permitted*
Less than 10 acres	1 (existing), No additional small lot permitted
10 to 20 acres	2 (1 additional small lot)
20 to 30 acres	3 (2 additional small lots)
30 acres or greater	4 (3 additional small lots)

**Subject Buildable Area Determination*

(2) Sliding Scale Option Height, Bulk, Area, Density Standards for Small Lots

Minimum Lot Size	2.5 acres	
Maximum Lot Size	Up to 45% of the Original Parent Parcel	
Minimum Lot Width*	200'	
Maximum Lot Coverage**	10,000 s.f.	
Minimum Setbacks:	Front	60' from Right of Way for Public Road in Current Thoroughfare Plan, or; 50' if no direct frontage on a road
	Side	50', 15' for residential structures and residential accessory structures
	Rear	50', 35' for residential structures and residential accessory structures
Maximum Height	40', principal use residential structures 30', residential accessory structures	

** Measured from any one side lot line to another, measured at the building line parallel to the right of way frontage (note: frontage requirements may be waived if designated for conservation or agricultural purposes).*

*** Excluding agricultural buildings and buildings or structures that contain less than 120 s.f. of floor area and that are not built on permanent foundations*

(3) Sliding Scale Option Development Standards for Parent Parcel Remainder

Minimum Lot Size	55% of the Original Parent Parcel	
Minimum Lot Width*	200'	
Maximum Lot Coverage**	15,000 s.f.	
Minimum Setbacks:	Front	60' from Right of Way for Public Road in Current Thoroughfare Plan, or; 50' if no direct frontage on a road
	Side	50', 15' for residential structures and residential accessory structures
	Rear	50', 35' for residential structures and residential accessory structures
Maximum Height	40', principal use residential structures 30', residential accessory structures	

** Measured from any one side lot line to another, measured at the building line parallel to the right of way frontage (note: frontage requirements may be waived if designated for conservation or agricultural purposes).*

*** Excluding agricultural buildings and buildings or structures that contain less than 120 s.f. of floor area and that are not built on permanent foundations*

(C) Agriculture / Rural Reserve (AG/RR) and Conservation Residential (CR) Specific Development Standards

The following standards apply to the original parent parcel and the number and design of small and parent parcel remainder lots allowed to be created under the Sliding Scale Option subdivision method:

(1) Sliding Scale Option Development Standards for Small Lots

Original Parent Parcel Size	Total Number of Lots Permitted*
Less than 10 acres	1 (existing), No additional small lot permitted
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20 to 30 acres	3 (2 additional small lots)
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**Subject Buildable Area Determination*

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Maximum Lot Coverage**	10,000 s.f.	
Minimum Setbacks:	Front	60' from Right of Way for Public Road in Current Thoroughfare Plan, or; 50' if no direct frontage on a road
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** Measured from any one side lot line to another, measured at the building line parallel to the right of way frontage (note: frontage requirements may be waived if designated for conservation or agricultural purposes).*

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***** Excluding agricultural buildings and buildings or structures that contain less than 120 s.f. of floor area and that are not built on permanent foundations***

862-5 **Permitted Land Uses**

All land use definitions as defined by Chapter 802-5 are applicable to this chapter. All permitted and conditional uses shall retain their status unless otherwise designated by the Plan Commission and County Commissioners.

862-6 **Authority**

The action of Monroe County, Indiana in the adoption of this option is authorized under Indiana Code § 36-1-3-4 and Indiana Code § 36-7-4-1, et seq., as amended.

This option is adopted as one of the instruments of implementation of the public purposes and objectives of the adopted Monroe County Comprehensive Land Use Plan. This option is declared to be in accord with these plans, to the extent required by Indiana Code § 36-1-3-4 and Indiana Code § 36-7-4-1, et seq., as amended.

(End of chapter)